

U. S. NUCLEAR REGULATORY COMMISSION

REGION III

Report No. 50-461/84-14(DRP)

Docket No. 50-461

License No. CPPR-137

Licensee: Illinois Power Company
500 South 27th Street
Decatur, IL 62525

Facility Name: Clinton Power Station, Unit 1

Inspection At: Clinton Site, Clinton, IL

Inspection Conducted: May 29-31, June 1, 26-28, and July 11-13, 1984

Inspector: *F. J. Jablonski*
F. J. Jablonski

8/3/84
Date

Approved By: *R. C. Knop*
R. C. Knop, Chief
Reactor Projects Section IC

8/3/84
Date

Inspection Summary

Inspection on May 29-31, June 1, 26-28, and July 11-13, 1984 (Report No. 50-461/84-14(DRP))

Areas Inspected: Special, unannounced inspection concerning allegations pertaining to the installation of equipment at the Clinton Nuclear Power Station construction site. Allegations concerned intimidation, black listing, qualification and training of inspection personnel, electrical hanger materials and quality of workmanship, overinspection techniques, and the trend analysis program. The inspection consisted of interviews, observations, and review of records and other documents. This inspection involved 120 inspection-hours, both on and offsite, by two NRC inspectors.

Results: Inspections were made into 15 allegations. No items of noncompliance were identified.

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DETAILS

1. Persons Contacted

Illinois Power (IP)

*D. Hall, Vice President
R. Baldwin, Supervisor of Overinspection
*R. Campbell, Director of Quality Systems and Audits
*W. Connell, Manager, QA
K. Hill, Training Coordinator
J. Sprague, QA Specialist
T. Warnick, QA Specialist

Baldwin Associates (BA)

A. King, Project Manager
C. Anderson, QA Manager
H. Batthauer, Material Control Engineer (Days)
S. Becker, QC Piping and Mechanical Inspector
M. Bowers, QC Electrical Field Supervisor
J. Britton, Lead Auditor
M. Brown, Storage and Maintenance QC Inspector
S. Brown, QC Electrical Inspector
T. Conner, QA Engineer
R. Dake, QC Electrical Inspector
N. Dillon, Assistant Project Manager
J. Dishon, QC Electrical Inspector
M. Eshleman, QC Electrical Inspector
R. Forste, QC Electrical Inspector
R. Goldman, Reviewer of Traveler Packages
R. Jackson, Material Control Engineer (Nights)
D. Kanakares, Assistant Manager of QA
A. Kennedy, QC Manager
S. Kennedy, Lead QC Electrical Inspector (Nights)
C. Keysear, QC Electrical Inspector
T. Massey, Lead QC Electrical Inspector
J. Massie, Lead QC Electrical Inspector
L. Osborne, Manager of Quality and Technical Services
T. Provencher, Level III Document Reviewer
E. Rosol, Deputy Project Manager
J. Sprague, Lead Storage and Maintenance Inspector
D. Threat, Lead Verification Engineer
R. Triebwasser, Level III Training Coordinator
K. Welsch, QA Engineer

Personnel other than those designated were contacted during the inspection as a matter of routine.

*Designates those personnel who attended the exit meeting on July 18, 1984.

2. Followup on Allegations

During the period June 1983 through June 1984 the NRC resident inspector received several allegations from various individuals. The purpose of this special inspection was to gather, correlate and evaluate information to establish if elements of a technical nature departed from established IP or BA procedures, or were in noncompliance with NRC rules or regulations.

- a. (Closed) Allegation (RIII-83-A-0177-01) (#58). The IP Overinspection Program is being performed out of sequence. A 100% IP inspection is being performed prior to that of the BA Field Verification inspection. This out-of-sequence (backwards) inspection program is in violation of IP Procedure QAI 710.01 and NRC commitments.

