



UNITED STATES
NUCLEAR REGULATORY COMMISSION
REGION II
101 MARIETTA STREET, N.W., SUITE 2900
ATLANTA, GEORGIA 30323-0199

JUN 30 1994

Docket Nos. 50-424, 50-425
License Nos. NPF-68, NPF-81
EA 94-087

Georgia Power Company
ATTN: Mr. C. K. McCoy
Vice President
Vogtle Electric Generating Plant
P. O. Box 1295
Birmingham, AL 35201

Gentlemen:

SUBJECT: NOTICE OF VIOLATION AND PROPOSED IMPOSITION OF CIVIL PENALTY -
\$25,000 (NRC INSPECTION REPORT NO. 50-424, 425/94-15)

This refers to the Nuclear Regulatory Commission (NRC) inspection conducted by Mr. R. D. Starkey on April 24 - May 12, 1994 at the Vogtle Electric Generating Plant (VEGP). The inspection included a review of the deenergization of the exhaust dampers for both trains of the Unit 1 piping penetration area filtration and exhaust system (PPAFES). This event was reported in Licensee Event Report 50-424/94-03 in accordance with 10 CFR 50.73(a)(2)(i) and 50.73(a)(2)(v). As a result of the NRC inspection, violations of NRC requirements were identified. The report documenting the NRC inspection was sent to you by letter dated May 18, 1994. An enforcement conference was conducted in the NRC Region II office on June 2, 1994, to discuss the violation, its cause, and your corrective actions to preclude recurrence. This enforcement conference was open for public observation in accordance with the Commission's trial program for conducting open enforcement conferences as discussed in the Federal Register, 57 FR 30762 July 10, 1992. A summary of this conference was sent to you by letter dated June 7, 1994.

The event involved the improper tagout of breakers which supply power to the VEGP Unit 1 train "A" and "B" exhaust dampers of the PPAFES from March 1, 1994 until identified by your staff on April 24, 1994. Technical Specification (TS) 3.7.7 requires two independent PPAFES's to be operable during operation in Modes 1, 2, 3, and 4. One safety function of the PPAFES is to maintain a negative pressure in the piping penetration rooms as described in FSAR Section 6.5.1.1.B. Deenergization of the PPAFES exhaust dampers resulted in the dampers failing in the closed position which disabled the capability of both trains of the PPAFES to maintain the piping penetration rooms at a negative pressure. This condition existed for approximately 54 days with Unit 1 operating in Mode 1 during this period. In addition, TS 3.0.3 requires unit shutdown when both trains of an engineered safety feature are inoperable.

NRC determined that the root cause of this condition was your failure to identify and correct deficiencies; therefore, the violation described in the enclosed Notice of Violation and Proposed Imposition of Civil Penalty (Notice) has been cited against 10 CFR 50, Appendix B, Criterion XVI, Corrective

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Action, which requires that you establish measures to identify and correct conditions adverse to quality.

The violation described in the Notice includes five examples where your staff failed to identify conditions adverse to quality which led to the extended degradation of both trains of the PPAFES. The examples included: (1) failure to identify inappropriate breaker isolations during review of an electrical clearance; (2) failure to identify inappropriate breaker isolations during an independent verification of the clearance; (3) failure to identify, during shift walkdowns, that control board indicators for the PPAFES exhaust dampers were deenergized; (4) failure to identify damper misposition due to an inadequate verification of the PPAFES exhaust damper position during surveillance tests of the PPAFES and failure to take action to resolve the exhaust damper indication discrepancy; and (5) failure of a Shift Supervisor to identify that the PPAFES dampers had been deenergized during a review of a completed work order. As a result of the numerous deficiencies associated with this event that related to the identification and correction of conditions adverse to quality, the violation has been categorized as a Severity Level III violation in accordance with the "General Statement of Policy and Procedure for NRC Enforcement Actions," (Enforcement Policy) 10 CFR Part 2, Appendix C.

The NRC is concerned that implementation of activities to detect conditions adverse to quality and to initiate corrective action for these deficiencies was not adequate in a number of instances. The examples identified in the violation indicate that your staff was not sensitive to the need to conduct thorough reviews of changes to plant configuration, were inattentive to control board indications, and did not promptly initiate corrective action for identified deficiencies. In addition, licensee management expectations regarding the monitoring of control board indications and resolution of problems were not met by your staff.

