



UNITED STATES
NUCLEAR REGULATORY COMMISSION

WASHINGTON, D.C. 20555-0001

August 29, 1995

Docket Nos. 50-424-OLA-3
50-425-OLA-3

Board Notification 95- 12

MEMORANDUM TO: Atomic Safety and Licensing Board
and All Parties

FROM: Herbert N. Berkow, Director
Project Directorate II-2
Division of Reactor Projects - I/II
Office of Nuclear Reactor Regulation

SUBJECT: SUPPLEMENTAL INFORMATION POTENTIALLY RELEVANT AND MATERIAL
TO BOARD PROCEEDING IN THE MATTER OF VOGTLE ELECTRIC
GENERATING PLANT, UNITS 1 AND 2

In conformance with the Commission's policy on notification of the Licensing Board of new, relevant, and material information, this memorandum calls attention to the information discussed below.

The Board has pending before it a contention challenging the application of Georgia Power Company (GPC) to authorize Southern Nuclear Operating Company, Inc. (Southern Nuclear), a subsidiary of The Southern Company, to operate the Vogtle Electric Generating Plant, Units 1 and 2. One of the issues involves an allegation that GPC made false statements to the NRC about diesel generator testing conducted after the March 20, 1990, Site Area Emergency.

The various bases for the allegation of false statements include, in part, a concern regarding the performance of California Controls Company (Calcon) sensors used to protect the diesel generators. In a letter dated October 19, 1990 (Enclosure 1), the NRC discussed, among other things, an outstanding issue associated with GPC's consideration of available Calcon sensor failure data during the root cause analysis of the failure of the EDGs. The October 19, 1990, letter informed GPC that this matter would be addressed further in separate correspondence.

Enclosure 2 is a letter that the NRC issued on August 14, 1995, to GPC wherein the NRC concluded that no further actions are necessary and that this open item is now considered closed.

This information is being brought to the attention of the Licensing Board, and all parties, as it may be relevant and material to issues pending before the Licensing Board.

Enclosures:

1. NRC letter to GPC dated October 19, 1990
2. NRC letter to GPC dated August 14, 1995

cc w/encls: See next page

Contact: Darl Hood, NRR
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BOARD NOTIFICATION NO. 95-12

GEORGIA POWER COMPANY, *et al.*
(Vogtle Electric Generating Plant, Units 1 and 2)
Docket Nos. 50-424-OLA-3, 50-425-OLA-3

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Vogtle Electric Generating Plant

cc:

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OCT 19 1990

Docket Nos. 50-424 and 50-425
 License Nos. NPF-68 and NPF-81
 EA 90-129

Georgia Power Company
 ATTN: Mr. W. G. Hairston, III
 Senior Vice President -
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Gentlemen:

SUBJECT: NOTICE OF VIOLATION AND PROPOSED IMPOSITION OF CIVIL PENALTY (\$40,000)
 (NUREG-1410, NRC INSPECTION REPORT NOS. 50-424/90-16 AND 50-425/90-16)

This refers to the Nuclear Regulatory Commission (NRC) Incident Investigation Team (IIT) review of the loss of vital AC power and Residual Heat Removal System during mid-loop operations event of March 20, 1990, conducted between March 23 and June 8, 1990, as well as the inspection conducted by E. D. Testa on July 9-13, 1990, at the Vogtle Electric Generating Plant (VEGP), Burke County, Georgia. The initial NRC response to the event resulted in the immediate dispatch of a Region II Augmented Inspection Team (AIT) on March 20, 1990. The AIT was subsequently changed to the IIT which was directed to ascertain the facts and circumstances of the event, identify the probable cause as to why the event happened, and make appropriate findings and conclusions which would form the basis for any necessary follow-up actions. The IIT was chartered on March 23, 1990, by the Executive Director for Operations with provisions, under a Memorandum of Agreement with the Institute of Nuclear Power Operations, for industry participation. As a result of the IIT review of the event and subsequent Region II inspections to follow up on IIT findings, a significant failure to comply with NRC regulatory requirements was identified. An Enforcement Conference was held on September 5, 1990, in the Region II office to discuss the violations, their cause, and your corrective action to preclude their recurrence. The letter summarizing this conference was sent to you by letter dated October 1, 1990.

On March 20, 1990, VEGP Unit 1, while in cold shutdown with reactor coolant level lowered to mid-loop for various maintenance tasks, experienced a loss of all vital safety AC power when a truck in the low voltage switchyard backed into the support column for an offsite power feed to the reserve auxiliary transformer which was supplying power to the safety buses. The insulator broke, a phase-to-ground fault occurred, and the feeder circuit breakers for the safety buses opened. One emergency diesel generator and one reserve auxiliary transformer were out of service for maintenance, with the remaining reserve auxiliary transformer supplying both Unit 1 safety buses. The operable emergency diesel generator started automatically because of the undervoltage condition on the safety bus, but tripped off after approximately one minute. About 20 minutes later, the diesel generator was restarted, but it tripped a second time after operating about one minute. Fifteen minutes after the second trip (36 minutes after the loss of power), the diesel generator was restarted in

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OCT 19 1990

the manual emergency mode. The generator remained on line and provided power to its safety bus. During the 36 minutes without safety bus power, the reactor coolant system temperature rose from about 90 degrees F to 136 degrees F. Both the containment building personnel hatch and equipment hatch were open to support ongoing maintenance activities.

