

U.S. NUCLEAR REGULATORY COMMISSION

REGION III

Report No. 50-461/89013(DRSS)

Docket No. 50-461

License No. NPF-62

Licensee: Illinois Power Company
500 South 27th Street
Decatur, IL 62525

Facility Name: Clinton Nuclear Power Station, Unit 1

Inspection At: Clinton Site, Clinton, Illinois
Region III Office, Glen Ellyn, Illinois

Inspection Conducted: March 8-21, 1989

Inspector: T. Ploski
T. Ploski

4/3/89
Date

Approved By: William Snell
William Snell, Chief
Emergency Preparedness and
Effluents Section

4/4/89
Date

Inspection Summary

Inspection on March 8-21, 1989 (Report No. 50-461/89013(DRSS))

Areas Inspected: Special inspection into an allegation and an associated issue regarding staffing provisions for the Emergency Response Organization (ERO) at the Clinton Power Station, Unit 1. The inspection was conducted onsite and at the Region III office by one NRC inspector.

Results: The allegation did not have merit. Adequate numbers of personnel have been trained for key and support ERO positions that have been adequately defined in the Emergency Plan and its implementing procedures. The Plan and procedures contained adequate provisions for ensuring that the Emergency Response Facilities (ERFs) can be staffed on a 24-hour basis by those key personnel who have been trained to fulfill the essential responsibilities associated with these ERFs when they are considered operational.

The peripheral issue of whether ERO membership should be mandatory for all key and support ERO members is not an NRC regulatory issue, except in those cases where ERO membership is inherent with a key person's senior position in the normal plant organization. Emergency response is adequately addressed in the licensee's contract with one of two unions which represent some ERO members. The issue whether ERO membership should be a mandatory condition of employment for persons in ERO support positions is not an NRC regulatory issue. While the licensee has already formed a group to explore ERO membership issues, the frequency of the group's meetings has decreased and there was no clear indication when that group would be ready to forward its recommendations to management. While permanent ERO membership for persons having a support position was not explicitly stated in a policy or in a procedure, their permanent membership could be implied by the lack of procedural guidance regarding criteria for permanent ERO membership. Several improvements were recommended to the licensee to resolve the insufficient procedural guidance situation.

DETAILS

1. Persons Contacted

- *J. S. Perry, Assistant Vice President, Nuclear
- *J. G. Cook, Manager, Nuclear Planning and Support
- *S. P. Hall, Director, Emergency Response
- *P. J. Lancaster, Director, Human Resources
- *F. C. Edler, Director, Maintenance and Technical Training
- *E. J. Corrigan, Director, Quality Engineering and Verification
- *W. L. Yarosz, Supervisor, Emergency Exercise Preparation
- *K. A. Baker, Supervisor, I&E Interface
- D. Gray, Local 1306 Steward
- J. Dodd, Emergency Preparedness Training Instructor

*The above persons attended the March 21, 1989 exit interview.

2. Introduction

In January 1989, an NRC inspector was given concerns regarding the adequacy of staffing provisions for the licensee's Emergency Response Organization (ERO) in the event of an emergency at the Clinton Power Station. These concerns were categorized as an allegation and an associated issue, and were assigned to the Emergency Preparedness and Effluents Section for inspection. This inspection involved: reviews of relevant sections of the licensee's Emergency Plan and Emergency Plan Implementing Procedures (EPIPs); reviews of records and policies pertaining to ERO staffing, activation and the licensee's emergency preparedness program; discussions with licensee staff; and review of previous evaluations of the licensee's provisions for staffing and activating the ERO, as documented in the following NRC Inspection Reports: 50-461/85039(DRSS), 50-461/86021(DRSS), 50-461/87025(DRSS), and 50-461/88029(DRSS).

3. Allegation RIII-89-0014

a. Allegation

There may be insufficient personnel to staff the Emergency Response Facilities (ERFs) on a 24-hour basis during an actual emergency at the Clinton Power Station (CPS).

Summary of Findings

Adequate numbers of personnel have been trained for key and support positions in the licensee's ERO. The licensee's approved Emergency Plan and related implementing procedures contain adequate provisions for ensuring that the ERFs can be staffed on a 24-hour basis by those key personnel who have been trained to fulfill the essential emergency responsibilities that are associated with operational ERFs.

Details

Procedures FE-01, FE-02, and FE-03 were consistent with the Emergency Plan in specifying those ERO positions which must be filled in order to have an operational Technical Support Center (TSC), Operations Support Center (OSC), and Emergency Operations Facility (EOF), respectively. Personnel qualified to perform emergency classification, offsite agency notification, and protective action decisionmaking responsibilities must be available in the TSC or the EOF in order for either facility to be considered operational. The OSC would be considered operational when the OSC Supervisor indicates that he has sufficient staff to perform potential maintenance, survey, and sampling assignments. Attachment 74 to Procedure EC-01 restated the Emergency Plan's lines of succession to those key TSC and EOF positions which must be filled in order to declare these facilities operational.

