

photo notes

From: Clifford Anderson
To: DJV, KAD
Date: 12/11/97 2:54pm
Subject: SUSQUEHANNA RI 97-A-0145 - TELCON WITH G. JONES

I called George Jones (Susquehanna VP) today to discuss their delay in completing their corporate audit related to this allegation. I told him that we were concerned about their continued delays to complete the last phases of the audit. Their current completion date is scheduled for 2/1/98. Jones stated that he was unhappy with that late date. He has committed additional resources to assist the corporate audit review. He assured me that PP&L is working aggressively to complete the review in advance of 2/1/98. I told him that I will regularly monitor their progress on completing this audit.

CC: CWH

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PDR FOIA
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Item #21

9902050245

ALLEGATION DISPOSITION RECORD

Rev. 6/6/97

Allegation No.: RI-97-A-0145 and Branch Chief (AOC): CAnderson
RI-97-A-0282
Site: Susquehanna Acknowledged: Yes (97-145) Not yet (97-282)
Panel Date: 12/10/97 Confidentiality Granted: No

Issue discussed (if other than original allegation): Licensee's request for another two month extension for their own internal investigation (97-0145) and new allegation with three allegers (97-0282).

ALLEGATION PANEL DECISIONS (Previous Allegation Panels on issue: Yes (97-145) No (97-282))

Attendees: Chair - BHehl Branch Chief(AOC) - CAnderson SAC - Vito/KModes
OI Rep. - Letts RI Counsel - _____ Others - PSwetland

DISPOSITION ACTIONS: (State actions required for closure (including special concurrences), responsible person, ECD and expected closure documentation) NOTE: If filling out electronically, use a larger, bold font to aid individuals in reading this material.

1) Acknowledgment letters to all three aliegers (97-0282)

Responsible Person: SAC ECD: 12/24/97
Closure Documentation: _____ Completed: _____

2) OI upgrade assist to full case (no.1-97-048) - includes PCO issue. This refers to both allegation files 97-0145 and 97-0282. OI will interview all three allegers from 97-0282.

Responsible Person: Letts ECD: TBD
Closure Documentation: _____ Completed: _____

✓ 3) DRP to contact Jones (licensee management) about delay in licensee's investigation regarding alarm test panels. Need to re-emphasize that the NRC is concerned about the licensee's slow handling and lack of closure of this matter. Need for the licensee to take a more aggressive role in resolving allegations promptly. Obtain commitment to have final report in our hands by 2/1/98 at the latest (no more extensions). Provide SAC with a copy of telecon record for inclusion in allegation file.

Responsible Person: CAnderson/PSwetland ECD: 12/20/97
Closure Documentation: _____ Completed: _____

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- 4) **DRP to draft status/update letters to both allegers (97-0145) informing them that their allegation was substantiated, NRC issued enforcement action, inform allegers about meetings with the licensee, and that the licensee continues to conduct internal investigation. State that this internal investigation has uncovered other areas that substantiate the alleger's concern about widespread problem. Inform allegers that the NRC is monitoring the licensee's progress and will address the identified deficiencies via the NRC enforcement process. Also inform allegers that the one remaining open technical concerns is the radwaste panel issue.**

Responsible Person: CAnderson/PSwetland ECD: 12/20/97
Closure Documentation: _____ Completed: _____

- 5) **DRP to review transcripts to determine if there are any new technical issues that the NRC needs to address (97-0282).**

Responsible Person: CAnderson/PSwetland ECD: 3/15/98
Closure Documentation: _____ Completed: _____

Safety Significance Assessment: Alleged falsification is historical, true, and NRC is aware of this issue. NRC's regulatory significance of widespread problem and wrongdoing issues is of much greater significance as evidenced by OI involvement and continuing discussions with licensee. The NRC is concerned about licensed operators not performing duties as required and that this is not an isolated issue, but appears to be widespread throughout the company.

Priority of OI Investigation: High based on the falsification by a licensed operator. The interviews of the three allegers from 97-0282 is of normal priority, but is being incorporated in OI's ongoing investigation associated with 97-0145.

ARB MINUTES ARE REVIEWED AND APPROVED AT THE ARB

NOTES: (Include rationale for any referral to licensee, and identify any potentially generic allegations)

Issue not to be referred to licensee

A. Region 1 should refer as many allegations as possible to the licensee for action and response unless any of the following factors apply:

- Information cannot be released in sufficient detail to the licensee without compromising the identity of the alleged or confidential source (unless the alleged has no objection to his or her name being released).
- The licensee could compromise an investigation or inspection because of knowledge gained from the referral.
- The allegation is made against the licensee's management or those parties who would normally receive and address the allegation.
- The basis of the allegation is information received from a Federal agency that does not approve of the information being released in a referral.

Even if the above conditions exist, Region 1 shall refer the substance of the allegation to the licensee regardless of any factor if the allegation raises an overriding safety issue, using the guidance in Management Directive 8.8.

Factors to Consider Prior to Referral to a Licensee

In determining whether to refer eligible allegations to a licensee, The Region 1 Allegation Panel shall consider the following:

- Could the release of information bring harm to the alleged or confidential source?
- Has the alleged or confidential source voiced objections to the release of the allegation to the licensee?
- What is the licensee's history of allegations against it and past record in dealing with allegations, including the likelihood that the licensee will effectively investigate, document, and resolve the allegation?
- Has the alleged or confidential source already taken this concern to the licensee with unsatisfactory results? If the answer is "yes," the concern is within NRC's jurisdiction, and the alleged objects to the referral, the concerns should normally not be referred to the licensee.
- Are resources to investigate available within the region?

Prior to referring an allegation to a licensee, all reasonable efforts should be made to inform alleged or confidential sources of the planned referral. This notification may be given orally and subsequently documented in an acknowledgment letter. If the alleged or confidential

source objects to the referral, or does not respond within 30 calendar days, and the NRC has considered the factors described above, a referral can be made despite the alleged's or confidential source's objection or lack of response. In all such cases, an attempt will be made to contact the alleged by phone just prior to making the referral.

Also, referrals are not to be made if it could compromise the identity of the alleged, or if it could compromise an inspection or investigation. Note: Document the basis for referring allegations to a licensee in those cases where the criteria listed above indicate that it is questionable whether a referral is appropriate.

Distribution: Panel Attendees, Regional Counsel, OI, Responsible Persons (original to SAC)

Options for Resolution:

Licensee Referral (Div. Dir. Concurrence Required (First Consider Factors Prior to Referral) / Document NRC Review of Response - Resp. - AOC)

Referral to Another Agency (OSHA, etc. - Resp. - SAC)

Referral to an Agreement State (MD, ME, NH, NY, RI - Resp. - SAC)

Referral to Another NRC Office (OIG, NRR, Other Regions - Resp. - SAC)

Request for Additional Info.(From alleged, licensee, others - Resp. - AOC)

Closeout Letter/Memo (If no further action planned - Resp. - AOC)

Inspection (Resident/Specialist routine or reactive)

IF H&ID INVOLVED:

- | | | |
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| 1) has the individual been informed of the DOL process and the need to file a complaint within 180 days (has DOL information package been provided?) | Yes | No |
| 2) has the individual filed a complaint with DOL | Yes | No |
| 3) if the complainant filed directly with DOL, have they been contacted to obtain their technical concerns (Resp. - SAC) | Yes | No |
| 4) is a chilling effect letter warranted: (DOL finding in favor of alleged) (conciliation w/licensee prior to DOL decision) | Yes | No |

ADDITIONAL NOTES: _____
