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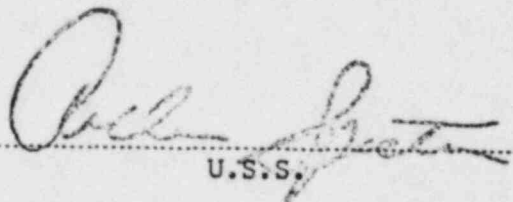
United States Senate

AUG 11 1982

Respectfully referred to:

Nuclear Regulatory Commission  
1717 H. Street, N.W.  
Washington, DC 20555

Because of the desire of this office to be responsive to all inquiries and communications, your consideration of the attached is requested. Your findings and views, in duplicate form, along with return of the enclosure, will be appreciated by

  
U.S.S.

Arlen Specter

Form #2

GPO : 1981 O - 76-287

8/30...To EDO for Direct Reply...Suspense: Sept. 9...OCA to  
Acknowledge, Original to Docket...82-0893.

8208010016

617 Briarcliff Road  
Middletown, PA 17057  
August 10, 1982

Senator Arlen Specter  
342 Russell Building  
Washington, D. C. 20510

Dear Senator Specter,

I write to you to express my concerns about the cheating which occurred on NRC reactor operator tests at Three Mile Island. Enclosed you will find copies of two newsclips which discuss this topic. The cheating allegations surfaced in August 1981, and the NRC reopened the TMI-1 hearings to investigate the charges. Since the Atomic Safety & Licensing Board (ASLB) which had heard the previous TMI-1 hearings was busy working on its findings, the NRC appointed a Special Master to preside over the cheating hearings. He was Gary Milhollin, a professor of law at the University of Wisconsin.

Milhollin's findings and conclusion provide many disturbing facts regarding the management of General Public Utilities (operators of TMI) and the operations staff at Three Mile Island. The enclosed May 7 newsclip from Harrisburg's Evening News reveals some of these findings. Specifically, they are:

- 1) Cheating did not end with the two shift supervisors who were fired or permitted to resign. At least four other employees cheated in some way.
- 2) The company's own cheating investigations did not follow up obvious leads.
- 3) Milhollin concluded the following about operator training at TMI:  
"The licensee's training and testing program was poorly administered, weak in content, ineffective in its method of instruction, and not an adequate response to the Commission's (NRC) order of 8/9/79."

It is important to note here that the ASLB had appointed Milhollin to conduct the cheating hearings and would rely upon his findings to draw their conclusions about the impact of the cheating on the restart of TMI-1. The enclosed newsclip from Harrisburg's Patriot (7/28/82) outlines the ASLB's recommendations made after having reviewed Milhollin's findings. The recommendations seem to completely ignore his findings and, in addition, raise several important questions. They are:

- 1) The ASLB believes Unit-1 can be restarted and operated safely after plant operator, GPU Nuclear, makes certain changes in its operating procedures.  
QUESTION? Milhollin concluded that GPU's response to the NRC's 8/9/79 order was "poorly administered", "weak", "ineffective", and "not adequate". Keeping in mind that his analysis came more than two years after the 1979 NRC order, what assurances are there that GPU will now make the changes in operating procedures recommended by the ASLB?
- 2) The ASLB recommends that the company establish procedures whereby it will sample and review for indications of cheating on its own operator exams.  
QUESTION? In the enclosed May 7 newsclip, it is reported that Milhollin found that "the company's own cheating investigations didn't follow up obvious leads." In light of this, what assurances are there that the company is capable of carrying out this recommendation?

- 3) The ASLB recommended that the NRC study a possible need to modify or suspend the licenses of two GPU reactor operators who were suspected of cheating.
- QUESTION? Milhollin found that in addition to the two shift operators who left GPU, at least four other employees cheated in some way. The ASLB is recommending suspensions for two operators. What has happened to the other two operators who cheated?

