

May 19, 1983

Judge Gary J. Edles, Chairman
Atomic Safety & Licensing Appeal Board
U.S. Nuclear Regulatory Commission
Washington, D.C. 20555

Judge John H. Buck
Atomic Safety & Licensing Appeal Board
U.S. Nuclear Regulatory Commission
Washington, D. C. 20555

Judge Christine N. Kohl
Atomic Safety & Licensing Appeal Board
U.S. Nuclear Regulatory Commission
Washington, D. C. 20555

In the Matter of
METROPOLITAN EDISON COMPANY, ET AL.
(Three Mile Island Nuclear Station, Unit No. 1)
Docket No. 50-289

Dear Members of the Board:

In the NRC Staff's Answer to Aamodt's Motion to Reopen the Record, May 13, 1983, the Staff stated that it would advise the Appeal Board of the results of its revalidation program. The attached memorandum from William J. Dircks, Executive Director for Operations, was sent to the Commissioners today advising the Commission of the results of the revalidation program. Inspection Report No. 50-289/83-10, referenced in the memorandum, was distributed to the Appeal Board and parties yesterday.

Sincerely,

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PDR ADOCK 05000289
G PDR

Jack R. Goldberg
Counsel for NRC Staff

Enclosure: As stated

cc w/ encl.: TMI-1 service list

OFC	:OELD	:OELD	:	:	:	:	:	:
NAME	:JGoldberg:pl	:JGray	:	:	:	:	:	:
DATE	:5/19/83	:5/19/83	:	:	:	:	:	:



UNITED STATES
NUCLEAR REGULATORY COMMISSION
WASHINGTON, D. C. 20555

MAY 19 1983

MEMORANDUM FOR: Chairman Palladino
Commissioner Gilinsky
Commissioner Ahearne
Commissioner Roberts
Commissioner Asselstine

FROM: William J. Dircks
Executive Director for Operations

SUBJECT: REPORT ON INSPECTION AND REVIEW EFFORT TO REVALIDATE
NRC STAFF POSITION REGARDING HARTMAN ALLEGATIONS

On April 18, 1983, the staff filed its comments on the analysis of the GPU v. B&W transcript as it affects the TMI-1 Restart hearing. In that filing, we stated that as a result of the Hartman allegations, the staff was initiating actions to revalidate the staff position on the management integrity issue. In response to Chairman Palladino's request for information regarding these actions, the EDO, on April 26, 1983, outlined the inspection and review efforts initiated by NRR and Region I to carry out a revalidation effort on TMI-1 management integrity as affected by the Hartman allegations.

Yesterday the staff transmitted Inspection Report No. 50-289/83-10 ("Report") based on the completed inspection and review effort. This inspection was a special announced inspection by Regional Inspectors, the Senior Resident Inspector, and NRR Licensee Qualifications Branch engineers. The inspection was held to evaluate the effectiveness of GPU actions to ensure adherence to procedures since issuance of the staff's evaluation (NUREG-0680, Supplement Nos. 1 and 2, November 1980 and March 1981). The inspection involved 380 inspector-hours onsite during which the following areas were reviewed: (1) the TMI conduct of operations procedures, (2) the training program for new employees and the requalification program for existing employees, both licensed and non-licensed relative to procedural adherence, (3) the Operational Quality Assurance program, (4) the TMI-1 audit program, and (5) the disciplinary measures taken by the licensee to enforce its policy of adhering to procedures. The inspectors also reviewed the existing TMI-1, GPU corporate and support organizations to identify individuals who may have been knowledgeable of or party to the alleged falsification of TMI-2 leak rate test data and/or the alleged falsification of records associated with an April 1978 TMI-2 reactor startup and who are now in a position that could impair the safe operation of TMI-1. The inspectors further evaluated TMI-1 management actions taken at TMI-1 to enhance safe plant operation in accordance with the lessons learned as a result of the TMI-2 accident. The inspectors evaluated the role, responsibility and effectiveness of the following positions for adherence to lessons learned criteria: (1) the Shift Technical Advisor for review of

procedures and operator adherence to procedures, (2) the Independent Safety Engineering Group (for TMI-1, the Independent On-Site Safety Review Group) for review of procedures and personnel adherence to procedures, and (3) the individuals and groups assigned responsibility for independent review of plant procedures and facility adherence to procedures. Finally, the inspectors reviewed past inspection reports, Licensee Event Reports, SALP reports, INPO evaluations and two Licensee consultant reports issued since NUREG-0680 in November 1980 for insight regarding procedure adherence and management issues as affected by the Hartman allegations.

The revalidation effort and the resulting inspection Report were not designed to address and did not address the following:


- 1) The veracity of the Hartman allegations being addressed by the DOJ. (This matter is still pending with the Department of Justice.)
- 2) Statements in the record of the GPU v. B&W court proceeding, except for "NRC Staff Comments on the Analysis of GPU v. B&W Transcript," April 18, 1983.

(V. Stello, Jr., Deputy Executive Director for Regional Operations & Generic Requirements, is currently examining additional documents relevant to the B&W-GPU investigation in response to the Commission's request in light of the Stello report "Review of B&W-GPU Trial Court Record" of March 28, 1983.) ^{1/}
- 3) The Parks and King allegations. (The Office of Investigations has an ongoing investigation into TMI-2 allegations, including those of Parks and King.)
- 4) Any concerns raised by the contents of GPU consultant reports (BETA and RHR) which were not considered by the staff in revalidating its position (because of the absence of a direct nexus to the Hartman allegations) but which possibly could affect the staff's position (or Commission decision) on Licensees' management competence or integrity. (Complete copies of these reports have been forwarded to the Commission Appeal Board and parties to the management phase of the restart proceeding.)
- 5) The issue of whether the Licensee failed to promptly notify the Commission or Appeal Board of relevant and material information contained in the BETA or RHR reports or any other documents, which failure may reflect on the Licensee's management integrity.

^{1/} On May 17, 1983, we received from V. Stello information relating to the integrity of the licensee's program for the requalification of licensed operators. This information was not available at the time of the inspection and is under evaluation.

Of these five open issues, all except the first involve new information and developments not previously considered.

Based on the inspection team review and resulting Report, the staff concludes that the issues raised by the Hartman allegations should not by themselves be a bar to restart. However, because of all the open issues identified above which were not considered in the revalidation program and Report, the Staff can draw no conclusion regarding management integrity at this time.


William J. Dircks
Executive Director
for Operations

cc: SECY
OGC
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