Due to an anticipated waiting period for BA Field Verification to submit the first "lot" of systems/components for IP's Overinspection, on July 29, 1983, a "Request for Departure From Procedure" QAI 710.01 was made of the IP QA Manager by the Assistant Supervisor in charge of IP's Overinspection Program. The IP QA Manager approved the departure to obtain baseline data in accordance with QA Procedure 105.01. The approval allowed IP Overinspection to perform 100% inspection at defined areas before being completed by BA Field Verification. On August 5, 1983, the proposed areas for 100% inspection were delineated and included electrical equipment, beams and steel structures, spool pieces, valves, and flanges. It was requested in the original submittal that areas inspected 100% by IP would not require inspection by BA's Field Verification personnel. That aspect of the Request for Departure was denied by the IP QA Manager. It remained that BA would still perform verification inspections as required. As described in a memorandum of clarification dated February 15, 1984, if an inspection "lot" from BA was submitted to IP and contained items already overinspected by IP, no credit would be taken for fulfillment of the "lot" size, that is, items not inspected by IP would be randomly selected for inclusion in the "lot" and overinspected accordingly. This method actually increased the total number of items/components overinspected, and in no way violated any commitments to the NRC. The Departure from Procedure was completed February 29, 1984.

The IP Overinspection Program was being performed out-of-sequence in accordance with procedures. Overall plant safety was not compromised. This matter is closed.

- b. (Closed) Allegation (RIII-83-A-0177-02) (#58) Attribute entries in the check sheets (used by IP during overinspection) are being denoted NA (not applicable). This lack of entry, therefore, bypasses the Trend Reporting System.

Results of IP's overinspections made during the Approved Departure from Procedure were reviewed by the inspector. The inspections were made in reference to the same generic checklists used by BA for verification inspections. The checklists covered such things as concrete expansion anchors, structural steel, mechanical equipment, electrical equipment, raceway and supports, etc. There had been approximately 1500 items inspected in the areas of electrical, mechanical and structural. It is true that some attributes were marked NA; however, they were truly not applicable. There were also approximately 875 50,000 series nonconformance reports (NCRs) written when applicable attributes were found unacceptable. The NCRs were submitted to the trend reporting system per procedure. This matter is closed.

- c. (Closed) Allegation (RIII-83-A-0177-03) (#58) From an individual's personal viewpoint, in comparison to that of Field Verification personnel, the training of the IP Overinspection personnel is inadequate. He feels the qualification of their personnel is in doubt.

The inspector compared the programs established for training BA Field Verification and IP Overinspection personnel. Many aspects of the programs were similar. The BA program did have somewhat better visual aids and handouts, and testing included an open book portion; however, both training programs met established BA and IP procedures. An important point in relating the training programs is that only IP personnel were required to have been certified Level II inspectors prior to being hired. Personnel records of five randomly selected IP and BA inspectors showed that all five IP personnel had extensive experience and were previously certified Level II; only three of five BA personnel were likewise certified. This matter is closed.

- d. (Closed) Allegation (RIII-84-A-0048) (#74) In the quest to submit a valid nonconformance report (NCR) into the system, there was uncalled for resistance and the threat of disciplinary action unless an agreement was made to invalidate the NCR.

On March 23, 1983, an individual identified 10 pieces of equipment improperly classified as non-safety related. The individual wrote a NCR and tried to submit it through normal channels. The individual's supervisor refused to process the NCR because there was already a Corrective Action Report (CAR) 130 that supposedly covered the finding, and there was a memorandum from the Manager of Quality and Technical Services (MQ&TS) which specified that procedural or documentation problems would not have NCRs written against them. The individual was concerned that if the NCR was not issued corrective action would not be taken to preclude

personnel from mis-classifying equipment thereby negating QC's involvement with observing required maintenance. The individual's supervisor stated he did tell the individual that if the individual persisted with submitting the NCR, disciplinary action could be taken for disobeying the MQ&TS memorandum. The individual persisted and wrote NCR 16525. The individual met with his supervisor, the QC Manager and the MQ&TS. At the meeting the individual agreed to the invalidation of the NCR by his supervisor because the MQ&TS committed to amend CAR 130 to specifically include the individual's concern. (Note: These occurrences took place during the period March 23 through April 2, 1984.)

During the period May 29 - 31, 1984, this matter was inspected by the NRC. It was determined that disciplinary action was not taken against the individual for following through and writing the NCR. The individual persisted in his quest to write the NCR and was not intimidated by his supervisor. It was also determined that the individual's concern was legitimate; however, nothing had been done to modify CAR 130 or otherwise notify cognizant personnel to be on the alert for the mis-classification problem during their review of CAR 130. On June 1, 1984, it was determined by the NRC inspector that rather than a matter of noncompliance there appeared to be problems with communications and management. The NRC inspector referred the problems to IP since they have ultimate responsibility for project management.