The violation described in Part I of the enclosed Notice of Violation and Proposed Imposition of Civil Penalty (Notice) involved the failure to make initial emergency notifications to Burke County Emergency Operations Center and the Georgia Emergency Management Agency Operations Center Communicators within the required time of 15 minutes following the declaration of a Site Area Emergency at 9:40 a.m., March 20, 1990. Actual emergency notifications to these agencies were not made until approximately 10:40 a.m., a period of about one hour following the declaration of the Site Area Emergency. This failure to make the required timely notifications resulted from the failure of the Emergency Notification Network (ENN) in the Control Room, due to the loss of vital AC power, and the design of the backup ENN, which could not reach the Georgia emergency agencies. In addition, the licensee did not use the ENN located only fifty feet away in the Technical Support Center. This failure was compounded by training and procedural deficiencies that contributed to the delay of the notification process. Although the NRC notification was made within the prescribed time and notifications to the South Carolina elements were begun about seventeen minutes after declaration of the emergency, we are particularly concerned with this failure because Burke County authorities and the Georgia Emergency Management Agency (GEMA) are vital and critical response participants for any emergency at the Vogtle Electric Generating Plant that has the potential to affect the health and safety of the public. Moreover, Georgia and Burke County are the locations of most of the emergency planning zone residents. In view of the factors discussed above and in NUREG-1410, and since the event was classified as a Site Area Emergency, this violation has been categorized at Severity Level II.

To emphasize the importance of making timely notifications to local emergency response organizations, I have been authorized, after consultation with the Director, Office of Enforcement, and the Deputy Executive Director for Nuclear Reactor Regulation, Regional Operations and Research, to issue the enclosed Notice of Violation and Proposed Imposition of Civil Penalty in the amount of \$40,000 for the Severity Level II violation. The base value of a civil penalty for a Severity Level II violation is \$80,000.

The escalation and mitigation factors in the Enforcement Policy were considered and the base civil penalty has been mitigated by 50 percent due to your prompt and extensive corrective actions to prevent recurrence. These actions included a significant modification to the primary ENN to include an uninterruptible power supply, modification of the backup ENN to enable contact with all outside agencies, installation of simultaneous facsimile transmission capability, enhanced training for emergency personnel to include closer control of initial emergency notifications by the Site Emergency Director immediately after classification of an event, and procedural re-prioritization of emergency notifications with Georgia agencies being given increased priority. In view of the nature of this violation, mitigation for identification and reporting is not warranted, although the report to the NRC was promptly made. Mitigation was also not warranted for past

OCT 19 1990

performance because the licensee, in its most recent SALP evaluation, was rated at SALP Level 2 for emergency preparedness which declined from the previous rating of SALP 1. No further mitigation or escalation was warranted.

The violation described in Part II of the enclosed Notice involved the failure to develop appropriate procedures for the timely closing of the Unit 1 containment equipment hatch on March 20, 1990. VEGP procedures require that the containment equipment hatch be capable of being closed within 57 minutes or that the hatch be closed prior to reducing the reactor coolant system level below three feet below the reactor vessel flange. When the decision was made to initiate closure of the hatch during the March 20, 1990 event, it took 74 minutes to secure the hatch from the time the initial hatch closure decision was made. This violation has been categorized at Severity Level IV.

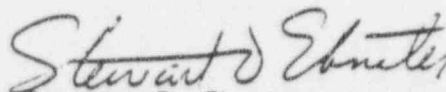
A third issue discussed at the Enforcement Conference involved our concerns with your root cause analyses of diesel generator problems. This matter will be addressed separately.

You are required to respond to this letter and should follow the instructions specified in the enclosed Notice when preparing your response. In your response, you should document the specific actions taken and any additional actions you plan to prevent recurrence. After reviewing your response to this Notice, including your proposed corrective actions and the results of future inspections, the NRC will determine whether further NRC enforcement action is necessary to ensure compliance with NRC regulatory requirements.

In accordance with 10 CFR 2.790 of the NRC's "Rules of Practice," a copy of this letter and its enclosure will be placed in the NRC Public Document Room.

The response directed by this letter and the enclosed Notice is not subject to the clearance procedures of the Office of Management and Budget as required by the Paperwork Reduction Act of 1980, Pub. L. No. 96-511.

Sincerely,


Stewart D. Ebnetter
Regional Administrator

Enclosure:
Notice of Violation and Proposed
Imposition of Civil Penalty

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cc w/encl cont'd: (see page 4)

OCT 19 1990

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