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DEC 9 1 1991

Docket No. 85-20551
License No. SOP-20461-1
EA 91-066

Mr. Jimmy P. Cash
HOME ADDRESS DELETED
UNDER 10 CFR 2.790

Dear Mr. Cash:

SUBJECT: NRC REVIEW OF DEMAND FOR INFORMATION RESPONSE

By letter dated June 3, 1991, the U.S. Nuclear Regulatory Commission's (NRC) Deputy Executive Director for Nuclear Reactor Regulation, Regional Operations and Research provided you with a Demand for Information. The basis for the Demand for Information was your involvement in an apparent willful violation of Vogtle Electric Generating Plant Technical Specification 3.4.1.4.2. The event in question occurred on October 12 and 13, 1988, and involved the opening of Reactor Makeup Water Storage Tank (RMWST) discharge valves 1-1208-U4-176 and 1-1208-U4-177 to facilitate a chemical cleaning evolution of the Reactor Coolant System when Technical Specifications required the valves to be closed and secured in position while the plant was in Mode 5. This event occurred while you were on duty as Operations Superintendent On Shift.

We received your August 29, 1991 response to the Demand for Information and a careful review and evaluation has been completed. In the Demand for Information of June 3, 1991, you were advised that various sources of information would be used in deciding what NRC actions, if any, would be appropriate regarding your continued involvement in 10 CFR Part 50 and 10 CFR Part 55 licensed activities.

We have carefully considered your detailed response which provided additional clarification of the issues, information received during enforcement conferences conducted on September 19, 1991, with representatives of Georgia Power Company, and other information developed during the course of NRC's review of this matter.

After deliberation and subsequent consultation with the Deputy Executive Director for Nuclear Reactor Regulation, Regional Operations and Research, and the Commission, it has been decided that no additional enforcement action will be taken regarding your NRC license. Although your actions did not meet NRC expectations, there is insufficient evidence to support a conclusion that your actions relative to the opening of the RMWST valves on October 12 and 13, 1988, involved a deliberate attempt on your part to disregard and intentionally circumvent plant Technical Specifications. Nevertheless, the TS was violated in that the words of the TS clearly prohibit uncontrolled boron dilutions in Mode 5, loops not filled, by prohibiting all dilutions through the specific flow path.

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Mr. Jimmy P. Cash

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As a Senior Reactor Operator serving as the Operations Superintendent On Shift, a position of critical importance and high responsibility, it was incumbent upon you to be totally aware of those activities under your direct responsibility. In your August 29, 1991 response you stated that you were not involved in the evolutions in question, but that others on your shift were; that the chemical addition was a pre-planned outage activity; that you and others on your shift had a less than adequate understanding of mid-loop operation; and that you were involved in several significant activities other than the Reactor Coolant System cleaning evolution. Your involvement in other activities is understandable but that involvement should not be used to minimize your overall responsibility for ensuring your awareness of activities involving mid-loop operations wherein the manipulation of RMWST valves conflicted with Technical Specifications.

You are reminded that you hold a license from the United States Nuclear Regulatory Commission which confers upon you a special trust and confidence that you will do your utmost to ensure the safe operation of the Vogtle Electric Generating Plant. Inherent in this is the presumption that your approach to operational decisions is made with extreme care and in full compliance with regulatory requirements.

You are not required to respond to this letter, which will be made a part of your NRC docket file.

In accordance with Section 2.790 of the NRC's "Rules of Practice," Part 2, Title 10, Code of Federal Regulations, a copy of this letter will be placed in the NRC's Public Document Room (PDR). Also being placed in the PDR now that our evaluation of these events is complete are the Demand for Information that was sent to you and your response to it.

Sincerely,

Original Signed by:
Stewart D. Ebner

Stewart D. Ebner
Regional Administrator

cc: Georgia Power Company
ATTN: W. G. Hairston, III
Sr. Vice President -
Nuclear Operations
Post Office Box 1295
Birmingham, Alabama 35201

bcc: Public Document Room

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