

U. S. NUCLEAR REGULATORY COMMISSION

REGION III

Report No. 50-461/84-31(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: October 10-12, 1984

Inspector: F. J. Jablonski

Approved By: R. C. Knop, Chief
Reactor Projects Section 1C

11-7-84
Date

Inspection Summary

Inspection on October 10-12, 1984 (Report No. 50-461/84-31(DRP))

Areas Inspected: Special, unannounced inspection concerning allegations and review of licensee action on open items. The inspection involved 32 inspector-hours onsite by one NRC inspector.

Results: No items of noncompliance were identified.

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DETAILS

1. Persons Contacted

Illinois Power (IP)

D. Hall, Vice President
R. Campbell, Director of Quality Systems and Audits
*W. Connell, Manager, QA
*H. Daniels, Project Manager
*J. Loomis, Construction Manager
*J. Spencer, Director of Design Engineering
*J. Sprague, QA Specialist
*L. Tucker, Director of Startup Testing
*D. Wilson, Operations Licensing Supervisor

Baldwin Associates (BA)

*E. Rosol, Deputy Project Manager
L. Clark, Senior QC Piping - Mechanical Engineer
R. Hans, Manager of Personnel
*L. Osborne, Manager of Quality & Technical Services
J. Roth, Personnel Supervisor
T. Wylder, QC Piping - Mechanical Inspector

Zack Company

D. Calkins, Site Manager
D. Boyd, Field Superintendent (Nights)
J. Hill, General Foreman

Other personnel were contacted during the inspection as a matter of routine.

*Designates those who attended the exit meeting on October 12, 1984.

2. Action on Previous Inspection Findings

- a. (Closed) Unresolved Item (461/81-05-12): Personnel qualification in BA small bore design group. The inspector reviewed correspondence and documentation which showed that corrective actions were adequate to close out this item. The actions included preparation of job descriptions for personnel, including the Piping Drafting Department, verification of the highest level of education, where required for the position, and verification of the last two places of employment. This matter is closed.
- b. (Closed) Noncompliance (461/81-15-01): Questionable QC Inspector Certifications/Qualifications. As described in NRC Report 461/81-15, a program of retesting BAQC inspectors was undertaken. By May 4, 1981, all inspectors had satisfactorily passed the tests. The inspector reviewed and verified the corrective action described in IP letter to

NRC dated June 4, 1982. Besides the corrective action described in the above letter, several NRC inspections have been performed in the area of QC training, certification, and qualification including Reports 461/83-10, 83-16, 83-19, 84-02, 84-13, 84-14 and 84-17. Also, as described in Reports 461/83-10 and 83-16, IP is performing an independent overinspection of work completed prior to July 1982. Up to the present, as described in the attachment to report 461/84-16, there have not been any significant deficiencies identified. This matter is closed.

- c. (Closed) Noncompliance (461/81-15-02): Nonconformance Reports (NCRs) prepared in draft; becomes legitimate NCR at discretion of person other than initiator. The inspector reviewed and verified the corrective action described in IP letter to NRC dated June 4, 1982. NCRs are the basic documents on which QC inspectors record deficiencies. Problems with NCRs and the discontinued Deviation Report have been the focus of several allegations and are discussed at length in Report 461/83-19. The BA procedure for NCR reporting, BAP 1.0, has been revised nine times since noncompliance 461/81-15-02 was written. Since at least June 1982 a QC inspector, or others from the Quality and Technical Services Department, have filled in the appropriate portions of an NCR, obtained a number from the NCR Review Group, and then forwarded the NCR to his supervisor who ensures clarity, accuracy, and completeness. Beyond those three duties, the supervisor plays no part in dispositioning the NCR; that is, a QC inspector's supervisor does not have the option of voiding and disposing of an NCR. The NCR form, JV 143, and the document distribution procedure, BAP 2.00, require distribution of NCRs be made to the preparer. This matter is closed.
- d. (Closed) Noncompliance (461/83-19-02): Acceptance criteria not established for dispositioning NCRs that identified non-hardware conditions. The inspector reviewed the corrective action described in IP letter to NRC dated April 26, 1984, and verified that the procedure for handling NCRs, BAP 1.0, has been revised to deal with conditions of administrative or procedural nature. Non-hardware type NCRs are forwarded to the appropriate BA department manager for required action. The BA Manager of Quality and Technical Services is required to verify completion of the disposition. This matter is closed.
- e. (Closed) Open Item (461/83-19-03): NCR disposition, completed work, and inspection compatibility. BA Corrective Action Report 122 encompassed the review of approximately 7,700 completed NCRs and showed that less than 0.6 percent had changes to the disposition. The changes were evaluated and determined to be not safety-related, or were compatible with inspections. If not, a new NCR was prepared. Actions were appropriate; this matter is closed.
- f. (Closed) Unresolved Item (461/83-19-04): Inappropriate use of Field Change Request (FCR) when NCR should have been used. IP Nuclear Station Engineering Department (NSED) issued Memorandum FCE-84-84 to the Construction Manager delineating specific minimum requirements for NSED to accept FCRs. In addition, IPQA performed a pilot trend analysis to determine if the FCR system was, in fact, being used in

