

May 5, 2000

EA-00-110

Southern Nuclear Operating Company, Inc.
ATTN: Mr. H. L. Sumner, Jr.
Vice President
P. O. Box 1295
Birmingham, AL 35201-1295

SUBJECT: PREDECISIONAL ENFORCEMENT CONFERENCE - NRC INSPECTION
REPORT NOS. 50-321/00-07 AND 50-366/00-07

Dear Mr. Sumner:

This refers to the inspection conducted on March 13-17, 2000, at the Hatch facility. The purpose of the inspection was to review site activities with respect to compliance with the Hatch Physical Security Plan. The results of the inspection were communicated to you during NRC exit meetings conducted on March 17 and April 17, 2000, and formally transmitted to you by letter dated April 17, 2000. The inspection report identified two apparent violations of regulatory requirements. However, you were informed that the issues remained under NRC review and that you would be advised of the results of our review at a later date.

Based on our further review of the inspection results, the two apparent violations are being considered for escalated enforcement action in accordance with the "General Statement of Policy and Procedures for NRC Enforcement Actions" (Enforcement Policy), NUREG-1600, issued on November 9, 1999. As described in detail in the subject report, the two apparent violations involve the failure to comply with the requirements of the Hatch Physical Security Plan regarding the perimeter intrusion detection system and demonstration of adequate protective measures during a drill. Accordingly, no Notice of Violation is presently being issued for these inspection findings. In addition, please be advised that the number and characterization of apparent violations may change as a result of further NRC review.

A closed predecisional enforcement conference to discuss these apparent violations has been scheduled for May 26, 2000, from 10:00 a.m. to 12:00 noon. The decision to hold a predecisional enforcement conference does not mean that the NRC has determined that violations have occurred or that enforcement action will be taken. This conference is being held to obtain information to enable the NRC to make an enforcement decision, such as a common understanding of the facts, root causes, missed opportunities to identify the apparent violations sooner, corrective actions, significance of the issues, and the need for lasting and effective corrective action. In addition, this is an opportunity for you to point out any errors in our inspection report and for you to provide any information concerning your perspectives on: (1) the severity of the apparent violations; (2) the application of the factors that the NRC considers when it determines the amount of a civil penalty that may be assessed in accordance with Section VI.B.2 of the Enforcement Policy; and (3) any other application of the Enforcement Policy to this case, including the exercise of discretion in accordance with Section VII. An agenda for the conference is enclosed.

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You will be advised by separate correspondence of the results of our deliberations on this matter. No response regarding these apparent violations is required at this time.

If you have any questions regarding this letter, please contact Anne T. Boland, Acting, Chief, Plant Support Branch at 404-562-4653.

In accordance with 10 CFR 2.790 of the NRC's "Rules of Practice" a copy of this letter and its enclosure will be made publically available.

Sincerely,

\RA by Kenneth Barr acting for

Charles A. Casto, Director
Division of Reactor Safety

Docket Nos.: 50-321, 50-366
License Nos.: DPR-57, NPF-5

Enclosure: Conference Agenda

cc w/encl:
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SIGNATURE							
NAME	LHayes	ABoland	CEvans				
DATE	05/05/2000	05/05/2000	05/05/2000				
E-MAIL COPY?	YES NO	YES NO	YES NO	YES NO	YES NO	YES NO	YES NO

OFFICIAL RECORD COPY

DOCUMENT NAME: C:\hatchpec0007.wpd

PREDECISIONAL ENFORCEMENT CONFERENCE AGENDA

**HATCH NUCLEAR PLANT
MAY 26, 2000, AT 10:00 A.M.
NRC REGION II OFFICE, ATLANTA, GEORGIA**

- I. OPENING REMARKS AND INTRODUCTIONS
B. Mallett, Deputy Regional Administrator
- II. NRC ENFORCEMENT POLICY
C. Evans, Acting Enforcement Officer
Enforcement and Investigations Coordination Staff
- III. SUMMARY OF THE ISSUES
B. Mallett, Deputy Regional Administrator
- IV. STATEMENT OF CONCERNS / APPARENT VIOLATIONS
C. Casto, Director
Division of Reactor Safety
- V. LICENSEE PRESENTATION
- VI. BREAK / NRC CAUCUS
- VII. NRC FOLLOWUP QUESTIONS
- VIII. CLOSING REMARKS
B. Mallett, Deputy Regional Administrator