

Nuclear

GPU Nuclear Corporation
Post Office Box 388
Route 9 South
Forked River, New Jersey 08731-0388
609 971-4000
Writer's Direct Dial Number:

October 27, 1994
C321-94-2173

Mr. Richard W. Cooper II, Director
Division of Reactor Projects
U. S. Nuclear Regulatory Commission
475 Allendale Road
King of Prussia, PA 19406-1415

Dear Mr. Cooper:

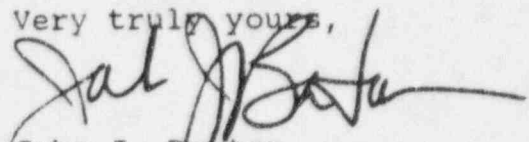
SUBJECT: Oyster Creek Nuclear Generating Station
Docket 50-219
Submittal of Investigation Results

Enclosures 1 and 2 provide the results of our investigations into the matter discussed in the enclosure to your letter dated September 28, 1994. In both enclosures the allegations concern the same individual. As requested, the enclosed reports have been redacted to allow for release to the public document room. In both instances, alpha-numeric designators have been used in place of actual names.

As a result of our investigation into the allegations the employment of the individual referred to as TI1 in enclosure 1, and TI2 in enclosure 2 has been terminated. The individual referred to as TI1 in enclosure 2 was counseled as to the inappropriateness of actions taken. As this individual was a temporary outage worker and the assignment was coming to an end, employment was terminated upon conclusion of the assignment. Additionally, site access for the individual designated as S1 in enclosure 2 has been denied.

Should you require further information, please contact Brenda DeMerchant, Oyster Creek Licensing Engineer, at 609-971-4642.

Very truly yours,


John J. Barton
Vice President and Director
Oyster Creek

JJB/BDE/gl
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cc: Document Control Desk
Administrator, Region 1
Senior NRC Resident Inspector
Oyster Creek NRC Project Manager

ENCLOSURE 1

GPUNC INTERNAL INVESTIGATION REPORT

MATTER INVESTIGATED BY:

The allegation identified in this report was investigated at the Oyster Creek Nuclear Generating Station by Martin Basti, Corporate Internal Investigator.

ALLEGATION:

"[On August 4, 1994,] (T11), Instructor IV, gave the answers for a remedial General Employee Training Exam, [GET 101], to a Contractor "A" employee who previously scored a 40 & 50%¹ on an initial GET 101 exam. (T11)'s actions resulted in the Contractor "A" employee passing the GET 101 remedial exam."

SOURCE:

The allegation was received from an anonymous caller on the Ethics Hotline telephone answering machine on August 9, 1994.

SCOPE OF THE INVESTIGATION:

° Applicable Laws/Rules/Regulations/Procedures and other requirements:

- 1) GPU Nuclear Corporate Policy, 1000-POL-2002.0, Rev. 0, Standards of Conduct.

CORPORATE POLICY

Special demands inherent in the utilization of nuclear technology impose upon the Company and its employees responsibilities and requirements not generally present in other Corporations. GPUN employees have a responsibility for diligent and professional performance and conduct which protects the public health and safety and demonstrates that the Company merits and deserves the trust of both the public and fellow employees. Employees are expected to conduct themselves in a manner that supports the Company's and

¹ The Site Access exam is a two part exam consisting of a total of 40 questions. Ten of the questions are devoted to radiological science and 30 questions are devoted to site specific issues. Both sections of the exam require a passing score of 80%.

Public's interest and avoid activities that would be contrary or harmful to those interests.

This document assembles in one place several long standing policies with regard to standards of conduct for GPU Nuclear Corporation activities, which have individually been the subject of prior guidance.

GPUN will fully comply with legal, regulatory and safety requirements and prohibit all unlawful or unethical activities. The authorization, participation or cover-up of illegal activities or acts of cheating, fraud or misrepresentation, (for or against the Company) is a serious breach of conduct. It is Company policy to cooperate with law enforcement and regulatory agencies, and therefore, employees are expected to be truthful and professional when interfacing with such agencies. Employees having knowledge of actions or conditions not in accordance with corporate, legal or regulatory requirements must provide this information to applicable management to enable the Company to take necessary corrective action.

2) Training and Education Department Training Program Manual, 6200-PGD-2699, Revision 3, GENERAL EMPLOYEE TRAINING PROGRAM.

4.0 PROGRAM DESCRIPTION

4.1 Program Structure

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4.1.2 Site Access Training/Category I GET

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4.1.2.2 GET 101-Site Access Initial Training

- Audience: All employees seeking access to the Oyster Creek or TMI Protected Areas or Owner Controlled Areas in other-than-visitor status.
- Prerequisites: None
- Content: The course addresses the subject areas listed in Exhibit 1.
- Examination: Failure to achieve a score of 80 percent or better on the written examination shall require additional training at least on the module/topics areas in which the trainee

encountered problems. The re-examination shall be a different version of the GET 101 examination.

4.6 Individuals Failing To Achieve Passing Scores

...

4.6.4 Retraining/Retesting

4.6.4.1 Individuals who fail a written examination shall not be reexamined without receiving additional training. They shall be administered a different version of the failed examination. Individuals failing a written qualification (as opposed to a pretest or diagnostic examination) for the first time should not be retested on the same day. Individuals failing a written qualification examination for the second time should not be retrained or retested sooner than five and no more than 15 working days after the second failure.

...

4.6.4.3 Individuals who fail a qualification examination for the second or subsequent time shall not be reexamined without the written approval by the site Manager, Plant Training...

° Persons Interviewed:

One Contractor "A" employee, and one GPUN employee were interviewed during this investigation and they are identified below.

(S1) Carpenter - Contractor "A"

(TI1) Instructor IV - GPUN

° Other Relevant Documents Reviewed:

GET 101 examinations and remedial examinations given from August 1, through August 5, 1994.

° Physical Evidence:

None.

INVESTIGATION RESULTS:

On August 9, 1994, an anonymous caller telephoned the GPU Nuclear Ethics Hotline and left the following message. "[On August 4, 1994,] (TI1), Instructor IV, gave the answers for a remedial General Employee Training Exam, [GET 101], to a Contractor "A" employee who previously scored a 40 & 50% on an initial GET 101 exam. (TI1)'s actions resulted in the Contractor "A" employee passing the GET 101 remedial exam."

On August 18, 1994, M. Basti reviewed the General Employee Training examinations and remedial examinations given from August 1, through August 5, 1994. The review identified the Contractor "A" employee mentioned in the allegation as (S1). The exams showed (S1) received his initial GET 101 training on August 2, 1994, with the instructor being Maureen Quintenz, and scored failing grades of 54 & 40%² on his initial exam. The review further showed that (S1) was given remedial training and was retested on August 4, 1994, by (TI1), and scored passing grades of 80% on each portion of the exam.

On August 23, 1994, (S1), employed as a Carpenter for Contractor "A", was interviewed with an International Carpenters Union, Local 2018 representative present.

(S1) said he had to take the General Employee Training (GET) twice, and both times the class lasted from around 8:00 am to 4:00 pm. (S1) said the first time he took the training he had a female for an instructor and failed the written examination. (S1) said he was told he would have to retake the training and examination. (S1) said he took the second training course and exam a few days later, and had a black male for an instructor. (S1) said the same course was taught on the second occasion, but this time he passed the written examination. (S1) said he was never given any answers to the written exam by either instructor.

²

The anonymous caller alleged (S1)'s scores on his initial GET-101 exams were 40 & 50%.

On August 23, 1994, (T11), Instructor IV, was interviewed. (T11) said he taught the remedial class, which (S1) was a student like an initial training class. (T11) said he covered the same things normally covered during an initial GET 101 class. (T11) said that at the end of the course he gave the examination and the employees passed. (T11) stated that he did not give answers to the examination to anyone during the exam.

CORRECTIVE RESPONSES TO DATE:

No corrective responses have been initiated as of the date of this report.

