Title: OYSTER CREEK NUCLEAR GENERATING STATION:

ALLEGED FALSE STATEMENTS MADE TO NRC INSPECTORS

Licensee:

GPU Nuclear Corporation
Post Office Box 388
Forked River, New Jersey 08731-0388

Docket No.: 50-219

Case Number: 1-85-011

Report Date: October 16, 1985

Control Office: OI:RI

Status: CLOSED

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Information in this record was deleted
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SYNOPSIS

This investigation was initiated upon receipt of a written request, dated June 14, 1985, from the Regional Administrator, Region I. The Office of Investigations (OI) was asked to determine the circumstances surrounding the making of false statements to NRC Inspectors by two General Public Utilities (GPU) employees on June 6-7, 1985, at the Oyster Creek Nuclear Generating Station (OCNGS), Forked River, New Jersey. Additionally, this inquiry was designed to ascertain if any licensee personnel, other than the two culpable employees, were involved in this incident or attempted to withhold pertinent information.

During the week of June 3-7, 1985, a routine inspection of the Radiological Controls Plan at OCNGS was conducted by two NRC Region I Inspectors. This incident took place during the last two days of their inspection and was precipitated by the Inspectors' observations that inadequate dosimetry was issued to a Firewatch Technician (FT) who had performed a firewatch in the Condenser Bay (CB), a high radiation area.

Title 10, Code of Federal Regulations, Part 20, Section 20.202, entitled "Personnel monitoring" states in part, "Each licensee shall supply appropriate personnel monitoring equipment to, and shall require the use of such equipment by...Each individual who enters a high radiation area...Personnel monitoring equipment means devices designed to be worn or carried by an individual for the purpose of measuring the dose received (e.g. ...pocket dosimeters...etc.,)."

This investigation established that on Thursday, June 6, 1985, the NRC Inspectors saw the FT exit the CB at OCNGS. They questioned the FT and learned that he had dropped a self-reading pocket dosimeter (SRD) at the step off pad upon exiting the CB. They subsequently saw him return one SRD to the Radiation Control Technician (RCT) on duty at the Radiation Work Permit (RWP) office. After the RCT had a discussion about the dropped dosimeter with the Group Radiological Control Supervisor (GRCS), she assigned a zero dose to the FT for his tour of the CB. This assignment of a zero dose aroused the NRC Inspectors' curiosity. They subsequently learned that the FT entered the CB on RWP No. 33485 which required him to carry a 200 mr and a 500 mr SRD. They had seen only one SRD in the FT's possession. That same evening, the NRC Inspectors briefly questioned the FT and the GRCS but did not specifically ask if the FT wore a 500 mr SRD when entering the CB. One of the NRC Inspectors told the GRCS that RWP No. 33485 required two dosimeters. The GRCS's sole response to the NRC Inspector's comment was to ask the Inspector if she had seen the FT wearing only one dosimeter. The NRC Inspector told the GRCS that she saw the FT with just one SRD but mentioned that the FT could have had the other required SRD in one of the plastic bags he was carrying. The GRCS, worried about the NRC's questions about inadequate dosimetry, seized upon the vagueness of the Inspector's observations. The GRCS subsequently met with the FT and directed him to lie. If asked, the FT was instructed to say he had two SRDs and that the 500 mr SRD was in one of his plastic bags. He told the FT that the lie would keep everyone out of trouble. The GRCS also instructed the RCT to lie and say that she had issued two SRDs to the FT.

On Friday, June 7, 1985, the NRC Inspectors questioned the Radiation Controls Field Operations Manager (RCFOM) about the possibility that inadequate dosimetry had been issued to the FT. During the RCFOM's attempt to gain answers for the NRC, the GRCS lied and also authored a material false statement for the RCFOM's eyes. This false document was intended to deceive the NRC Inspectors in their efforts to ascertain the truth. The RCT lied three times during questioning by the RCFOM who was seeking answers to official questions from the NRC Inspectors. The FT was completely truthful to GPU and NRC Investigators.

The RCT and the GRCS, when confronted with the truth by the RCFOM, admitted making false statements. [redacted] When questioned by OI Investigators, the RCT and GRCS again admitted their dishonesty and said they conspired together without the involvement of other persons.

Prior to OI's investigation, the licensee conducted an internal probe of this matter. The OI investigation corroborated the licensee's findings and found that no GPU personnel, other than the GRCS and RCT, were involved in this incident or attempted to withhold pertinent information.

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ACCOUNTABILITY

The following portions of this ROI (Case No. 1-85-011) will not be included in the material placed in the PDR. They consist of pages 3 through 27 .

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APPLICABLE REGULATIONS

Title 10, Code of Federal Regulations, Part 20, Section 20.202, entitled "Personnel monitoring" states in part, "Each licensee shall supply appropriate personnel monitoring equipment to, and shall require the use of such equipment by...Each individual who enters a high radiation area...Personnel monitoring equipment means devices designed to be worn or carried by an individual for the purpose of measuring the dose received (e.g. ...pocket dosimeters...etc.,)."

INTERVIEWEES

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DETAILS OF INVESTIGATION

Purpose of investigation

This investigation was initiated to determine the circumstances surrounding the making of false statements to NRC Inspectors by two General Public Utilities (GPU) employees on June 6-7, 1985, at the Oyster Creek Nuclear Generating Station, Forked River, New Jersey. Additionally, this inquiry was designed to corroborate the validity of an internal probe by GPU and to ascertain if any licensee personnel, other than the two culpable employees, were involved in this incident or attempted to withhold pertinent information from the NRC.

