

July 17, 2012

EA-12-053

Mr. J. S. Galembush, Manager
NS/IMS Human Performance Programs
Westinghouse Electric Company
Nuclear Power Plants
1000 Westinghouse Dr
Cranberry Township PA 16066

SUBJECT: WESTINGHOUSE ELECTRIC COMPANY, LLC, CRANBERRY TOWNSHIP, PA
FACILITY NRC INVESTIGATION REPORT NO. 1-2011-043 AND NON-CITED
VIOLATION

Dear Mr. Galembush:

This letter refers to the investigation conducted by the U. S. Nuclear Regulatory Commission's (NRC) Office of Investigations (OI) at the Westinghouse Electric Company, LLC (WEC), Cranberry Township, PA facility that was completed on January 31, 2012. The investigation, the results of which are discussed below, was conducted to determine whether a WEC employee individually engaged in deliberate misconduct while employed at WEC. The occurrence was initially reported to the NRC by WEC.

Based on the evidence obtained during the investigation, the NRC determined that a former WEC principal engineer deliberately falsified signatures on a number of documents material to the NRC. Additionally, the NRC determined that the falsifications rendered the documents materially inaccurate. The NRC also determined that the violation was an isolated case, and that this issue was not caused by lack of management oversight. These statements are confirmed through OI's investigation of WEC's results and in testimony provided to WEC. Accordingly, the NRC concluded that the individual's actions resulted in a violation of both 10 CFR 52.4, "Deliberate Misconduct," and 10 CFR 52.6, "Completeness and Accuracy of Information."

Based on the results of the OI investigation, the NRC has determined that the falsification of documents represents a Severity Level IV violation of NRC requirements. Because you are responsible for the actions of your employees, and because the violation involved the failure to provide complete and accurate information, the violation was evaluated under the NRC traditional enforcement process as set forth in Section 2.2.1.c of the NRC Enforcement Policy. In accordance with the NRC Enforcement Policy, a willful violation may be considered more significant than the underlying noncompliance based upon the evaluation of several factors. However, after considering the factors set forth in Section 2.3.2 of the NRC Enforcement Policy, the NRC determined that a non-cited violation (NCV) is appropriate in this case because: (1) WEC identified the violation and promptly informed the NRC; (2) WEC took remedial action to demonstrate the seriousness of the violation to its employees and contractors, and placed

corrective actions to preclude recurrence; (3) the violation was determined to be an isolated action of the employee without management involvement and was not caused by a lack of management oversight; and (4) the violation involved a non-supervisory employee who was not considered a licensee official under the construct of the NRC Enforcement Policy. The current NRC Enforcement Policy is included on the NRC's website at <http://www.nrc.gov>; select About NRC, Regulation, Enforcement, then, Enforcement Policy. You are not required to respond to this letter. However, if you contest this NCV or its significance, you should provide a response within 30 days of the date of this letter, with the basis for your denial, to the U.S. Nuclear Regulatory Commission, ATTN.: Document Control Desk, Washington, D.C. 20555-0001, with copies to: (1) the Office Director, New Reactors Office and (2) the Director, Office of Enforcement, U.S. Nuclear Regulatory Commission, Washington, D.C. 20555-0001.

In accordance with 10 CFR 2.390 of the NRC's "Rules of Practice," a copy of this letter and your response, if you choose to provide one, will be made available electronically for public inspection in the NRC Public Document Room or from the NRC's document system (ADAMS), accessible from the NRC Web site at <http://www.nrc.gov/reading-rm/adams.html>. To the extent possible, your response should not include any personal privacy or proprietary, information so that it can be made available to the Public without redaction.

Sincerely,

/RA/ for J Luehman

Laura Dudes, Director
Division of Construction
and Operational Programs

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Sincerely,

/RA/ for J Luehman

Laura Dudes, Director
Division of Construction
and Operational Programs

Docket No. 99900404

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