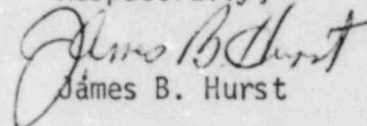
Serious discrepancies exist between Milhollin's findings and conclusion vs. the ASLB's conclusions based on reviewing the same evidence. These should not be overlooked. Milhollin concluded that the integrity of the operations staff and management at TMI have been brought into question. This was based on his personal observation of the witnesses who testified during the cheating hearings. Public health and safety will be jeopardized if Milhollin's findings go unheeded.

I urge you to do whatever you can to request a further investigation into this matter. Two reports, both available from the NRC, will be very helpful in better understanding the shortcomings of the ASLB's recommendations. They are: "Special Master's Report on the Reopened Proceedings of TMI-1" and "ASLB Partial Initial Decision on the Reopened Proceedings of TMI-1".

The best interests of public health and safety require that the lessons of TMI have really been learned. It is inconceivable that the NRC's continuing "mind-set" will be allowed to condemn us to repeat the TMI accident, either at TMI or elsewhere.

Thank you for your consideration and review of this matter. Please contact me if you require additional information.

Respectfully,

  
James B. Hurst



# TMI cheating was no game

By MICK ROOD

Washington Bureau

WASHINGTON — At first glance, a federal investigative report describing cheating among Three Mile Island nuclear plant operators reminds the reader vaguely of the detective game, "Clue."

One title in the report reads, "Mr. Shipman at the coffee machine."

You keep waiting to see "Col. Mustard, in the conservatory, with the candlestick."

Forgetting for the moment the gravity of the rather astounding evidence gathered, the report also brings back memories of grade school. You conjure up recollections of seventh graders conniving to get a passing grade.

The Nuclear Regulatory Commission licensing board, now trying to decide whether General Public Utilities Nuclear Corp. officials should be allowed to run Unit 1 again, appointed Special Master Gary Milhollin to take a special look into cheating incidents going back three years. The board probably wanted a blunt and thorough probe, and it got one from Mr. Milhollin.

All of his conclusions, based on testimony from GPU employees, may not be on the mark but the overall picture is obvious. There are accusations — some of them well backed up — of crib sheets, whispering, absent proctors and even open discussion of the tests taken between those who had just taken them and those who were about to.

Unfortunately, the setting wasn't a grade school, it was TMI.

The report is astounding in that, here, you have the most scrutinized utility in the world, with all the motivation (or at least pressure) to shape up in the world. In that setting, some middle and upper management officials were scurrying around cheating.

It didn't end with the two shift supervisors who were fired or, in the case of one them, allowed to resign. Special Master Milhollin said at least four other employees cheated in some way. Worse, the atmosphere, as Milhollin tried to describe it based on lengthy testimony, was hardly encouraging.

TMI operators were "depressed and angry" at having to retake license examinations because of the Unit 2 accident. Management did not make sufficient effort to improve morale, according to Milhollin. The company's own cheating investigation didn't follow up obvi-

ous leads. When the investigations began last year, some employees were "flippant" or just plain uncooperative.

GPU seemed to have the right attitude at the top about how to respond to the cheating.

One employee quoted Robert C. Arnold, president of GPU Nuclear, as saying this when the operators were called together in August 1981 to discuss the situation:

"...we live constantly in the public eye and that if you cannot stand being watched, then maybe you are in the wrong business, that he (Arnold) in no way would tolerate cheating."

## Pa., D.C.

Milhollin said, in effect, that some of GPU actions simply didn't get close to that mark.

Despite all the new equipment, beefed-up staff and talk of good morale at TMI, the cheating episodes bring back the haunting terms of "lessons learned" and "mind-set" that became so popular during federal investigations of the TMI accident. The lessons may yet be unlearned and the minds don't seem to be set.

Milhollin seemed to sense that most of the cheating instances weren't taken seriously by some of the operations staff members.

The licensing board and, ultimately, the NRC, cannot ignore Milhollin's blunt conclusions. In August 1979, the NRC ordered GPU to improve its training program. Guidelines in the order were generally well understood.

But two and one-half years later, here's what Milhollin concluded about operator training at TMI:

"The licensee's training and testing program was poorly administered, weak in content, ineffective in its method of instruction, and not an adequate response to the (Nuclear Regulatory) Commission's order of August 9, 1979."