Background

On June 14, 1985, Thomas E. MURLEY, Regional Administrator (RA), Region I, requested an investigation by OI:RI into the circumstances surrounding the making of false statements to NRC Inspectors by licensee personnel. The false statements were made by two GPU employees, including a line supervisor, stationed at OCNGS. Exhibit 1 is a copy of the RA's memorandum requesting this investigation.

During the week of June 3-7, 1985, a routine inspection of the Radiological Controls Plan at OCNGS was conducted by NRC Region I employees Marie MILLER, Radiation Specialist, and Michele GAUDINO-EVANS, Reactor Engineer. Their evaluation of the licensee's performance was based upon a general review of Radiological Controls at OCNGS including, but not limited to, selected personnel exposure records and the issuance of dosimetry. The following comments, which pertain to the making of false statements by two GPU employees, were extracted from Marie MILLER's draft Inspection Report No. 50-219/85-18:

> "Within the scope of this review, the following violation was identified:
>
> Technical Specification 6.11 requires, in part, adherence to radiation protection procedures for all operations involving personnel radiation exposure. Licensee Procedure 915.12 requires, in part, compliance with any condition stated on the RWP by all personnel who sign in on the RWP. Licensee Procedure ADM-4241.05 requires, in part, that a Dosimetry Investigative Report (DIR) be performed for a malfunctioning self-reading dosimeter or for a violation of improper dosimetry. The RWP for entrance to the CB while at power, RWP No.33485, required, in part that a 0-200 mrem and a 0500 mrem self-reading dosimeter (SRD) be worn.
>
> o Contrary to the above, a SRD in the 0-500 mrem range was not issued to an individual who had signed in on RWP No. 33485 on June 6, 1985.

The Inspector noted the apparent violation of RWP No. 33485 when the individual reported to the RWP Office that he had dropped his SRD after exiting the CB, which is a locked High Radiation Area. The Inspector observed an Health Physics (HP) Technician read only one SRD and assign a zero dose after consulting with the GRCS. The GRCS stated that the SRD lined-up with zero and therefore had not malfunctioned. The Inspector noted that the licensee, at that time, had not questioned the individual concerning his stay time in the CB or his movements while in the locked High Radiation Area.

- Also, contrary to the above, the licensee failed to perform a DIR based on the apparent violation of an RWP requirement concerning proper dosimetry and a suspect SRD value. The Inspector noted that the Fields Operations Manager stated a DIR was not necessary because a Thermoluminescent Dosimeter (TLD) and at least one SRD was worn. However, the Director of Radiological Controls for both Oyster Creek and TMI-2 stated that a DIR was required. The licensee reported that a DIR was subsequently performed after the Inspectors had completed the inspection, and that a dose of 7 mrem was assigned for the above entry.

Failure to adhere to the RWP condition concerning personnel dosimetry and failure to adhere to the criteria for performance of a DIR constitutes an apparent violation of Technical Specification 6.11 (50-219/85-18-01).

The Inspectors discussed their findings with a Group Radcon Supervisor on June 6, 1985. On the following day, statements were made by this individual and an HP Technician that were contrary to the Inspector's observations.

The Inspectors met with licensee representatives on June 7, 1985. The Inspector summarized the purpose, scope and findings of the inspection. In addition, the Inspector's understanding of the events related to the apparent false statements were described."

Enforcement Conference

The apparent false statements by Angela TERRY, a RCT, and Allen SMITH, a GRCS, were indirectly made to NRC Inspectors MILLER and GAUDINO-EVANS. The false statements were passed to MILLER and GAUDINO-EVANS through Phillip SCALLON, Radiation Controls Field Operations Manager (RCFOM). Because of these false statements, an Enforcement Conference was held by NRC at Region I in King of Prussia, Pennsylvania, on Thursday, June 13, 1985, with the following GPU officials: P. CLARK, President, GPU Nuclear; P. FIEDLER, Vice President & Director, OCNGS; R. HEWARD, Vice President & Director, GPU Nuclear; D. TURNER, Director, Radiological Controls, OCNGS; and J. HILDEBRAND, Director, Radiological Controls, TMI Unit II. At this Enforcement Conference, the details of this incident were repeated by those knowledgeable NRC and GPU personnel. It was determined that GPU had

conducted an internal inquiry into the matter which was completed on June 12, 1985 [redacted] GPU officials were advised that NRC had referred the matter to OI:RI for further investigation and that any adjudication by NRC would be held in abeyance pending completion of OI's efforts.

Interviews of NRC Inspectors

After this investigation was initiated, Marie MILLER and Michele GAUDINO-EVANS were contacted at NRC Region I. In anticipation of OI's inquiry, MILLER prepared a typed statement about this incident dated June 13, 1985. A copy of MILLER's statement is Exhibit 2. MILLER's statement sets forth the following information:

