



**UNITED STATES  
NUCLEAR REGULATORY COMMISSION  
REGION II**

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

October 19, 2016

EA-16-136

Mr. David R. Vineyard  
Vice President  
Southern Nuclear Operating Company, Inc.  
Edwin I. Hatch Nuclear Plant  
11028 Hatch Parkway North  
Baxley, GA 31513

**SUBJECT: EDWIN I. HATCH NUCLEAR PLANT – NOTICE OF VIOLATION: NRC  
INSPECTION REPORT 05000321/2016011**

Dear Mr. Vineyard:

This refers to an inspection completed on June 30, 2016, by the U.S. Nuclear Regulatory Commission (NRC) concerning activities at the Southern Nuclear Company's (SNC) Edwin I. Hatch Nuclear Plant Unit 1 (HNP). The purpose of the inspection was to review the circumstances involving the February 2016 identification of an axial linear flaw in a weld located on a non-isolable portion of the Unit 1 recirculation system feedwater piping. Specifically, the NRC focused on the apparent violation of 10 CFR 50.9, "Completeness and Accuracy of Information." Details regarding the apparent violation were provided in Inspection Report No. 05000321/2016010, dated August 11, 2016. This report is available in the NRC's Agencywide Documents Access and Management System (ADAMS) under Accession Number ML16224A795 and is accessible from the NRC website at <http://www.nrc.gov/reading-rm/adams.html>.

In the letter transmitting the inspection report, we provided you with the opportunity to address the apparent violation identified in the report by either attending a predecisional enforcement conference or by providing a written response before we made our final enforcement decision. In a letter dated September 8, 2016, you provided a response to the apparent violation. In your response, you acknowledged the violation and provided corrective actions that have been taken or planned to preclude recurrence.

Based on the information developed during the inspection and the information that you provided in your response to the inspection report dated August 11, 2016, the NRC has determined that a violation of NRC requirements occurred. The violation is cited in the enclosed Notice of Violation (Notice) and the circumstances surrounding it are described in detail in the subject inspection report. The violation of 10 CFR 50.9, "Completeness and Accuracy of Information," involved the failure to provide information to the NRC that was complete and accurate in all material respects. This occurred on October 17, 1995, and May 30, 2000. This issue was the result of mismanagement of information by HNP personnel which resulted in losing track of the type of configuration that had been implemented to deal with intergranular stress corrosion cracking in 1988. Upon discovery of the degraded condition during the Spring 2016 refueling

outage, HNP took corrective actions to repair this condition. HNP also determined the configuration was reportable and submitted Licensee Event Report (LER) 05000321/2016003, "Reactor Coolant System Piping Has Unacceptable Weld Indication Discovered During Refueling Outage." The issue was not considered a current safety concern because the structural integrity of the recirculation system feedwater piping was maintained throughout operation of the plant.

The failure to provide complete and accurate information is of significant safety concern to the NRC because the inaccurate information impacted the NRC's ability to perform its regulatory function. Specifically, the NRC used the inaccurate information provided in HNP's submittals to approve HNP's proposed alternative to American Society of Mechanical Engineers (ASME) Code (September 1997) and deferral of nondestructive examinations required by ASME Code (October 2000). If the information that was provided been complete and accurate, it would have caused the NRC to reconsider a regulatory position or undertake a substantial further inquiry. Therefore, this violation has been categorized in accordance with the NRC Enforcement Policy at Severity Level III.

Because your facility has not been the subject of escalated enforcement actions within the last 2 years, the NRC considered whether credit was warranted for Corrective Action in accordance with the civil penalty assessment process in Section 2.3.4 of the Enforcement Policy. As discussed in your written response dated September 8, 2016, HNP conducted several corrective actions, including but not limited to the following: a full-structural weld overlay (FSWOL) repair was performed in February/March 2016, and addressed any physical configuration issues identified with the recirculation piping feedwater weld; a root cause analysis and an extent of condition review; a review was performed to confirm adequacy of current correspondence process controls (to include such items as inservice inspection (ISI) related submittals); a plan to revise the HNP ISI Program Plan to require a living table that identifies all the ASME Class 1 welds for which weld overlays have been applied. Based on the above, the NRC concluded that credit was warranted for the factor of Corrective Actions.

Therefore, to encourage prompt and comprehensive correction of violations, and in recognition of the absence of previous escalated enforcement action, I have been authorized, after consultation with the Director, Office of Enforcement, not to propose a civil penalty in this case. However, significant violations in the future could result in a civil penalty.

