

CASE No. 1-91-006



**United States  
Nuclear Regulatory Commission**

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# Report of Investigation

MILLSTONE NUCLEAR POWER STATION, UNIT 2:

FALSE INFORMATION PROVIDED TO THE NRC

Office of Investigations

Reported by OI: RI

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PDR FOIA  
WILLIAM93-451 PDR

*All*

Title: MILLSTONE NUCLEAR POWER STATION, UNIT 2:  
FALSE INFORMATION PROVIDED TO THE NRC

Licensee:

Northeast Nuclear Energy Company  
Hartford, Connecticut

Docket No.: 50-336

Case No.: 1-91-006

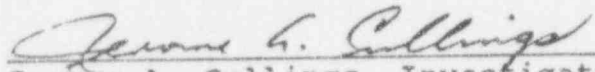
Report Date: September 12, 1991

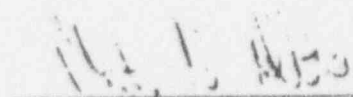
Control Office: OI:RI

Status: CLOSED

Reported by:

Reviewed and Approved By:

  
Jerome A. Cullings, Investigator  
Office of Investigations  
Field Office, Region I

  
Chester W. White, Director  
Office of Investigations  
Field Office, Region I

Participating Personnel:

Richard J. Walsh, Investigator  
Office of Investigations  
Field Office, Region I

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## SYNOPSIS

On May 10, 1991, the Regional Administrator, NRC Region I, requested that an investigation be initiated by the Office of Investigations (OI), to determine if Northeast Nuclear Energy Company (NNECo) provided false information to the NRC during the conduct of the inspection documented in Inspection Report 50-336/91-05 and during an enforcement conference held on March 27, 1991, at the Region I office.

The allegor insinuated that someone possibly altered or tampered with the RayChem splices originally performed on August 17, 1990.

The OI investigation did not substantiate that the NNECo provided false information to the NRC. Further, the investigation did not disclose sufficient evidence to either support or refute the contention by the allegor that someone possibly altered or tampered with the RayChem splice he performed on August 17, 1990.

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## ACCOUNTABILITY

The following portions of this Report of Investigation (Case No. 1-91-006) will not be included in the material placed in the PDR. This consist of pages 3 through 17.

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APPLICABLE REGULATIONS

Allegation: Alleged False Statements to the NRC

10 CFR 50.9 Completeness and accuracy of Information (1991 Edition)

(a) Information provided to the Commission by an applicant for license or by a licensee or information required by statute or by the Commission's regulations, orders, or license conditions to be maintained by the applicant or the licensee shall be complete and accurate in all material respects.

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LIST OF INTERVIEWEES

EXHIBIT

BLANCH, Paul M., Engineering Supervisor, Northeast Nuclear Energy Company.....	6
BURNETT, Victor C., QSD Technician A, Millstone Unit 2.....	7
CASTLE, Roy T., Contract Electrician, Millstone Nuclear Power Station.....	8
DEMPSEY, Douglas A., Resident Inspector, NRC, Millstone Unit 1.....	2
HEISLER, John D., Electrician, Millstone Unit 2.....	9
LAUDENET, Richard T., Assistant to Station Director, Millstone Nuclear Power Station.....	10
MARIEN, Carmela, Nurse, Millstone Nuclear Power Station.....	11
O'SULLIVAN, Timothy, Electrician, Millstone Unit 2.....	4
RILEY, John W., Maintenance Manager, Millstone Unit 2.....	12
ROWE, Robert F., Electrical Maintenance Supervisor, Millstone Unit 2.....	13
THOMA, Franklin L., Electrician, Millstone Unit 2.....	14

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## DETAILS OF INVESTIGATION

### Purpose of Investigation

This investigation was initiated to determine if Northeast Nuclear Energy Company (NNECo) provided false information to the NRC, pertaining to a RayChem splice at the Millstone Nuclear Power Station (Millstone), Unit 2, Waterford, Connecticut, during the conduct of the inspection documented in Inspection Report 50-336/91-05, and during an Enforcement Conference (EC) on March 27, 1991, at the Region I office.