> At 5:15 p.m. on Thursday, June 6, 1985, she and Michele GAUDINO-EVANS observed Michael SCALZI, a FT, exit the CB at OCNGS. They questioned SCALZI and learned that he just completed a firewatch inside the CB and had dropped his SRD at the step off pad upon exiting. SCALZI was asked and replied affirmably that he knew how to operate the Lapel Air Sampler (LAS) and survey meter he was carrying. SCALZI related that he intended to tell the RCT about the dropped dosimeter.
>
> MILLER and GAUDINO-EVANS subsequently proceeded to the RWP office at approximately 5:30 p.m. where they met two RCTs named Angela TERRY and Belinda SANDS. SCALZI arrived at approximately 5:45 p.m. and they saw him return one SRD to TERRY. They overheard SCALZI tell TERRY that he had dropped the SRD and had not read the instrument before dropping it. TERRY, unsure how to handle this situation, conferred with SANDS who advised TERRY to telephone the GRCS for instructions. Based upon her conversation with the GRCS, TERRY entered a zero dose for SCALZI into the "REM" computer system.
>
> MILLER and GAUDINO-EVANS then questioned SCALZI in a quiet area adjacent to the RWP office. In response to specific questions, SCALZI identified himself and disclosed that he had read and signed RWP No. 33485 before entering the CB where he remained for about seven minutes. SCALZI also stated that he was not given any dose rate survey information.
>
> MILLER and GAUDINO-EVANS went back to the RWP office and learned from TERRY that RWP No. 33485 was used for entering the CB and that RWP No. 35385 was used for non-high radiation areas. MILLER and GAUDINO-EVANS found out that RWP No. 33485, the one signed by SCALZI, required the utilization of a 200 mr SRD and a 500 mr SRD in addition to a TLD.
>
> At approximately 6:00 p.m., MILLER and GAUDINO-EVANS encountered Allen SMITH, the GRCS who had instructed TERRY to assign a zero dose to SCALZI. SMITH explained that a dropped dosimeter does not necessarily malfunction. SMITH also stated that since the dosimeter had not gone offscale, but had lined up with the zero mark, there was no reason to assume a false reading. MILLER pointed out to

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SMITH that RWP No. 33485 required two dosimeters. SMITH's sole response to MILLER's latter comment was to ask MILLER if she had seen SCALZI wearing only one dosimeter. MILLER told SMITH that she saw SCALZI with just one SRD and that SCALZI could have had the other required SRD in one of the plastic bags he was carrying.

The next day, June 7, 1985, MILLER and GAUDINO-EVANS met with Phillip SCALLON, RCFOM, at approximately 9:10 a.m. This meeting was to discuss the assignment of a zero dose to the Firewatch, Michael SCALZI, and the failure by the RCT to issue SCALZI a 500 mr SRD. SCALLON produced a memorandum from Allen SMITH, the GRCS. The memorandum from SMITH, Exhibit 3, stated in part, "...Also the NRC did not see a 500 mr dosimeter on the man [SCALZI]. I asked him and he said he had one." SCALLON was in agreement with SMITH's reasoning for assigning a zero dose to SCALZI based upon SCALZI's dropped, but undamaged, SRD.

After this brief meeting, SCALLON, upon MILLER's request, unsuccessfully attempted to locate the data from SCALZI's LAS. MILLER believed that the LAS data would verify the number of minutes which SCALZI spent inside the CB. In addition, SCALLON reached Angela TERRY via telephone at her home on two occasions that morning and each time TERRY told SCALLON that she issued two SRDs to SCALZI. SCALLON also made one call to Allen SMITH at home that morning at which time SMITH repeated the information set forth in his memorandum indicating that SCALZI had two SRDs when he entered the CB.

At approximately 11:00 a.m., MILLER and GAUDINO-EVANS proceeded to the office of Douglas TURNER, Radiological Controls Director. At around 11:20 a.m., TURNER telephoned Belinda SANDS, RCT, at home while MILLER and GAUDINO-EVANS were present. SANDS was unable to provide any pertinent information about the number of dosimeters issued to and worn by SCALZI because she was busy doing other chores.

TURNER then telephoned the Firewatch, Michael SCALZI, at home and permitted MILLER and GAUDINO-EVANS to listen over the squawk box. SCALZI told TURNER that he was only wearing one dosimeter but was told to say he was wearing two if the NRC asked. SCALZI also disclosed that he went 150 feet into the CB as opposed to 50 feet as stated by SMITH in his memorandum to SCALLON. SCALZI said he was told to say this by a middle-aged man from Radiation Controls and could identify this person.

After TURNER's conversation with SCALZI, Phillip SCALLON entered TURNER's office to report that Angela TERRY, RCT, reported for the second time that she had issued two dosimeters to SCALZI. TURNER, because of the now apparent dishonesty by TERRY and SMITH, instructed SCALLON to call them and SCALZI into the plant for questioning.

At a 2:00 p.m. exit meeting in the office of Peter FIEDLER, Vice President & Director of OCNGS, MILLER and GAUDINO-EVANS were informed that Allen SMITH and Angela TERRY had admitted lying [redacted]

[redacted] The reason given for their apparent false statements was that TERRY, a new employee, was in a probationary period and SMITH, the GRCS, made a futile attempt to cover for her mistake.

Michele GAUDINO-EVANS, Reactor Engineer, also prepared a statement in anticipation of OI's investigation. A copy of GAUDINO-EVANS' handwritten statement is Exhibit 4. Her statement and Marie MILLER's statement are essentially the same, therefore, the salient points in Exhibit 4 have not been repeated in the body of this report.

Acquisition of GPU's Internal Report of Investigation

Betwee June 20 and June 24, 1985, John WILSON and Robert SCHMICHER, Attorneys for GPU, and James HILDEBRAND, Director, Radiological Controls, TMI Unit 2, willingly furnished needed records including the results of the GPU internal inquiry. HILDEBRAND conducted the GPU investigation. A copy of a report to R. HEWARD from HILDEBRAND dated June 12, 1985 entitled "Oyster Creek Event of 6/6/85 Regarding False Statements by Two Radiological Controls Personnel" is Exhibit 5. In essence, this self-explanatory report by HILDEBRAND disclosed that SMITH and TERRY "acted alone and were in agreement to make false statements." HILDEBRAND's report also states, "I found no Radiological Controls Programmatic faults in my investigation.

In my judgement, the attitude that caused the improper actions to be taken was isolated to the two persons involved and does not prevail throughout the Radiological Controls Department."