lieu of the NCR system. The analysis confirmed that FCRs were being used in lieu of NCRs; however, the percentage was low, approximately three percent, and the actions taken by the IPNSD were appropriate to reduce occurrence even further. This matter is closed.

- g. (Closed) Open Item (461/83-19-07): Timely reporting of construction deficiencies that meet 10 CFR 50.55(e) criteria. IP revised procedure QAP-116.04 that implements a five working day evaluation period for reportability of referred conditions. If at any time during the evaluation the condition is determined to be reportable/potentially reportable, the NRC will be notified within 24 hours of the determination. In the past 10 months IP has reported 22 construction deficiencies per 10 CFR 50.55(e), all in a timely manner. This matter is closed.

3. Followup on Allegations

- a. (Closed) Allegation (RIII-83-A-0175) (#59): On September 7, 1983, an individual contacted the NRC resident inspector and stated that because the individual had "turned in" his supervisor, the individual suffered discrimination, that is, dismissal, and harassment in the form of verbal abuse, and damage to locks on personal vehicles.

In March of 1981, the individual notified the Zack Company Project Manager that work on safety-related equipment was being done without approved documentation. (The work was installation on elevation 781' in the control building, of fire damper #49, duct piece #F4280. The actual condition appeared to the NRC inspector not to be safety-related but a perceived personnel safety hazard in that the duct piece was temporarily in a precarious position.) On March 9, 1981, the individual's supervisor was asked to take a voluntary layoff. He did so but believed he was not at fault. The individual was himself laid off 17 months later in August of 1982 along with approximately 100 others. (The Zack Company had two previous layoffs in October 1981 and March 1982 involving a total of 100 personnel.) It did not appear that the individual was laid off as a direct result of his "turning in" his supervisor.

Two of five persons allegedly involved with harassment of the individual were still employed by Zack at the time of this inspection. Neither had knowledge of anyone tampering with the individual's locks and neither had recollection of either their own or others' verbal harassment of the individual. This matter is closed.

- b. (Closed) Allegation (RIII-83-A-0119) (#61): On December 5, 1983, it was reported to the NRC that chewing gum had been sculptured into a weld defect area and subsequently painted over. The technical aspects of this matter are described in NRC report 461/84-18. The weld was determined to be acceptable. Other related matters are being followed up under construction deficiency report 83-10-EE. This matter is closed.

- c. (Closed) Allegation (RIII-84-A-0099) (#75): On April 10, 1984, an individual contacted the NRC resident inspector by telephone and stated that there was a potential conflict of interest in the BA Document Review Group between a certain family unit whose efforts may have contributed to his being laid off.

No other information was supplied by the individual until, at the NRC's request, on July 6, 1984, the individual provided the identities of the family in BA's Quality and Technical Services (Q&TS) group. The individual stated that the family ties were not known by BA and they probably lied on their employment applications about the close family relationship. The individual was unable to supply any general or specific information about conflict of interest occurrences.

During a site inspection during July 11-13, 1984, the NRC inspector learned from the BA Acting Project Manager that BA had a policy of not having husband and wife working together; however, no restrictions applied to other family members. The family group was provided to BA by an employment agency. As such, detailed personnel information such as family relationship was not provided in onsite records.

There is no NRC rule or regulation regarding the employment of persons married to each other or restricting them from working together or for one another. Since this matter was beyond NRC control, responsibility for investigation was referred to IP on July 13, 1984.

