



**UNITED STATES
NUCLEAR REGULATORY COMMISSION
REGION II**

245 PEACHTREE CENTER AVENUE NE, SUITE 1200
ATLANTA, GEORGIA 30303-1257

January 11, 2019

EA-18-085

Mr. Joseph W. Shea
Vice President, Nuclear Regulatory Affairs
and Support Services Licensing
Tennessee Valley Authority
1101 Market Street, LP 4A
Chattanooga, TN 37402-2801

**SUBJECT: SEQUOYAH NUCLEAR PLANT UNITS 1 AND 2 –NRC INSPECTION REPORT
NO. 05000327/2018412 AND 05000328/2018412; AND INVESTIGATION
REPORT NO. 2-2018-012**

Dear Mr. Shea:

On June 14, 2018, the U.S. Nuclear Regulatory Commission (NRC) Office of Investigations (OI) completed an investigation to determine if a former security shift supervisor employed by TVA deliberately violated the nuclear fatigue rule at the Sequoyah Nuclear Plant. Based on the results of the investigation, the NRC concluded that a security shift supervisor deliberately violated the nuclear fatigue rule. The results of this investigation and inspection are documented in the enclosed Inspection Report. On November 29, 2018, the NRC discussed the results of the investigation and inspection with Mr. J. Johnson and other members of your staff.

Based on a review of the facts of this case, the NRC determined that a Severity Level IV violation of NRC requirements has occurred. The violation was evaluated in accordance with Section 6.14 of the NRC Enforcement Policy <https://www.nrc.gov/about-nrc/regulatory/enforcement/enforce-pol.html>. Contributing factors to the NRC's significance determination included the following: (1) the event was of very low security significance and the underlying violation did not result in the worker being excessively fatigued while performing his duties; and (2) the investigation identified only one instance of wrongdoing regarding this condition. The violation meets the non-cited violation (NCV) criteria specified in Section 2.3.2 of the Enforcement Policy.

If you contest the violation or significance, you should provide a response within 30 days of the date of this inspection report, with the basis for your denial, to the U.S. Nuclear Regulatory Commission, ATTN: Document Control Desk, Washington, DC 20555-0001; with copies to the Regional Administrator, Region II; the Director, Office of Enforcement; and the NRC resident inspector at the Sequoyah Nuclear Plant.

This letter and your response (if any) will be made available electronically for public inspection in the NRC Public Document Room or from the NRC's Agency-wide Documents Access and Management System (ADAMS), accessible from the NRC Web site at <http://www.nrc.gov/reading-rm/adams.html>, to the extent possible, it should not include any personal privacy, proprietary, or safeguards information so that it can be made available to the public without redaction. If personal privacy or proprietary information is necessary to provide an acceptable response, then please provide a bracketed copy of your response that identifies the information that should be protected and a redacted copy of your response that deletes such information. If you request withholding of such material, you must specifically identify the portions of your response that you seek to have withheld and provide in detail the bases for your claim of withholding (e.g., explain why the disclosure of information will create an unwarranted invasion of personal privacy or provide the information required by 10 CFR 2.390(b) to support a request for withholding confidential commercial or financial information). If safeguards information is necessary to provide an acceptable response, please provide the level of protection described in 10 CFR 73.21.

Sincerely,

/RA/

Anthony T. Gody, Director
Division of Reactor Safety

Docket Nos.: 50-327, 50-328
License Nos.: DPR-77 and DPR-79

Enclosures:
NRC Inspection Report w/ Attachment
Supplemental Info

cc: Distribution via ListServ

SUBJECT: SEQUOYAH NUCLEAR PLANT UNITS 1 AND 2 – NOTICE OF VIOLATION;
NRC INSPECTION REPORT NO. 05000327/2018412 AND 05000328/2018412;
AND INVESTIGATION REPORT NO. 2-2018-012 dated January 11, 2019

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U.S. NUCLEAR REGULATORY COMMISSION

REGION II

Docket Number(s): 50-327 and 50-328

License Number(s): DPR-77 and DPR-79

Report Number(s): 05000327/2018412 and 05000328/2018412

Enterprise Identifier: I-2018-412-0030

Licensee: Tennessee Valley Authority

Facility: Sequoyah Nuclear Plant

Location: Soddy-Daisy, TN

Inspection Dates: February 7, 2018 through November 29, 2018

Inspector: J. Wallo, Senior Physical Security Inspector

Approved By: B. Desai, Chief
Plant Support Branch
Division of Reactor Safety

Enclosure

SUMMARY

The inspection report covered an in-office review of NRC Office of Investigations (OI) Report No. 2-2018-012 by Region II inspector. One Severity Level IV violation was identified, and the significance was evaluated in accordance with the NRC Enforcement Policy. The NRC's program for overseeing the safe operation of commercial nuclear power reactors is described in NUREG-1649, "Reactor Oversight Process" Revision 6, dated July 2016. NRC violations are summarized in the table below.