Interview of Firewatch Technician

Michael G. SCALZI, FT, was interviewed at OCNGS on June 26, 1985. A copy of the Report of Interview with SCALZI is Exhibit 6. The essential part of the ROI with SCALZI is as follows:

> SCALZI reported to work on Thursday, June 6, 1985 at 4:00 p.m. At approximately 4:15 p.m., he proceeded to the RWP office. He told Angela TERRY, the RCT on duty in the RWP office, that he had to enter the CB to perform a firewatch. TERRY gave SCALZI RWP No. 33485 to read, comprehend, and take with him into the CB. A person entering the CB that date under RWP No. 33485 was required to carry a 200 mr and a 500 mr SRD. TERRY did not give SCALZI a 500 mr SRD and he never asked for one. After exiting the CB, SCALZI accidently dropped his 200 mr SRD at the step off pad.
>
> SCALZI was subsequently walking towards the count room when he encountered NRC Inspectors MILLER and GAUDINO-EVANS. MILLER asked SCALZI how many "mrs" he picked up while inside the CB. SCALZI told MILLER that he had not looked at his SRD which he had dropped. At that point, he examined his 200 mr SRD and noticed that it read "0." SCALZI then continued on to the count room and gave the LAS and survey meter to Thurman GREEN, RCT, to be read.

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SCALZI later proceeded to the RWP office where he returned his 200 mr SRD and other items to Angela TERRY. Upon leaving the RWP office area, he was again stopped by NRC Inspectors MILLER and GAUDINO-EVANS who asked him several questions including if he was given any dose rate survey information prior to entering the CB.

SCALZI proceeded to his next firewatch station. About 30 minutes later, Allen SMITH, GRCS, approached SCALZI at his new station. SMITH instructed SCALZI to lie if questioned about the number of SRDs he wore when inside the CB. SMITH told SCALZI to say he had two SRDs and that the 500 mr SRD was in one of the plastic bags he was carrying. SMITH said that the lie would keep everyone out of trouble. Sometime after SMITH's departure, Eric DEMONCH, Operating Supervisor, appeared at SCALZI's station. DEMONCH advised SCALZI that in the future, he should ask more questions before entering an unfamiliar section of the plant.

While at home on Friday morning, June 7, 1985, SCALZI received a telephone call from Douglas TURNER who identified himself as the Radiological Supervisor. TURNER asked SCALZI, "Were you wearing two dosimeters inside the Condenser Bay?", to which SCALZI replied, "I was only wearing one." SCALZI informed TURNER that he was told by the GRCS (SMITH) to say, if asked, that he had a 200 mr and a 500 mr SRD.

SCALZI advised that he signed a DIR on June 7, 1985 after being presented with same by a GPU employee identified as Kevin WOLF.

Interview of Former Group Radiological Control Supervisor

Allen C. SMITH, Jr., a former GPU GRCS, was interviewed in Toms River, New Jersey on June 27, 1985. SMITH began working at the OCNGS on October 4, 1982 and was employed there until June 6, 1985 [redacted] He was a first line supervisor in charge of several RCTs. On Thursday, June 6, 1985, SMITH worked from 4:00 p.m. to midnight and was the only GRCS working that shift.

At approximately 6:00 p.m., SMITH got a telephone call from Angela TERRY, RCT. TERRY explained to SMITH that a FT had dropped his SRD when exiting the CB and she wanted to know how to record his dose. TERRY explained that the FT's dosimeter still read "0." SMITH instructed TERRY to record "0" because if a dosimeter is dropped and does not change scale, then the reading is correct. After TERRY hung up, SMITH thought more about the matter and decided to visit her at the RWP office.

SMITH arrived at the RWP office sometime between 6:00 and 6:30 p.m. Before talking to TERRY, SMITH encountered NRC Inspectors MILLER and GAUDINO-EVANS for the first time. MILLER asked and SMITH explained why he had assigned a "0" reading to the Firewatch's dropped dosimeter. SMITH became concerned over MILLER's several questions about the dosimeter because he "could not see anything wrong with what he had

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done." SMITH "thinks" MILLER also asked him if the FT was wearing a 500 mr dosimeter. SMITH believes he replied, "Yes, he was wearing a 500 mr dosimeter." SMITH does not recall asking MILLER if she saw the FT wearing a 500 mr dosimeter.

SMITH subsequently went to see Michael SCALZI, the FT, at his new firewatch station. SMITH asked SCALZI, "Were you wearing a 500 mr dosimeter?" to which SCALZI replied, "No." SMITH then stated to SCALZI, "If anyone asks you, you better say you had one. You could be in a lot of trouble. Say it was in the bag." SMITH returned to the RWP office and met with Angela TERRY. He asked TERRY, "Did you issue SCALZI a 500 mr?" to which TERRY replied, "No." SMITH then told TERRY, "If asked, the Firewatch Technician is going to say he had a 500 mr dosimeter." She responded, "OK." There was no further conversation between SMITH and TERRY.

SMITH then went to his office to prepare a memorandum from himself to P. SCALLON and J. DERBY, dated June 6, 1985, consisting of two pages (see Exhibit 3). SMITH acknowledged that he made a false statement in that memorandum, i.e., "Also, the NRC did not see a 500 mr dosimeter on the man. I asked him and he said he had one."

On Friday morning, June 7, 1985, he received a call at his home from Phillip SCALLON. SCALLON explained that NRC Inspectors were at the plant asking if the FT had been wearing a 500 mr SRD. SMITH lied and adhered to his false story that the FT was wearing a 500 mr SRD. During that telephone call, SCALLON did not know the truth and there was no conspiracy between SCALLON and SMITH to cover-up this issue. SCALLON called SMITH at home a second time that morning and instructed SMITH to report to the plant. After SCALLON hung up, SMITH telephoned Angela TERRY at her house. He and TERRY agreed to stick with their story that the FT was wearing a 200 mr SRD and a 500 mr SRD.