On June 26, 1984, the inspector met with IP management representatives and learned that there had been a meeting between the individual and the MQ&TS, disciplinary action had been taken against the individual's supervisor, and a memorandum had been sent to all BA employees emphasizing the communication policy between them and BA management. Procedures have been revised and no longer allow NCRs to be invalidated "in process" or by an immediate supervisor. All NCRs will flow through the system and be dispositioned by "third parties". The IP QA Manager committed to hold seminars with BA QC Managers and supervisors stressing the legal aspects and IP position on intimidation, perceived or otherwise. As of July 23, 1984, all seminars had been held. In addition, cognizant personnel were made aware of the potential for equipment to have been incorrectly classified on Storage & Maintenance Inspection Records (SMIR). CAR 130 will not be closed until a 100% verification of SMIR cards is made against the Sargent & Lundy Equipment List. The inspector was informed by the individual that his specific concerns have been rectified. This matter is closed.

- e. (Closed) Allegation (RIII-84-A-0085) (#76) An individual informed the senior resident inspector by telephone that he had been denied employment by the BA MQ&TS at Clinton because of his previous involvement with the NRC.

On April 11 - 12, 1984, the individual contacted the NRC about his inability to gain employment at Clinton. The individual was advised

to contact the U. S. Department of Labor (DOL) which the individual did. On June 27 and 29, 1984, the DOL was contacted by the NRC to determine the disposition of the case. The individual had two complaints on file with the DOL. The first was filed in July 1981 for a previous termination of employment with BA. The DOL reviewed the case and denied the complaint. The individual then appealed the decision. According to the DOL Supervising Compliance Specialist, the individual failed to appear at the hearing set up to hear the appeal. The case was closed by the DOL. Regarding the second case, the individual telephoned the DOL stating that he was denied employment by the BA MQ&TS at Clinton; however, he failed to follow up within 30 days with a written charge. Under normal conditions, failure to followup results in closure of the file; however, in this case the individual claimed he was "black listed", that is, barred from employment at any nuclear facility because of actions taken by BA. This charge had not been proved or disproved by DOL and no action is pending by DOL; however, the DOL file will remain open.

The inspector interviewed the BA MQ&TS and confirmed that the individual had been terminated for cause in 1981 long before the MQ&TS was himself employed by BA. Personnel records showed that the individual was not eligible for rehire. In the latest incident, the individual was an employee of a firm that temporarily supplies people to construction sites. BA reserves the right to deny employment to anyone for cause. In this case, the employing contractor was notified by the BA personnel office that they had reviewed the individual's resume and their past employment records. Based on the individual's past employment record he could not be rehired by BA. The decision to not hire the individual was not unilaterally made by the BA MQ&TS. The decision was made by the personnel office in accordance with standard hiring practices. The inspector contacted the employing contractor on June 27, 1984, and determined that the individual was no longer employed by them as of April 13, 1984. No other information could be obtained about the individual. Based on the above and that no matters of safety were involved, this matter is closed.

- f. (Closed) Allegation (RIII-84-A-0050) (#79) A former employee felt he was laid off for having identified too many deficiencies and for writing controversial Corrective Action Requests (CARS).

The former employee worked for BA on two separate occasions, the first being between August 1981 through July 1983. The employee resigned in July 1983 and his personnel record indicated eligibility for rehire. In October 1983 the employee was rehired by BA and worked as a quality representative until being laid off in April 1984. In early April 1984 all BA Quality and Technical Services Department Managers were provided criteria for consideration of reducing employee forces. (As a result of an audit performed by EBASCO for

submission to the Illinois Commerce Commission, EBASCO found the quality organization was over staffed, thus a reduction in force was made.) On April 18, 1984, 40 Quality and Technical Services personnel were laid off including the former employee. Interviews with the employee's supervisors, and review of personnel records showed that the individual was generally a marginal performer who could be readily replaced, and there were problems with him following established rules and being absent without leave. All conditions met the criteria for consideration of reducing forces. Even so, the individual's termination slip included the recommendation for rehire; reason for termination was "reduction in force."

