

NOTICE OF VIOLATION  
AND  
PROPOSED IMPOSITION OF CIVIL PENALTY

Georgia Power Company  
Vogtle Electric Generating Plant  
Unit 1

Docket No. 50-424  
License No. NPF 68  
EA 94-087

During an NRC inspection conducted on April 24 - May 12, 1994, a violation of NRC requirements was identified. In accordance with the "General Statement of Policy and Procedure for NRC Enforcement Actions," 10 CFR Part 2, Appendix C, the Nuclear Regulatory Commission proposes to impose a civil penalty pursuant to Section 234 of the Atomic Energy Act of 1954, as amended (Act), 42 U.S.C. 2282, and 10 CFR 2.205. The particular violation and associated civil penalty is set forth below:

10 CFR Part 50, Appendix B, Criterion XVI, "Corrective Action," requires, in part, that measures shall be established to assure that conditions adverse to quality, such as failures, malfunctions, deficiencies, deviations and nonconformances are promptly identified and corrected.

Contrary to the above, from March 1 to April 2, 1994, the licensee did not promptly identify and correct conditions adverse to quality. This resulted in deenergization of the Piping Penetration Area Filtration and Exhaust System (PPAFES) train "A" and "B" exhaust dampers, 1PV-2550B and 1PV-2551B, respectively, and the exhaust function of the PPAFES remaining in a disabled condition for an extended period of time during unit operation in Mode 1. The failure to promptly identify and correct conditions adverse to quality is evidenced by the following examples:

- a. During preparation of clearance 19400134, dated March 1, 1994, the operation work planner did not identify a condition adverse to quality in that he failed to identify that drawing 1X30-AA-F04A and load list 1X30-AA-M01C-1BYC1 for train "B" indicated that the breaker utilized by the clearance to isolate the Electrical Penetration System Filtration System, i.e., breaker 1BYC1-28, also supplied power to PPAFES exhaust damper 1PV-2551B.
- b. On March 1, 1994, the independent verification performed by the Support Shift Supervisor for clearance 19400134 failed to identify a condition adverse to quality in that he did not identify that breaker 1BYC1-28 supplied power to PPAFES exhaust damper 1PV-2551B.
- c. Between March 1, 1994 and April 24, 1994, during multiple tours of the control room panel containing the position indication for PPAFES exhaust dampers 1PV-2550B and 1PV-2551B, licensed operators failed to identify a condition adverse to quality in that the position indicators for both dampers were not illuminated, which indicated that the dampers were shut, a condition that rendered the dampers inoperable.

Notice of Violation and Proposed - 2 -  
Imposition of Civil Penalty

- d. During a surveillance test conducted on March 15, 1994 for train "A", in accordance with operations procedure 14515-1, Piping Penetration Area Filtration and Exhaust System Operability Test, licensed operators failed to identify a condition adverse to quality in that during checks required by procedure 14515-1 to verify the position of damper 1PV-2550B, they did not identify that the position of the damper 1PV-2550B was incorrect. Further, during a similar surveillance test conducted on March 28, 1994, for train "B", licensed operators identified that the position indicator for damper 1PV-2551B were not operable, they failed to take corrective action to address this condition adverse to quality.
- e. On April 20, 1994, during review of the completed work package for MWO 19401858, the Shift Supervisor failed to identify a condition adverse to quality in that he did not recognize that dampers 1PV-2550B and 1PV-2551B were deenergized and closed.

These failures to identify, correct, and document these conditions adverse to quality resulted in disabling the exhaust function of both trains of the PPAFES, which is required to be operable by Technical Specification 3.7.7, for approximately 54 days (01013).

This is a Severity Level III violation (Supplement I).  
Civil Penalty - \$25,000

Pursuant to the provisions of 10 CFR 2.201, Georgia Power Company, (Licensee) is hereby required to submit a written statement or explanation to the Director, Office of Enforcement, U.S. Nuclear Regulatory Commission, within 30 days of the date of this Notice of Violation and Proposed Imposition of Civil Penalty (Notice). This reply should be clearly marked as a "Reply to a Notice of Violation" and should include for each alleged violation: (1) admission or denial of the alleged violation, (2) the reasons for the violation if admitted, and if denied, the reasons why, (3) the corrective steps that have been taken and the results achieved, (4) the corrective steps that will be taken to avoid further violations, and (5) the date when full compliance will be achieved. If an adequate reply is not received within the time specified in this Notice, an Order or a Demand for Information may be issued as to why the license should not be modified, suspended, or revoked or why such other action as may be proper should not be taken. Consideration may be given to extending the response time for good cause shown. Under the authority of Section 182 of the Act, 42 U.S.C. 2232, this response shall be submitted under oath or affirmation.

Within the same time as provided for the response required above under 10 CFR 2.201, the Licensee may pay the civil penalty by letter addressed to the Director, Office of Enforcement, U.S. Nuclear Regulatory Commission, with a check, draft, money order, or electronic transfer payable to the Treasurer of the United States in the amount of the civil penalty proposed above, or the cumulative amount of the civil penalties if more than one civil penalty is

Notice of Violation and Proposed - 3 -  
Imposition of Civil Penalty

proposed, or may protest imposition of the civil penalty in whole or in part, by a written answer addressed to the Director, Office of Enforcement, U.S. Nuclear Regulatory Commission. Should the Licensee fail to answer within the time specified, an order imposing the civil penalty will be issued. Should the Licensee elect to file an answer in accordance with 10 CFR 2.205 protesting the civil penalty, in whole or in part, such answer should be clearly marked as an "Answer to a Notice of Violation" and may: (1) deny the violation listed in this Notice in whole or in part, (2) demonstrate extenuating circumstances, (3) show error in this Notice, or (4) show other reasons why the penalty should not be imposed. In addition to protesting the civil penalty in whole or in part, such answer may request remission or mitigation of the penalty.

In requesting mitigation of the proposed penalty, the factors addressed in Section VI.B.2 of 10 CFR Part 2, Appendix C, should be addressed. Any written answer in accordance with 10 CFR 2.205 should be set forth separately from the statement or explanation in reply pursuant to 10 CFR 2.201, but may incorporate parts of the 10 CFR 2.201 reply by specific reference (e.g., citing page and paragraph numbers) to avoid repetition. The attention of the Licensee is directed to the other provisions of 10 CFR 2.205, regarding the procedure for imposing a civil penalty.

Upon failure to pay any civil penalty due which subsequently has been determined in accordance with the applicable provisions of 10 CFR 2.205, this matter may be referred to the Attorney General, and the penalty, unless compromised, remitted, or mitigated, may be collected by civil action pursuant to Section 234 c of the Act, 42 U.S.C. 2282 c.

The response noted above (Reply to Notice of Violation, letter with payment of civil penalty, and Answer to a Notice of Violation) should be addressed to: Director, Office of Enforcement, U.S. Nuclear Regulatory Commission, ATTN: Document Control Desk, Washington, D.C. 20555 with a copy to the Regional Administrator, U.S. Nuclear Regulatory Commission, Region II, Atlanta, Georgia, and a copy to the NRC Resident Inspector at the Vogtle Electric Generating Plant.

Dated at Atlanta, Georgia  
this 30<sup>th</sup> day of June 1994