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Staff Exh. II-51



UNITED STATES
NUCLEAR REGULATORY COMMISSION
WASHINGTON D C 20555-0001

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February 13, 1995 '95 OCT 20 P5:04

EA 93-304

OFFICE OF SECRETARY
DOCKETING & SERVICE
BRANCH

Georgia Power Company
ATTN: Mr. C. K. McCoy
Vice President, Nuclear
Vogtle Project
40 Inverness Center Parkway
Post Office Box 1295
Birmingham, Alabama 35201

SUBJECT: MODIFIED NOTICE OF VIOLATION AND PROPOSED IMPOSITION OF CIVIL
PENALTIES - \$200,000 (Vogtle Generating Electric Plant)

Dear Mr. McCoy:

This refers to your letter dated July 31, 1994 in response to the Notice of Violation and Proposed Imposition of Civil Penalties (Notice) sent to you by our letter dated May 9, 1994, and your supplemental response to the Notice dated February 1, 1995. The Notice described violations identified as a result of an investigation conducted by the Nuclear Regulatory Commission's (NRC's) Office of Investigations (OI) at Georgia Power Company's (GPC or Licensee) Vogtle Electric Generating Plant (VEGP) that was completed on December 17, 1993. The investigation was initiated as a result of information received by Region II in June 1990 alleging, in part, that material false statements were made to the NRC by senior officials of GPC regarding the reliability of the Diesel Generators (DGs).

The Notice was based on five instances where the NRC believed that GPC failed to provide information to the NRC that was complete and accurate in all material respects. The violations collectively represented a very significant regulatory concern, and as such, were categorized in accordance with the Enforcement Policy as a Severity Level II problem and a civil penalty in the amount of \$200,000 was proposed. Three Demands for Information (DFIs) were also issued to GPC regarding the performance failures of six individuals involved in the circumstances of the violations.

In your supplemental response to the Notice, you admitted Violations A, C, D, and E and requested that the staff withdraw Violation B. You also withdrew an earlier request that the NRC reconsider the assessment of the materiality of the submittals involved with certain of the violations. In admitting Violation D, you also requested that the staff recognize your strongly held belief that, beginning with the April 9 presentation and the development of the April 19 Licensee Event Report (LER) and continuing through August, 1990, recordkeeping practices were a contributing factor of increasing significance in GPC's inability to provide accurate and complete data to the NRC.

NUCLEAR REGULATORY COMMISSION

Docket No. 50-424/425-OLA-3 EXHIBIT NO. II-51
In the matter of Georgia Power Co. et al., Vogtle Units 1 & 2
 Staff Applicant Intervenor Other
 Identified Received Rejected Reporter SD
Date 9/22/95 Witness HOOD/MATHEWS/SKINNER

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PDR ADOCK 05000424
G PDR

The NRC has reviewed your responses and found them to be detailed and helpful in providing additional information for consideration in this matter, and, to the extent of the staff's knowledge, accurate. After consideration of your responses and the statements of fact, explanations, and arguments for mitigation contained therein, the NRC concludes that Violations A, C, D, and E occurred as stated in the Notice, and that, as set forth in the enclosed Appendix, Violation B should be withdrawn. Although the staff continues to believe that Violation D occurred, it does recognize that recordkeeping practices may have contributed to the violations as events unfolded. The NRC also concludes that a Severity Level II designation continues to be appropriate for the problem represented by the remaining violations and that a \$200,000 civil penalty remains appropriate. Accordingly, I have decided to issue the enclosed Modified Notice of Violation and Proposed Imposition of Civil Penalties in the amount of \$200,000.

Because you have previously responded to the original Notice under the provisions of 10 CFR 2.201, you are not required to submit a written response to the modified Notice. As provided in the instructions of the enclosed Notice, you may pay the civil penalty within 30 days of the date of this Notice, by letter addressed to James Lieberman, Director, Office of Enforcement; U.S. Nuclear Regulatory Commission; One White Flint North, 11555 Rockville Pike; Rockville, MD 20852-2738, with a check, draft, money order, or electronic transfer, payable to the Treasurer of the United States in the amount of \$200,000.

The NRC has reviewed your corrective actions and has concluded that the actions taken and committed to in your initial and supplemental responses are sufficient to provide assurance that events such as those that formed the basis for the Notice should not recur. We will review the effectiveness of your corrective actions during subsequent inspections.