On the day the individual was laid off, he was not permitted to take anything from the job site that was not readily identifiable as personal property. This was standard practice as laid off employees are escorted by security to avoid any disruptive behavior. Arrangements were made to transfer the employee's belongings to a co-worker but the QA manager subsequently took the materials from the co-worker. The senior resident inspector obtained all said materials. An inventory and evaluation of the materials was made and separated into two parts. Part A was considered company property and returned to IP QA personnel by the senior resident inspector. Part B included some personal property, for example time sheets, writing tablets, personnel information, and copies of work items prepared by the employee. There were copies of eight potential Corrective Action Reports (CARs) prepared by the individual on or about April 13, 1984. The CARs were specifically related to adverse trends identified by the employee during his normal course of duties and responsibilities. Four of the CARs were considered by BA Management to be valid. (CAR numbers 164, 165, 167 and 168.) Four of the CARs were considered by BA Management to be invalid as documented in BA memorandum DK-84-680. The employee previously identified five other potential CARs between June 1983 and April 1984. Four were appropriately considered invalid and one was valid. The individual had the greatest number of invalid CARs (8/23), and a typical number (13/168) of total CARs considering his function of reviewing NCRs for adverse trends.

The employee was also concerned about two other matters. He was concerned by the removal of the corrective action block on the nonconformance report (NCR), and the computer system's inability to track multiple occurrences of individual discrepancies. Both problems and pertinent actions were adequately described in the following documents:

- . Corrective Action Block - BA Memorandum LWO-133-84
- . Computer System - BA Memorandum DK-84-614

It was the responsibility of the employee, a Quality Assurance Engineer, to review NCRs for excessive occurrences of individual discrepancies.

Records showed that this was accomplished. In fact, the CARs submitted by the employee were about occurrences of this type. It would have been an increased benefit if the computer could perform the review, however, there is no requirement to do so. A review by the inspector of 950 NCRs, the entire month of April 1984, showed two instances where multiple discrepancies had occurred but were singly recorded in the computer record. The multiple discrepancies appeared to be a matter of interpretation rather than a programmatic deficiency.

On April 18, 1984, during conversation with the senior resident inspector the employee was provided the address and telephone number of the Department of Labor (DOL), Wage and Hour Division, in Springfield, Illinois. At that time the employee was told of the 30 day period to file a complaint of job discrimination. In conversation with a DOL representative on June 27, 1984, the inspector determined that the employee had not reported any concerns to the DOL. This matter is closed.

- g. (Closed) allegation (RIII-83-A-0176) (#56) An individual stated that he had been instructed by his Foreman to camouflage grind marks in an electrical hanger by filling in the marks with unthinned (putty-like) Galvanox.

This allegation was not made to the NRC. On July 22, 1983, the BA Site Manager notified the senior resident inspector of the above allegation made to him. BA had an investigation performed as documented in a confidential report dated September 10, 1983. The inspector reviewed the results of the investigation and subsequent disposition.

The allegation involved one hanger out of several thousand. The acting BA Project Manager informed the inspector that the individual was terminated for an unrelated cause approximately one year after the hanger incident. In addition to being terminated, the individual was removed from the apprentice ranks by his local union. The individual's foreman voluntarily terminated his employment a few days after the investigation was completed. In addition to the administrative actions, 100% of the electrical hanger installation is being reinspected by BA QC, verified by BA QA, and overinspected by IP QA. This matter is closed.

- h. (Closed) Allegation (RIII-84-A-0051-01 through 05) (#78) An individual whose employment was terminated after failing an examination made the following allegations to the NRC Headquarters Duty Officer on April 18, 1984.

(RIII-84-A-0051-01) The examination was not very good, more trickery than anything else.

Field verification inspectors were required to pass a written 30 question open book test, a written 40 question closed book test,

and demonstrate practical knowledge. Knowledge was gained from previous experiences, mandatory reading assignments, on-the-job training and classroom study. The examinations were made up from a "bank" of test questions selected at random. The inspector reviewed two previously administered Electrical/Welding Field Verification examinations. The questions were objective and did not appear to be tricky.

(RIII-84-A-0051-02) After failing the examination for field verification inspector, he was not allowed to become a first-line inspector.

