

J. D. Woodard
Executive Vice President

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December 20, 2002



Docket Nos. 50-424, 50-425
License Nos. NPF-68, NPF-81

U. S. Nuclear Regulatory Commission
ATTN: Document Control Desk
Washington, D. C. 20555

Subject: Supplemental Response to Notice of Violation Dated May 29, 1996 (EA 95-171)

Dear Ladies & Gentleman:

By letter of January 13, 1997, NRC requested a supplemental response to the subject Notice of Violation after completion of judicial review and issuance of a decision relating to the Department of Labor (DOL) Case No. 90-ERA-30, Marvin B. Hobby v. Georgia Power Company.

The enclosed letter from Georgia Power Company to Southern Nuclear Operating Company provides Georgia Power's supplemental response to the subject NRC Notice of Violation. As explained in the letter, Georgia Power appealed orders issued by the DOL's Secretary of Labor and Administrative Review Board to the U.S. Court of Appeals for the Eleventh Circuit. NRC Region II has been kept apprised of the appeal's status over the last several years. The Court of Appeals issued a decision on September 30, 2002, which affirmed the DOL orders.

At a predecisional enforcement conference held with the NRC on October 4, 1995, Georgia Power discussed its longstanding policies and practices designed to foster the raising of concerns without fear of penalty or retaliation and provided representative documentation. No violations of the Employee Protection regulation (10 CFR 50.7) have been cited by the NRC since the conference for either facility co-owned by Georgia Power. Moreover, subsequent to Georgia Power's early 1990 termination of the involved employee, the operating licenses for these facilities have been transferred to Southern Nuclear. The safety culture and safety conscious work environment at these facilities are such that employees feel free to raise concerns without fear of adverse discrimination.

Southern Nuclear concurs with Georgia Power that this matter is now concluded and no further actions are required.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "J. D. Woodard".

J. D. Woodard

JDW/JOM:djb

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Re: Supplemental Response to Notice of Violation

cc w/attachment: Mr. Luis Reyes, NRC Region II Regional Administrator
Ms. Carolyn Evans, U. S. Nuclear Regulatory Commission Counsel