SMITH proceeded to OCNGS arriving there at approximately 12:30 p.m. When SMITH was questioned by Phillip SCALLON, he confessed and told SCALLON the true story. SMITH said that none of his superiors participated in this wrongdoing or attempted to engage in any kind of cover-up. A copy of the Report of Interview with SMITH is Exhibit 7.

Interview of Former Radiation Control Technician

Mrs. Angela Ruth TERRY was interviewed in Forked River, New Jersey on July 17, 1985. TERRY worked for GPU as a RCT from April 1, 1985 to June 12, 1985 [redacted]

TERRY reported for work at OCNGS on Thursday, June 6, 1985 at approximately 3:30 p.m. During that shift, her supervisor was Allen SMITH, GRCS. At approximately 4:30 p.m., a FT whom she did not know (Michael SCALZI) indicated that he had to enter the CB. TERRY gave him RWP No. 33485 to read which required the FT wear a 200 mr and a 500 mr SRD. TERRY issued a 200 mr SRD to the FT but forgot to give him a 500 mr SRD and he did not ask for one.

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Later, NRC Inspectors MILLER and GAUDINO-EVANS appeared at the RWP office and began asking questions about several RWPs at which time the FT returned. He handed TERRY his 200 mr SRD. He informed TERRY that he had dropped his SRD. TERRY looked at the 200 mr SRD and noticed that the hairline was still on "0."

Belinda SANDS, a contract RCT, was also in the RWP office. TERRY told SANDS that the FT had dropped his SRD. TERRY was advised by SANDS to call the GRCS and ask how to record the FT's dose. TERRY called SMITH, the GRCS, who advised her to record "0" in the REM computer system.

At approximately 8:00 p.m., just before TERRY went to lunch, SMITH appeared briefly at the RWP desk and asked her, "Did the kid [SCALZI] have a 500 mr?" to which TERRY responded, "No. I'm sorry, Al, I just totally forgot." He said, "The NRC has been asking about it." SMITH told TERRY that he intended to talk to the FT. When she returned from lunch, SMITH approached her outside the RWP desk. SMITH said, "I talked to the Firewatch, he had a 500 mr dosimeter. If anyone asks you, the kid had a 500." There was no question in TERRY's mind that SMITH wanted her to lie.

On Friday, June 7, 1985, TERRY received three telephone calls at home from Phillip SCALLON, Manager of Radiation Field Operations. During the first two calls, TERRY followed Allen SMITH's order and lied to SCALLON saying she had issued a 200 mr and a 500 mr SRD to the FT. The third call from SCALLON was an instruction to report to the plant as soon as possible.

TERRY reported to OCNGS at approximately 1:00 p.m. to be questioned by SCALLON and others. Initially, TERRY told her questioners that she had issued a 200 and a 500 mr SRD to the FT. SCALLON then told her, "The Firewatch Technician says you didn't." At that point, TERRY asked SCALLON if he wanted her GPU badge (resignation). [redacted] A copy of the Report of Interview with TERRY is Exhibit 8.

Interviews with Contractor and GPU Personnel

Belinda B. SANDS was interviewed in Ocean Gate, New Jersey on July 18, 1985. SANDS disclosed that she has been assigned to OCNGS as a Senior HP Technician since September 1984. She is a contract employee of Nuclear Support Services. On Thursday, June 6, 1985, SANDS saw a male FT whose name she does not know, appear at the RWP desk to process out. SANDS was subsequently told by TERRY that the FT had dropped his SRD as he was exiting the CB. SANDS was asked by TERRY how to record the exposure received by the FT since his SRD was still on "0". TERRY was definitely talking about only one SRD and not two different SRDs. SANDS advised TERRY to call Allen SMITH, GRCS, to determine how to record the FT's exposure. On Friday, June 7, 1985, SANDS received a call at her home from Douglas TURNER, Radiological Controls Director. TURNER asked SANDS, "Do you know whether this guy (SCALZI) had a 500 mr dosimeter?", to which SANDS replied,

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"I really don't know because I wasn't paying attention." A copy of the Report of Interview with SANDS is Exhibit 9.

U. DEMONCH, Operations Supervisor, was interviewed at OCNGS on July 1985. On Thursday, June 6, 1985, sometime between 7:00 and 8:00 p.m., DEMONCH was asked by Allen SMITH, GRCS, if a FT named SCALZI was working that shift. SMITH told DEMONCH that SCALZI had been "cornered by a couple of NRC Inspectors" who asked several questions that SCALZI was unable to answer. SMITH told DEMONCH that he intended to visit SCALZI at his new Firewatch station. Later, DEMONCH decided that he should meet with SCALZI because, as Operating Supervisor, he must know what is going on in the plant. DEMONCH, when learning from SCALZI that he had never been inside the CB prior to that evening, informed SCALZI that he should ask questions before entering any unknown area in the plant. As a result of the information he gathered from SCALZI regarding an inadequate firewatch tour, the other FTs were subsequently briefed by DEMONCH on the requirements for a proper tour. A copy of the Report of Interview with DEMONCH is Exhibit 10.