FINDINGS:

The allegation that "[On August 4, 1994,] (T11), Instructor IV, gave the answers for a remedial General Employee Training Exam, [GET 101], to a Contractor "A" employee who previously scored a 40 & 50 % on an initial GET 101 exam, and (T11)'s actions resulted in the Contractor "A" employee passing the GET 101 remedial exam" is not substantiated by the available evidence.

(S1) said he took the General Employee Training Course twice in its entirety, failing the exam the first time and passing the exam after receiving remedial training. (S1) said no one gave him answers to any of the examination questions during either exam.

(T11) said he taught the remedial class similar to the way he teaches an initial GET 101 course. (T11) denied supplying anyone with the answers to the examination questions.

ENCLOSURE 2

GPUNC INTERNAL INVESTIGATION REPORT

MATTER INVESTIGATED BY:

The allegations identified in this report were investigated at the Oyster Creek Nuclear Generating Station by Brian R. Frantz, Corporate Internal Investigator.

ALLEGATIONS:

- 1) (S1), an employee of Contractor "A", altered a Respiratory Protection Training examination in an attempt to have a failing grade changed to a passing grade.
- 2) (TI2), Instructor IV, gave (S1) a passing grade on the Respiratory Protection examination with the knowledge that (S1) altered the examination.
- 3) (TI1), General Employee Training (G.E.T.) Instructor, altered a Category I, G.E.T. 101 examination completed by (S2), Utility Worker/Control Point, after (S2) failed the examination, and (TI1)'s actions resulted in (S2) passing the examination.

SOURCES:

Allegations one and two were brought to the attention of B. Frantz on September 7, 1994, by Russell Cook, James Bruffy and Connie Mengel of the Oyster Creek (OC) Human Resources Department. Joseph D. Kowalski, OC Manager Plant Training, notified Mengel of the allegations on September 2, 1994. Allegations one and two were originally raised on September 2, 1994, by (TI3), General Employee Training Instructor employed by Contractor "B", to Jeanne Bartleson, Support Training Manager.

Allegation three was made by (TI3) to Frantz during an interview on September 8, 1994.

SCOPE OF THE INVESTIGATION:

° Applicable Laws/Rules/Regulations/Procedures and other requirements:

- 1) GPU Nuclear Corporate Policy, 1000-POL-2002.0, Rev. 0, Standards of Conduct.

CORPORATE POLICY

Special demands inherent in the utilization of nuclear technology impose upon the Company and its employees responsibilities and requirements not generally present in other Corporations. GPUN employees have a responsibility for diligent and professional performance and conduct which protects the public health and safety and demonstrates that the Company merits and deserves the trust of both the public and fellow employees. Employees are expected to conduct themselves in a manner that supports the Company's and Public's interest and avoid activities that would be contrary or harmful to those interests.

This document assembles in one place several long standing policies with regard to standards of conduct for GPU Nuclear Corporation activities, which have individually been the subject of prior guidance.

GPUN will fully comply with legal, regulatory and safety requirements and prohibit all unlawful or unethical activities. The authorization, participation or cover-up of illegal activities or acts of cheating, fraud or misrepresentation, (for or against the Company) is a serious breach of conduct. It is company policy to cooperate with law enforcement and regulatory agencies, and therefore, employees are expected to be truthful and professional when interfacing with such agencies. Employees having knowledge of actions or conditions not in accordance with corporate, legal or regulatory requirements must provide this information to applicable management to enable the Company to take necessary corrective action.

- 2) GPU Nuclear Corporate Policy and Procedure Manual, 1000-ADM-1510.03, Revision 5, Screening Requirements for Unescorted Access to Protected/Vital Area of GPU Nuclear Generating Plants.

4.3 Evaluation Criteria for Unescorted Access Authorization.

In making a determination of trustworthiness or

reliability for unescorted access, the following must be considered.

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4.3.8 Any other information that would adversely reflect upon the reliability and trustworthiness of the individual as it relates to the individual being permitted unescorted access.

...

5.0 Responsibilities

5.1 The GPUN Security Director has overall responsibility for this procedure.

- 3) GPU Nuclear Corporation Policy and Procedure Manual, 1000-ADM-2604.01, Revision 1, Control of Examinations.

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2.0 Applicability/Scope

2.1 This procedure applies to examinations prepared and administered within the Corporation...

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4.0 Procedure

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4.3 Administration of Category I Examinations

4.3.1 Each Category I examination shall have an examination cover sheet..

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4.7 Report of Misconduct

4.7.1 Misconduct

Willful failure to comply with the "General Instructions and Guidelines" on the Written Examination Certification Cover Sheet or the rules of conduct for an oral or practical factors examination shall constitute misconduct or cheating.

4.7.2 Response to Misconduct

Proctors shall take prompt positive action to stop misconduct when it is

suspected or observed, up to and including collecting the examinations and any other evidence. Appropriate follow-up actions will be taken.

- 4) Training and Education Dept. Training Program Manual, 6200-PGD-2699, Revision 3, General Employee Training Program.

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4.0 Program Description

4.1 Program Structure

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4.1.2 Site Access Training/Category I

4.1.2.1 Content

Category I GET addresses the following subject areas: Introduction to Nuclear Power; Plant Organization and General Work Practices; Basic Radiological Science; Site Security; Quality Assurance and Quality Control; General Industrial Safety; Right to Know/Hazard Communication; Fire Protection; Emergency Preparedness; Fitness for Duty.

4.1.2.2 GET 101 Site Access Initial Training (Category I GET)

- Audience: All employees seeking access to the Oyster Creek or TMI Protected Areas or Owner Controlled Areas in other-than-visitor status

...

- Examination: Failure to achieve a score of 80% or better on the written examination shall require additional training at least on the module/topics areas in which the trainee encountered problems. The re-examination shall be a different version of the GET-101 examination.

4.1.4 Respiratory Protection Training

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4.1.4.2 GET 103 - Respiratory Protection Initial Training

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- Examination - Failure to achieve a score of

80% or better on the written examination shall require retraining in GET-103. The re-examination shall be a different version of the entire written GET-103 examination.

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4.5 Trainee Evaluation Scheme

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4.5.3 Grading

4.5.3.1 Radiological and non-radiological material shall be separately graded except for respiratory protection courses.

4.5.3.2 All GET examinations shall have a minimum passing score of 80 percent for both the non-radiological and the radiological material.

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4.6 Individuals Failing to Achieve Passing Scores

4.6.1 General

For purposes of Section 4.6, "failure to achieve passing scores" refers to GET qualification examinations....

4.6.2 Actions on Failure

4.6.2.1 Upon completion of grading, individuals who fail GET initial/refresher site access, radiation worker, or respiratory protection training should be informed of the areas of weakness. Retraining shall take place in accordance with Section 4.6.4.

4.6.2.2 If new hires fail the second attempt at training, their status should be referred by their supervisor to Human Resources for proper disposition.

...

4.6.4 Retraining/Retesting

4.6.4.1 Individuals who fail a written examination shall not be reexamined without receiving additional training. They shall be administered a different version of the failed qualification examination. Individuals failing a written qualification examination.. for the first time should not be retested on the same day. Individuals failing a written qualification examination for the second time should not be retrained or retested sooner than five and no more

than 15 working days after the second failure.

...
4.6.4.3 Individuals who fail a qualification examination for the second or subsequent time shall not be reexamined without the written approval by the Site Manager, Plant Training....

- 5) Training and Education Department Administrative Manual Oyster Creek, 6230-ADM-2604.02, Revision 1, Grading and Review of Examinations.

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4.2 Examination Grading

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4.2.4 Grading of multiple choice questions.

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4.2.4.3 The answer selected for a question shall be the only criteria utilized during the grading process. Any additional written or verbal information provided by the trainee shall not be considered by the examiner.

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4.3 Review Graded Examinations.