During this inspection, the NRC inspector reviewed results of IP's actions as follows:

- . Removed the family group from being under the direct supervision of a family member.
- . Established a Q&TS personnel policy that prohibits an individual from reviewing or approving the work of a relative.
- . Established a Q&TS policy that requires all Q&TS personnel to identify their relatives employed on the project.
- . Completed an audit of the work done by the family group to ensure that there were no conflicts of interest. (Results indicated that there were none.)

There was no indication that the family unit's existence had any bearing on the individuals being laid off. This matter is closed.

- d. (Closed) Allegation (RIII 84-A-0061)(#81): On April 29, 1984, an individual notified the NRC that he had been threatened by a craft worker employed at the Clinton site. The individual also stated that document reviewers were coercing or being coerced to accept bogus documents. This matter was inspected by the NRC and is discussed in Report 461/84-17, Paragraphs 3.a., 7.a. and 9. No items of noncompliance were identified.

Also on April 29, 1984, the individual contacted IP. IP's investigation is continuing. As of this inspection the following information appears pertinent.

- . The individual was terminated on August 28, 1984, for cause because his education could not be verified by BA, even though the individual had signed employment documents stating he had a high school diploma and two post secondary education degrees.
- . On October 11, 1984, IP contacted the individual to determine if he wished to pursue his verbal allegations. The individual stated he did not want to discuss anything as he had retained the services of an attorney who was now responsible for pursuing litigation against BA.

This matter is closed.

- e. (Closed) Allegation (RIII-84-A-0073) (#88): On May 23, 1984, an individual notified the senior resident inspector that there was an incident when a QC Supervisor altered a pipe hanger angle nonconformance, NCR 17104, in order to gain a favorable use-as-is disposition; there did not appear to be any backup reinspection documentation.

The NRC inspector individually discussed the allegation with the QC supervisor and inspector involved with NCR 17104. For an unstated reason, a more experienced inspector on the day shift, identity unknown, remeasured the angle of the pipe hanger. He measured 44° instead of 42.5° as originally documented. The inspector who originally prepared the NCR stated that he rechecked his own work during his next shift and agreed that the angle should have been 44° and not 42.5°.

During the present inspection the NRC inspector accompanied the QC inspector and supervisor to the hanger location. The NRC inspector verified that the angle was in fact less than 45° but significantly greater than 42.5°. Making the measurement was hampered by the presence of a large weldment in the area of interest. Also, the device used for measurement was not especially appropriate for reading angles less than 1°. The installation drawing specified $45^\circ \pm 0^\circ$, an exceedingly tight tolerance for the type of installation. The designer's disposition was to accept the installation of 44° as is. All material matters were identified on the NCR; there was no requirement or reason to attach further backup reinspection documentation. This matter is closed.

- f. (Closed) Allegation (RIII-84-A-0069) (#89): On or about May 14, 1984, the NRC Headquarters Duty Officer received an anonymous telephone call regarding the addition of heat code and receiving inspection report numbers to materials without regard to certification. On July 9, 1984, this matter was referred by NRC to IP to assure more timely disposition of the concern. IP was requested to review the allegation and make necessary audits and reviews to determine validity of the allegation. Following are the results of IP's efforts.

During the period August 9-13, 1984, IP interviewed 49 BAQC inspectors with tenure ranging from one to forty-two months regarding the allegation. Findings are documented in a confidential report dated August 17, 1984. In addition, IP performed surveillance of the material control process as documented in letters serialized Y-23053, Y-19727, Y-22956, and Y-22977. After reviewing IP's conclusions the NRC inspector agreed that the allegation could not be substantiated. A similar matter was reported in NRC Report 461/83-19, paragraph 4, allegation 12; it too could not be substantiated. This matter is closed.

- g. (Closed) Allegation (RIII-84-A-0108) (#96): On or about July 23, 1984, the resident inspector was notified by an individual that he had received a written reprimand for approving the response to NCR 63745. The individual was concerned because the IP QA manager had recommended dismissal of the three persons involved with the NCR. On July 24, 1984, the individual informed the resident inspector that the three persons may be transferred out of the QA/QC area.