Thurman (NMN) GREEN, Jr., RCT, was interviewed at OCNGS on July 29, 1985. On Thursday, June 6, 1985, GREEN worked the 4:00 p.m. to 12:00 midnight shift. Sometime before 8:00 p.m., a FT brought several items into the count room to be read. The FT (SCALZI) was carrying a LAS and a piece of paper on which was written the time he entered and exited the CB. GREEN asked the FT for the small "Air Sample Collection Data" (ASCD) manila envelope on which one usually writes the required notations of time but the FT did not have one. GREEN was shown a copy of the "ASCD" envelope, acquired on June 26, 1985, from GPU's Douglas TURNER, Director, Radiological Controls, which was purportedly recovered from the contamination trash on Friday June 7, 1985. (NOTE: A copy of that envelope and accompanying Air Sample Count is attached to the Report of Interview with GREEN.) GREEN did not fill out the Air Sample Count Log nor did he fill in the air sample number, exit time, total time, or total volume sections of the envelope. The Air Sample Count Log was apparently completed by Robert SCHUBER, a GRCS, on June 7, 1985. GREEN did not know who completed the remaining entries on the manila envelope. GREEN was informed that Allen SMITH acknowledged, during a previous interview, that he had filled in the other items on the envelope after finding it in the contamination trash. GREEN was not aware of SMITH's actions. GREEN did not purposely discard the data from the LAS in order to hide pertinent information from the NRC Inspectors. GREEN did enter the CB later that evening with the repairmen, at which time he completed a GPU special survey. (NOTE: A copy of that survey is also attached to the Report of Interview with GREEN) Under the remarks section, the survey done by GREEN indicates that "RCT received 90 mr." It was GREEN who received the "90 mr." GREEN explained that the FT (SCALZI) would have received less exposure because he was in the CB less time and in a lower radiation section of the CB. A copy of the Report of Interview with GREEN is Exhibit 11.

John L. DERBY, Radiation Control Field Operations, Deputy Manager, was interviewed at OCNGS on July 29, 1985. On Friday, June 7, 1985, DERBY reported to work at OCNGS at approximately 8:00 a.m. He noticed a handwritten memorandum from Allen SMITH laying on his desk wherein SMITH stated, "Also, the NRC did not see a 500 mr dosimeter on the man. I asked him and he had one." DERBY has only been in his present position since May 1985, so he immediately took the memorandum to Phillip SCALLON. After SCALLON read the memorandum, no conversation or discussion took place about its content. DERBY's only involvement was discovering SMITH's note and turning it over to SCALLON. A copy of the Report of Interview with DERBY is Exhibit 12.

Douglas W. TURNER, Radiological Controls Director, was interviewed at OCNGS on July 30, 1985. On Friday, June 7, 1985, TURNER reported to the plant at approximately 7:45 a.m. Shortly thereafter, Phillip SCALLON, RCFOM, came into TURNER's office and produced a handwritten note from Allen SMITH, GRCS. SMITH's memorandum discussed the questioning of SMITH during the 4:00 p.m. to 12:00 midnight shift by NRC Inspectors regarding the dropping of a SRD by the FT.

TURNER subsequently met NRC Inspectors MILLER and GAUDINO-EVANS around 11:15 a.m. MILLER informed TURNER that the FT had dropped his 200 mr SRD when exiting the CB on Thursday, June 6, 1985. MILLER did not see a 500 mr SRD on the FT's person. Additionally, MILLER saw the FT return only one SRD to Angela TERRY, the RCT. The NRC Inspectors wanted to know if the FT was carrying a 500 mr SRD when he entered the CB. During that morning, Phillip SCALLON telephoned Angela TERRY and Allen SMITH at their homes. TURNER and the NRC Inspectors were later told by SCALLON that both TERRY and SMITH said the FT had been issued a 500 mr and a 200 mr SRD before entering the CB and that both SRDs were read by TERRY.

TURNER voluntarily contacted the FT, Michael SCALZI, at his home to settle this question. The subsequent conversation with SCALZI was accomplished using TURNER's speaker phone so the NRC Inspectors could hear SCALZI's comments. SCALZI readily acknowledged having only one 200 mr SRD. TURNER then instructed Phillip SCALLON to call TERRY, SMITH, and SCALZI into the plant for questioning. At a 2:00 p.m. exit conference, NRC Inspector MILLER repeated her concerns about the FT's inadequate dosimetry and disclosed that she found two items of noncompliance. MILLER cited the failure to issue proper SRDs to the FT and failure to follow-up the first issue with a DIR. During the conference, TURNER was summoned outside by SCALLON. TURNER was informed by SCALLON that TERRY and SMITH had confessed [redacted] A copy of the Report of Interview with TURNER is Exhibit 13.

Phillip F. SCALLON, Jr., RCFOM, was interviewed at OCNGS on July 30, 1985. As such, he supervises RCTs and GRCSs. On Friday, June 7, 1985, SCALLON reported to OCNGS at approximately 7:30 a.m. Shortly thereafter, John DERBY, Radiation Control Field Operations, Deputy Manager, came into SCALLON's office carrying a handwritten memorandum from Allen SMITH dated June 6, 1985.

G.T.C. Winters

The memorandum discussed the questioning of SMITH by NRC Inspectors on Thursday, June 6, 1985 regarding the dropping of a SRD by a FT. SMITH's memorandum also said the FT was carrying a 500 mr SRD.

Shortly thereafter, SCALLON encountered MILLER and GAUDINO-EVANS of NRC. MILLER then related her observations of Thursday evening, June 6th, regarding the FT dropping his dosimeter, the subsequent assignment of a "0" dose by Angela TERRY, TERRY's call to Allen SMITH, and that she (MILLER) did not notice the FT wearing the required 500 mr SRD. MILLER also discussed the apparent confusion on the part of TERRY about which RWP to use for persons entering the CB. MILLER wanted to be sure the subsequent shift technicians knew about the RWP which required two SRDs. MILLER also desired to ascertain if a DIR had been initiated regarding the FT's dropped SRD. SCALLON and MILLER discussed the "appropriateness" of SMITH's decision to assign the FT a "0" dose versus conducting a DIR. He and MILLER also discussed SMITH's memorandum which stated that the FT had a 500 mr SRD. MILLER said she saw only one 200 mr SRD and requested an inquiry to ascertain if the FT had one or two SRDs. MILLER posed other questions about whether data from the FT's LAS could identify the total amount of time spent in the CB by the FT. Following the NRC Inspectors' departure, SCALLON initiated efforts to get answers to their questions.