Procedure AP-10, which has been in effect since June 1986, described the methodologies for maintaining and updating personnel assignments to the ERO. A review of the current ERO roster, dated February 27, 1989, indicated that there were two to four individuals listed as being qualified for each key position in the ERO and for every position in the line of succession to each key position. The Director, Emergency Response has been assigned the responsibility of maintaining the ERO roster. Quarterly roster updates are coordinated with the department managers of the ERO members and with Training Department staff.

The Plan and Procedure EC-01, "CPS Emergency Response Organization and Staffing," described key ERO positions and a large number of technical and non-technical support positions in the ERO. The current ERO roster identified adequate numbers of personnel who have been trained for specific support positions. While persons filling these support positions provide valuable assistance to key staff in the TSC and EOF, the support positions need not be filled in order for the individual in charge of either the TSC or the EOF activities to declare the facility to be operational and to assume overall command and control of the licensee's emergency response efforts.

The licensee has conducted semiannual, off-hours drills for several years in order to demonstrate the capability to augment onshift personnel in a timely manner with at least those personnel who are qualified to perform all functions listed in Table B-1 of NUREG-0654, Revision 1.

While the week of these off-hours drills has been announced to ERO personnel prior to the drill, the exact date and starting time of each drill has not been announced to the participants. Drill participants have typically been members of either the "A" or "B" team of key and support ERO staff, each team representing about 100 to 140 persons. Each drill participant would be

instructed to report the time of his/her notification. Estimated travel times from residences to the CPS were then utilized to determine the timeliness of their response.

Review of augmentation drill records and procedural provisions for conducting these drills has been a portion of the NRC's emergency preparedness inspection program at the CPS since 1986. Review of 1988 augmentation drill records indicated that the licensee had adopted one improvement for evaluating these drills which had been recommended during the 1987 routine inspection. The 1988 drill records indicated that drill success was primarily based on the adequacy of computed response times of twenty-one responders who would fill the four key EOF positions, the five key TSC positions, two positions in the Joint Public Information Center (JPIC), and several radiological survey team positions. These positions corresponded to the 30 and 60 minute augmentation positions listed in the Emergency Plan's Table 2-1, which corresponded to Table B-1 of NUREG-0654, Revision 1. Drill documentation also included estimated response time data for other drill participants and adequate information on any problems that were identified during the 1988 drills. Both 1988 drills were successful since these twenty-one responders could be onsite within one hour of notification.

Based on the above findings, this portion of the licensee's program was acceptable.

b. Peripheral Issue Associated With the Allegation

There was concern that membership in the Emergency Response Organization (ERO) was a mandatory condition of employment without the ERO members' consent or, in cases where ERO staff belong to a union, their union's consent.

Summary of Findings

Reporting for duty as part of an emergency response effort is a part of the licensee's contractual agreement with one of two unions which represent some members of the ERO. Since at least the summer of 1985, the licensee has implemented a "pre-employment acknowledgement" form which included provisions for any newly-hired employee to agree to participate in emergency response activities if selected. EPIP AP-10 and Corporate Nuclear Policy No. 4.03 did not explicitly state whether ERO membership was a mandatory condition of employment for all members, or whether current members must remain in the ERO until termination of employment or some appropriate permanent transfer. The department manager of an ERO member was procedurally responsible for recommending to the Director, Emergency Response that a change to the ERO roster be made. The peripheral concern to the allegation resulted, in part, from the concern of some licensee staff who have perceived that their ERO membership is permanent and a condition of employment, whether or not their ERO assignments have been categorized as key or as support positions in the Emergency

Plan and EIPs. For those cases where ERO membership and the duration of such membership is not already specified in a licensee commitment or in a union contract with the licensee, the NRC is not the appropriate regulatory agency to rule on the correctness of a licensee's practice of making ERO membership permanent and/or a condition of employment for support positions in the ERO.

The licensee formed an internal Quality and Productivity (QP) Team in the autumn of 1988 with the overall goal of developing ERO membership incentives. However, this team has not yet forwarded written recommendations to licensee management.

Details

Procedures EC-01, AP-10, FE-01, FE-02, FE-03 were reviewed and discussed with members of the licensee's emergency preparedness staff. Corporate Nuclear Policy No. 4.03 and the "IPC Pre-Employment Acknowledgement" form were discussed with cognizant licensee staff. Relevant portions of the contract between the licensee and Local No. 51 of the International Brotherhood of Electrical workers (IBEW) were reviewed. The issue of mandatory ERO membership for clerical personnel represented by Local No. 1306 was discussed with that Local's steward. Minutes of the QP Team's meetings regarding its review of ERO staffing and morale concerns were also reviewed.