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4.3.8 A quarterly grading review of at least 10% or twelve (12), whichever is smaller, of the examinations administered within a section shall be performed by a Training Department supervisor or manager.

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4.3.8.4 Check at least 25% of the examinations for mathematical errors in the overall grade.

4.3.8.5 Verify second grading and recalculate scores for all examinations that fall within a range of $\pm 2\%$ of the required passing grade.

...

4.3.8.10 If the review indicates significant problems, a more in depth inspection of the examination shall be instituted.

° Persons Interviewed:

Nine personnel were interviewed during this investigation including six GPU Nuclear (GPUN) employees,

one employee of Contractor "B", one Jersey Central Power and Light (JCP&L) employee and one employee of Contractor "A". Although not specifically interviewed, Russell Cook, Oyster Creek Area Manager Human Resources, James Bruffy, Staff Administrator Human Resources, and Connie Mengel, Administrator Senior Human Resources, provided information and notes they initially gathered regarding the allegations. Maureen Selvage, a JCP&L employee and International Brotherhood of Electrical Workers (IBEW) Local 1289 Shop Steward, provided union representation during one of the interviews. The interviewees are identified on Attachment "A", Persons Interviewed.

° Other Relevant Documents Reviewed:

- 1) Training Attendance Form, dated 8/17/94, for Site Access Training, GET 101, showing the instructor as (TI1) with exam grades for sixteen students including (S2).
- 2) Handwritten notes prepared by Jeanne Bartleson, Support Training Manager, regarding interviews she conducted for a 9/2/94 alteration of examination incident.
- 3) Handwritten notes prepared by James Bruffy, Staff Administrator Human Resources, regarding interviews he conducted for a 9/2/94 alteration of examination incident.
- 4) Memorandum from (TI2) to File dated August 17, 1994, regarding (TI2)'s assessment of an alleged alteration of an examination by GET instructor (TI1).
- 5) Memorandums dated 7/8/94, 8/26/94, 8/30/94, 9/1/94 and 9/6/94, and accompanying documentation from Jeanne Bartleson, Support Training Manager, to Joseph D. Kowalski, Manager Plant Training, regarding GET Grading Review of Written Examinations.

° Physical Evidence:

- 1) GPU Nuclear Written Examination Certification Cover Sheet and Respiratory Protection Answer Sheet, a Category I examination, dated 9/2/94, for student (S1), Exam B-6.
- 2) GPU Nuclear Written Examination Certification Cover Sheet and Site Access Answer Sheet, a Category I

examination, dated 8/17/94, for student (S2), Exam C-12.

INVESTIGATION RESULTS:

On September 7, 1994, Russell Cook, Oyster Creek (OC) Area Manager Human Resources, James Bruffy, Staff Administrator Human Resources and Connie Mengel, Administrator Senior Human Resources, contacted B. Frantz via a conference telephone call regarding the possible alteration of a General Employee Training (GET) examination at Oyster Creek. Specifically, the three Human Resources (HR) personnel indicated (S1), an employee of Contractor "A", altered a Respiratory Protection Training exam in an attempt to have a failing grade changed to a passing grade on September 2, 1994. In addition, (TI2), Instructor IV, was alleged to have given (S1) a passing grade on the exam with the knowledge that (S1) altered the exam.

The three HR personnel also said eight GET exams were identified which show employees were given passing scores when a review of their scores by Jeanne Bartleson, OC Support Training Manager, showed the employees failed the exams.

Mengel said she initially received the allegations from Joseph Kowalski, OC Manager Plant Training, on Friday, September 2, 1994. Bruffy said he and Kowalski on September 6, 1994, interviewed (S1), (TI2) and (TI3), a GET instructor employed by Contractor "B", concerning the incident. Bruffy subsequently sent his interview notes and those prepared by Jeanne Bartleson, Support Training Manager, to Frantz via telephone facsimile.

A review of Bruffy's interview notes provided the following information. (S1) failed the Respiratory Protection exam by one question, and admitted altering his exam by placing a "w" above an incorrect answer after receiving his exam for review and finding he received a failing grade. (S1) admitted to (TI2) placing the "w" on the exam, and (TI2) subsequently gave (S1) a passing grade of 80% because of (S1)'s honesty. (TI3) suspected

more than the "w" was added to the exam because a pencil mark was superimposed over the grader's red ink mark for the correct answer to the same question.¹

On September 8, 1994, Mengel provided Frantz with a file containing a series of memorandums and associated documentation from Jeanne Bartleson. This information detailed a review of GET exams performed by Bartleson, and her results of the review. These memorandums and associated documentation are discussed later in this report.

(S1), an employee of Contractor "A", was interviewed on September 8, 1994, at 9:05 AM. (S1) said he is a member of Local 65, the Carpenter's and Millwright's Union, Perth Amboy, New Jersey. (S1) declined to have union representation present during the interview.

(S1) was questioned about the Respiratory Protection training and exam he took on Friday, September 2, 1994. (S1) said the instructor for the course was (TI3). (S1) said after (TI3) completed the instruction portion of the class, (TI3) distributed the exams. (S1) said the exam was a hard copy (paper) type exam.² (S1) said (TI3) told everyone to review the cover page and then to sign it. (S1) said he just signed it, but was not really aware of what it said. (S1) said he is now aware of the contents of the cover page³ because they were brought to his attention by James Bruffy.

(S1) said (TI2) graded the exams and after all the exams were graded, they were re-distributed by (TI3). (S1) said he

¹ OC training examinations are graded using a red pen/pencil to circle or color over the correct answer for multiple choice questions. This red mark tells the student what the correct answer is when their exams are returned to them.

² The exam consisted of 25 multiple choice questions with a choice of four answers (a, b, c, d) for each question. Students answer a question by darkening over a letter.

³ The contents of the cover page are discussed later in this report.

reviewed his exam and observed his score to be 76%. (S1) said he knew a score of 80% was considered passing. (S1) said he saw one of his answers that he marked incorrectly and realized he knew what the correct answer was. (S1) said he subsequently altered the exam by darkening the correct answer "a" for question 17. (S1) said he initially darkened "c" for question 17 prior to grading.

The exam also showed a "w" on the exam next to answer "c" for question #17. (S1) was asked when he placed the "w" next to "c". (S1) said he believed he wrote the "w" there prior to turning in the exam for grading.⁴

(S1) said after he made the alteration, he pointed out his alteration as a possible mistake in grading to (TI3). (S1) said he did not tell (TI3) about altering the exam. (S1) said (TI3) got (TI2) to return to the classroom, and (TI2) subsequently took (S1) into a private office. (S1) said (TI2) said, "I want the correct answer and I'm only going to ask you once. If you answer incorrectly I'm going to bounce you out of here. Did you make this mark [in reference to the "w"] on the test after you got it back?" (S1) said he replied, "Yes I did, but I mismarked it." (S1) explained that he knew the correct answer to the question but marked the wrong answer by mistake. (S1) said he told (TI2) he felt bad about what occurred and he was tired and just wanted to go home. (S1) said (TI2) accepted his response and said, "OK, you're honest with me."

(S1) said he was aware from other students of the concept of retaking an exam, but said he was just not thinking clearly when he altered the exam.

A review of the Written Examination Certification Cover Sheet signed by (S1) includes general instructions and

⁴ (S1)'s recollection of when he placed the "w" on the exam is in contrast to what he told (TI2) during the meeting in the GET instructor's office. Bruffy's interview notes, which were prepared based upon an interview with (S1), also reflect a differing account of when the "w" was placed on the exam.

guidelines. Instruction number six reads, "Misconduct or cheating on exams will result in disciplinary action on the part of the Company, and possibly additional civil and/or criminal sanctions." (S1)'s exam answer sheet reflects five answers which were marked in red as incorrect. The answer for question 17 shows two answers "a" and "c" with a "w" next to answer "c". In the right margin written in black ink is the following: "OK misgrade (TI2) ~~8/29~~ 9/2/94". At the bottom of the Answer Sheet printed in red pencil is the following: "Missed Grade Given Credit 80 (TI2) 9/2/94" Also on the bottom of the Answer Sheet printed in black ink is the following: "I have reviewed my examination after the adjustment of my grade [and the signature] (S1) 9/2/94." Also printed in red ink is the score "76".