### Background

On May 10, 1991, the Regional Administrator, NRC, Region I, requested an investigation (Exhibit 1) by the Office of Investigations (OI), after being informed by Timothy O'SULLIVAN, Electrician, Millstone Unit 2, that NNECo management provided false information when they informed the NRC during an EC, held in Region I, on March 27, 1991, that the Quality Control (QC) Inspector was not present when he (O'SULLIVAN) performed a RayChem splice on August 17, 1990.

On October 29, 1990, Millstone management inspected the RayChem splice of August 17, 1990, and discovered that the braided material on a solenoid lead had not been removed as required by Station Procedure MP 2720R2, Revision 2.

### Coordination with NRC Staff

On June 5, 1991, Douglas A. DEMPSEY, Resident Inspector, NRC, Millstone Unit 1, was interviewed (Exhibit 2), and Inspection Report 50-336/91-05 (Exhibit 3) was discussed.

### Interview of Allegor

O'SULLIVAN was interviewed on June 5, 1991, and provided a sworn statement (Exhibit 4). O'SULLIVAN stated that on August 17, 1990, he and Roy CASTLE, a contract electrician, performed a RayChem splice on the solenoid in the west penetration room. He said that Jack HEISLER, another electrician, claimed that the job was done incorrectly, and in October 1990, NNECo inspected the work, out of his (O'SULLIVAN's) presence, which resulted in the splice being redone. O'SULLIVAN said that he received information from Paul M. BLANCH, a NNECo Engineer, that a NNECo official stated during an EC held by the NRC on March 27, 1991, that the QC Inspector, Victor BURNETT, was not present when he (O'SULLIVAN) and CASTLE did the RayChem splices. O'SULLIVAN contends that BURNETT was present during the splice, and that NNECo provided false information at the EC by saying that BURNETT

was not present. O'SULLIVAN also insinuated that someone may have tampered with the splice prior to NNECo's inspection of the work in October 1990.

Allegation: False Information to the NRC

Summary

The following persons were interviewed by OI:RI, on the dates indicated, regarding the allegation that NNECo provided false information to the NRC. They could not provide any substantive information relative to the allegation.

<u>Name</u>	<u>Position</u>	<u>Date of Interview(s)</u>
John W. RILEY	Maintenance Mgr.	July 25, 1991
Robert F. ROWE	Electrical Supv.	July 25, 1991

The following persons were interviewed by OI:RI, on the dates indicated, regarding the allegation that NNECo provided false information to the NRC. Their testimony is documented in the evidence section of this report.

<u>Name</u>	<u>Position</u>	<u>Date of Interview(s)</u>
Paul M. BLANCH	Engineering Supv.	August 23, 1991
Victor C. BURNETT	Electrician	July 24, 1991
Roy T. CASTLE	Electrician	July 24, 1991
Douglas A. DEMPSEY	Resident Inspector	June 5, 1991
John D. HEISLER	Electrician	July 25, 1991
Richard T. LAUDENET	Ass't to Sta. Dir.	July 25, 1991
Carmela MARIEN	Nurse	July 24, 1991
Timothy O'SULLIVAN	Electrician	June 5, 1991
Franklin L. THOMA	Electrician	July 25, 1991

Review of Documents

On June 5, 1991, OI reviewed the hand-out provided to the NRC by NNECo at the EC (Exhibit 5). Also reviewed was Station Procedure MP 2720R2, Revision 2, titled, "RayChem Splice Installation and Removal (EQ)" (Exhibit 6), which requires the presence of a QC inspector to witness certain hold points during the installation of the RayChem splice.

Evidence

1. BLANCH stated that he was told by LAUDENET and John HUMPHREYS that BURNETT was not present when the splice was done (Exhibit 7, p. 2).
2. BURNETT stated that he was present when the splice was done,

but failed to observe if the braided material had been pulled back prior to the RayChem sleeve being applied (Exhibit 8, pp. 10 and 13).

