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DCS

C. K. McCoy
Vice President, Nuclear
Vogtle Project

February 28, 1991



ELV-02543
0846

Docket Nos. 50-424
50-425

Director, Office of Enforcement
U. S. Nuclear Regulatory Commission
Washington, D. C. 20555

Gentlemen:

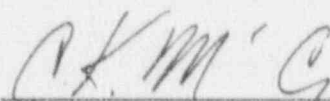
VOGTLE ELECTRIC GENERATING PLANT
REPLY TO NOTICE OF VIOLATION AND PROPOSED IMPOSITION
OF CIVIL PENALTY

Pursuant to 10 CFR 2.201, Georgia Power Company submits the enclosed reply to the results identified in Inspection Report Nos. 50-424/90-27 and 50-425/90-27 where safeguards information was found unsecured, unprotected or unattended. A transcription of the violation precedes GPC's response, and a check in the amount of \$50,000 is enclosed in response to the civil penalty.

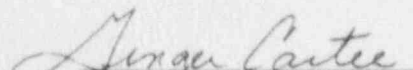
Mr. C. K. McCoy states that he is a Vice President of Georgia Power Company and is authorized to execute this oath on behalf of Georgia Power Company and that, to the best of his knowledge and belief, the facts set forth in this letter and enclosure are true.

GEORGIA POWER COMPANY

By:


C. K. McCoy

Sworn to and subscribed before me this 28 day of February, 1991.


Notary Public

CKM/AFS/gm

MY COMMISSION EXPIRES JANUARY 12, 1993

Enclosure: Violation 50-424/90-27 and 50-425/90-27, GPC Response and Check for Civil Penalty

xc: (see next page)

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Director, Office of Enforcement
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c(w): Georgia Power Company
Mr. C. K. McCoy
Mr. W. B. Shipman
Mr. R. M. Odum
Mr. P. D. Rushton
NORMS

U. S. Nuclear Regulatory Commission
Mr. S. D. Ebner, Regional Administrator
Mr. D. S. Hood, Licensing Project Manager, NRR
Mr. B. R. Bonser, Senior Resident Inspector, Vogtle
Document Control Desk

ENCLOSURE

VOGTLE ELECTRIC GENERATING PLANT - UNITS 1 & 2
REPLY TO A NOTICE OF VIOLATION AND PROPOSED IMPOSITION OF CIVIL PENALTY
NRC INSPECTION REPORT NOS. 50-424/90-27 AND 50-425/90-27
AND GPC RESPONSE

"During an NRC inspection conducted on October 16-17, 1990, 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 (1990), 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 are set forth below:

10 CFR 73.21(a) requires, in part, that Safeguards Information (SGI) be protected against unauthorized disclosure, and that licensees establish and maintain an information protection system that includes certain measures to protect SGI.

10 CFR 73.21(d)(2) requires, in part, that while unattended, SGI shall be stored in a locked security storage container.

Contrary to the above, the licensee failed to provide adequate protection for documents and materials containing Safeguards Information as evidenced by the following examples:

1. On August 29, 1990, an unlocked and unattended container used to store SGI was discovered by a Southern Company Services employee in the Vogtle Project Engineering Support Office document file room, located in Birmingham, Alabama.
2. On October 11, 1990, unsecured and unattended documents containing SGI relating to training tasks were found in the Security Training Office, Vogtle Electric Generating Plant.
3. On October 16, 1990, two elementary drawings of the Vogtle security power supply containing SGI were found unsecured and unattended in the Vogtle Project Engineering Office, Birmingham, Alabama.
4. On October 19, 1990, four documents containing Safeguards Information were found unsecured and unattended in the Security Training Office, Vogtle Electric Generating Plant.
5. On November 9, 1990, aperture cards containing SGI were discovered unmarked and unprotected as SGI in the offices of Document Control, Vogtle Electric Generating Plant.

This is a Severity Level III violation (Supplement III).

Civil Penalty - \$50,000."

ENCLOSURE (CONTINUED)

REPLY TO A NOTICE OF VIOLATION AND PROPOSED IMPOSITION OF CIVIL PENALTY
NRC INSPECTION REPORT NOS. 50-424/90-27 AND 50-425/90-27
AND GPC RESPONSE

Admission or Denial of the Violation

The violation occurred as stated except for clarifications to the cited examples listed below.

Example 3

On October 17, 1990, instead of the cited date of October 16, 1990, two elementary drawings of the Vogtle security power supply containing safeguards information were found unsecured and unattended in the Southern Company Services (SCS) Vogtle Project Engineering Office in Birmingham, Alabama.

