

From: G. Michael Vasquez, *Region 4*
To: TPG *wgny Region 4*
Date: 2/16/98 6:14pm
Subject: W3 OI Reports -Forwarded

Forwarded mail received from: AR1:HMS2:TTR:THUB1:WND2:WNP6:MAS

Pat, remember all those e-mail messages on the W3 fire watch issues? Well, here's another one. It's from Mark saying that Jim Lieberman would like to discuss it on a Thurs conference call. Can you let me know when we'll be ready to panel this with OE. (In doing so, we'll be issued an EA number.) If you want to panel it next Thurs 2/22, the report will need at least first line supervisor review so we can propose to OE how we plan to disposition the enforcement issues, e.g., SL IV violations. But, we have to make these proposals via an enforcement worksheet, which have to be sent up to HQ by Tues 2/20 mid-day. Having everything done and up to OE by Tues will be nearly impossible (I've got so many other cases on the burner!)

If we miss that deadline, then we'll have to have a worksheet completed and up to OE by Tues 2/27 so that we can panel it with OE on Thurs 2/29. I assume that we'll probably have to panel it with OE on Thurs 2/29, but I wanted to hear from you or someone in your division. Let me know so I can let OE know.

Mark - will we have to wait until OGC has done an analysis on the OI report and include them on a conference call? If so, that could take 2-3 weeks...

CC: MAS, GAP
Files: m0:MESSAGE

3
D/4

EA NUMBER REQUEST FORM

TO: OEMAIL OR FAX TO OE			
FROM:	GARY SANBORN		REGIONAL CONTACT
DATE OF REQUEST	MARCH 14, 1995		REGION IV
LICENSEE	ENTERGY OPERATIONS, INC.		
FACILITY/LOCATION	ARKANSAS NUCLEAR ONE	UNITS	
LICENSE/DOCKET NO(S).	LICENSES DPR-51; NPP-6; DOCKETS 50-313; 50-368		
LAST DAY OF INSPECTION	FEBRUARY 18, 1995		
OI REPORT NO.	N/A	DATE OF OI REPORT	
SUMMARY OF FACTS OF CASE (ANNUAL REPORT FORMAT FOR EATS ENTRY) (MAXIMUM OF 300 CHARACTERS)			
FIREWATCH LOGS FALSIFIED TO INDICATE THAT PATROLS HAD BEEN DONE WHEN IN FACT THEY HAD NOT			
BRIEF SUMMARY OF INSPECTION FINDINGS (IF NOT SUFFICIENTLY DESCRIBED ABOVE)			
LICENSEE'S FIREWATCH COORDINATOR IDENTIFIED FACT THAT FIREWATCH HAD FAILED TO MAKE 10 A.M. AND 11 A.M. PATROLS ON FEBRUARY 4, 1995. THE LICENSEE DETERMINED THAT THE FIREWATCH LOGS HAD BEEN FALSIFIED TO INDICATE THAT THE PATROLS HAD BEEN DONE. THE LICENSEE FIRED THE INDIVIDUAL.			
REASON FOR POTENTIAL ESCALATED ACTION			
WILLFUL VIOLATION, 10 CFR 50.9			
DELEGATED CASE	YES	<input checked="" type="checkbox"/>	NO
MED INST	PHYSICIAN		NUC PHARM
WELL LOGGERS	ACADEMIC		GAUGE
OTHER TYPE:			RADIOG
CITE SIMILAR CASE: EA NO.			MOISTURE DENSITY
SHOULD OE ATTEND ENF CONF	YES		NO
NONDELEGATED CASE	<input checked="" type="checkbox"/>	YES	NO
NONDELEGABLE TYPE	<input checked="" type="checkbox"/>	OI REPORT/WILLFUL	COMPLEX/NOVEL
DISCRETION		COMM APPROVAL	OI INTEREST
OTHER REASON:	OI 4-95-013		
IS THERE A BASIS TO CLOSE ENFORCEMENT CONFERENCE? Y/N IF YES, EXPLAIN: REGION IV PROPOSED TO DISPOSITION THIS WITH AN NCV IN ACCORDANCE WITH VII.B.2 OF THE POLICY. THEREFORE, THERE WILL NOT BE AN ENFORCEMENT CONFERENCE. WE ARE COORDINATING THIS MATTER WITH OI.			
EA # ASSIGNED BY OE	95-043	DATE: 3/14/95	ES ASSIGNED JEF

D/2

TO JOE GRAY

AND

6.2 Unit 2 - Falsification of Firewatch Logs

On February 14, 1995, the licensee informed the inspectors of their discovery that a roving firewatch falsified fire barrier watch logs. On February 4, 1995, while conducting an inplant audit of the roving firewatch program, the firewatch coordinator observed that the roving firewatch assigned to patrol the 317' level of the Unit 2 auxiliary building failed to perform the 9 a.m. and 10 a.m. patrols as required by the hourly firewatch log. The roving firewatch was required due to the presence of excess combustibles in various areas of the 317' level of the Unit 2 auxiliary building. On observing that the required patrols had not been conducted, the firewatch coordinator conducted the hourly checks as a compensatory measure. The firewatch coordinator had observed the individual conduct the 8 a.m. rounds on the 317' level and plant personnel had observed the individual performing patrols in other areas of the plant.