(TI3), an employee of Contractor "B", was interviewed on September 8, 1994, at 10:15 AM. (TI3) said he is working at Oyster Creek supporting the outage as a GET instructor.

(TI3) said he was the instructor for a Respiratory Protection training class held on Friday, September 2, 1994, that included (S1). (TI3) said the instruction portion of the class lasted one hour and ten minutes which included lecture, lesson objectives and some demonstration. (TI3) said after the instruction portion was completed, he handed out the exams to the students. (TI3) said he instructed the students to read the cover page containing the instructions and sign the form after reading the instructions. (TI3) said he also told the students that if they are using a pencil, they should ensure they fully erase an answer if they are changing it. (TI3) said he also instructed them that if they are using a pen and make a mistake, they should draw a line through the wrong answer and place a "w" next to it, and then mark the answer they believe to be correct.

(TI3) said he proctored the exams and (TI2) was the GPUN instructor who graded the exams. (TI3) said he did not recall (S1) asking any questions during the exam. (TI3) said there were three students who failed the exam, including (S1). In the case

of all three failed exams, (TI3) said he also graded the exams to ensure a mistake was not made in grading.⁵ (TI3) said the exams are graded by using a clear overlay so the entire exam may be observed.⁶

(TI3) said he distributed all the exams back to the students, and sometime thereafter, (S1) raised his hand and questioned why the answer to question 17 was marked incorrect, when he had the correct answer darkened. (TI3) said he looked at (S1)'s exam and could see a darkened area superimposed over the grader's red ink mark for answer "a". (TI3) said he also observed a "w" written next to answer "c" for question 17. (TI3) said he was sure (S1) altered the exam after it was graded by superimposing a darkened area over answer "a", and writing a "w" next to answer "c" for question 17. (TI3) said he had seen a couple of similar cases of exam alteration when he worked at a Naval shipyard as a civilian instructor, so he was familiar with how a student could alter an exam.

(TI3) told (S1) he wanted to get the grader, (TI2) back into the room and (TI3) used the classroom intercom to call (TI2) back into the classroom. (TI3) said (S1) maintained possession of the exam at this time.

(TI3) said after (TI2) re-entered the classroom, (TI2) spoke with (S1) at his ((S1)'s) seat, and subsequently retrieved the exam from (S1). (TI3) said he told (TI2) he suspected (S1) of altering the exam. (TI3) said (TI2) took (S1) outside the classroom while (TI3) collected the remainder of the exams.

(TI3) said (TI2) then re-entered the classroom with the exam and told (TI3), "I put Mr. (S1) up against the wall." (TI3) said (TI2) told him (S1) admitted altering the exam but since (S1) was

⁵ Because of errors in grading previously identified by the OC Training Department management, a practice was instituted to have all exam failures double checked by another instructor.

⁶ The clear overlay looks the same as the exam answer sheet except that it has holes punched in it over the correct answers.

honest about it, (TI2) was changing the grade from a failing grade of 76% to a passing grade of 80%.

(TI3) said he reviewed (S1)'s exam a second time and confirmed (S1) altered the exam because he could clearly observe the darkened area superimposed over the grader's red ink mark for the correct response to question 17.

(TI3) said he saw Stacey Cvijic, Instructor IV, five minutes later, and Cvijic questioned (TI3) on what was bothering him. (TI3) said he shared his concern about the alteration of a Respiratory Protection exam. (TI3) said Cvijic's response was, "Oh, that's what that was about." (TI3) said Cvijic explained that she was in the GET instructor's office when she heard one door slam, then a second door slam. Cvijic told (TI3) she heard (TI2) yelling at someone using expletives by saying, "You tell me the truth right now or I'm going to kick you out of here."

(TI3) said he spoke with Jean Bartleson at approximately 12:00 PM, which was about ten minutes after speaking with Cvijic, and expressed his concerns about how (TI2) handled (S1)'s alteration of a Respiratory Protection exam. (TI3) said (TI2) later questioned (TI3) about how Bartleson found out about the exam incident.

(TI3) was asked if he was aware of any similar incidents involving alteration of exams. (TI3) said there was an incident involving (TI1), a GPUN GET instructor. (TI3) said (TI1) was the primary instructor for a Site Access remediation class and exam.⁷ (TI3) said he was the proctor for this class, and (TI1) graded the exams. (TI3) said a student named (S2)⁸ completed her exam and (TI1) was in the process of grading it. (TI3) said

⁷ The Site Access exam is a two part exam consisting of a total of 40 questions. Ten of the questions are devoted to radiological science and 30 are devoted to site specific issues. Both sections of the exam require a passing score of 80%.

⁸ The student (TI3) referred to is (S2), a temporary JCP&L employee hired for the fifteenth refueling outage.

(S2) had passed the 30 question portion of the exam. When (TI1) started to grade the last ten questions covering radiological science, he realized (S2) had the first question incorrect, and there were two additional questions incorrect, resulting in a failing grade of 70%.

(TI3) said if one portion of the exam is failed, the entire exam is considered a failure. (TI3) said when (TI1) realized (S2) would fail the exam, (TI1) asked (TI3) if he could counsel (S2). (TI3) said he informed (TI1) this was not permissible.

(TI3) said (TI1) left the classroom because he wanted to discuss counseling (S2) with (TI2). (TI3) said he knew (TI2) was in the GET instructor's office because he left (TI2) in the office prior to entering the classroom. (TI3) said he could also observe the GET office from the classroom with the classroom door open and he did not observe (TI2) leave the office.

(TI3) said (TI1) subsequently returned to the classroom and told (TI3) he was told by (TI2) he could take the two people who had failed the radiological science portion of the exam⁹ and talk to them; ask them questions, and based upon their answers to his questions, pass them for the class if they knew the correct answers.¹⁰

(TI3) said by this time, the students had been in possession of their graded exams for probably ten to fifteen minutes, and therefore knew the correct answers to those questions marked as incorrect. (TI3) said he observed Jasper Williams, Lead Instructor V, enter the GET office just before noon, and (TI3) recommended (TI1) speak with Williams. (TI3) said (TI1) did not want to speak with Williams because he would be circumventing

⁹ Three students failed the exam including two students who failed the radiological science portion, and one student who failed the site specific portion.

¹⁰ Although (TI1) said he was told he could counsel both students, only (S2) was counseled by (TI1).

(TI2).¹¹ (TI3) said (TI1) asked (TI3) if he was going to make any waves. (TI3) said he told (TI1) he would not make any waves. (TI3) said (TI1) then took (S2) out of the classroom with her exam.

(TI3) said he spoke with (TI2) concerning his decision to permit (TI1) to counsel the students¹² who failed the exam and to give them a passing grade. (TI3) said (TI2) had a surprised look on his face and explained that was not what he told (TI1). (TI3) said he later saw (TI1) approaching the GET instructor's office with (S2), as (TI2) was exiting the office. (TI3) said (TI2) took (TI1) into classroom 13 located adjacent to the GET instructor's office, and (TI3) said he could hear (TI1) raising his voice in obvious argument with (TI2). (TI3) said he could not discern what was said. (TI3) said as (TI1) later entered the GET instructor's office he could see (TI1) was visibly upset.

(TI3) said he reviewed (S2)'s exam later in the day and observed the answer to question seven had been altered. (TI3) said where there was previously only a red inked circle around the correct answer "a", there was now a darkened area from a pencil superimposed over "a". (TI3) said (TI2) told him (S2) had marked two answers to the question, and (TI1) inadvertently marked the correct response as incorrect. (TI3) said (TI2) explained an error in grading was made on (S2)'s exam by (TI1).

