



**Nebraska Public Power District**  
*Nebraska's Energy Leader*

NLS2002018  
January 25, 2002

U.S. Nuclear Regulatory Commission  
Attention: Document Control Desk  
Washington, D.C. 20555-0001


Subject: Clarification Related to NRC Inspection Report 50-298/0112  
Cooper Nuclear Station, NRC Docket 50-298, DPR-46

Reference: 1) Letter to David L. Wilson (NPPD) from Arthur T. Howell III (USNRC) dated January 2, 2002, "NRC Inspection Report 50-298/0112; Preliminary White Finding (Cooper Nuclear Station)"  
2) Letter to the U.S. Nuclear Regulatory Commission from David L. Wilson (NPPD) dated January 11, 2002, "Request for Regulatory Conference"

By letter (Reference 1), the Nuclear Regulatory Commission (NRC) cited an apparent violation and provided the Nebraska Public Power District (NPPD) an opportunity to discuss its position regarding this issue during a Regulatory Conference. This conference is scheduled for February 1, 2002. By letter (Reference 2), NPPD responded agreeing to a Regulatory Conference and committing to provide additional information prior to the conference as requested, to facilitate discussions between the NRC and NPPD. The attached information is submitted to clarify and provide additional information.

If you have any questions please contact Mr. David Kunsemiller, Risk and Regulatory Affairs Manager at (402) 825-5236.

Sincerely,

*for*   
David L. Wilson  
Vice President of Nuclear Energy

/dwv

cc: Regional Administrator  
USNRC - Region IV

Senior Project Manager  
USNRC - NRR Project Directorate IV-1

*IE01*

Senior Resident Inspector  
USNRC

NPG Distribution

Records

**Attachment 1**

**Clarification and Time Line**

The following information is provided prior to the February 1, 2002 Regulatory Conference to facilitate discussions between the NRC and the District.

- 1) To clarify the sequences of events and NPPD's actions in response to discovery of this issue, a time line is attached.
- 2) Page 4 in the Report Details section of Inspection Report 50-298/0112 states, "The licensee's final analysis of the compromise issue, which was entered into the corrective action process in November 2001, concluded that the results of the question analysis did not support a finding of compromise, and that no further actions were warranted."

Response:

NPPD's original report, issued September 5, 2001, (provided during the inspection) states in its conclusion that, "...the examination should be considered compromised" and "...the impact of the validation process on the examination results was negligible." This conclusion of compromise was not based on the form/similarity of the exam questions, but instead was based upon the equitable administration of the validation process (i.e., the individual operators would possibly gain advantage through exposure to certain reference materials via the validation of the exam). This response was supported by an additional report that focused on statistical evaluations of the results, and was completed on November 8, 2001. That report stated, "Overall, the statistics do not support any consistent advantage gained by the validation process." The November 8, 2001 document was silent on whether a compromise had occurred or not.

- 3) Page 4 in the Report Details section of Inspection Report 50-298/0112 states, "The inspectors concluded that if the examinations were regraded with the removal of questions that showed evidence of compromise, at least two individuals would have failed."

Response

NPPD's November 8, 2001 analysis provided to the NRC was the basis for the NRC's conclusion in its January 2, 2002 inspection report. The NPPD report analyzed the consequences of a worst case scenario. The report also showed that if regrading on this "worst case" basis were performed, it would result in some operators failing the examination. However, after studying the inspection report and re-evaluating the questions based on regulatory guidance, NPPD has now concluded that the "worst case" results are not valid and do not accurately reflect actual performance on the examination. In addition, the NPPD report attached to the NRC Inspection Report 50-298/0112 concluded that there were some questions in which compromise could not be statistically eliminated. The NRC inspection report also noted question sets in which the results "supported a conclusion that the examination was not administered in an equitable and consistent manner." NPPD has duplicated what NPPD believes to be the process used by the NRC for regrading the affected examinations by removing all of the NRC and CNS challenged questions. The results of

NPPD's regrades show that no additional operator failures would occur. Therefore, using the NRC's approach, NPPD concludes that there is no impact resulting from the validation methods used for the 2000 biennial licensed operator requalification written exam. In addition, removal of all of the above-mentioned questions would result in no more than five questions removed from anyone 35 question exam. NPPD is providing additional supporting information attached to this submittal.

- 4) With regard to the flowchart block #14 of Appendix I (Inspection Manual 0609), NPPD believes there is a clear distinction between the definition of compromise as stated in 10CFR55.49 and guidance regarding how to address occurrence of a compromise in Inspection Manual 0609, Appendix I, Operator Requalification Human Performance Significance Determination Process (SDP).

The operator requalification SDP defines compromise as a loss of control of the exam material such that the exam validity is affected. NPPD's analysis demonstrates that the exam was valid and therefore in the context of the SDP. NPPD concludes that the actions taken and documented by NPPD in August 2000 were appropriate.