Four separate fire barrier watch logs were required to be completed to document completion of hourly patrols on the 317' level of the auxiliary building. Subsequent review of these logs by the firewatch coordinator revealed that the firewatch had falsified each log by indicating that the 9 a.m. and 10 a.m. patrols had been performed, as signified by the logging of the time of the patrols and the initials of the firewatch. In response to this discovery, the individual was escorted offsite and employment was terminated. Additionally, the licensee reviewed the event with all firewatch personnel. Firewatch personnel were employed by a contractor who provided firewatch and janitorial services to the licensee. The inspectors reviewed a list of rules and violations established by the contractor that were read and signed by each firewatch. The falsification of records was identified as a violation which would result in instant termination.

The falsification of the firewatch logs was determined to be a violation of 10 CFR 50.9, "Completeness and Accuracy of Information," which requires, in part, that information required by statute or by the Commission's regulations, orders, or license conditions to be maintained by the applicant or the licensee shall be complete and accurate in all material respects. However, the violation was not cited because the criteria of paragraph VII.B.2 of Appendix C to 10 CFR Part 2 of the NRC's "Rules and Regulations" were satisfied.

The licensee's identification of the falsification of firewatch logs was determined to be a strength. The inspectors noted that the audit which identified this condition was performed on a Saturday morning, a day and time during which the firewatch coordinator would not normally be expected to be in the plant. Although Procedure 1000.120, Revision 5, "AND Fire Barrier Watch Program," specified that fire barrier watch supervisors were responsible for assuring that fire barrier watches were conducted in accordance with the requirements of the procedure, it did not specifically require that inplant audits be performed. The licensee indicated that inplant audits during regular and backshift hours were routinely performed to ensure fire barrier watches were being conducted properly.

Must
come to
HQ?

check &
get in
tough
w/
Sanborn

FROM GARY SANBORN

2 PAGES

6.3 Unauthorized Access Into Protected Area

As described in Section 6.2 above, an individual was escorted offsite and employment was terminated on February 4 for falsification of fire watch logs. On February 21, security personnel discovered that the individual's access authorization had not been terminated until February 14 and that the individual had entered the plant protected area on February 10 to complete check-out activities with the contract employer. The individual was inside the plant protected area for approximately 41 minutes, under observation for most of this time, did not display any abnormal behavior, and did not enter any of the plant's vital areas. The licensee reported this discovery to the Commission on February 21 in accordance with 10 CFR 73.71. Further inspection into this event will be performed by an NRC security specialist.

THIS ISSUE WILL BE DEALT
WITH SEPARATELY.

2. Background Information -- Arkansas Nuclear One

The OI report essentially concludes that a non-required record was falsified as a result of actions taken by a contract supervisor.

In our preliminary discussions to prepare for the panel w/OE, we developed a slightly different view. We believe the record itself may be a required record because it involved the installation of fire protection seals. However, we believe that part of the record which was falsified may not be material.

The only part of the record that is alleged to have been falsified is Step L, which states, "Clean work area of debris, tools, scaffolding, etc." This was initialed off on Oct. 11 as having been done when in fact it was not done until the following morning.

All of the steps related to the actual task, including verifying the seal is complete and free of defects and reinstalling items removed for access to the penetration (presumably this includes the junction box cover plate which was re-attached with some screws missing), were [redacted] and are not part of [redacted] that the record was falsified.

Ex 6
4
7C

Based on the apparent lack of materiality of the alleged false info, and the lack of significance of this information, we do not believe this issue warrants pursuit.

In addition, we noted that OI had apparently not inquired into what actions were taken by Entergy when the individual's concerns were raised (we note that the transcript of the interview with the alleged indicates he was interviewed by Entergy personnel). The attached note is based on a follow-up call to Entergy's Dennis Provencher, who is involved in the licensee's employee concerns program.

Arthur Howell
From: *Arthur Howell* / *Gary Sanborn, Region 4*
To: ath, eee, wlb / *William Brown, Region 4*
Date: 6/3/96 1:08pm
Subject: ANO Follow-up

Russ and I talked to Dennis Provencher at ANO regarding the "false" CWP issue we discussed this a.m. He told me the following:

- 1) Entergy developed a Condition Report in response to the issue. Provencher has a file that is about 3" thick.
- 2) Entergy found no wrongdoing because the work appeared to have been properly done and the supervisor who signed off on the last step in the CWP was authorized to do so.

[Note: Entergy's review seems to have focused on the technical adequacy of the fire seal work, based on concerns raised by [redacted]. It is not clear

Ex 6
4
7C

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Information in this record was deleted
in accordance with the Freedom of Information
Act, exemptions 64 7C
FOIA- 99-076

Ex 11

that Entergy was told or was aware that [redacted] admitted he had the CWP signed off before the last step was completed.

E46+7C

3) Entergy also looked at the discrimination issue and found no discrimination.

4) Provencher said [redacted] called several times inquiring about the disposition of this matter and that [redacted] said he was "tricked" by the investigator into stating things in a manner that made him look bad.

E46+7C

5) Provencher said OI was offered Entergy's file on these issues but declined.

6) Provencher said [redacted] was laid off and that neither [redacted] nor [redacted] are employed at ANO.

E46+7C

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