



cc: Dr. Murley

UNITED STATES  
NUCLEAR REGULATORY COMMISSION  
OFFICE OF INVESTIGATIONS FIELD OFFICE, REGION I  
631 PARK AVENUE  
KING OF PRUSSIA, PENNSYLVANIA 19406

October 19, 1983

MEMORANDUM FOR: Ben B. Hayes, Director  
Office of Investigations

THRU: William W. Ward, Director  
Division of Field Operations, Office of Investigations

FROM: R. K. Christopher, Director *R.K.C.*  
Office of Investigations Field Office, Region I

SUBJECT: STATUS OF ADDITIONAL HARTMAN ALLEGATIONS

The purpose of this memorandum is to address the status of two additional allegations made by Harold Hartman to the Office of Inspection and Enforcement in 1980.

In a memorandum dated October 3, 1983 (Attachment 1) from Dr. Thomas E. Murley, Regional Administrator, Region I, to William J. Dircks, Executive Director for Operations, the allegations were characterized as follows:

1. that feedwater pump test criteria were altered,
2. that the estimated critical position (ECP) for attainment of criticality was recalculated in order to meet procedural requirements.

This memorandum stated that from a technical perspective, no health and safety issues are posed by the two allegations but also stated that since OI has been tasked with resuming and completing the investigation (Hartman), it was assumed that OI would address the above mentioned allegations. I feel that before we initiate investigations into these allegations we should consider the following;

ECP ALLEGATION

1. The allegation is concerned with a singular incident that occurred on a shift over five years ago and is not directly correlated with the management competence issue.
2. The four individuals who would have been involved in or witnesses to the event were interviewed in detail by both myself and T. T. Martin in 1980 (transcripts of the interviews are available). The supervisors and the control room operators involved in the incident denied any knowledge of the incident while Hartman maintained that it occurred. While these interviews in themselves are not conclusive as to whether or not the incident occurred, it is my opinion that those interviews were exhaustive at the time and were done by an experienced investigator and technical inspector. I do not believe that the re-interview of these individuals three years later will produce information any different than the first interviews.

3. The conclusions reached by the technical staff after their review of technical data did not present any significant evidence to support the allegations. Specifically, the T. T. Martin Report to Herzog Plaine on June 6, 1983, states:

"Although the physical records of the reactor startup during the midshift on April 23, 1978 bears strong resemblance to the alleged event; key elements such as the alarms, startup rates, alleged rod position at peak startup rate, recorded entry into mode 2 operations, and the availability of record challenges the plausibility of the alleged event."

I have discussed these conclusions with Dr. Thomas Murley, Regional Administrator, and have determined that he is in agreement with the above stated conclusion.

In summation, it is my view that this allegation does not lend itself to resolution and the conclusions reached by the Region I technical staff do not support the initiation of an investigation into this issue and this juncture.

#### ALTERING FEEDWATER PUMP TEST CRITERIA

I have reviewed all of Hartman transcripts and I cannot find anything in his testimony to directly indicate the feedwater pumps surveillance test were being altered. I did find in Hartman's interviews with I&E in 1979 and Region I in March 1980 where he referred to problems with the emergency feedwater pump surveillance tests and their inability to meet the acceptance criteria. In those interviews Hartman stated that he did not know why they could not get the proper test results. In this regard, Hartman did not allege that test results were being altered but that the engineers were reviewing the test data and deriving new reference values and he did not understand how the engineers obtained the new reference values. Hartman was specifically asked by the investigators at that time if he felt that the reference values were being manipulated to which he responded negatively. (See Attachment 1, excerpt from March 1980 interviews with Region I.)

The Region I summary regarding this allegation (see Hartman allegation investigation summary to the Commission dated June 6, 1983) identified errors in the surveillance procedures, as well as other procedural and technical deficiencies in the test program but did not provide any information or facts indicative of falsification of the surveillance tests. The Findings section of the Region I summary referred to states;

"Analysis of test results not initially meeting acceptance criteria were conducted and documented, were appropriately dispositioned; and documented, were appropriately dispositioned; and where changes to reference criteria were made, the changes satisfied the requirement of IWP-3111 and 3112."

The Conclusions section of the referenced summary states;

"When tests results did not meet acceptance criteria, proper analysis and corrective actions were taken."

"No objective evidence was found of tampering with the test results or reference values and changes made to reference values met regulating requirements."

As such, it is unclear to me what the basis of an investigation into this allegation is.

In conclusion, it is my opinion that neither of these allegations or the information provided by the technical staff provides OI with a basis for initiating a new investigation into these two allegations, particularly since there is no apparent safety issue pending because of the allegations.

cc: Roger Fortuna



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Jim  
Guy  
Tim  
Rick  
Dan

For appropriate handling.

TW