## Timeline

2/17/00 to 6/1/00	Exams Developed
6/13/00 to 7/25/00	Annual written exams validated and administered
8/10/00	Problem Identification Report (PIR) 4-10812 written to identify possible preconditioning of operators
<b>8/11/00</b>	<b>Peer Evaluation performed and concluded no compromise existed</b>
9/18/00 to 10/29/00	Annual operating exams administered
<b>12/5/00</b>	<b>PIR 4-10812 closed based on exams being valid</b>
7/10/01	Notification 10096558 written, possible incorrect conclusion to PIR 4-10812
<b>7/13/01</b>	<b>Industry Expert evaluation begins</b>
<b>7/14/01</b>	<b>1<sup>st</sup> CNS evaluation begins</b>
<b>7/24/01</b>	<b>Industry Expert evaluation concluded potential compromise existed</b>
<b>7/26/01</b>	<b>1<sup>st</sup> CNS position paper concluded unintended potential compromise existed</b>
<b>9/5/01</b>	<b>1<sup>st</sup> CNS evaluation concluded exam was compromised but valid</b>
10/15/01	NRC Licensed Operator Requal Program Inspection begins (IP 71111.11)
<b>10/18/01</b>	<b>2<sup>nd</sup> CNS position paper issued (request by NRC) concluded possible inequitable administration, validity not affected. Scores consistent with past performance.</b>
<b>11/08/01</b>	<b>Second detailed CNS evaluation (request by NRC) concluded statistics do not support consistent advantage gained by the validation process.</b>
<b>12/3/01</b>	<b>NRC telephonic exit</b>
1/2/02	NRC IR 50-298/0112 issued
1/4/02	Significant Condition Report (SCR) 2001-1495 initiated to determine why a potential compromise was not identified during the evaluation of PIR 4-10812 in August 2000.

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Attachment 2

**Attachment 2**  
**Examination Regrade**

**Re-grade results for 5 NRC identified question sets and 4 CNS identified question sets**

NRC report 50-298/0112 identified 5 question sets that based on crew performance supports the conclusion that the examination was not administered in an equitable and consistent manner and thereby compromised. These question sets were 10,15,S31, S32, and R35. It further concluded that if the examinations were regraded with the removal of questions that showed evidence of compromise, at least two individuals would have failed and that these individuals were returned to shift duties without re-training and re-evaluation.

A re-grade of the 2000 Licensed Requalification written exam was performed removing the questions that showed evidence of compromise (10, 15, S31, S32, R35). This regrade revealed that the only licensed operators with post regrade scores less than 80% were the individuals who failed the original exam. These individuals were properly re-trained and re-examined prior to resuming shift duties.

The questions that showed evidence of compromise (10, 15, S31, S32, R35) were only removed from exams if the corresponding question used for validation was similar to the one on the exam.

The following is a breakdown of question removal

Test 1	Remove S31, S32, R35
Test 2	Remove 10, S31, R35
Test 3	Remove (S29 see note below)
Test 4	Remove 10, 15, S31, R35, (S29 see note below)
Test 5	Remove S31, S32

**Note:**

Question set SRO29 was also included in this re-grade since one of the operations training instructors noted he was asked to assist in the validation of this question for 2 crews by explaining TRM chemistry requirements. The crews that took test 3 and 4 both averaged 100% on this question. The remaining crews averaged 40% on this question. As a result, an assumption was made that the crews that took test 3 and 4 were the crews that received the TRM training, so this question was eliminated.

Attached is a table that shows the post question removal re-grade scores.



NAME	NRC QUESTIONS REMOVED		NRC AND CNS QUESTIONS REMOVED		NOTES
Test 1	SCORE	GRADE	SCORE	GRADE	
SRO	30/33	90.9	30/33	90.9	
SRO	28/33	84.8	28/33	84.8	
SRO	30/33	90.9	30/33	90.9	
RO	30/34	88.2	30/34	88.2	
RO	28/34	82.3	28/34	82.3	
Test 2					
SRO	27/33	81.8	27/33	81.8	
SRO	29/33	87.8	29/33	87.8	
SRO	29/33	87.8	29/33	87.8	
SRO	30/33	90.9	30/33	90.9	
SRO	30/33	90.9	30/33	90.9	
SRO	27/33	81.8	27/33	81.8	
SRO	31/33	93.9	31/33	93.9	
RO	31/33	93.9	31/33	93.9	
RO	28/33	84.8	28/33	84.8	
RO	29/33	87.8	29/33	87.8	
Test 3					
SRO	30/35	85.7	29/34	85.3	
SRO	30/35	85.7	29/34	85.3	
RO	27/35	77.1	27/35	77.1	Failed Original
RO	28/35	80.0	28/35	80.0	
RO	29/35	82.8	29/35	82.8	

Test 4					
SRO	29/32	90.6	28/31	90.3	
SRO	29/32	90.6	28/31	90.3	
SRO	27/32	84.4	26/31	83.9	
RO	27/32	84.4	27/32	84.4	
RO	22/32	68.7	22/32	68.7	Failed Original
Test 5					
SRO	24/33	72.7	24/33	72.7	Failed Original
SRO	27/33	81.8	27/33	81.8	
SRO	28/33	84.8	28/33	84.8	
SRO	29/33	87.8	29/33	87.8	
RO	32/35	91.4	32/35	91.4	
RO	29/35	82.9	29/35	82.9	

Correspondence Number: NLS2002018

The following table identifies those actions committed to by the District in this document. Any other actions discussed in the submittal represent intended or planned actions by the District. They are described for information only and are not regulatory commitments. Please notify the NL&S Manager at Cooper Nuclear Station of any questions regarding this document or any associated regulatory commitments.

[illegible]