Personnel records showed that the individual was brought in to be a field verification inspector, not a first-line inspector. The record also showed that on March 19, 1984, the reason for the individual's termination was failure to pass the certification examination.

(RIII-84-A-0051-03) The training procedure stated a person would be given three chances to pass. People are being brought in and think they will be given a second chance...they won't.

BOA-185 "Field Verification Training & Certification" procedure in part states that "If the test results indicate a lack of knowledge, the individual is allowed to retake the failed portion of the examination after documented training (is completed) in the area of weakness. Any individual who fails three consecutive examinations for the same certification is not considered for re-examination until one year after the date the last examination was failed." The training coordinator in charge of the individual's testing had his employment terminated on May 8, 1984. The present training coordinator stated to the inspector that his predecessor was having difficulties with management and took it upon himself to not follow procedures and to weed out people because there were so many coming through the Training Department.

Since May 8, 1984, when the current training coordinator assumed responsibility it has been the policy of the Training Department to follow procedures as written. Training is also discussed in Allegation "c" of this report.

(RIII-84-A-0051-04) There is another person that never was an electrical inspector yet is certified "across the board" as a Level II, I know because he is a close friend.

The close friend described by the individual was a QA verification engineer certified Level II to perform electrical/welding inspections. For the most part, the inspections were heavily oriented towards welding, bolting, and measurement of components that supported electrical cable. The friend was hired on March 19, 1984, and

resigned on May 23, 1984. Nothing in the friend's file indicated any impropriety. A review of personnel training and certification records was performed as described in Allegation "c" of this report, and in Inspection Report 50-461/83-16. As above, no improprieties were noted.

(RIII-84-A-0051-05) The training coordinator would change test questions whenever challenged by a test taker; however, he would not correct those same questions for people who already left the site.

It is true that if a trainee challenged a test question, the training coordinator would review it and if necessary correct the final score for that individual or those presently taking the test. If a person had already left the site there was neither any reason nor requirement to adjust their scores. It was only on rare occasions that such changes were made and usually did not make an appreciable difference on the final test score. Each test was unique in that it was made up from a "bank" of several questions in a particular category.

These matters are closed.

- i. (Closed) Allegation: (RIII-84-A-0010) (#71) An anonymous individual sent an undated letter to the senior resident inspector expressing concern about the termination of four fellow employees. Since their termination there was a feeling of intimidation, that is, the job of ensuring the quality of an installation was subservient to cost and schedule. The letter was stated to have been anonymous because the person(s) feared retribution if they persisted in doing their jobs as quality inspectors.

Twelve electrical QC inspection personnel were interviewed on July 11-12, 1984. The 12 represented about 25% of the electrical inspection staff of Baldwin Associates (BA). The four terminated persons were employed in the electrical department of BA. All 12 persons were specifically asked if the terminations of the four individuals had an intimidating or chilling effect on the performance of their daily functions. Unanimously they responded that at first there existed a state of confusion but now they felt comfortable about performing their duties. Some inspectors felt that now there appeared to be too much protection given to them because non-quality related incidents were not being effectively handled by supervisors for fear of a charge of intimidation.

BA has revised the procedure for evaluating NCRs, that is, supervisors are no longer allowed to invalidate a NCR or close one in process. All evaluations are performed by third parties. IP has prepared another comprehensive program for informing all BA supervisors of their role in assuring that all instances of

intimidation, perceived or otherwise, must be avoided in areas relating to quality issues. (Refer to Allegation "d".)

Based on the nonspecifics of the allegation, its anonymity, and the action of BA and IP, this matter is closed.

- j. (Closed) Allegation (RIII-84-A-0105) (#83) On May 14, 1984, the senior resident inspector received a telephone call from Mr. A regarding the firing of Mr. B. Mr. B was a "shopper" employed by BA as a piping/mechanical QC inspector. According to Mr. A, Mr. B was told to "violate procedures," that is, to not write a nonconformance report but a field change request. According to Mr. A, Mr. B asked for a letter with these directions and he was subsequently fired for insubordination.