(TI3) said he double checked (S2)'s exam, and clearly saw she failed the exam with a grade of 70%. (TI3) said (S2) only had one answer marked for question seven when it was initially graded by (TI1). (TI3) said he reissued (S2)'s exam to her after it was graded, and answered her questions concerning the three questions she had incorrect. (TI3) said he related this to

¹¹ During processing for the outage, (TI2) reported to J. Williams, although J. Bartleson is the Support Training Manager and (TI2)'s immediate supervisor.

¹² Although three students failed the exam, (S2) was the only student that (TI1) counseled on the exam.

(TI2). (TI3) said (TI2)'s reply was to repeat that he had spoken to (TI1) and (S2), and their story was that (S2) had marked two answers to a question, and (TI1) inadvertently marked the correct response as incorrect. (TI3) said (TI2) told him because both (TI1) and (S2) agreed on the issue, he had no choice but to believe them. (TI3) said (TI2) cautioned (TI3) to be careful who he tells about this because it is (TI3)'s word against the word of (TI1) and (S2).

(TI3) said he saw (TI2) with (S2)'s exam later the same day. (TI3) said he saw (TI2) show (S2)'s exam to (TI1), and (TI1) signed something on the exam. (TI3) said also on the same day, (TI2) told (TI3) he had written a memo concerning this incident, and had it placed in (TI1)'s file. (TI3) said he understood this to mean (TI1)'s personnel file. (TI3) said he spoke with Jeanne Bartleson several weeks later concerning the (TI1) exam incident, and Bartleson told (TI3) she was not aware of the incident. (TI3) said he believes Bartleson then started the exam reviews that eventually identified six or seven people who had been given passing grades on exams, but who had actually failed.

(TI2), Instructor IV, was interviewed on September 8, 1994, at 1:05 PM. (TI2) discussed the September 2, 1994, Respiratory Protection exam incident involving (S1) and (TI3). (TI2) said (TI3) was the instructor for the class, and (TI2) graded the exams using a clear acetate grading sheet. (TI2) said (TI3) also reviewed (S1)'s exam because (S1) failed the exam.

(TI2) said he left the classroom and (TI3) requested his return because (TI3) suspected (S1) of altering his answer sheet after it was returned to him.

(TI2) said he took (S1) out of the classroom and spoke with (S1) in a very abusive manner. (TI2) said although he was verbally abusive toward (S1), he did not strike (S1). (TI2) said he asked (S1) about the "w" written next to question 17, answer "c". (TI2) said (S1) admitted making the "w" on the exam after it was graded and returned to him. (TI2) said he did not ask

(S1) about the darkened area over answer "a" for the same question. (TI2) said he may have subconsciously avoided asking (S1) about the darkened area over answer "a". (TI2) said he realizes his decision to give (S1) a passing grade was wrong, and he takes full responsibility for his mistake.

(TI2) said there were two reasons he decided to pass (S1). The first reason was because (S1) attained high grades on his Category I and II exams. (TI2) said the second reason was because (S1) was honest about altering the exam. (TI2) said if (S1) had lied to him he would have treated the incident differently. (TI2) said (S1) told him he had to go to the hospital on Friday afternoon which is why he altered the exam.

(TI2) said he wanted to discuss the issue with Jack Williams, but Williams was not available so he spoke with Jeanne Bartleson on 9/2/94.¹³

(TI2) was provided with an initial opportunity to discuss similar incidents that may have occurred. (TI2) said this type of incident had never happened to him prior to this incident. (TI2) said there was one incident involving another training instructor. (TI2) said he spoke to the student and the instructor involved in this other incident and prepared a memorandum concerning the issue. (TI2) said he also discussed this other incident with Jack Williams. (TI2) said this issue was appropriately handled, and he did not want to reveal the names of the involved parties from this other incident.

Joseph Kowalski, OC Manager Plant Training, was interviewed on September 9, 1994, at 9:15 AM. During the interview, Kowalski explained a series of memorandums and associated documentation prepared by Jeanne Bartleson. Kowalski explained that an Oyster Creek Training Department procedure¹⁴ requires a quarterly

¹³ (TI2)'s discussion with Bartleson was initiated by Bartleson.

¹⁴ The procedure which Kowalski referred to is 6230-ADM-2604.02, Revision 1, Grading and Review of Examinations.

review of exams in order to provide guidance and review of test items used in Category I exams.

Kowalski said during July 1994, Bartleson conducted her review of Category I exams and identified several concerns, including grading errors. Because of this, Kowalski and Bartleson agreed that the review of the exams should occur on a monthly basis for the next three months instead of once per quarter.¹⁵ Kowalski said he received a telephone call at his home on August 28, 1994, from Bartleson regarding her findings on an additional review of exams. Kowalski said Bartleson discussed her concerns with Kowalski and subsequently prepared a memorandum dated August 30, 1994, in which she detailed her review of exams. The memorandum shows that Bartleson and two other Training Department personnel conducted additional reviews of 282 exams and found 24 grading errors. Five of these grading errors resulted in students who were given passing grades on exams who had actually failed. Based upon this information, Kowalski requested Bartleson initiate a 100% review of Category I exams to determine the full extent of the those exams which were graded as passing, but should have been failures.¹⁶

Kowalski said he also requested that Bartleson set up a meeting with all GET instructors in order to discuss the grading errors. Kowalski said this meeting was held on August 29, 1994, however, the only instructor to attend was (TI2). Kowalski explained that (TI2) was the only instructor who was not actively instructing a class during the time of the meeting. Kowalski

¹⁵ Section 4.3.8 of the Grading and Review of Examinations reads, A quarterly grading review of at least 10% or twelve (12), whichever is smaller, of the examinations administered within a section shall be performed by a Training Department supervisor or manager.

¹⁶ The 100% review of exams included those exams where a passing grade was within two answers of becoming a failing grade. (e.g., a student receiving a 90% on a 10 question exam would place them within two answers of a failing grade of 70%) This criteria was used because Bartleson's previous reviews showed no more than two mistakes in grading were made on any exam.

said during this meeting, Bartleson and Kowalski stressed the need to ensure exams are graded properly.

Kowalski explained that as a result of additional exam reviews, a total of eight students were identified as having received passing grades on GET exams but who actually failed the exams. Kowalski said the Training Department was retraining those personnel who had been given passing exam grades but who had actually failed.¹⁷

Stacey L. Cvijic, Instructor IV, was interviewed via telephone on September 9, 1994, at 2:20 PM. Cvijic said she was on temporary assignment at Oyster Creek to assist with GET training on September 2, 1994. Cvijic said she was in the GET instructor's office reviewing exams when she heard a door slam. Cvijic said she heard (TI2) make a statement, "You'd better tell me the truth or I'm going to kick your ass out of this plant so fast your head will spin!" Cvijic said she did not know to whom (TI2) was talking. Cvijic said she then heard the door slam to the exam room¹⁸ and she could only hear muffled voices. Cvijic said (TI2) and an unidentified person left the GET exam room and instructor's office after approximately two to three minutes. Cvijic said later in the day, (TI3) told her that a student altered a training exam and Cvijic correlated (TI2)'s statement in the GET instructor's office to the training exam alteration.

Jasper (Jack) L. Williams Jr., Lead Supervisor Instructor V, was interviewed on September 9, 1994, at 11:45 AM. Williams said he received a phone call at his home on September 2, 1994, at approximately 4:00 PM from (TI2). Williams said (TI2) told him that (TI2) graded a Respiratory Protection exam for a student

¹⁷ One student was identified as failing a Respiratory Protection exam, however, the student was not required to take the course and exam in the first place. This student was not retrained.

¹⁸ The exam room is a secure room located within the GET instructor's office where GET exams are maintained.

named (S1), and the student received a failing grade of 77%.¹⁹ (TI2) told Williams that (TI3) verified the student failed by also checking the exam.