3. CASTLE stated that BURNETT was present when he and O'SULLIVAN did the RayChem splice (Exhibit 9, p. 69).
4. DEMPSEY stated that his inspection findings were that BURNETT was present at the job site, but failed to observe if the braided material had been pulled back as required by the procedure (Exhibit 2, p. 6).
5. HEISLER stated that he observed and had conversation with BURNETT, CASTLE, and O'SULLIVAN as they were leaving the job site on August 17, 1990 (Exhibit 10, pp. 22 and 23).
6. LAUDENET stated that none of the NNECo representatives at the EC said that BURNETT was not present at the job site. He also said that BURNETT's presence, at the job site, was never an issue (Exhibit 11, p. 23).
7. O'SULLIVAN stated that BURNETT was present when he and CASTLE did the RayChem splice (Exhibit 4, p. 9).
8. MARIEN stated that the Health Unit records indicated BURNETT, CASTLE, and O'SULLIVAN were given post-screen high heat area examinations on August 17, 1990, which indicated that they had been in a high heat area (Exhibit 12).
9. THOMA stated that he observed BURNETT, CASTLE, and O'SULLIVAN at the job site on August 17, 1990 (Exhibit 15, pp. 49 and 50).
10. The hand-out used by NNECo at the EC on March 27, 1991, indicates that BURNETT was present at the job site, but failed to observe that the braided material had been pulled back as required by the procedure (Exhibit 5).
11. RayChem Splice Installation and Removal (EQ) Procedure requires the presence of a QC inspector to witness certain hold points, one of which is the removal of braided material, during the installation of the RayChem sleeve (Exhibit 6, p. 38).

INVESTIGATOR'S NOTE: HUMPHREYS was not available for interviewing at the time other NNECo personnel were interviewed. Based on those interviews, OI determined that it was not necessary to interview HUMPHREYS.

Conclusions

The OI investigation did not substantiate that NNECo provided false information to the NRC during the conduct of the NRC inspection or the subsequent EC.

SUPPLEMENTAL INFORMATION

Although O'SULLIVAN insinuated that someone possibly altered the work he and CASTLE performed on August 17, 1990, he could not provide any specific information to support his contention.

The investigation did not disclose sufficient evidence to either support or refute this contention by O'SULLIVAN.

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LIST OF EXHIBITS

<u>Exhibit No.</u>	<u>Description</u>
1	Region I Request for Investigation, with attachments, dated May 10, 1991.
2	Report of Interview with DEMPSEY, dated June 5, 1991.
3	Inspection Report No. 50-336/91-05, dated March 25, 1991.
4	Transcribed Interview of O'SULLIVAN, dated June 5, 1991.
5	NNECo hand-out, dated March 27, 1991.
6	Station Procedure MP 2720R2, Revision 2, titled, "RayChem Splice Installation and Removal (EQ)," dated January 9, 1987.
7	Sworn Statement of BLANCH, dated August 23, 1991.
8	Transcribed Interview of BURNETT, dated July 24, 1991.
9	Transcribed Interview of CASTLE, dated July 24, 1991.
10	Transcribed Interview of HEISLER, dated July 25, 1991.
11	Transcribed Interview of LAUDENET, dated July 25, 1991.
12	Report of Interview with MARIEN, dated July 24, 1991.
13	Transcribed Interview of RILEY, dated July 25, 1991.
14	Transcribed Interview of ROWE, dated July 25, 1991.
15	Transcribed Interview of THOMA, dated July 25, 1991.