As indicated in Section 3a of this report, the Emergency Plan and EIPs EC-01, FE-01, FE-02, and FE-03 were consistent in defining key positions in the licensee's ERO. With the exception of field survey team positions which would be filled by Local No. 51 members, all key emergency responders were senior management or senior staff, rather than being technician, staff engineer, or clerical in nature. The licensee's contract with Local No. 51 clearly addressed that union membership's participation in emergency response activities. Local No. 1306 represented non-supervisory clerical and administrative support personnel, some of whom were members in the ERO in only support-level positions. The steward for Local No. 1306 stated that participation in emergency response activities was not included in that union's contract with the licensee.

The "IPC Pre-Employment Acknowledgement" form is a document which a newly hired employee would sign to indicate his/her understanding of a number of matters, including the requirements to successfully complete general employee training, a background investigation, and a physical examination. The form also contained an item stating that "periodic recall to work during regular non-working hours as well as participation in emergency response activities may be required of select individuals." The inspector interpreted the words "select individuals" to mean "trained members of the ERO." The Director, Human Resources stated that the form had been reviewed by the licensee's legal staff and was considered acceptable. Corporate Nuclear Policy No. 4.03, "Emergency Preparedness Program,"

assigned responsibility to various department managers and directors for ensuring that the ERO was adequately staffed and trained. However, like the pre-employment acknowledgement from, Policy No. 4.03 did not specify whether ERO membership was permanent for any ERO member.

EPIP AP-10, "Emergency Response Organization Assignments," reflected Policy No. 4.03 regarding assignment of responsibilities for ensuring maintenance of an adequately staffed and trained ERO. The procedure appropriately assigned responsibility for recommending ERO roster changes to the manager of an ERO member involved in the potential change. Although Procedure AP-10 was not explicit in stating whether ERO membership was permanent, such could be implied by the procedure's wording. The procedure adequately addressed ERO roster changes necessitated by employee terminations. The procedure also specified the following criteria for recommending temporary changes to the roster: extended sick leave, maternity leave, extended travel, and extended training such as licensed operator training. While AP-10 did not explicitly prohibit recommending permanent roster changes for reasons other than employee terminations, the procedural guidance did not include permanent change criteria which would be considered acceptable.

While permanent ERO membership is inherent for certain ERO positions due to some persons' procedurally defined key positions in the ERO and their senior positions in the normal plant organization, permanent ERO membership for their technical and non-technical support staffs is not required by NRC regulations. The correctness of the implied policy that ERO membership is permanent for support staff not represented by Local No. 51 of the IBEW is not an NRC regulatory issue.

The licensee has exhibited some concern about its ERO, as indicated by the formation of a Quality and Productivity (QP) team in October 1988. The team of about eight persons were mostly ERO members, and included the emergency preparedness (EP) trainer and a member of the EP staff. The team's goal, as stated in its meeting minutes and on a display located in the main lobby to the building housing the Emergency Operations Facility (EOF), was to develop incentives so that employees will want to be in the ERO. The meeting minutes and the lobby display listed four items being considered by the QP Team for achieving this goal: adding ERO membership to performance appraisals; providing positive recognition for ERO membership; combining and/or eliminating some ERO positions; and establishing an ERO membership time limit. However, the QP Team had not yet submitted formal recommendations for management consideration. The frequency of QP Team meetings had decreased to once a month in January and February 1989. The proposed March 1989 meeting had been cancelled. A member of the QP Team indicated that the March meeting had been postponed due to the refueling outage workload, and could not indicate when the QP Team would be ready to formally submit its recommendations to management.

Based on the above findings, this portion of the licensee's program was acceptable; however, the following items should be considered for improvement:

- The licensee should develop and implement procedural guidance on what circumstances may warrant a permanent deletion to the ERO roster for personal reasons other than employment termination.
- The licensee should consider an ERO membership rotation policy that does not conflict with union contractual agreements or with the definitions of key and support positions in the ERO.

4. Exit Interview

On March 21, 1989, the inspector met with those individuals identified in Section 1 to present and discuss the preliminary inspection findings. The licensee was informed that no information had been identified to substantiate the allegation.

Regarding the peripheral issue, the licensee was informed that NRC regulations did not require that ERO membership was mandatory for every ERO position; however, for a small number of senior positions such as Station Manager, permanent ERO membership was inherent with the senior position in the normal station organization. The NRC is not in a regulatory position to judge whether mandatory ERO membership is an issue subject to collective bargaining for ERO members who are not key responders, as defined in the Emergency Plan and EPIPs, and who are not already mandatory emergency responders per an existing union agreement with the licensee.

The progress of the licensee's QP Team on addressing ERO membership concerns was acknowledged. However, the inspector recommended that an appropriate EPIP should be revised to provide better guidance regarding criteria for internally recommending permanent ERO roster changes for situations besides employment terminations.

The licensee indicated that none of the items discussed were proprietary in nature.