



UNITED STATES
NUCLEAR REGULATORY COMMISSION

REGION II
SAM NUNN ATLANTA FEDERAL CENTER
61 FORSYTH STREET, SW, SUITE 23T85
ATLANTA, GEORGIA 30303-8931

February 23, 2005

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

SUBJECT: NRC OFFICE OF INVESTIGATIONS REPORT NO. 2-2004-038 (EDWIN I.
HATCH NUCLEAR PLANT)

Dear Mr. Sumner:

Enclosed for your information is the synopsis of a Nuclear Regulatory Commission (NRC) Office of Investigations (OI) completed report. The investigation was conducted to review the circumstances surrounding a willful failure to report an arrest by a licensed reactor operator.

As documented in OI Report No. 2-2004-038, OI did not substantiate that the licensed reactor operator deliberately withheld information relating to a 1995 arrest. The NRC staff has reviewed the OI synopsis and conclusions and agrees that the issue was not substantiated. However, based on our review of the OI synopsis, we will perform a followup inspection regarding the emergency support manager's failure to make proper notifications to Southern Nuclear Operating Company Corporate Security personnel and to the NRC. Should you have any questions concerning this letter, please contact me at (404)562-4550.

In accordance with 10 CFR 2.390 of the NRC's "Rules of Practice," a copy of this letter and its enclosure will be available electronically for public inspection in the NRC Public Document Room or from the Publicly Available Records (PARS) component of NRC's document system (ADAMS). ADAMS is accessible from the NRC Web site at <http://www.nrc.gov/reading-rm/adams.html> (the Public Electronic Reading Room).

Sincerely,

/RA by Curtis Rapp Acting For/

Malcolm T. Widmann, Chief
Reactor Projects Branch 2
Division of Reactor Projects

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

Enclosure: Investigative Synopsis, OI Report 2-2004-038

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SYNOPSIS

The investigation was initiated by the U.S. Nuclear Regulatory Commission Office of Investigations, Region II, on July 2, 2004, to determine if a reactor operator (RO) at the Georgia Power Company's (GPC) Hatch Nuclear Power Plant (Hatch), deliberately withheld information relating to a 1995 arrest and/or if the licensee had this information and failed to report it to the NRC.

Based on the evidence developed during this investigation, the allegation that a RO deliberately withheld information relating to a 1995 arrest was not substantiated. However, the investigation did substantiate that an emergency support manager (ESM) received the arrest information and failed to make proper notification to the licensee and NRC.

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FIELD OFFICE DIRECTOR, OFFICE OF INVESTIGATIONS, REGION II~~