The NRC has concluded that information regarding: (1) the reason for the violation; (2) the corrective actions that have been taken and the results achieved; and (3) the date when full compliance was achieved is already adequately addressed on the docket in Inspection Report No. 05000321/2016010 (ADAMS accession number ML16224A795), dated August 11, 2016. Therefore, you are not required to respond to this letter unless the description therein does not accurately reflect your corrective actions or your position. In that case, or if you choose to provide additional information, you should follow the instructions specified in the enclosed Notice.

In accordance with Title 10 of the *Code of Federal Regulations* 2.390, "Public Inspections, Exemptions, Requests for Withholding," of the NRC's "Rules of Practice," a copy of this letter and its enclosure will be made available electronically for public inspection in the NRC Public Document Room and in ADAMS accessible from the NRC Web site at <http://www.nrc.gov/reading-rm/adams.html>. The NRC also includes significant enforcement actions on its web site at ([http://www.nrc.gov/reading\\_rm/doc\\_collections/enforcement/actions/](http://www.nrc.gov/reading_rm/doc_collections/enforcement/actions/)).

Sincerely,

**/RA: Leonard D. Wert for/**

Catherine Haney  
Regional Administrator

Docket No.: 50-321  
License No.: DPR-57

Enclosure: Notice of Violation

cc: Distribution via ListServ

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(\*) – SEE PREVIOUS PAGE FOR CONCURRENCE

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ADAMS:  Yes      ACCESSION NUMBER: \_\_\_\_\_       SUNSI REVIEW COMPLETE       FORM 665 ATTACHED

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DATE	10/12/2016	10/13 /2016	10/13 /2016	10/ 13 /2016	10/ 13 /2016	10/18 /2016
E-MAIL COPY?	YES NO	YES NO	YES NO	YES NO	YES NO	YES NO
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DATE	10/19/2016	10/19/2016				
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Letter to Mr. David R. Vineyard from Ms. Catherine Haney dated October 19, 2016.

SUBJECT: EDWIN I. HATCH NUCLEAR PLANT – NOTICE OF VIOLATION: NRC  
INSPECTION REPORT 05000321/2016011

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## NOTICE OF VIOLATION

Southern Nuclear Operating Company, Inc.  
Edwin I. Hatch Nuclear Plant

Docket No. 50-321  
License No. DPR-57  
EA-16-136

During an NRC inspection conducted on February 22 – June 30, 2016, a violation of NRC requirements was identified. In accordance with the NRC Enforcement Policy, the violation is listed below:

Title 10 CFR 50.9, "Completeness and Accuracy of Information," states, in part, that information required by the Commission's regulations, orders, and license conditions shall be complete and accurate in all material respects.

Contrary to the above, on two occasions, Southern Nuclear Company (SNC) failed to provide information that was complete and accurate in all material respects. Specifically:

- On October 17, 1995, as part of the 3<sup>rd</sup> 10-Year Interval Inservice Inspection Program submittal, SNC requested relief from ASME Code requirements (as clarified in NUREG-0313 Rev. 2 and GL 88-01) on the basis that weld overlay 1B31-1RC-12BR-E-5 was of standard overlay design (FSWOL), when in fact, the overlay was a "design" overlay (leak barrier).
- On May 30, 2000, SNC submitted a letter, "Edwin I. Hatch Nuclear Plant – Unit 1, Reactor Coolant System (RCS) Weld Overlay Examinations." In this letter, SNC requested to defer the required UT exam for the 1B31-1RC-12BR-E-5 weld overlay, based in part that it was a full-structural weld overlay when in fact, the overlay was a leakage barrier overlay.

These submittals were material to the NRC because they were used by the NRC to approve the reliefs/proposed alternatives.

This is a Severity Level III violation (Enforcement Policy Section 6.9.c.1).

The NRC has concluded that information regarding the reason for the violation, the corrective actions taken and planned to correct the violation and prevent recurrence and the date when full compliance was achieved is already adequately addressed on the docket in Inspection Report No. 05000321/2016010 (ADAMS accession number ML16224A795), dated August 11, 2016. However, you are required to submit a written statement or explanation pursuant to 10 CFR 2.201 if the description therein does not accurately reflect your corrective actions or your position. In that case, or if you choose to respond, clearly mark your response as a "Reply to a Notice of Violation," include the EA number, and send it to the U.S. Nuclear Regulatory Commission, ATTN: Document Control Desk, Washington, DC 20555-0001 with a copy to the Regional Administrator, Region II, and a copy to the NRC Resident Inspector at the facility that is the subject of this Notice, within 30 days of the date of the letter transmitting this Notice of Violation (Notice).

Enclosure

If you choose to respond, your response 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>. Therefore, to the extent possible, the response should not include any personal privacy, proprietary, or safeguards information so that it can be made available to the Public without redaction.

In accordance with 10 CFR 19.11, you may be required to post this Notice within two working days of receipt.

Dated this 19<sup>th</sup> day of October, 2016.