This letter also addresses the responses to the three DFIs that were issued on May 9, 1994. The three DFIs discussed the performance failures of six individuals involved in the circumstances of the violations and were issued to enable the NRC to determine whether additional enforcement actions were necessary. By separate correspondence, the individuals who were the subject of the DFIs were given the opportunity to submit separate responses to the DFIs.

The NRC has reviewed your responses to the DFIs and the additional comments in your supplemental response to the Notice as well as the six individuals' responses to the DFIs and Mr. George Bockhold, Jr.'s February 1, 1995 supplemental response to the DFI regarding his performance failures. After evaluating the responses, the NRC maintains that four of the five originally cited violations and the associated performance failures occurred as stated in the Notice and DFIs.

Your supplemental response to the Notice and Mr. Bockhold's supplemental response to the DFI acknowledge Mr. Bockhold's role and responsibility in the events underlying the enforcement action. In an effort to provide the NRC additional assurance that Mr. Bockhold will provide the NRC complete and

accurate information in the future, Mr. Bockhold has requested, and his current employer, Southern Nuclear Operating Company, has agreed, to implement a personal training opportunity which focuses upon, and develops, his abilities to perform any future line management role in licensed activities commensurate with the standard of care reflected in the enforcement action. To impress on all concerned the seriousness of his performance failures, Southern Nuclear and GPC have committed to maintain Mr. Bockhold in his present position in the Southern Company system, and to prohibit him from holding a line management position in GPC plants and plants operated by Southern Nuclear until the satisfactory completion of that training. You also committed to provide the NRC with 60 days notice prior to his assumption of such a position.

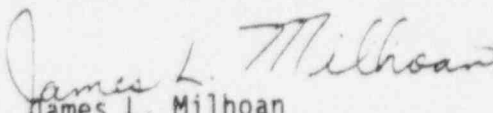
Although GPC has identified a variety of corrective actions in an effort to ensure the accuracy and completeness of information provided to the NRC in the future, except for Mr. Bockhold, the DFI responses did not identify individualized corrective actions taken or planned by GPC to address the specific performance failures of the remaining individual. The NRC has given careful consideration as to whether additional actions should be taken with regard to these individuals, as well as Mr. Bockhold, to ensure future compliance. The NRC has considered the effect that GPC's general corrective actions have had on these individuals as well as the effect that the DFIs have had on these employees. These six GPC employees have been publicly identified by NRC as having performed poorly and have had to commit time and energy to this matter including providing responses to the NRC. This matter has received wide public exposure and has also received wide exposure within the GPC organization. The NRC also notes your acknowledgement that all individuals associated with this enforcement action have learned a great deal about the attention to detail required when making communications to the NRC. In addition, the NRC recognizes that the performance failures of four of the individuals were limited to the submittal of a single letter and in the case of one of the other individuals, his performance failures were limited to two submittals. In the case of the sixth individual, namely, Mr. Bockhold, he has acknowledged his role and responsibilities with respect to four of the submittals and has committed to the actions noted above.

Based on these considerations, the NRC believes that these individuals will likely conform their conduct to avoid being the subject of similar NRC enforcement action. Therefore, no further action (other than that described above regarding Mr. Bockhold) will be taken regarding these individuals. By separate correspondence, the NRC is issuing letters to the six individuals stating that the NRC reaffirms its assessment of inadequate individual performance displayed during these events, and stressing the importance of individual accountability in providing complete and accurate information to the NRC. The NRC will provide the individuals with a copy of the Modified Notice of Violation and Proposed Imposition of Civil Penalties to emphasize the seriousness with which the NRC views the violations and associated performance failures on the part of these individuals. In addition, the NRC will also confirm its understanding of Mr. Bockhold's commitments in our correspondence to him.

Subject to GPC's and Mr. Bockhold's commitments, the NRC staff concludes that the involved individuals' actions do not warrant any additional enforcement sanctions, including letters of reprimand. Upon payment of the proposed civil penalty, we will consider this enforcement action fully resolved. Also subject to GPC's and Mr. Bockhold's commitments, the NRC staff has no present concerns with the character and integrity of the individuals or the GPC arising out of the events that were the subject of the Notice and DFIs.