Williams said (TI2) told him (S1) apparently changed the exam after it was returned to him, and (TI3) brought it to (TI2)'s attention. Williams said (TI2) told him he took (S1) out of the classroom and questioned (S1) about it. Williams said (TI2) told him that (S1) told (TI2) he ((S1)) inadvertently forgot to place a "w" next to the incorrect answer on one of the questions in which two answers were marked. Williams said (TI2) told him (S1) admitted cheating, but because (S1) was honest about cheating, he gave him the benefit of the doubt and gave (S1) a passing grade. Williams said he told (TI2) his decision was stupid because "cheating is cheating". Williams said he also instructed (TI2) to contact Cathy Martin in Human Resources in order to get (S1)'s qualifications rescinded.²⁰ Williams said he subsequently called Jean Bartleson about what (TI2) related.

Regarding the issue with (TI1) and (S2), Williams said (TI2) discussed the issue on the day of the incident (8/17/94) with Williams. Williams said (TI2) told him he spoke with both (TI1) and (S2) and "it was squared away." Williams said (TI2) mentioned preparing a memorandum, but Williams said he has never seen it.

Jeanne Bartleson, Support Training Manager, was interviewed on September 12, 1994, at 9:50 AM. Bartleson said (TI3) approached her on September 2, 1994, and briefed her on the Respiratory Protection exam incident involving (S1). Bartleson described (TI3)'s version of the incident the same as previously discussed by (TI3) in this report. Bartleson said she then spoke with J. Kowalski who instructed her to get (TI2)'s story.

¹⁹ The exam score was actually 76%.

²⁰ (S1)'s respiratory qualifications were subsequently rescinded by Martin.

Bartleson said she interviewed (TI2) and (TI2) described how (S1) received a grade of 76% on the exam, and (S1) informed (TI3) of a grading error on the exam. Bartleson said (TI2) told her he took (S1) into a private area and questioned him about the situation. Bartleson said (TI2) told her (S1) did not admit cheating on the exam, and the "w" on the exam was made before grading, indicating it was a mistake on the grader's part. Bartleson said (TI2) told her he gave (S1) the "benefit of the doubt", and recorded a passing grade of 80% on the exam. Bartleson said she requested that (TI2) discuss the issue with Jack Williams upon Williams' return to work.

Bartleson discussed her review of GET exams as was discussed previously in this report by Kowalski. Bartleson produced exams of eight students, which included nine exams which had been given passing grades but were actually failures. The exams included five GET 101, Site Access exams, three GET 102 Radiation Worker exams and one GET 103 Respirator Protection exam. Frantz reviewed each exam using the answer key. The exams were also reviewed to determine if there were any indications of alteration of exams as opposed to a mistake in grading. Eight of the exams appeared to be mistakes made in grading. The following instructors were noted as having graded one or more of these exams incorrectly: (TI1) (1), Susan Getkin (2), Administrator III; (TI3) (1), (TI2) (3) and Jasper Williams Jr (2).

The only exam which showed signs of alteration was the GET 101 exam version C-12 taken by (S2) on August 17, 1994. (S2)'s exam showed a darkened area superimposed over the grader's red ink marks for two answers marked as correct. According to the exam, which was graded by (TI1), (S2) received a 70% on the radiological science portion of the exam, but the grade was changed to an 80% by (TI1). The exam also shows five answers circled as incorrect with three of these answers then marked "Correct" and (TI1)'s initials and a date of 7/17/94. It appears (TI1) made a mistake in dating the corrections since the date of

the exam is 8/17/94. The exam also contains the statement, "misgraded, sheet moved" with the signature "D. (TI1)".

(S2), Utility Worker/Control Point was interviewed on September 12, 1994, at 1:00 PM. Also present during the interview was Maureen Selvage, an International Brotherhood of Electrical Workers Local 1289 Shop Steward. (S2) said she was hired as a temporary employee by Jersey Central Power and Light to work during the fifteenth refueling outage.

(S2) was shown Category I exam C-12 which she completed in classroom 13 on August 17, 1994. The interview was based upon this exam. Specifically, (S2) was questioned about the radiological science portion of the exam, and questions/answers one through ten.

(S2) said she was upset while taking the exam because she found it difficult. (S2) said after the exam was graded, it was returned to her by one of the two instructors in the room. (S2) said she observed she failed the exam upon its return to her. (S2) said she had approximately ten minutes to look at the exam before Instructor (TI1) took her out of the room into a private office. (S2) said (TI1) questioned her concerning two of the questions/answers on the exam. (S2) said one of the questions was number seven, and she could not recall what the other question was that (TI1) asked her about. (S2) said after (TI1) questioned her on the two questions, (TI1) told (S2) he was going to pass her because she correctly answered his questions.

(S2) was questioned about the answers for question number seven. The exam shows two answers "a" and "d", darkened. (S2) said she believes she marked both answers. (S2) could not explain why the darkened area was superimposed over the grader's red ink mark for answer "a". (S2) said she observed that (TI1) had a red pen and a black pen in his possession during their discussion. (S2) said (TI1) had the exam and the exam booklet when he spoke with her in the private office. (S2) also could not explain why the darkened area was superimposed over the

grader's red ink mark on question ten, answer "d".

(S2) said she did not believe (TI2) spoke with her regarding her exam. (S2) said (TI2) was the instructor for the remediation training she recently took.²¹

(TI1), General Employee Training Instructor, was interviewed on September 13, 1994, at 9:15 AM. (TI1) said he is employed by GPUN as a part-time instructor working one or two days per week, primarily teaching remedial Category I and Category II training. (TI1) said he previously retired from Oyster Creek.²²

(TI1) was asked about a Site Access remedial class which included student (S2). In order to refresh (TI1)'s memory, (S2)'s exam and the class roster were provided to him. (TI1) confirmed that the comments written on (S2)'s exam were made by him. (TI1) said he recalled the situation with (S2) and described it as follows. (TI1) said he conducted a review of the material with the students which went very well overall. (TI1) said he observed (S2) was terribly nervous and worried. (TI1) said (S2) was anxious to do well on the exam and seemed to know the material when it was covered during the review class.

(TI1) said he graded the exams, and at some point in time, (TI3) entered the classroom. (TI1) said (TI3) was locking over his shoulder as he was grading (S2)'s exam. (TI1) said as he was grading it, he observed (S2) would fail the radiological science portion of the exam with a maximum score of 70%. (TI1) said he had not completed grading the exam when he made this observation. (TI1) said he asked (TI3) whether it would be appropriate to conduct an oral review with (S2). (TI1) said (TI3)'s reply was that she failed and there was no need to talk to her.

(TI1) said after the exams were graded and returned to the

²¹ The most recent training and exam was actually the third occasion when she took the Site Access exam. (S2) was one of those students who were identified by Jeanne Bartleson as having been given a passing grade when she should have received a failing grade.

²² (TI1) retired from GPUN on July 30, 1993.

students, he left the classroom to speak to (TI2). (TI1) said he wanted to discuss (S2)'s exam with (TI2), and his plan to conduct an oral review with (S2). (TI1) said he entered the GET instructor's office but could not locate (TI2). (TI1) said he returned to the classroom and told (TI3) he was going to discuss the exam with (S2). (TI1) said he subsequently took (S2) into another room and reviewed some of the questions she had incorrect. (TI1) said he also laid the answer key on top of the exam and observed that he made some mistakes in grading because the answer key had moved. (TI1) said (S2) convinced him she knew the answers to some of the questions she had incorrect. (TI1) said based upon (S2)'s correct responses to his questions, he gave her a passing grade of 80%. (TI1) said he wrote and initialed comments he made on (S2)'s exam. (TI1) said when he returned to the classroom, he told (TI3) how he handled (S2) and her exam, and (TI3) shook his head from side to side in disagreement.

