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January 23, 1996

Mr. Donnie H. Grimsley
Director, Division of Freedom of
Information and Publications Service
Office of Administration
U.S. Nuclear Regulatory Commission
Washington, D.C. 20555

FREEDOM OF INFORMATION
ACT REQUEST

FOIA-96-040
Rec'd 2-1-96

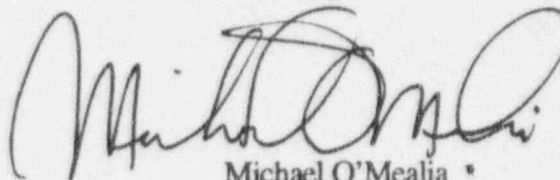
ATTN: FOIA Request

Dear Mr. Grimsley:

Pursuant to the Freedom of Information Act (5 U.S.C. §552) and to the U.S. Nuclear Regulatory Commission's (NRC) regulations (10 CFR Part 9, Subpart A), I request a copy of NRC's Office of Investigations Report No. Q-1-83-014 be placed in the NRC's Public Document Room. This report was referenced in Report of Investigation No. Q-1-84-004, "General Public Utilities Nuclear (GPUN)/Possible Training Irregularities," (see pages 1 and 6). I have attached a copy for your convenience.

Please let me know if you require any additional information. I can be reached at 202/634-1439.

Sincerely,



Michael O'Mealia *

Enc.:
as stated

REPORT OF INVESTIGATION

INDEXED

SUBJECT: GENERAL PUBLIC UTILITIES NUCLEAR (GPUN)/POSSIBLE TRAINING IRREGULARITIES ^{84 MAY -8 P2:53}

REPORT NO: Q-1-84-004

REFERENCE: Q-1-83-014; Q-1-83-015

DATE CLOSED: MARCH 22, 1984

This investigation was initiated to determine the intent behind an April 27, 1976 memorandum¹ written by Alexis TSAGGARIS (hereinafter, "TSAGGARIS memorandum"). The investigation also addressed the extent to which General Public Utilities' (GPU) internal investigation report² of the March 28, 1979 accident (hereinafter, the "KEATEX Task Force") included the problems identified in the TSAGGARIS memorandum and certain other negative information³ regarding the training program at Three Mile Island.

During the NRC staff review of the GPU v. Babcock & Wilcox lawsuit records, the TSAGGARIS memorandum was identified as raising questions about management knowledge of failures to comply with NRC training requirements. The memorandum concerned problems in the requalification program related to poor lesson attendance, delay in completing makeup lessons and insufficient time spent in the control room. After the recitation of the deficiencies in the program, the memorandum stated: "We are required by federal law to meet certain requirements for licensed individuals and in several cases we do not meet them."

1. Exhibit 1
2. Exhibit 6
3. See Exhibit 2, Exhibit 3 and Exhibit 15

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Alexis TSAGGARIS was the Supervisor of Training at the Three Mile Island Nuclear Station (hereinafter, "TMI") from January, 1976 until the spring of 1977.⁴ After assuming this position, TSAGGARIS established a quarterly audit system to monitor, among other things, the amount of time spent in the control room by non-shift personnel. The term "non-shift personnel" applied to any licensed individual who was not a member of an operating shift such as the Supervisor of Operations or a Unit Superintendent.⁵ In order to ensure that non-shift personnel would log in the necessary number of hours of control room time to meet the NRC standards for biennial requalification as required by 10 CFR Part 55, Appendix A, TSAGGARIS established an internal program requiring these individuals to spend a stated number of hours per month in the control room. The purpose of the program was to avoid a situation in which an individual would not have spent any time in the control room for several months and be forced to "catch up" to meet the federal requalification requirements.⁶ TSAGGARIS currently believes that it was a failure on the part of several individuals to log in sufficient control room time on a monthly basis to which he was referring in the April, 1976 memorandum rather than a violation of the NRC requalification requirements.⁷ TSAGGARIS could not recall the specific individuals to whom he was referring in the April, 1976 memorandum. TSAGGARIS did recall, however, that, as a result of this memorandum, several operator licenses were permitted to lapse.⁸