The response to NCR 63745 stated "After performing an in-depth retrospective evaluation of imponderable documentation of an impugnable nature, pertaining to the potentially nonconforming attributes previously manifested on NCR #63745 condition 1. It is surmised that this deficiency document has been initiated erroneously. To facilitate all avenues of efficiency, this NCR should be terminated in-process". (Translation: "We have looked at the situation and found it without merit; close the NCR in process.") The response was signed by a field verification inspector, the lead field verification inspector (the individual), and the night shift lead field verification inspector. The individual was sensitive to being accused of intimidating a QC inspector if he changed the wording. The IPQA manager stated that he was upset by the gobbledygook and unprofessionalism displayed by the persons involved with the NCR, and did recommend their termination.

Upon further investigation by both IP and BA it was determined that the field verification inspector was not the actual "word engineer". Also, he had been on the job less than one month; no action was taken against him. The individual was removed from his QC position and assigned to the Document Review Group as a reviewer at the same pay grade; however, with less judgmental responsibility and no responsibility for dealing with NCRs. The night shift lead field verification inspector was a victim of circumstances and no action was taken against him. There was no evidence of intimidation, only use of management prerogatives. This matter is closed.

- h. (Closed) Allegation (RIII-84-A-0109) (#97): In NRC's continuing process of reviewing allegations regarding Clinton Station there have been two basic problems that have recurred. The first is the perception at middle and lower levels of BA management that they are in a "no-win" situation when required to manage/discipline QC inspectors. The second problem is an apparent misuse of memoranda as auxiliary procedures. Both problems are discussed below.

Incidents of no win situations are reported in paragraph 3.g. of this report and Report 461/84-14, paragraphs 2.d, i., and j. The no win situations are usually conflicts between first line management trying to "manage", and QC inspectors interpreting the actions to be intimidation. "Management" results in allegations to the NRC of intimidation; whereas, "mismanagement" results in disciplinary action against the first line manager. Most recently on July 26, 1984, the resident inspector received a copy of a letter dated July 23, 1984, describing disciplinary action taken against a BA QC supervisor for coercing first line QC inspectors to not write NCRs. The action included time off without pay and a letter of reprimand to file.

One of the basic underlying causes of this type allegation appeared to be the interrelationship between QC inspectors and supervisors in the handling of NCRs. As described above in paragraph 2.c. and in NRC Report 461/84-14, paragraph 2.i, BA first line supervisors no longer have the authority to void or invalidate NCRs.

As recent as July 24, 1984, IP QA had completed a series of seminars about perceived intimidation. The seminars were presented to BA supervisors and QC personnel. The fine points between management and intimidation were stressed. In a meeting on August 31, 1984, with NRC, IP discussed feedback results from the seminars. Results were favorable.

Within the past few weeks the individual was promoted from BA QC Supervisor to Quality Engineering Supervisor of Procedures. In this case, as well as others, upon further investigation by BA the reprimand was removed from the file.

It appeared that in some instances there was a fundamental problem with the depth and breadth of investigation on the part of BA management; however, the action taken appeared appropriate to correct the no-win problem.

The use of memoranda as auxiliary procedures, that is, instead of, was mentioned in the above July 26, 1984, letter, and in Report 461/84-14 paragraph 2.d. In both cases the QC supervisor misinterpreted memoranda to be a management directive.* (In all cases the procedure should have been the directing document.) Again, there appeared to be a weakness in BA management that caused undue friction between QC inspectors and supervisors. Both BA and IP have recognized this weakness. In discussions with the IP Vice President the NRC inspector was shown evidence that this matter had been communicated by him to both IP and BA management. Also,

*Memoranda unto themselves are not management directives. In previous conversation with BA's Project Manager, it was learned that a management directive required the signatures of a department manager and the Project Manager as well as standard distribution.

BA issued a Management Directive dated August 14, 1984, regarding the clarification of procedures. BA has formalized a method for obtaining clarification of procedural requirements. Both the Superintendent of Engineering and Manager of Quality Engineering must approve the clarification.

At this time the IP/BA actions appeared to be appropriate to resolve the problems.

These matters are closed.

4. Exit Meeting

The inspector met with licensee representatives (denoted under Persons Contacted) at the conclusion of the inspection on October 12, 1984. The inspector summarized the scope and purpose of the inspection. The inspector also discussed the differing "quality" of investigative effort by both IP and BA and the possible formalization of documenting, performing and following up on allegations within their own organization. The licensee acknowledged the information and comments.