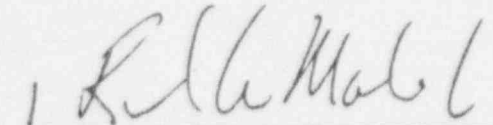
Title: HADDAM NECK NUCLEAR POWER PLANT:  
ALLEGED FALSE INFORMATION

Licensee:  
Connecticut Yankee Nuclear Power  
Company  
P.O. Box 270  
Hartford, Connecticut 06141  
Docket No.: 50-213

Case No.: 1-91-003  
Report Date: November 29, 1991  
Control Office: OI:RI  
Status: CLOSED

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Reviewed and Approved by:

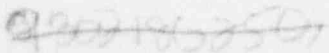
  
Jerome A. Cullings, Investigator  
Office of Investigations  
Field Office, Region I

  
Richard A. Matakas, Acting Director  
Office of Investigations  
Field Office, Region I

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## SYNOPSIS

On February 6, 1991, the Regional Administrator (RA), NRC, Region I, requested that the Office of Investigation (OI) initiate an investigation to determine if the Connecticut Yankee Atomic Power Company (CYAPCO), provided false information to the NRC.

In a November 12, 1991, memorandum, the RA stated that the Region I staff no longer believes that a violation of an NRC requirement occurred in CYAPCO's April 1, 1987, submittal. The memorandum further stated that Region I intends no further action in this matter, and requested that OI cancel the investigation. Based on this information, this investigation is closed.

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## ACCOUNTABILITY

The following portions of this Report of Investigation (Case No. 1-91-003) will not be included in the material placed in the Public Document Room. They consist of pages 3 through 11.

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APPLICABLE REGULATIONS

18 U.S.C. 1001. Statements or entries generally

Whoever, in any matter within the jurisdiction of any department or agency of the United States knowingly or willfully falsifies, conceals or covers up by any trick, scheme, or device a material fact, or makes any false, fictitious or fraudulent statements or representations, or makes or uses any false writing or document knowing the same to contain any false, fictitious or fraudulent statement or entry, shall be fined not more than \$10,000 or imprisoned not more than five years, or both.

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## DETAILS OF INVESTIGATION

### Purpose of Investigation

This investigation was initiated to determine if the Connecticut Yankee Atomic Power Company (CYAPCO), provided false information to the NRC.

### Background

On February 6, 1991, the Regional Administrator (RA), Region I, requested (Exhibit 1) the Office of Investigations (OI) to conduct an investigation to determine if CYAPCO willfully misrepresented a technical evaluation they provided to the NRC. During a meeting between the NRC and CYAPCO on March 2, 1987 (Exhibit 2), the NRC staff requested CYAPCO to submit an "extensive single failure analysis" with their plant modification request. In a cover letter (Exhibit 3, p. 2), dated April 1, 1987, CYAPCO indicated that an "in-depth ECCS single failure analysis," as requested by the NRC, had been completed. However, "Attachment No. 2" of Exhibit 3 indicated that a "simplified failure modes and effects analysis" was performed.

### Summary of Investigative Activity

While reviewing documents in the office of Nuclear Reactor Regulation (NRR), on March 22, 1991, the reporting investigator obtained a memorandum, with attachment (Exhibit 4), dated March 19, 1991, from John F. STOLZ, NRR, to Ed GREENMAN (former Deputy Director, Region I, Division of Reactor Safety). The memorandum and the sequence of events indicated that the NRC had accepted and approved CYAPCO's April 1, 1987, letter and attachments on September 2, 1987.

The memorandum and attachment was given to the Region I staff for their evaluation.

### Closure Information

By memorandum (Exhibit 5) dated November 12, 1991, the RA, Region I, indicated that, based on a review of Exhibit 4, the Region I staff no longer believed that a violation of an NRC requirement occurred in CYAPCO's April 1, 1987, submittal. The memorandum further stated that Region I intends "no further action in this matter," and requested that OI cancel the Request for Investigation, dated February 6, 1991. Based on this information, this investigation is closed.

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LIST OF EXHIBITS

<u>Exhibit No.</u>	<u>Description</u>
1	Region I Request for Investigation, dated February 6, 1991.
2	NRC Letter to CYAPCO, dated March 2, 1987.
3	CYAPCO Letter with Attachment, dated April 1, 1987.
4	NRR Memorandum, dated March 19, 1991.
5	Region I Memorandum, dated November 12, 1991.