TSAGGARIS was not aware of any violations of federal regulations governing training while he was Supervisor of Training at TMI and emphasized that his memorandum was not addressing actual instances of noncompliance.⁹ A review of NRC Region I records disclosed that an inspection performed in August, 1976 of the General and Requalification Training Programs did not result in any items of noncompliance.¹⁰

4. Exhibit 5 at 3-4

5. Id. at 7

6. Id. at 9-10

7. Id. at 10

8. Exhibit 4 at 16; Exhibit 5 at 14

9. Exhibit 4 at 18; Exhibit 5 at 11

10. Exhibit 16

Joseph J. COLITZ was the Superintendent of Unit 1 at TMI at the time of the TSAGGARIS memorandum. COLITZ did not specifically recall the April 27, 1976 memorandum but did remember TSAGGARIS raising the issue of attendance at training by non-shift personnel in the requalification program. COLITZ stated that he had experienced difficulties in keeping up with the requalification program and that, after TSAGGARIS raised the issue, COLITZ decided to allow his license to lapse. COLITZ was not aware of any violations of federal regulations in the requalification program.¹¹

John G. HERBEIN was the Station Manager at TMI at the time of the TSAGGARIS memorandum. HERBEIN held a senior reactor operator's license from approximately March, 1973 until early 1977. HERBEIN had no recollection of the TSAGGARIS memorandum or of having discussed the subject matter with TSAGGARIS.¹² In preparation for the interview, James BURNS, HERBEIN's attorney, discovered in HERBEIN's files a memorandum which apparently prescribed corrective action for the deficiencies cited in the TSAGGARIS memorandum. This memorandum, signed by COLITZ and Gary MILLER, required, among other things, non-shift licensed individuals to schedule and stand a four hour watch in the control room once per month.¹³ HERBEIN was not aware of any willful violations of federal regulations in the training program during the time he was station manager.

Gary P. MILLER was the Superintendent of Unit 2 at TMI at the time of the TSAGGARIS memorandum. MILLER believed that HERBEIN told MILLER and COLITZ to get together with TSAGGARIS to resolve the problems raised in the memorandum. TSAGGARIS assisted MILLER and COLITZ in writing the June 10, 1976 memorandum¹⁴ which responded to the problems raised in the TSAGGARIS memorandum. MILLER held an operator's license for approximately six months

- 11. Exhibit 11
- 12. Exhibit 12
- 13. Exhibit 10
- 14. Exhibit 10

but gave it up at HERBEIN's direction because of the demands of his normal duties. During the time period of the TSAGGARIS memorandum, MILLER was not aware of any willful violations of federal regulations in the training program during the time he was unit superintendent.¹⁵

Richard ZECHMAN replaced TSAGGARIS as Supervisor of Training at TMI in November, 1977. ZECHMAN is currently the Technician Training Manager for TMI. ZECHMAN had no knowledge of the TSAGGARIS memorandum and stated that he was not aware of any actual noncompliances in the area of training and was not aware of any instances in which noncompliances were identified and management made a decision to conceal the noncompliances from the NRC.¹⁶ As a result of a records search, ZECHMAN provided the following names as the on-shift licensed personnel at TMI during 1976 and 1977:

Nelson BROWN, Joseph J. COLITZ, James FLOYD, John G. HERBEIN, George KUNDER, Gary MILLER, Dennis BOLTZ, William MARSHALL, James O'HANLON, and James SEELINGER. ZECHMAN also found in the training files a copy of the same memorandum,¹⁷ signed by COLITZ and MILLER, which was apparently prepared in response to the TSAGGARIS memorandum. ZECHMAN had no personal knowledge concerning the COLITZ and MILLER memorandum.

