



UNITED STATES
NUCLEAR REGULATORY COMMISSION
REGION I
475 ALLENDALE ROAD
KING OF PRUSSIA, PENNSYLVANIA 19406

MAR 17 1989

Docket No. 50-220

Niagara Mohawk Power Corporation
ATTN: Mr. Lawrence Burkhardt, III
Executive Vice President
Nuclear Operations
301 Plainfield Road
Syracuse, New York 13212

Gentlemen:

Subject: REGION I INSPECTION NO. 50-220/88-10 AND
OFFICE OF INVESTIGATION (OI) CASE NO. 1-88-003

In response to the subject inspection of your licensed operator requalification program, the NRC's Office of Investigation (OI) conducted an investigation between April 11 and August 17, 1988 (Case No. 1-88-003). We have attached the synopsis of that OI report to this letter for your review. As a result of our review of these reports, we have concluded that an enforcement conference with you in conjunction with the involved licensed operators is warranted.

Our concerns are threefold: (1) apparent failure of 39 licensed operators to fully participate in the NRC required requalification program, (2) apparent failure on the part of 13 of those 39 operators and two levels of facility management to identify inaccurate statements on the NRC required license renewal applications (NRC Form 398) submitted for the subject period and, (3) apparent failure on the part of facility management to identify and take effective corrective action on the program shortcomings that permitted items (1) and (2) to occur. Although the OI report concluded that the submittals of the inaccurate NRC Form 398s were not willful, we believe that a significant breakdown occurred in the management oversight of your licensed operator requalification program.

As discussed in a March 10, 1989, telephone conversation between you and Mr. Robert Gallo of my staff, we plan to conduct an enforcement conference at the site on March 30, 1989. In that telephone conversation, you also agreed to have the 13 involved licensed operators attend the conference.

At the enforcement conference, you, and the involved licensed operators, should be prepared to discuss (1) the NRC staff findings and the safety significance of the above noted failures, (2) the specific and underlying causes and (3) the actions taken or planned to correct these problems and the results achieved.

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Thank you for your attention to this matter.

Sincerely,

Original Signed By:
Thomas T. Martin

Thomas T. Martin, Director
Division of Reactor Safety

Enclosure: Office of Investigation Case No. 1-88-003 Synopsis

cc w/enc1:

- C. V. Mangan, Senior Vice President
- D. Palmer, Acting Manager, Quality Assurance
- W. Hansen, Manager, Corporate Quality Assurance
- R. G. Smith, Unit 2 Superintendent, Operations
- C. Beckham, Manager, Nuclear Quality Assurance Operations
- R. B. Abbott, Unit 2 Station Superintendent
- J. Perry, Director, Nine Mile Point Unit 1 Restart Task Force
- K. Dahlberg, Unit 1 Station Superintendent
- R. Randall, Unit 1 Superintendent, Operations
- J. Willis, General Station Superintendent
- C. Terry, Vice President Nuclear Engineering and Licensing
- J. Warden, New York Consumer Protection Branch
- Connor & Wetterhahn
- Troy B. Conner, Jr., Esquire
- Gary D. Wilson, Senior Attorney
- John W. Keib, Esquire
- Director, Power Division, Department of Public Service, State of New York
- State of New York, Department of Law
- Licensing Project Manager, NRR
- Public Document Room (PDR)
- Local Public Document Room (LPDR)
- Nuclear Safety Information Center (NSIC)
- NRC Resident Inspector
- State of New York

bcc w/enc1:

- Region I Docket Room (with concurrences)
- DRP Section Chief
- Robert J. Bores, DRSS
- B. Clayton, EDO

RI:DRSC
Sisco/djh
3/16/89

RI:DRS
Conte
3/16/89
w/ comments

RI:DRS
Gallo
3/16/89

RI:DRS
Bolo
3/17/89

RI:DRS
Martin
3/17/89

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OI CASE 88-003 - 0001.1.0
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SYNOPSIS

Operations Engineers from the NRC, Region I, conducted three inspections of the reactor operator requalification training program at the Nine Mile Point Nuclear Station, Unit 1 (NMP-1), Scriba, New York, in February, March, and April 1988. The first inspection identified several discrepancies in the documentation of operator requalification training. The second inspection disclosed that portions of classroom and simulator training required by the in-house Nuclear Training Procedure (NTP-11) which implemented 10 CFR 55, had not been completed by 39 operators who had submitted license renewal applications to the NRC between May 1987 and March 1988. The last inspection in April 1988 revealed that the operators made-up the missed classes and the licensee completed most of the remedial action necessary to prevent the recurrence of documentation problems and training deficiencies.

When the Region I staff became aware of the missed training at NMP in February 1988, they questioned the truthfulness of the operators' "Personal Qualifications Statement - Licensee" (NRC Form 398). More specifically, the staff questioned the validity of the number of weeks listed on some 398s under "Training - Requalification," Section 12(6).

On April 1, 1988, the Office of Investigations (OI) was asked to determine if the reactor operators, who sought renewal of their NRC licenses, executed material false statements when they submitted 398s that may have been inaccurate. OI was also asked to ascertain if the Superintendent of Training and the former General Superintendent of Nuclear Generation knew that some operators had missed training sessions when they certified to the NRC that the operators' 398s were correct.

OI's investigation, conducted between April 11 and August 17, 1988, included examination of training records, interviews of operators, quality assurance (QA) people, clerks, training managers, station superintendents, operations personnel, and senior management. Several operators claimed they forgot that they had missed a session or two of required training when they signed their 398s which were prepared by a third party. The operators said they relied on the preparer of their 398 to insert correct information thereon and never intentionally signed an inaccurate or false document. The preparers of the 398s said they only counted the total number of training hours and never attempted to identify missed sessions. The preparers stated that all 398s sent to the NRC contained information that they alone inserted. The preparers also emphasized that they never falsified a 398 and that no operator ever asked them to inflate the number of weeks listed in Section 12(6).

Operations and training personnel at NMP said that the Station Superintendents for NMP-1 and NMP-2 were notified when operators missed training sessions. However, because of poor record-keeping, certain skipped classes were not identified until an internal audit was conducted in early March 1988. A consultant to the Niagara Mohawk Power Corporation (NMPC), who was part of a Safety Review & Audit Board, informed a licensee representative in April 1987 that training records were disorganized but NMPC took no apparent action to correct the problem.

Several licensee employees questioned whether "continuous training," the most frequently missed session, was required for requalification. Nevertheless, licensee personnel acknowledged that it should have been completed since it was part of the requalification program which had been approved by the NRC.

The Superintendent of Training said that when he signed a 398, he believed that the operator's training was either complete or up-to-date. He stated some 398s were submitted in the middle of the requalification year at which time he knew further training was necessary. He claimed that NRC regulations fail to address those instances when 398s are submitted to the NRC during the middle of a requalification period. He denied that he ever intentionally signed an inaccurate 398.

The retired Vice President for Nuclear Generation and the former General Superintendent of Nuclear Generation stated that they relied upon the integrity of the operators and the proficiency of subordinate reviewers to ensure that all 398s were correct when they signed them. They claimed to be unaware of any missed training until after the first NRC inspection in February 1988.

The testimony and documents acquired during this investigation yielded no conclusive evidence that any NMPC employee submitted a material false statement to the NRC. In a few cases, the Superintendent of Training knew that certain classes were missed but he believed that they would be made-up. However, the NRC inspections, NMPC's internal audit, and this investigation revealed that a significant amount of operator training was not completed by the end of the requalification period ending February 22, 1988, because of poor management controls.