(TI1) was questioned about the darkened areas superimposed over the grader's red ink marks for answers seven and ten on (S2)'s exam. (TI1) demonstrated how he probably was responsible for superimposing these darkened areas on the exam. (TI1) said he was reviewing the exam with (S2), and asked (S2) why she answered a question a certain way while he used a pencil to darken the correct answer. (TI1) said he maintained possession of the exam when he was reviewing it with (S2).

(TI1) said around lunch time on the same day as the exam, he spoke with (TI2) concerning the actions he took regarding (S2) and her exam. (TI1) said he explained to (TI2) how he questioned (S2) and she correctly answered the questions. (TI1) said (TI2) told him that as long as he ((TI1)) was satisfied with the student's knowledge, there would not be a problem.

(TI2) was re-interviewed on September 13, 1994, at 10:20 AM. Because of a conflict in stories, (TI2) was questioned concerning what he told Jeanne Bartleson concerning the alteration of exam

incident involving (S1). (TI2) said he did very little talking when he met with Bartleson on September 2, 1994. (TI2) said he did not tell Bartleson that (S1) did not admit cheating on the Respiratory Protection exam. (TI2) said he was not even sure whether he told Bartleson that he spoke with (S1) concerning the incident.

(TI2) produced a draft copy of a memorandum he wrote regarding the Site Access training exam incident with (S2) and (TI1). (TI2) said the memorandum was in draft form because he did not have time to finalize it. According to this memorandum, (TI1) informed (TI2) the exam was misgraded and the wrong exam grade 70% was recorded on the exam. The memorandum says the mistake was caused by a misaligned grading sheet. The memorandum also indicates (TI2) spoke with (S2) who immediately answered "I got an 87 and an 80% on the exam." Based upon this, (TI2) concluded there was no exam compromise or collusion between (TI1) and (S2).

CORRECTIVE RESPONSES TO DATE:

On September 8, 1994, at approximately 3:30 PM, Richard Ewart, OC Security Manager, was notified by Frantz that (S1) admitted altering a GET exam in order to obtain a passing grade. Ewart has primary responsibility for granting or denying unescorted access to the Oyster Creek facility. Ewart subsequently issued a memorandum on September 8, 1994, denying (S1) unescorted access to Oyster Creek.

Seven of the eight personnel identified as having passed a GET exam, when the review by OC Training management showed exam failure due to misgrading, have been given remedial training and testing. One person was found not to need a GET course because it was not needed to perform their job, therefore, they were not given remedial training.

FINDINGS:

- 1) The allegation (S1), an employee of Contractor "A", altered a Respiratory Protection Training exam in an attempt to have a failing grade changed to a passing grade has been substantiated based upon (S1)'s admission.
- (S1) said he reviewed his exam and observed his score to be 76%. (S1) said he knew a score of 80% was required to pass the exam. (S1) said he subsequently altered the exam by darkening the correct answer "a" for question 17. (S1) said he initially darkened answer "c" for question 17 prior to grading.
- The exam also showed a "w" printed next to answer "c" for question #17. (S1) told Frantz he believed he wrote the "w" there prior to turning in the exam for grading.
- (S1)'s statements concerning the time of placement of the "w" are in contrast to what (S1) told (TI2). (TI2) reported (S1) admitted altering the exam by placing the "w" on the exam after it was graded.
- (S1)'s alteration of one question permitted him to receive a passing grade of 80% on the exam.
- (S1) admitted being told to read the Cover Sheet instructions by (TI3), GET Instructor, and (S1) subsequently signed the Cover Sheet.
- (S1)'s alteration of the exam is considered cheating or misconduct, and therefore not in compliance with the general instructions of the Written Examination Certification Cover Sheet which reads, "Misconduct or cheating on exams will result in disciplinary action on the part of the Company..."
- Acts of cheating or misconduct are also covered under GPU Nuclear Policy 1000-ADM-2604.01, **Control of Examinations**. Although there is no expectation (S1) was aware of this policy, he admitted being instructed by (TI3) to read the Cover Sheet and sign it. (S1) admitted to signing the Cover Sheet without reading the instructions.
- (S1)'s alteration of the exam also raised the question of his trustworthiness and reliability to work in a nuclear facility. GPU Nuclear Policy 1000-ADM-1510.03, **Screening Requirements for Unescorted Access to**

Protected/Vital Area of GPU Nuclear Generating Plants vests the Security Department with making decisions regarding unescorted access based upon a person's trustworthiness and reliability.

- On September 8, 1994, based upon the results of this investigation regarding (S1), R. Ewart, OC Security Manager, denied (S1) unescorted access to GPU Nuclear facilities.

- 2) The allegation (TI2), Instructor IV, gave (S1) a passing grade on a Respiratory Protection examination with the knowledge that (S1) altered the examination has been substantiated based upon (TI2)'s admission. (TI2) provided conflicting accounts of whether (S1) admitted altering the examination.

- (TI2) said there were two reasons he decided to pass (S1). The first reason was because (S1) attained high grades on his previously completed Category I and II exams. (TI2) said the second reason was because (S1) was honest about altering the exam.

- (TI2)'s reasoning for passing (S1) is flawed. First, (S1)'s passing scores on previous exams have no relevance to the score he attained on the Respiratory Protection exam. Second, the Written Examination Certification Cover Sheet states that misconduct or cheating on examinations will result in disciplinary action on the part of the Company. (TI2)'s decision to give (S1) a passing grade is not in conformance with these instructions.

- (TI2)'s act of giving (S1) a passing exam grade is also not in compliance with GPUN Training and Education Department Training Program Manual 6200-PGD-2699 General Employee Training, section 4.6.4, which requires employees to be retrained and retested using another version of an exam if a student fails an exam.

- Oyster Creek Training and Education Department Administrative Manual, 6230-ADM-2604.02, Grading and Review of Examinations also provides instructions for acceptable grading of exams. Section 4.2.4.3 reads, "The answer selected for a question shall be the only criteria utilized during the grading process. Any additional written or verbal information provided by the trainee shall not be considered by the examiner." (TI2)'s action of giving credit for question seventeen based upon (S1)'s verbal explanation is not in

compliance with this policy.

- During a discussion on September 2, 1994, with Jeanne Bartleson, Support Training Manager, Bartleson said (TI2) told her he took (S1) into a private area and questioned (S1) about the alteration of an exam. Bartleson said (TI2) told her (S1) did not admit cheating on the exam and the "w" on the exam was made before grading, indicating it was a mistake on the grader's part. Bartleson said (TI2) told her he gave (S1) the "benefit of the doubt" and recorded a passing grade of 80% on the exam.
- (TI2) related a different version of his conversation with (S1) to Jasper Williams Jr, Lead Supervisor Instructor V, on the afternoon of September 2, 1994. In addition, (TI2) also related the same version he told Williams, to James Bruffy, Staff Administrator Human Resources, and Joseph Kowalski, OC Manager Plant Training, during an interview on September 6, 1994. On September 8, 1994, (TI2) also told B. Frantz the same story previously told to Williams, Bruffy and Kowalski.
- (TI2) told Williams, Bruffy, Kowalski and Frantz that (S1) admitted altering the exam by placing a "w" next to answer "c" for question 17. (TI2) also admitted to Frantz he may have subconsciously avoided asking (S1) about the darkened area superimposed over answer "a" for question 17.
- A review of (S1)'s exam provides support for Bartleson's account of her discussion with (TI2). On the answer sheet side of the exam, (TI2) printed in red pencil the following statement, "Missed Grade Given Credit 80" This statement also reflects (TI2)'s initials "LT" and the date 9/2/94.
- The statement written by (TI2) on (S1)'s exam corresponds with what Bartleson said she was told by (TI2).
- Furthermore, there was no indication (TI2) took any steps to self-report the incident to his management. Only after there was extensive publicity of the incident within the Training Department did (TI2) discuss the issue with Bartleson, and then only at Bartleson's request.
- During a second interview conducted by Frantz, the conflicting accounts of what (TI2) told Bartleson as compared to what (TI2) told Williams, Bruffy, Kowalski

and Frantz were presented to (TI2). (TI2) denied telling Bartleson anything about his discussion with (S1), and could not explain the differing accounts.