Unless Milhollin is way, way off base, it will be extremely hard for the licensing board and the NRC to decide GPU is ready to start running a nuclear power plant again.

# TMI Fine Urged

Patrol  
7/15/82

## Board Recommends \$100,000 Penalty in Exam Cheating Scandal

By RANDY MYERS  
Staff Writer

The Atomic Safety and Licensing Board Tuesday recommended that a \$100,000 fine be levied against the operator of Three Mile Island in connection with a cheating scandal involving reactor operators at the plant last summer.

At the same time, however, the ASLB said it believes Unit 1 can be restarted and operated safely after plant operator GPU Nuclear Corp. makes certain changes in its operating procedures, according to a GPU Nuclear spokesman. That finding reaffirmed conclusions the board reached in two previous reports concerning TMI.

Officials at GPU Nuclear said late Tuesday that based on a "very limited review" of the ASLB's report, they generally agreed with the findings and conclusions of the board although they questioned "the appropriateness" of the fine.

They said most of the changes recommended by the ASLB have already been instituted.

The company hopes to have Unit 1 operationally ready for restart by the end of the year after it repairs thousands of heat-exchange tubes in the steam generating system. Before the company can actually resume power production at Unit 1, it must await a restart decision by the Nuclear Regulatory Commission, which has been ordered by a federal court to assess any possible psychological stress a restart could impose on the residents surrounding TMI.

According to a GPU Nuclear spokesman, the ASLB recommended the \$100,000 fine against GPU Nuclear on the grounds that the company had not safeguarded the integrity of its own operator examinations and had permitted improper attitudes to develop toward NRC

exams, thus failing to assure the reliability of its certifications that individual operators were eligible to take NRC exams.

GPU Nuclear President Robert C. Arnold, in a statement Tuesday night, said, "We regret the shortcomings in the administration of company training examinations which permitted questions to be raised as to their validity. We have taken aggressive action both to tighten up our procedures and to improve our staff's understanding of the role of the NRC licensing process in assuring safe operation of our nuclear facilities."

But, he said, "Extremely intensive and broad-ranging investigations of issues raised by the cheating incident showed management was not involved and did not condone cheating."

The ASLB report made several recommendations about TMI and

GPU apart from the imposition of a \$100,000 fine against the company by the Nuclear Regulatory Commission, according to a GPU spokesman. Among them were proposals that:

— GPU Nuclear's training program for reactor operators be placed on two years' probation, during which in-depth audits of training and exam procedures will be made by outsiders not associated with the restart of Unit 1.

— The company establish more formal qualifications, position descriptions and criteria for training department instructors than those in place last summer.

— The company require its training manager and supervisor of operator training to perform unannounced audits of classroom training and exams.

— The company establish procedures whereby it will sample and review for indications of cheating

on its own operator examinations.

In addition, the board recommended that the NRC study a possible need to modify or suspend the licenses of two GPU reactor operators who were suspected of cheating, but whom GPU believes innocent, unless GPU and those two operators agree to a penalty of two weeks' suspension without pay.

(Both of the operators remain on GPU Nuclear's payroll. Two other operators charged with cheating in the July 1981 incident are not; the first was fired and the second resigned).

Finally, the board ordered the NRC staff to investigate GPU Nuclear's decision to recertify a former operator as being eligible to take the NRC's operator exam again. Earlier, the employee had been removed from licensing duties by GPU Nuclear — a move that apparently satisfied the ASLB —

after he handed in take-home examinations with answers written in by somebody else in August 1979.

Arnold said GPU Nuclear disagreed with the ASLB's lingering suspicions about the two operators who were offered a two-week suspension by the board and that the company has not yet decided on a course of action in the matter.

The ASLB report will be forwarded to the NRC commission for consideration, along with two earlier ASLB decisions on management issues, emergency preparedness, design and separation of Unit 1 from Unit 2, which was damaged in a plant accident on March 2, 1979.

The ASLB proceedings were instituted as a result of orders issued three years ago by the NRC requiring TMI's undamaged Unit 1 to remain shut down pending the outcome of public hearings.