



UNITED STATES
NUCLEAR REGULATORY COMMISSION
REGION I
475 ALLENDALE ROAD
KING OF PRUSSIA, PENNSYLVANIA 19406-1415

October 4, 1995

EA 95-218

Mr. John J. Barton
Vice President and Director
GPU Nuclear Corporation
Oyster Creek Nuclear Generating Station
Post Office Box 388
Forked River, New Jersey 08731

SUBJECT: EXERCISE OF ENFORCEMENT DISCRETION

Dear Mr. Barton:

In a letter, dated October 27, 1994, you provided the NRC with the results of your investigation into two instances of cheating regarding General Employee Training Examinations. Specifically, based on your investigation, you found that (1) a contractor employee altered a Respiratory Protection examination in an attempt to have a failing grade changed to a passing grade; (2) an instructor gave a passing grade to that individual with the knowledge that the individual had altered the examination; and (3) another General Employee Training Instructor had altered an examination completed by another individual after the individual had failed the examination. In your October 27, 1994 letter, you noted that the employment of the two instructors had been terminated, and that site access for the contractor employee had been denied.

The NRC recognizes that the safety significance of this matter was low since the action did not pose a challenge to the plant or plant staff and there were no actual safety consequences. Nonetheless, the actions of these individuals, including the two instructors, is of concern to the NRC, because the safe operation of nuclear facilities depends on the integrity, as well as the ability, of the individuals who operate, maintain and support them.

As employees at a nuclear power plant, the three individuals were placed in positions where their performance was expected to meet high standards. This includes proper participation in GET training, as well as proper examinations of individuals to ensure that the training that has been given is understood. The NRC is concerned that the actions of these three individuals did not adhere to these standards. In this case, however, I have decided, pursuant to Section VII.B.1 of the enforcement policy, after consultation with the Director, Office of Enforcement, not to take any action with respect to your company because these appeared to be the isolated acts of these individuals (who were at low levels in your organization and the contractor organizations) for which you promptly investigated and identified the problem, promptly provided the results of your inquiry to the NRC, and also initiated corrective measures, including disciplinary actions against the individuals.

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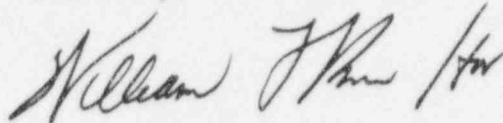
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However, you should emphasize to your entire staff the importance of proper adherence to your codes of conduct and procedures, including those involving completion of training examinations. Further, we request that you provide a copy of this letter to each of the three individuals who engaged in this behavior so that they will be apprised of the seriousness with which NRC views inappropriate conduct.

No response to this letter is required. In accordance with 10 CFR 2.790 of the NRC's "Rules of Practice," a copy of this letter will be placed in the NRC Public Document Room.

Sincerely,

A handwritten signature in dark ink, appearing to read 'William J. Martin' with a stylized flourish at the end.

Thomas T. Martin
Regional Administrator

Docket No. 50-219
License No. DPR-36

cc w/encl:

G. Busch, Manager, Site Licensing, Oyster Creek

M. Laggart, Manager, Corporate Licensing

State of New Jersey

GPU Nuclear Corporation

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NRC Resident Inspector - Oyster Creek

Nuclear Safety Information Center (NSIC)

Dave Vito (File RI-94-A-0185)