- (TI2)'s motive for providing misleading information to Bartleson remains unknown since he denies even discussing (S1)'s statements with Bartleson.
 - (TI2)'s statements printed on (S1)'s exam are a misrepresentation of the facts since the exam was not misgraded. In addition, (TI2)'s statement to Bartleson was an attempt to deceive Bartleson concerning whether the exam was altered by (S1). Both of (TI2)'s actions are not in compliance with GPU Nuclear Corporate Policy, 1000-POL-2002.0, Standards of Conduct. Paragraph three reads, "The authorization, participation or cover-up of illegal activities or acts of cheating, fraud or misrepresentation, (for or against the Company) is a serious breach of conduct."
- 3) The allegation (TI1), General Employee Training (G.E.T.) Instructor, altered a Category I, G.E.T. 101 examination completed by (S2), Utility Worker/Control Point, after (S2) failed the examination, and (TI1)'s actions resulted in (S2) passing the examination has been substantiated by (TI1)'s admission.
- (TI1) said he graded the exams, and at some point in time, (TI3) entered the classroom. (TI1) said (TI3) was looking over his shoulder as he was grading (S2)'s exam. (TI1) said as he was grading it, he observed that (S2) would fail the radiological science portion of the exam with a maximum score of 70%. (TI1) said he asked (TI3) whether it would be appropriate to conduct an oral review with (S2), and (TI3)'s reply was that (S2) failed and there was no need to talk to her.
 - (TI1) said after the exams were graded and returned to the students he left the classroom to speak to (TI2) but could not locate (TI2).
 - (TI1) said he returned to the classroom and told (TI3) he was going to discuss the exam with (S2). (TI1) said he subsequently took (S2) into another room and reviewed some of the questions she had incorrect. (TI1) said he also laid the answer key on top of the exam and observed that he had made some mistakes in grading because the answer key had moved. (TI1) said (S2) convinced him she knew the answers to some of the questions she had incorrect. (TI1) said based upon

(S2)'s correct responses to his questions, he gave her a passing grade of 80%.

- (TI1) said he wrote and initialed comments he made on (S2)'s exam. (TI1) said when he returned to the classroom he told (TI3) how he handled (S2) and her exam.
- (S2) said she observed she failed the exam upon its return to her. (S2) said she had approximately ten minutes to look at the exam before (TI1) took her out of the room into a private office. (S2) said (TI1) questioned her concerning two of the questions/answers on the exam. (S2) said one of the questions was number seven, and she could not recall what the other question was that (TI1) asked her about. (S2) said after (TI1) questioned her on the two questions, (TI1) told (S2) he was going to give her a passing grade on her exam because she correctly answered his questions.
- (TI1)'s actions of counseling (S2) on the questions she had incorrect, and then giving her a passing grade because he was convinced she knew the answers to the questions is not in compliance with Oyster Creek Training and Education Department Administrative Manual, 6230-ADM-2604.02, Grading and Review of Examinations. Section 4.2.4.3 reads, "The answer selected for a question shall be the only criteria utilized during the grading process. Any additional written or verbal information provided by the trainee shall not be considered by the examiner."
- (TI1)'s actions of counseling (S2), who failed the GET exam for the second time, without the written approval of the Site Manager, Plant Training is not in compliance with the Training and Education Department Training Program Manual, 6200-PGD-2699, General Employee Training Program. Section 4.6.4.3, reads, "Individuals who fail a qualification examination for the second or subsequent time shall not be reexamined without the written approval by the Site Manager, Plant Training.."
- (TI3)'s version of the incident is similar to (TI1)'s except for one portion. (TI3) said (TI1) told (TI3) he consulted with (TI2) prior to speaking with (S2). (TI3) said (TI1) told (TI3) (TI2) agreed with (TI1)'s approach to counsel (S2) on the failed exam and then pass her if he felt she knew the material. (TI3) said he was sure (TI2) was in the GET instructor's office when (TI1) entered the office to discuss it. (TI3)

said he entered the GET instructor's office several minutes later and (TI2) was in the office. (TI3) said he then told (TI2) he disagreed with the actions taken by (TI1), and agreed to by (TI2), regarding counseling (S2) on the exam and passing her if she knew the material. (TI3) said (TI2) acted surprised and said, "That's not what I told him." (TI3) said (TI1) and (TI2) then met in a nearby classroom and (TI1) could be heard raising his voice to (TI2).

- (TI2) denied speaking to (TI1) or approving (TI1)'s plan to speak with (S2) regarding her exam. (TI2) said he spoke with (TI1) after (TI3) brought it to his attention.
- Because there is no assurance (TI3) continuously watched the GET instructor's office door from the classroom, there is a reasonable doubt as to whether (TI1) acted alone or with the approval of (TI2) in counseling and subsequently giving (S2) a passing exam.
- (TI3) said he spoke with (TI2) later that same day, and (TI2) told him he wrote a memorandum to (TI1)'s file on the incident.
- A copy of this memorandum was obtained from (TI2) which (TI2) said has still not been finalized. (TI2)'s memorandum reads, "Mr. (TI1) showed me [(TI2)] the examination of (S2)... and explained to me that he inadvertently misgraded her exam and wrote down the wrong grade of 70%. Upon realizing his error, he initialed and corrected the mistakes he made as a result of a misaligned grading sheet. To verify that this was not an issue of collusion, and..... of Ms. (S2)'s exam, I [(TI2)] immediately went looking for Ms. (S2) and inquired as to the results of her site access examination. Ms. (S2)'s immediate response was "I got an 87 and an 80% on the examination." She said this without any hesitation, so I was reassured that she was not aware of any failures or misgraded examination. Her immediate response verified to me that there [was] no possible collusion or compromise took place."
- (S2) said she does not recall speaking to (TI2) at anytime during this incident.
- (TI2)'s memorandum is in contrast to what (TI1) told Frantz during an interview on September 13, 1994, when (TI1) admitted questioning (S2), and giving (S2) a passing grade on the exam based upon the correct responses to his questions.

- (TI1) said he told (TI2) the actions he took in questioning (S2) and giving her a passing grade were based upon (S2)'s correct responses to his questions. (TI1) said (TI2)'s reply was that as long as (TI1) was satisfied with the student's knowledge there would not be a problem.
- (TI1) admitted writing the comment on (S2)'s exam answer sheet, "misgraded, sheet moved" and the signature of "D. (TI1)."
- Although (TI1) incorrectly graded the exam, (TI1)'s statement on (S2)'s answer sheet is not a true representation of the actions taken during the incident.
- (TI2) denies that (TI1) discussed with him questioning (S2) and giving her a passing grade based upon her responses to his questions. (TI2) maintains that (TI1) only discussed a misaligned answer sheet.
- (TI2)'s memorandum reflects a cursory review of the incident, and his actions did not disprove exam failure, misgrading the exam, collusion or compromise.

FILE MAINTAINED AT:

The full investigation file for this case is maintained in the office of the Corporate Internal Investigator at TMI and filed under case # 34-94.

Investigator's Signature: _____ /s/ _____
Brian R. Frantz
Corporate Internal Investigator Date

Review/Concurrence: _____ /s/ _____ 10/5/94
John F. Wilson
Corporate Counsel & Secretary Date
per licen

PERSONS INTERVIEWED

Jeanne L. Bartleson	Support Training Manager - GPUN
Stacey L. Cvijic	Instructor IV - GPUN
Joseph D. Kowalski	Manager Plant Training Oyster Creek - GPUN
Jasper L. Williams Jr.	Lead Supervisor, Instructor V - GPUN
(TI1)	General Employee Training Instructor - GPUN
(TI2)	Instructor IV - GPUN
(TI3)	General Employee Training Instructor employed by Contractor "B"
(S1)	Employee of Contractor "B"
(S2)	Utility Worker/Control Point - JCP&L