Example 5

On November 9, 1990, aperture cards containing safeguards information were discovered unmarked and unprotected as safeguards information in the Engineering Satellite Office on the third floor of the Service Building, and not in the VEGP Document Control Office as stated in the cited violation.

It is noted that all five examples cited were licensee identified and reported in Licensee Event Reports 50-424/1990-07S, 08S, 10S for cited examples 1, 2, and 5, while examples 3 and 4 were recorded on the VEGP Safeguards Event Log for the Fourth Quarter 1990.

Reason for the Violation

The reason for the violations cited in examples 1, 2, and 4 was cognitive personnel error. The reason for the occurrences cited in examples 3 and 5 was programmatic/procedural inadequacies. The root cause of the continuing problems is attributed to personnel error and procedural inadequacies. Items which have contributed to the recurrence of this problem are listed below.

1. Lack of sensitivity and adequate procedural guidance for controlling safeguards information during construction and startup.
2. Differing degrees of interpretation of safeguards information categorization criteria.
3. No specific guidance given to determine which person/organization had the authority to categorize a document as safeguards.
4. A relatively high turnover of individuals making safeguards information categorization determinations leading to a lack of consistency in safeguards categorization.

ENCLOSURE (CONTINUED)

REPLY TO A NOTICE OF VIOLATION AND PROPOSED IMPOSITION OF CIVIL PENALTY
NRC INSPECTION REPORT NOS. 50-424/90-27 AND 50-425/90-27
AND GPC RESPONSE

Corrective Steps That Have Been Taken and the Result Achieved

1. Once safeguards information was found to be unsecured, unprotected or unattended, audits were immediately conducted and in all cases it was determined that no material was missing.
2. The individuals determined to be responsible for the safeguards left unsecured, unprotected and unattended have been counseled.
3. A letter from the Vice President Nuclear and A/E Project Managers describing the responsibilities for proper safeguards information control has been sent to employees at the site, and at corporate and A/E Offices. This letter also emphasized that individuals will be held personally accountable for any safeguards information control incidents.
4. The appropriate site, VEGP Corporate Office, SC&S, and Bechtel procedures have been revised to include adequate guidance on retrieval of previously issued copies of documents which are recategorized as safeguards information.
5. A safeguards information review task force was appointed on November 30, 1990, to serve as a review and advisory group to the Vice President, Nuclear, in the implementation of a safeguards program designed to establish a baseline for the VEGP safeguards information control program. This effort includes determination of whether documents are properly classified and properly stored. Two members of this task force are from the Hatch and Farley Projects to provide expertise from outside the Vogtle Project. The Farley member is also a participant on the NUMARC Security Working Group.
6. Guidelines for safeguards document categorization have been developed for use by those conducting the ongoing reviews described in GPC letter ELV-02507 dated February 11, 1991. An outside consultant was employed to assist GPC in developing these guidelines and conducting training for the members of the review team and classification team.
7. The number of containers containing safeguards information has been reduced and the number of individuals having access to this information has been reduced.

Corrective Steps Which Will Be Taken to Avoid Further Violations

1. A comprehensive review of documents has been implemented to ensure proper safeguards categorization. The overall focus of the review is to establish a baseline of safeguards material for VEGP. This review is scheduled to be completed by March 31, 1991.

ENCLOSURE (CONTINUED)

REPLY TO A NOTICE OF VIOLATION AND PROPOSED IMPOSITION OF CIVIL PENALTY
NRC INSPECTION REPORT NOS. 50-424/90-27 AND 50-425/90-27
AND GPC RESPONSE

2. Georgia Power Company is in the process of auditing vendors who supply safeguards information for security-related hardware to ensure this information is properly controlled at the vendors' offices. This effort is scheduled to be completed by March 31, 1991. To date the two major vendors which supply security-related hardware to VEGP have been audited. The audits determined that these vendors have acceptable safeguards information control programs. No audit findings were issued, but some program enhancements were suggested by the auditors.
3. An expanded review of documents in areas off project is in process. This review includes the site, SCS Offices in Birmingham, the Corporate Offices in Birmingham, and the Bechtel Offices in Gaithersburg to ensure no safeguards information exists in these uncontrolled storage locations. This effort is scheduled to be completed by March 31, 1991.

Date When Full Compliance Will Be Achieved

For the cited examples full compliance was achieved on November 9, 1990, with the discovery and proper disposition of the unsecured safeguards information aperture cards.