The investigation determined the TSAGGARIS memorandum did not come to light during the KEATEN Task Force investigation and, thus, did not influence the task force reports.¹⁸ Robert W. KEATEN was in charge of the task force and is currently the Director of Engineering Projects for GPU Nuclear Corporation. KEATEN did not specifically remember the TSAGGARIS memorandum but did recall discussing some of the topics addressed in the memorandum, e.g. poor lesson attendance, during the task force's investigation. KEATEN explained that the task force did not do a general investigation or audit of the training area

15. Exhibit 13

16. Exhibit 9

17. Exhibit 10

18. Exhibit 5 at 29; Exhibit 7 at 11-12; Exhibit 17 at 35-37
Exhibit 6 at 54-55; and Exhibit 14

but primarily limited its activity to interviewing the Training Department staff about their perception of the training area. The task force looked into the training area only in relation to its mission "to understand the factors that led the operators to take the ... incorrect actions on the morning of March the 28th."¹⁹

Alexis TSAGGARIS, who continued as a member of the KEATEN Task Force even after he left the GPU organization in January, 1980, was not a primary member of the task force's investigation in the training area. TSAGGARIS stated that his primary assignment on the task force was in the area of emergency planning and that he was not involved in the training aspects of the report because the task force felt that he may not have been able to be objective since he had had responsibilities for training at TMI.²⁰ TSAGGARIS did not bring the April, 1976 memorandum to the attention of the task force. KEATEN did not recall an intentional decision to exclude TSAGGARIS from the training area of the report but did agree that, except for task force meetings, TSAGGARIS was not active in the training aspects because most of his time was devoted to the emergency response area.²¹ KEATEN also explained that a July 26, 1979 memorandum²² prepared by himself which listed TSAGGARIS as being responsible for the training area was superseded and this responsibility was delegated to someone else.²³ KEATEN listed Dr. Robert LONG, Ronald WILLIAMS, and himself as the primary members of the task force in the training area.²⁴

Ronald L. WILLIAMS was a consulting specialist prior to leaving GPU in March, 1980. WILLIAMS was the author of four pages of handwritten notes²⁵ of a KEATEN Task Force interview on October 18, 1979 with three members of the TMI Training Department. Although he was not the author and does not know who wrote the training section of the KEATEN Task Force report, WILLIAMS thought that the problems raised in the October 18, 1979 interview were sufficiently addressed in the task force report.²⁶ KEATEN also thought that the problems

19. Exhibit 7 at 25

20. Exhibit 5 at 26-28

22. Exhibit 18

24. Id. at 4

26. Exhibit 14

21. Exhibit 7 at 4-5

23. Exhibit 7 at 6

25. Exhibit 15

identified in WILLIAM'S notes were generally included in the "Operator Training" and "Recommendations" section of the final task force report.²⁷

In a memorandum²⁸ to the TMI-1 Plant Superintendent, dated June 17, 1977, Theodore L. BOOKER, a former TMI-1 Reactor Operations Shift Foreman, discussed the inadequacy of reactor operator training and implied that the number of hours of training recorded in the operator training records was not correct. The contents of this memorandum were the subject of a previous OI investigation.²⁹ In a memorandum³⁰ to the TMI-1 Plant Superintendent, undated, Larry C. NOLL, then a Control Room Operator Shift Foreman, implied that other shifts at TMI-1 were falsifying training records. The contents of this memorandum were the subject of a previous OI investigation.³¹ None of the KEATEN Task Force members interviewed had any knowledge of the BOOKER or NOLL memoranda,³² and these memoranda had no impact on the Task Force Investigative findings in the area of training.

STATUS OF INVESTIGATION

This investigation has not produced any information to indicate that the TSAGGARIS memorandum was in reference to actual conditions of noncompliance with any requirements of the requalification program, nor was there any testimony to indicate that the licensee willfully concealed information concerning noncompliances from the NRC. Additionally, an NRC Region I inspection performed within several months of the TSAGGARIS memorandum did not identify any instances of noncompliance which should have been reported.

27. Exhibit 8

28. Exhibit 3

29. Report Number Q-1-83-014; closed May 31, 1983

30. Exhibit 2

31. Report No. Q-1-83-015; closed July 26, 1983

32. Exhibit 14; Exhibit 7 at 20-24; and Exhibit 5 at 15-16, 21.

There did not appear to be a direct correlation between the NOLL, BOOK and TSAGGARIS memoranda beyond the fact that each identified different aspects of problems within the training department at the time. These memoranda do not appear to have had any effect upon the KEATEN Task Force report. In light of the above, OI has terminated any further investigation into this matter.

Prepared by:

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L. J. Norton, Investigator
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Approved by:

L. J. Norton
for R. Keith Christopher, Director
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