On May 17, 1984, Mr. A was advised by the senior resident inspector to have Mr. B contact NRC directly if Mr. B had concerns with what had gone on in his department. On May 21, 1984, Mr. A informed the senior resident inspector that Mr. B had utilized the "hotline" and informed IP of what happened to him and his concerns. Mr. B supposedly said that if he wasn't satisfied with IP's actions he would come to the NRC. The senior resident inspector told Mr. A that NRC would not step in until IP's action was completed.

Mr. B never contacted NRC. During the inspection performed during July 11-13, 1984, the inspector reviewed IP's "hotline" call file #114. Mr. B was rehired with back pay. Appropriate corrective actions had been or were being taken. A significant action was a change to the NCR procedure that disallows invalidation of NCRs by supervisors. Mr. B was interviewed by the inspector and seemed satisfied with the technical aspects of his concerns. Mr. B was still trying to receive compensation for lost per diem and mandatory overtime which are matters beyond NRC control. This matter is closed.

- k. (Closed) Allegation (RIII-84-A-0065) (#84) Materials used for fabrication of electrical hangers lack traceability.

On May 14, 1984, NRC Region III personnel were contacted by a person formerly employed by Baldwin Associates as an electrician (foreman). He stated that upon returning to work on March 26, 1984, he found file cabinets had been broken into and work packages for electrical hangers were removed. Electrical hangers were then installed by others but not with the materials originally drawn for that particular job; therefore, the traceability was questioned. The employee further stated that on March 30, 1984, four foremen, including the caller, notified IP of their concern by use of the "hotline" telephone system. On April 10, 1984, IP contacted the callers to obtain further details. At some time after April 10, 1984, the employees were terminated by BA. The caller was provided with the telephone number of the Department of Labor (DOL) in Springfield, Illinois.

On May 22, 1984, the DOL received the caller's complaint and on June 21, 1984, DOL dismissed the complaint because they found that the employee was terminated for excessive absenteeism and for being out of the assigned work area. On June 26, 1984, the caller appealed the DOL decision and the appeal is still pending.

The inspector reviewed IP's investigation of the "hotline" incident. The report stated that the material used for fabrication of the hangers had been inspected by QC at the time of issue and had the same Heat and RIR number as the material originally issued for the job. When the material was drawn from stores had nothing to do with material quality. Other concerns expressed by the caller on the "hotline" were also discussed in the IP report. The concerns appeared to have been adequately covered. This matter is closed.

No items of noncompliance were identified.

3. Quality Control (QC) Inspection Discussions

During this inspection, discussions were held with 12 Quality Control inspectors to get a general perspective of how they felt about their work at the Clinton site.

During these discussions, the following issues were discussed:

- . All responded that they felt free to talk to the NRC without any repercussions.
- . None indicated that they were asked to do inspection work outside their certification nor were they aware of anyone else being asked to do work outside their certification.
- . All responded that while they felt to various degrees some schedule pressures, they were given sufficient time to do their inspections fully.
- . In response to questions regarding whether they felt intimidation in bringing forth findings during their inspections, they personally felt no undue pressure in this regard. Several felt that some of the other inspectors might be concerned about making too many findings, however, none of the inspectors interviewed were aware of any specific instances where this was a problem. In conjunction with this issue, most new inspectors felt that the new policy that prohibited closing NCRs in progress was a positive step.
- . The inspectors felt the procedures they were using were generally adequate but several expressed concern that some parts of the procedures were too vague. In each case, the inspectors were able to get the proper information from their lead inspector or other sources but indicated this was a source of frustration. Most inspectors felt that the procedures were continuously getting better although this caused them to spend additional time

reviewing procedure changes during working hours. (All inspectors are required to review all procedure changes and sign off that they have read them.) One inspector expressed a concern about not factoring inspection findings into procedures, that will be pursued during a subsequent inspection. (#92)

- . Most inspectors felt that the training was adequate but could be improved by more field training and formal presentations.

One inspector expressed a concern about training that will be pursued during a subsequent inspection. (#93)

- . There was a concern by several inspectors that the amount of overtime was excessive if continued indefinitely.
- . In response to a question as to whether the QC inspectors viewed management as now being better, worse, or the same, compared to the past, most inspectors felt that management was improving.

4. Exit Meeting

The inspector met with licensee representatives (denoted under Persons Contacted) at the conclusion of the inspection on July 18, 1984. The inspector summarized the scope and purpose of the inspection; the licensee acknowledged the information.