

August 18, 1995

OFFICIAL RECORD COPY

Georgia Power Company
ATTN: Mr. J. T. Beckham, Jr.
Vice President, Plant Hatch
Nuclear Operations
P. O. Box 1295
Birmingham, AL 35201

SUBJECT: NRC INSPECTION REPORT NOS. 50-321/95-09 AND 50-366/95-09

Dear Mr. Beckham:

Thank you for your response of June 12, 1995, and revised response of July 18, 1995, to our Notice of Violation, issued on May 19, 1995, concerning activities conducted at your Hatch facility. We have evaluated your responses and found that together they meet the requirements of 10 CFR 2.201.

Your revised response contained new information (not available during the inspection) regarding the performance of an off-hour drill in May 1989. Our review of your documentation concluded that this 1989 drill appeared to have tested the elements of emergency response to an extent necessary to be considered equivalent to an "exercise," as implicitly defined in your Emergency Plan and implementing procedures. We have therefore decided to withdraw the Notice of Violation dated May 19, 1995, and will modify our records to reflect that no violation of regulatory requirements occurred with respect to the item designated as 95-09-02 in the subject report.

With respect to your request to perform your next off-hour exercise during 1996 (instead of 1995, as specified by the six-year requirement), we have concluded that this approach is acceptable. Our conclusion was based upon the fact that your 1995 exercise (scheduled for August 23) will involve full offsite participation and FEMA evaluation. Rescheduling of the exercise at this late date would constitute an unwarranted impact upon your facility as well as the participating State and local governments.

We appreciate your cooperation in this matter.

Sincerely,

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Kenneth P. Barr, Acting Chief
Radiological Protection and
Emergency Preparedness Branch
Division of Radiation Safety
and Safeguards

Docket Nos. 50-321, 50-366
License Nos. DPR-57, NPF-5

cc: (See page 2)

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NRC Resident Inspector
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