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

Sincerely,


James L. Milhoan

Deputy Executive Director
for Nuclear Reactor Regulation,
Regional Operations and Research

Docket No. 50-424
License No. NPF-68
EA 93-304

Enclosures:

1. Modified Notice of Violation and Proposed Imposition of Civil Penalties - \$200,000
2. Appendix

MODIFIED NOTICE OF VIOLATION
AND
PROPOSED IMPOSITION OF CIVIL PENALTIES

Georgia Power Company
Vogtle Electric Generating Plant

Docket No. 50-424
License No. NPF-68
EA 93-304

During an NRC inspection conducted from August 6, 1990 to August 17, 1990 and an NRC investigation completed on December 17, 1993, violations of NRC requirements were identified. In accordance with the "General Statement of Policy and Procedure for NRC Enforcement Actions," 10 CFR Part 2, Appendix C, the Nuclear Regulatory Commission proposes to impose civil penalties pursuant to Section 234 of the Atomic Energy Act of 1954, as amended (Act), 42 U.S.C. 2282, and 10 CFR 2.205. The particular violations and associated civil penalties are set forth below:

10 CFR 50.9(a) requires that information provided to the NRC by a licensee shall be complete and accurate in all material respects.

- A. Contrary to the above, information provided to the NRC Region II Office by Georgia Power Company (GPC) in an April 9, 1990 letter and in an April 9, 1990 oral presentation to the NRC was inaccurate in a material respect. Specifically, the letter states that: "Since March 20, the 1A DG has been started 18 times, and the 1B DG has been started 19 times. No failures or problems have occurred during any of these starts."

These statements are inaccurate in that they represent that 19 consecutive successful starts without problems or failures had occurred on the 1B Diesel Generator (DG) for the Vogtle facility as of April 9, 1990, when, in fact, of the 19 starts referred to in the letter associated with the 1B DG at the Vogtle facility, three of those starts had problems. Specifically, Start 132 tripped on high temperature lube oil, Start 134 tripped on low pressure jacket water and Start 136 had a high temperature jacket water trip alarm. As of April 9, 1990, the 1B DG had only 12 consecutive successful starts without problems or failures rather than the 19 represented by GPC. The same inaccuracy was presented to the NRC at its Region II Office during an oral presentation by GPC on April 9, 1990.

The inaccuracy was material. In considering a restart decision, the NRC was especially interested in the reliability of the DGs and specifically asked that GPC address the matter in its presentation on restart. The NRC relied, in part, upon this information presented by GPC on April 9, 1990 in the oral presentation and in the GPC letter in reaching the NRC decision to allow Vogtle Unit 1 to return to power operation.

- B. Contrary to the above, information provided to the NRC by GPC in a Licensee Event Report (LER), dated April 19, 1990, was inaccurate in a material respect. Specifically, the LER states: "Numerous sensor calibrations (including jacket water temperatures), special pneumatic

leak testing, and multiple engine starts and runs were performed under various conditions. After the 3-20-90 event, the control systems of both engines have been subjected to a comprehensive test program. Subsequent to this test program, DG1A and DG1B have been started at least 18 times each and no failures or problems have occurred during any of these starts."

These statements are inaccurate in that they represent that at least 18 consecutive successful starts without problems or failures had occurred on the DGs for Vogtle Unit 1 (1A DG and 1B DG) following the completion of the comprehensive test program of the control systems for these DGs, when, in fact, following completion of the comprehensive test program of the control systems, there were no more than 10 and 12 consecutive successful starts without problems or failures for 1A DG and 1B DG respectively.

The inaccuracy was material in that knowledge by the NRC of a lesser number of consecutive successful starts on 1A DG and 1B DG without problems or failures could have had a natural tendency or capability to cause the NRC to inquire further as to the reliability of the DGs.

- C. Contrary to the above, information provided to the NRC by GPC in an LER cover letter dated June 29, 1990 was inaccurate and incomplete in material respects as evidenced by the following three examples:

The letter states that: "In accordance with 10 CFR 50.73, Georgia Power Company (GPC) hereby submits the enclosed revised report related to an event which occurred on March 20, 1990. This revision is necessary to clarify the information related to the number of successful diesel generator starts as discussed in the GPC letter dated April 9, 1990...."

1. The LER cover letter is incomplete because the submittal did not provide information regarding clarification of the April 9, 1990 letter.