List of Findings and Violations

Fatigue Rule Violation			
Cornerstone	Significance/Severity Level	Cross-cutting Aspect	Report Section
Security	SL-IV NCV 05000327/05000328 2018412-01 Closed EA-18-085	N/A	N/A
A Severity Level IV Non-Cited Violation (NCV) of 10 CFR 26.205(d)(3)(v) is being identified because a security shift supervisor engaged in deliberate misconduct when he deleted hours he had previously worked from the licensee's Electronic Shift Operations Management System (e-SOMS) and subsequently worked additional time which caused the licensee to violate the fatigue rule by not ensuring employees performing duties as described under 10 CFR 26.4(a)(5) receive three days off, averaged over the assigned shift cycle.			

INSPECTION SCOPE

On June 14, 2018, the Nuclear Regulatory Commission's (NRC) Office of Investigations (OI) completed an investigation at the Tennessee Valley Authority's (TVA) Sequoyah Nuclear Plant. The purpose of the investigation was to determine if a former security shift supervisor employed by TVA deliberately violated the nuclear fatigue rule at the Sequoyah Nuclear Plant (Sequoyah). The inspector performed an in office review of the OI summary and transcripts of interviews. In addition, the inspector reviewed relevant documents including condition reports and implementing procedures for the licensee's fatigue management program.

INSPECTION RESULTS

Fatigue Rule Violation			
Cornerstone	Significance/Severity Level	Cross-cutting Aspect	Report Section
Security	SL-IV NCV 05000327/05000328/2018412-01 Closed EA-18-085	N/A	N/A
<p><u>Introduction and Identification:</u></p> <p>A Severity Level IV Non-Cited Violation (NCV) of 10 CFR 26.205(d)(3)(v) is being identified because a security supervisor engaged in deliberate misconduct when he deleted hours he had previously worked from the licensee's Electronic Shift Operations Management System (e-SOMS) and subsequently worked additional time which caused the licensee to violate the fatigue rule by not ensuring employees in the supervisors job category receive three days off, averaged over the assigned shift cycle.</p>			
<p><u>Description:</u></p> <p>On November 12, 2017, a security shift supervisor at the Sequoyah Nuclear Plant (Sequoyah) entered himself for overtime into the Electronic Shift Operations Management System (e-SOMS) for work to be completed on November 14, 2017. The individual then deliberately removed an entry in e-SOMS for hours he had previously worked on November 1, 2017. When the individual completed the work on November 14, 2017, this resulted in the individual working an amount of overtime during the e-SOMS cycle that put the licensee in violation of regulatory requirements due to the individual not having the required three days off for the assigned work cycle.</p> <p>Corrective Actions: The licensee conducted an internal investigation of the event as well as an extent of condition evaluation to determine whether additional violations had been committed, and confirmed that the actions of the security supervisor did not result in any negative security consequences. The licensee also revoked the security shift supervisor's unescorted access authorization (UAA), and made the appropriate entries into the Plant Access Data System (PADS).</p> <p>Corrective Action Reference(s): CR 1372336</p>			

Traditional Enforcement Assessment:

A Sequoyah Nuclear Plant security supervisor deliberately removed hours he had previously worked from the licensee's Electronic Shift Operations and Management System (e-SOMS) and subsequently worked additional time which caused the licensee to violate the fatigue rule by not ensuring employees performing duties as described under 10 CFR 26.4(a)(5) receive three days off, averaged over the weekly shift cycle. The inspector determined that performing covered work activities without the appropriate three day break is a performance deficiency, in that, it is a violation of NRC requirements in 10 CFR 26.205(d)(3)(v) and could have led to the security supervisor performing contingency response duties in a fatigued state. The NRC concluded that the actions of the individual were deliberate, based on his understanding of procedural requirements, prior work history regarding this activity, and previous training.

Enforcement:

This is a Severity Level IV Non-cited Violation as discussed in this report.

EXIT MEETINGS AND DEBRIEFS

- On November 29, 2018 the NRC inspector presented the inspection results to Mr. J. Johnson, Regulatory Affairs Manager, and other members of the licensee staff.

LIST OF DOCUMENTS REVIEWED

MISCELLANEOUS DOCUMENTS

Licensee procedure NPG-SPP-03.21, Fatigue Rule and Work Hour Limits, Revision 0018
Sequoyah Security Post Assignment and Overtime Sheets
Electronic Shift Operations and Management System (eSOMS) Documents

CONDITION REPORTS

1372336