The NRC staff recognizes that you took immediate corrective actions, after identification of the problem on April 24, 1994, as discussed during the enforcement conference. These actions included promptly reenergizing the PPAFES exhaust dampers, correcting the appropriate drawings, clarifying surveillance procedures, counseling the individuals involved, and initiating a case study to review and correct the root causes and personnel errors involved.

To emphasize the importance of ensuring management oversight of activities affecting quality, particularly the need for prompt and effective corrective action, I have been authorized, after consultation with the Director, Office of Enforcement, to issue the enclosed Notice of Violation and Proposed Imposition of Civil Penalty (Notice) in the amount of \$25,000 for the Severity Level III violation. The base value of a civil penalty for a Severity Level III violation is \$50,000.

The civil penalty adjustment factors in Section VI.B.2 of the Enforcement Policy were considered for this case. In considering the factor of identification, we acknowledge that the problem was eventually identified by

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your staff on April 24, 1994, and you were proactive in identifying the root causes of the violation. However, we note that several opportunities to identify the adverse conditions were missed by your staff during the performance of surveillance and shift turnover activities. These missed opportunities notwithstanding, mitigation of 50 percent was applied for this factor because the problem ultimately was identified by your staff, you demonstrated initiative in identifying the root cause of the problem, and the missed opportunities to identify the problem earlier are accounted for as part of the bases for the underlying Severity Level III citation. Mitigation of 50 percent was applied for the factor of corrective action because you promptly took strong corrective action to correct the root causes of the violation. Based on your good enforcement history and the current SA: 2 rating in operations and the SALP 1 rating in maintenance and surveillance, mitigation of 50 percent for licensee performance was warranted.

As mentioned in the previous paragraph, during the period of time that the PPAFES was degraded, there were a number of times when your staff should have identified that the PPAFES exhaust dampers were deenergized. The NRC views the failure to identify these problems earlier and take corrective action at those times as evidence of a significant deficiency in your corrective action program. However, since these failures to identify problems have been incorporated as examples of the violation, the NRC has decided not to consider these issues under the factor of prior opportunity to identify. You also identified only one previous instance in 1988 where a PPAFES exhaust damper had been deenergized on one train for a period greater than the seven days allowed by TS 3.7.7. Therefore, escalation based on this factor was not warranted. However, the NRC did consider that the exhaust safety function of both trains of PPAFES were disabled, as a result of the deenergized closed exhaust dampers, for a period of approximately 54 days. Escalation of 100 percent was therefore applied for the factor of duration because of the regulatory significance of the failure to perform adequate control board walkdowns, the inadequate review of plant configuration and the failure to take corrective actions for conditions adverse to quality over this significant period of time. The NRC staff concludes that had you conducted these activities properly, you clearly should have identified the violation at an earlier date.

The other adjustment factor in the Enforcement Policy was considered and no further adjustment to the base civil penalty is appropriate. Therefore, based on the above, the base civil penalty has been decreased by 50 percent.

You are required to respond to this letter and should follow the instructions specified in the enclosed Notice when preparing your response. In your response, you should document the specific actions taken and any additional actions you plan to prevent recurrence. After reviewing your response to this Notice, including your proposed corrective actions and the results of future inspections, the NRC will determine whether further NRC enforcement action is necessary to ensure compliance with NRC regulatory requirements.

In accordance with 10 CFR 2.790 of the NRC's "Rules of Practice," a copy of this letter and its enclosure will be placed in the NRC Public Document Room

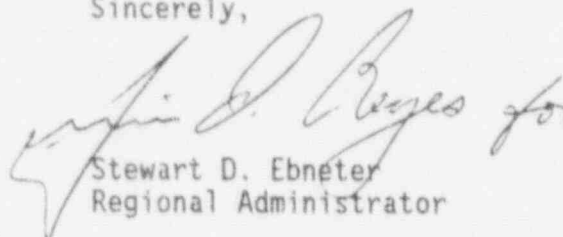
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Accordingly, your response should not to the extent possible, include personal privacy, proprietary, or safeguards information so that it can be released to the public and placed in the PDR without redaction. However, if you find it necessary to include such information, you should clearly indicate the specific information that you desire not to be placed in the PDR, and provide the legal basis to support your request for withholding the information from the public.

The responses directed by this letter and the enclosed Notice are not subject to the clearance procedures of the Office of Management and Budget as required by the Paperwork Reduction Act of 1980, Pub. L. No. 96-511.

Should you have any questions concerning this letter, please contact us.

Sincerely,



Stewart D. Ebnetter
Regional Administrator

Enclosure:
Notice of Violation and Proposed
Imposition of Civil Penalty

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