

OFFICIAL RECORD COPY

JUL 01 1994

Docket Nos. 50-327, 50-328  
License Nos. DPR-77, DPR-79  
EA 94-115

Tennessee Valley Authority  
ATTN: Mr. Oliver D. Kingsley, Jr.  
President, TVA Nuclear and  
Chief Nuclear Officer  
6A Lookout Place  
1101 Market Street  
Chattanooga, TN 37402-2801

Gentlemen:

SUBJECT: OFFICE OF INVESTIGATIONS REPORT NO. 2-93-024R

This refers to the investigation conducted by the NRC Office of Investigations during the period April 29, 1993 to March 31, 1994. The investigation included a review of activities authorized for your Sequoyah Nuclear facility. The Synopsis of this investigative report is enclosed (Enclosure 1).

Areas examined during the investigation consisted of selective examinations of procedures and representative records and interviews with personnel.

Based on the results of this investigation, one apparent violation was identified and is being considered for escalated enforcement action in accordance with the "General Statement of Policy and Procedure for NRC Enforcement Actions," 10 CFR Part 2, Appendix C. Accordingly no Notice of Violation is presently being issued for this investigative finding. Please be advised that the number and characterization of apparent violations may change as a result of further NRC review.

An enforcement conference to discuss the apparent violation has been scheduled for July 22, 1994, at 10:30 a.m. in the Region II Office as discussed between Mr. Ken A. Powers, Vice President for your Sequoyah Nuclear facility and Mr. William E. Cline of this office during a telephone conversation on June 23, 1994. A proposed enforcement conference agenda is enclosed (Enclosure 2). The decision to hold an enforcement conference does not mean that the NRC has determined that a violation has occurred or that enforcement action will be taken. The purposes of this conference is to discuss the apparent violation, its causes and safety significance; to provide you the opportunity to point out any errors in the investigative synopsis; to provide an opportunity for you to present your proposed corrective actions. You will be advised by separate correspondence of the results of our deliberations on this matter. No response regarding the apparent violation is required at this time.

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In addition, this is an opportunity for you to provide any information concerning your perspectives on 1) the severity of the violation, 2) the application of the factors that the NRC considers when it determines the amount of a civil penalty that may be assessed in accordance with Section B.2 of the Enforcement Policy, including the exercise of discretion in accordance with Section VII.

In accordance with 10 CFR 2.790(a), a copy of this letter and its enclosures will be placed in the NRC Public Document Room.

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

Sincerely,



J. Philip Stohr, Director  
Division of Radiation Safety  
and Safeguards

Enclosures:

1. OI Synopsis
2. Proposed Enforcement  
Conference Agenda

cc w/encls:

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\*SEE CONCURRENCE ON NEXT PAGE

RII:DRSS *	RII:DRSS *	RII:DRSS *	RII:DRP *	RII: DRSS *	RII:EICS *	RII:ORA *
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6/ /94	6/ /94	6/ /94	6/ /94	6/1/94	6/ /94	6/ /94

*all here*

bcc w/encls:

- E. W. Merschhoff, RII
- M. Lesser, RII
- S. E. Sparks, RII
- B. M. Bordenick, OGC
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*OK: FIVE FEDS approved Release of Hydrogen.*

RII:DRSS <i>WLF</i> W Loo 6/23/94	RII:DRSS <i>WR</i> W Rankin 6/30/94	RII:DRSS <i>WCL</i> W Cline 6/30/94	RII:DRP <i>M</i> M Lesser 6/30/94	RII: DRSS J Johnson 6/ /94	RII: EICS <i>[Signature]</i> B Dyc 6/30/94	RII:ORA C Evans 6/ /94
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ENCLOSURE 1

SYNOPSIS

On August 11, 1993, subsequent to preliminary evaluation by the Office of Investigations (OI), U. S. Nuclear Regulatory Commission (NRC), Region II, OI initiated an investigation into alleged inaccurate information having been submitted to NRC by the Site Vice President, Sequoyah Nuclear Plant (SQN), Tennessee Valley Authority (TVA), in a TVA response to a Notice of Violation (NOV), dated November 3, 1992. The investigation was also to determine whether, if inaccurate information had been so submitted, the submission was deliberate.

The OI investigation substantiated that inaccurate information was submitted to NRC in the NOV response, with respect to SQN's status of compliance with chemical traffic control requirements regarding the proper labeling and storage of chemicals. The investigation did not substantiate that the SQN Site Vice President deliberately submitted this inaccurate information.

ENCLOSURE 2

PROPOSED ENFORCEMENT CONFERENCE AGENDA

U. S. NUCLEAR REGULATORY COMMISSION  
AND  
TENNESSEE VALLEY AUTHORITY  
SEQUOYAH NUCLEAR POWER PLANT

JULY 22, 1994  
10:30 A.M.

- I. INTRODUCTION AND OPENING REMARKS  
S. D. Ebnetter, Regional Administrator
- II. DISCUSSION OF THE ENFORCEMENT POLICY  
B. Uryc, Director  
Enforcement and Investigation Coordination Staff
- III. OVERVIEW  
Mr. Ebnetter
- IV. APPARENT VIOLATION AND NRC CONCERNS  
J. P. Stohr, Director  
Division of Radiation Safety and Safeguards
- V. LICENSEE PRESENTATION  
K. A. Powers, Vice President  
Sequoyah Nuclear Power Plant

\* \* \* BREAK \* \* \*

- VI. NRC FOLLOWUP QUESTIONS  
Mr. Stohr
- VII. CLOSING  
Mr. Ebnetter