The incompleteness was material in that the NRC subsequently requested GPC to make a submittal clarifying the April 9, 1990 letter.

The letter states that: "If the criteria for the completion of the test program is understood to be the first successful test in accordance with Vogtle Electric Generating Plant (VEGP) procedure 14980-1 "Diesel Generator Operability Test," then there were 10 successful starts of Diesel Generator 1A and 12 successful starts of Diesel Generator 1B between the completion of the test program and the end of April 19, 1990, the date the LER-424/1990-06 was submitted to the NRC. The number of successful starts included in the original LER (at least 18) included some of the starts that were part of the test program. The difference is attributed to diesel start record keeping practices and the definition of the end of the test program."

2. The last sentence in the above paragraph is inaccurate because diesel record keeping practices were not a cause of the difference in number of diesel starts reported in the April 19, 1990 LER and the June 29, 1990 letter. The difference was caused by personnel errors unrelated to any problems with the diesel generator record keeping practices.

The inaccuracy was material in that it could have led the NRC to erroneously conclude that the correct root causes for the difference in the number of diesel starts reported in the April 19, 1990 LER and the June 29, 1990 letter had been identified by GPC.

3. The last sentence in the above paragraph is also incomplete because it failed to include the fact that the root causes for the difference in the number of diesel starts reported in the April 19, 1990 LER and the June 29, 1990 letter were personnel errors. First, the Vogtle Plant General Manager who directed the Unit Superintendent to perform the start count (which formed the basis for the April 19, 1990 LER) failed to issue adequate instructions as to how to perform the count and did not adequately assess the data developed by the Unit Superintendent. In addition, the Unit Superintendent made an error in reporting his count. Second, the Vogtle Plant General Manager, the General Manager for Plant Support and the Technical Support Manager failed to clarify and verify the starting point for the count of successful consecutive DG starts reported in the April 19, 1990 LER.

The incompleteness was material in that, had correct root causes for the difference in the number of diesel starts reported in the April 19, 1990 LER and the June 29, 1990 letter been presented, this information could have led the NRC to seek further information.

- D. Contrary to the above, information provided to the NRC Region II Office by GPC in a letter dated August 30, 1990 was inaccurate and incomplete in material respects as evidenced by the following two examples:

The letter states that: "The confusion in the April 9th letter and the original LER appear to be the result of two factors. First, there was confusion in the distinction between a successful start and a valid test... Second, an error was made by the individual who performed the count of DG starts for the NRC April 9th letter."

1. These statements are inaccurate in that confusion between a successful start and a valid test was not a cause of the error regarding DG start counts which GPC made in its April 9, 1990 letter to the NRC.

The inaccuracy was material in that it could have led the NRC to erroneously conclude that the correct root causes for the error in the April 9, 1990 letter had been identified by GPC.

2. The statements are also incomplete. While an error was made by the Unit Superintendent who performed the count of diesel starts for the April 9, 1990 letter, the root causes of the error in that letter were not completely identified by GPC. Specifically, the Vogtle Plant General Manager who directed the Unit Superintendent to perform the start count failed to issue adequate instructions as to how to perform the count and did not adequately assess the data developed by the Unit Superintendent. In addition, the Unit Superintendent did not adequately report his count to the Vogtle Plant General Manager.

The incompleteness was material in that, had the correct root causes for the error in the April 9, 1990 letter regarding DG start counts been reported, this information could have led the NRC to seek further information.

These violations in the aggregate represent a Severity Level II problem (Supplement VII).

Civil Penalty - \$200,000

Because Georgia Power Company (Licensee) has already provided written responses pursuant to the provisions of 10 CFR 2.201 for the substance of this Modified Notice of Violation, the Licensee is not required to submit a written response to this Modified Notice of Violation.

Within 30 days, the Licensee may pay the civil penalties by letter addressed to James Lieberman, Director, Office of Enforcement; U.S. Nuclear Regulatory Commission; One White Flint North, 11555 Rockville Pike; Rockville, MD 20852-2738; with a check, draft, money order, or electronic transfer, payable to the Treasurer of the United States in the amount of \$200,000 or may protest imposition of the civil penalties, in whole or in part, by a written answer addressed to the Director, Office of Enforcement, U.S. Nuclear Regulatory Commission. Should the Licensee fail to answer within the time specified, an order imposing the civil penalties will be issued. Should the Licensee elect to file an answer in accordance with 10 CFR 2.205 protesting the civil penalties, in whole or in part, such answer should be clearly marked as an "Answer to a Notice of Violation."

