



CHAIRMAN

UNITED STATES
NUCLEAR REGULATORY COMMISSION
WASHINGTON, D. C. 20555

March 4, 1992

Mr. R. P. McDonald
Executive Vice President
Nuclear Operations
Georgia Power Company
Post Office Box 1295
Birmingham, Alabama 35201

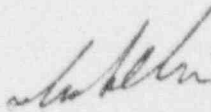
Dear Mr. McDonald:

The Commission has received your letter of February 3, 1992, concerning the proposed civil penalty against Georgia Power Company for the chemical additions made at the Vogtle Electric Generating Plant in 1988. We appreciate your bringing this matter to our attention and recognize that you have serious concerns that this action is an inappropriate application of the NRC's Enforcement Policy. However, it would be inappropriate for the Commission to interject itself into this issue at this time. You should be aware, moreover, that the Commission was consulted on and approved, issuance of the January 20, 1992 Notice of Violation (NOV) and the proposed civil penalty.

You may be assured that your response is being handled in accordance with the agency's procedures for such matters. Under these enforcement procedures, after reviewing your response to the NOV and proposed penalty, the NRC staff will determine whether a civil penalty is still warranted; if so, the staff will issue an order imposing the penalty. At that time, you will be entitled to ask for a hearing.

In this light, we have taken the liberty of forwarding to the staff, as a supplement to your January 30 response, a copy of your February 3 letter. Any questions you may have on this matter should be forwarded to Mr. James Lieberman, Director, Office of Enforcement.

Sincerely,


Ivan Selin

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