SCALLON went to the count room to find the LAS and recorded data but was unsuccessful. SCALLON made many unsuccessful efforts to contact Thurman GREEN, the RCT who worked in the count room on Thursday evening, but his home telephone was always busy. SCALLON telephoned Angela TERRY twice that morning at home to question her about the type and number of SRDs she had issued to the FT. Each time she lied and claimed she gave the FT a 200 mr and a 500 mr SRD to enter the CB. In addition, SCALLON called Allen SMITH at home at which time he also lied and said the memorandum (Exhibit 3) he wrote was accurate. SCALLON subsequently met with TURNER, MILLER, and GAUDINO-EVANS to inform them of the results of his conversations with TERRY and SCALZI. TURNER then disclosed that he had spoken with SCALZI, the FT, who acknowledged having been issued only a 200 mr SRD and that a person matching Allen SMITH's description told him to say he also had a 500 mr SRD. SCALLON was then instructed to TERRY, SMITH, and SCALZI into the plant for "investigation."

When SCALLON initially questioned TERRY at the plant, she stuck by her original story. This was the third time that TERRY had made a verbal false statement. SCALLON then confronted TERRY with the FT's revelation of the truth. TERRY subsequently admitted forgetting to give the FT a 500 mr SRD. She said that SMITH "suggested" saying that SCALZI had a 500 mr SRD and that she "concurred." TERRY said that SMITH told her that he had spoken to the FT and that the FT would also say that he had a 500 mr SRD.

SCALLON then questioned Allen SMITH who readily confessed saying, "I told SCALZI to tell everyone that he had both a 200 mr SRD and a 500 mr SRD but I knew he only had one. I told the Firewatch that we could all get into trouble if he didn't have one so he better tell everyone that he did." When SCALLON asked if he had talked to TERRY about the matter, SMITH's only response was, "It's all my doing. I'm not going to back out of it."

During this interview, SCALLON was also asked if he participated, in any way, in a cover-up of the truth with SMITH, TERRY or any other GPU employee. SCALLON's reply to both questions was, "Absolutely not!" A copy of the Report of Interview with SCALLON is Exhibit 14.

Acquisition of Additional GPU Documents

During the course of this investigation, several documents pertinent to this probe were acquired from GPU's Douglas W. TURNER, Radiological Controls Director. These nine documents are attached to this Report as Exhibits 15 through 23. An explanation of each Exhibit follows:

Exhibit 15 - Interoffice memorandum entitled "Violation of Radcon Procedures, A. TERRY-June 6, 1985" from J. GEORGE to file and dated June 10, 1985. This "confidential" interoffice memorandum sets forth the results of the questioning of Angela TERRY and Allen SMITH by Phillip SCALLON at OCNGS on Friday, June 7, 1985. This interrogatory type memorandum is self-explanatory. It records in detail the confessions of both TERRY and SMITH. Although not set forth in the memorandum, the questioning of TERRY and SMITH took place on Friday, June 7, 1985.

Exhibit 16 - Dosimetry Investigative Report (DIR) prepared by K. WOLF pertaining to Michael SCALZI, dated June 7, 1985. This DIR was prepared as a result of NRC Inspector MILLER's concern that such a report had not been completed as required. The DIR shows that SCALZI received a dose of "7.0 mr" when inside the CB. The report is signed by WOLF, SCALZI, and M. LITTLETON, Radiation Engineering Manager.

Exhibit 17 - Computer printout entitled "TRANSCODE: JREMINQ INQUIRY." This computer printout shows the "0" dose which Angela TERRY entered into the REM computer system for Michael SCALZI when he returned to the RWP office after exiting the CB.

Exhibit 18 - Form 9300-ADM-4110.06-1 entitled "Locked High Radiation Area Control and Key Usage Log" dated June 6, 1985. This log shows the date and time that Michael SCALZI, FT, signed out for the CB keys.

Exhibit 19 - Copy of GPU Nuclear RWP No. 033485 dated May 21, 1985. This two-page document is the RWP signed by Michael SCALZI, FT, when he entered the CB on June 6, 1985. It is also the RWP which required SCALZI to use both a 200 mr and a 500 mr SRD.

Exhibit 20 - Copy of GPU Nuclear RWP No. 035385. This document is the "non high radiation area" RWP referred to by NRC Inspectors MILLER and GAUDINO-EVANS.

Exhibit 21 - This "Radiological Controls Department" organization chart dated June 6, 1985, depicts the reporting responsibilities for several of the GPU employees who were interviewed during this investigation including SMITH and TERRY.

Exhibit 22 - GPU memorandum from S. SINGLETON to file [redacted] dated June 11, 1985. This is Allen SMITH's [redacted]

Exhibit 23 - GPU letter dated June 17, 1985, from Phil SCALLON to A. TERRY [redacted]

Willfulness/Intent Section

The following evidence addresses whether Allen C. SMITH, former GRCS, and Angela R. TERRY, former RCT, willfully and intentionally lied to their supervisor who was attempting to obtain answers to questions asked by two NRC Inspectors. This evidence also addresses whether any other GPU personnel participated in this wrongdoing or attempted to engage in any kind of coverup.