Upon failure to pay any civil penalties due which subsequently has been determined in accordance with the applicable provisions of 10 CFR 2.205, this matter may be referred to the Attorney General, and the penalties, unless compromised, remitted, or mitigated, may be collected by civil action pursuant to Section 234(c) of the Act, 42 U.S.C. 2282c.

The response noted above (letter with payment of civil penalties or Answer to a Notice of Violation) should be addressed to: James Lieberman, Director, Office of Enforcement, U.S. Nuclear Regulatory Commission, One White Flint North, 11555 Rockville Pike, Rockville, MD 20852-2738, with a copy to the Regional Administrator, U.S. Nuclear Regulatory Commission, Region II and a copy to the NRC Resident Inspector at the Vogtle facility.

Dated at Rockville, Maryland
this 13th day of February, 1995

APPENDIX

EVALUATION AND CONCLUSION

On May 9, 1994, a Notice of Violation and Proposed Imposition of Civil Penalties (Notice) was issued for violations identified during an NRC inspection and investigation. Georgia Power Company (Licensee) responded to the Notice on July 31, 1994, including a Reply pursuant to 10 CFR 2.201 and Answer pursuant to 10 CFR 2.205 and supplemented response on February 1, 1995. Based on its supplemental response, the Licensee admitted Violations A, C, D and E, and denied Violation B. The NRC's evaluation and conclusion regarding Violation B is as follows:

Restatement of Violation B

Contrary to the above, information provided to the NRC Region II Office by GPC in an April 9, 1990 letter was incomplete in a material respect. Specifically, the letter states, when discussing the air quality of the DG starting air system at the Vogtle facility, that: "GPC has reviewed air quality of the D/G air system including dewpoint control and has concluded that air quality is satisfactory. Initial reports of higher than expected dewpoints were later attributed to faulty instrumentation."

This statement is incomplete in that it fails to state that actual high dew points had occurred at the Vogtle facility. It also fails to state that the causes of those high dew points included failure to use air dryers for extended periods of time and repressurization of the DG air start system receivers following maintenance.

The incompleteness was material. In considering a restart decision, the NRC was especially interested in the reliability of the DGs and specifically asked that GPC address the matter in its presentation on restart. The NRC relied, in part, upon this information presented by GPC in its letter of April 9, 1990 in reaching the decision to allow Vogtle Unit 1 to return to power operation.

Summary of Licensee's Response to Violation B

GPC argues that its April 9, 1990 letter addressed, accurately and completely, the on-going events related to concerns about dewpoint data. The statement about initial reports referred to a high dewpoint reading measured on March 29, that was first reported to NRC representatives in the April 5-9, 1990 period (i.e., reports of higher than expected dewpoint measurements taken during the recovery from the SAE). To suggest that the letter either sought to identify or explain all higher than expected dewpoints is to take GPC's statement out of context. This would give it a meaning which is inconsistent with the actual understanding of GPC and NRC representatives at the time. Prior to the NRC's decision to allow Unit 1 to return to power operation, GPC kept the NRC informed of actual high dewpoints on the 1A DG control air and

provided oral information on other engines. Documents in the possession of the NRC substantiate the context and meaning of the statement, and understanding of the statement's meaning, by NRC representatives and of information conveyed to the NRC prior to restart.

GPC argues that the April 9, 1990 letter identified certain short-term corrective actions. GPC contends that there can be little doubt that the letter was discussing the current situation and it is unduly strained to say the statement was intended to describe all past maintenance issues. GPC further argues that a discussion of higher than expected dewpoints in the distant past attributed to system air dryers being out of service and system repressurization following maintenance was not reasonably necessary to completely describe the short-term corrective actions associated with high dewpoint readings after the SAE. Moreover, changes in preventive maintenance practices in late 1988 made more distant dewpoint measurements much less informative about air quality than recent data. Applying a rule of reason, the information in the April 9 letter was a complete explanation of the basis for GPC's closure of dew point concerns which arose subsequent to the SAE.

Based on the above arguments, GPC requests that Violation B be withdrawn.