1. NRC Inspectors MILLER and GAUDINO-EVANS saw Michael SCALZI, a FT, wearing one SRD upon his exit from the CB. They subsequently observed SCALZI return one SRD to TERRY at the RWP office. (Exhibits 2 and 4)

2. The RWP utilized by SCALZI required him to wear a 200 mr and a 500 mr SRD. (Exhibits 2 through 8, 13 to 15, and 19)

3. SCALZI stated that he was instructed by SMITH to lie about the type and number of SRDs he carried into the CB. (Exhibits 3, 5, 6 to 8, 13 to 15, and 19)

4. Phillip SCALLON, RCFOM, questioned SMITH and TERRY about the SRDs issued to SCALZI and told them he was seeking answers to questions posed by the NRC Inspectors. (Exhibits 2 through 5, 7, 8, and 13 to 15)

5. TERRY knew she had violated an RWP requirement but stated that SMITH instructed her to lie about the violation and say that she issued two SRDs to SCALZI. TERRY was aware that the information sought by SCALLON was being obtained for the NRC Inspectors. TERRY admitted she lied to SCALLON three times per SMITH's instructions. (Exhibits 5, 7, 8, 13 to 15, and 19)

6. SMITH admitted lying to SCALLON and instructing TERRY and SCALZI to lie. SMITH knew the information was being gathered for the NRC Inspectors and that an RWP requirement had been breeched. (Exhibits 2 through 8, 14 and 15)

7. SMITH said that none of his GPU superiors participated in this wrongdoing or attempted to engage in any kind of coverup.

Conclusions

Based upon the testimony and documentary evidence gathered during this investigation, I conclude that Allen SMITH knowingly and willfully lied and submitted a holographic false statement to Phillip SCALLON, his supervisor. SCALLON was attempting to obtain truthful answers to questions regarding the issuance of dosimetry posed by NRC Inspectors MILLER and GAUDINO-EVANS.

I conclude that SMITH lied to avoid violations which may have arisen from NRC's detection that inadequate dosimetry had been issued to a FT.

I conclude that Angela TERRY was intimidated when given improper instructions by her supervisor, SMITH. I believe that TERRY knowingly lied because she was afraid to rebel against the direct order and poor judgement of her superior, SMITH.

I conclude that Michael SCALZI, the FT, ignored SMITH's order to lie and readily told the truth during questioning by a higher level superior.

I conclude that Phillip SCALLON, the supervisor of SMITH and TERRY, was at all times truthful and played no part in this attempted cover-up.

I conclude that SMITH and TERRY conspired together and that no other GPU officials were involved in this incident or attempted to withhold pertinent information from the NRC.

I conclude that GPU's internal investigation of this incident objectively depicted the facts.

SUPPLEMENTAL INFORMATION

This investigation developed information indicating possible violations of Federal criminal law by Allen SMITH and Angela TERRY. Under the circumstances, a copy of the final Report of Investigation will be forwarded to the Department of Justice for prosecutive consideration.

LIST OF EXHIBITS

Exhibit No.	Description
1	Request for Investigation from MURLEY to CHRISTOPHER dated June 14, 1985.
2	Copy of M. MILLER's statement dated June 13, 1985.
3	Copy of memorandum from Allen SMITH to P. SCALLON/J. DERBY dated June 6, 1985 (Notarized).
4	Copy of M. GAUDINO-EVANS handwritten statement which is undated.
5	Copy of Report from J. HILDEBRAND to R. HEWARD entitled "Oyster Creek Event of 6/6/85 Regarding False Statements by Two Radiological Controls Personnel" dated June 12, 1985.
6	Report of Interview with M. SCALZI dated June 26, 1985.
7	Report of Interview with A. SMITH dated June 27, 1985.
8	Report of Interview with A. TERRY dated July 17, 1985.
9	Report of Interview with B. SANDS dated July 18, 1985.
10	Report of Interview with E. DEMONCH dated July 18, 1985.
11	Report of Interview with T. GREEN dated July 29, 1985.
12	Report of Interview with J. DERBY dated July 29, 1985.
13	Report of Interview with D. TURNER dated July 30, 1985.
14	Report of Interview with P. SCALLON dated July 30, 1985.
15	Interoffice Memorandum entitled, "Violation of Rad Con Procedures, A. Terry - June 6, 1985" from J. GEORGE to File dated June 10, 1985.
16	Dosimetry Investigative Report prepared by K. WOLF pertaining to Michael SCALZI dated June 7, 1985.
17	Computer printout entitled "TRANSCODE: JREMINQ INQUIRY" pertaining to "0" dose assigned to Michael SCALZI dated June 6, 1985 (Notarized).
18	Locked High Radiation Area Control and Key Usage Log dated June 6, 1985 (Notarized).

Exhibit No.	Description
19	Copy of GPU Radioactive Work Permit No. 033485 dated May 21, 1985 (Notarized).
20	Copy of GPU Radioactive Work Permit No. 035385 dated June 1, 1985 (Notarized).
21	Organization chart for Radiological Controls Department at OCNGS dated June 6, 1985.
22	GPU memorandum from S. SINGLETON to File [redacted] dated June 11, 1985 (Notarized).
23	GPU letter dated June 17, 1985 from P. SCALLON to A. TERRY [redacted]

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LIST OF ACRONYMS

CB	Condenser Bay
DIR	Dosimetry Investigative Report
FT	Firewatch Technician
GPU	General Public Utilities
GRCS	Group Radiological Control Supervisor
HP	Health Physics (Health Physicist)
LAS	Lapel Air Sampler
OCNGS	Oyster Creek Nuclear Generating Station
OI	Office of Investigations
RA	Regional Administrator, Region I
RCFOM	Radiation Controls Field Operations Manager
RCT	Radiation Control Technician
RWP	Radiation Work Permit
SRD	Self-reading Pocket Dosimeter
TLD	Thermoluminescent Dosimeter