NRC Evaluation of Licensee's Response to Violation B

Upon further review, the NRC concludes that GPC's statements regarding air quality presented in the April 9, 1990 letter were sufficient in scope and GPC had an adequate technical basis to support a finding that air quality was acceptable.

In response to the event, in order to determine if air quality was a root cause of the DG performance on March 20, GPC inspected air filters on the control air system that had been pulled in early March 1990. They also conducted an internal inspection of the DG air receivers after the March 20 event. Dewpoint measurements on March 29 for DG 1A air receivers that were outside specified acceptance criteria were determined to be due to a faulty instrument. GPC replaced the instrument and the resulting readings were satisfactory.

This violation was premised on the NRC's conclusion that the reference to "initial reports of higher than expected dewpoints" was part of GPC's effort to present a comprehensive review of past air quality problems, including problems occurring prior to the SAE. The NRC relied on information contained in Inspection Report 50-424,425/90-19, Supplement 1, that indicated that there had been high dewpoint readings related to air dryers being out of service and system repressurization in addition to those attributable to faulty instrumentation. The NRC believed that the high dewpoint readings referenced in the report preceded the SAE. This information led the NRC to conclude that the information on air quality contained in the April 9 letter was incomplete. The NRC did not view the April 9 letter as focusing the discussion on air quality to only activities contemporaneous with the

event and subsequent recovery. The NRC agrees with GPC that the historical information was not necessary for a restart decision, and therefore, the April 9 letter was not incomplete.

Based on the above evaluation, the NRC concludes that Violation B should be withdrawn.



UNITED STATES
NUCLEAR REGULATORY COMMISSION
WASHINGTON D C 20555-0001

February 13, 1995

Georgie R. Frederick
Georgia Power Company
Vogtle Electric Generating Plant
River Road
Waynesboro, Georgia 30830

SUBJECT: RESPONSE TO DEMAND FOR INFORMATION REGARDING THOMAS V. GREENE,
GEORGIE R. FREDERICK, HARRY MAJORS, AND MICHAEL W. HORTON

Dear Mr. Frederick:

This refers to your letter dated July 28, 1994 in response to the subject Demand for Information (DFI) issued to the Georgia Power Company (GPC or Licensee) and sent to you by our letter dated May 9, 1994. The DFI addressed your contributions to GPC's failure to provide the NRC with information regarding the Vogtle diesel generators that was complete and accurate in all material respects.

The NRC has reviewed your response to the DFI in conjunction with GPC's response to the DFI and GPC's initial and supplemental responses to the Notice of Violation and Proposed Imposition of Civil Penalties (Notice) that was also issued on May 9, 1994.

After evaluating the responses, including your denial of your performance failures as described in the DFI, the NRC maintains that four of the five violations and associated performance failures occurred as stated in the Notice and DFI. Although GPC has identified a variety of general corrective actions in an effort to ensure the accuracy and completeness of information provided to the NRC in the future, the DFI response fails to identify individualized corrective actions taken or planned by GPC to address your specific performance failures. The NRC has given careful consideration to the question as to whether additional actions should be taken with regard to your performance failures to ensure future compliance. The NRC has considered that your performance failures were limited to the submittal of one letter (June 29, 1990), and has considered the effect that GPC's general corrective actions will likely have on you, and the remedial effect that the enforcement and DFI process itself has likely had on you. After considering all of the circumstances in this matter, the NRC has concluded that no further action should be taken regarding your actions.

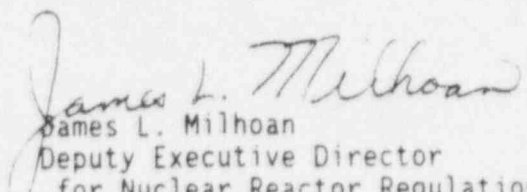
I have included a copy of the Modified Notice of Violation and Proposed Imposition of Civil Penalties that is being issued to GPC on this date to emphasize the seriousness with which the NRC views the violations and associated performance failures on the part of the individuals involved in the

Georgie E. Frederick

- 2 -

circumstances of the violations. You are reminded that, as an employee of an NRC-licensee, you have an individual responsibility and accountability to ensure that all information provided to the NRC, whether orally or in writing, is complete and accurate in all material respects.

Sincerely,


James L. Milhoan
Deputy Executive Director
for Nuclear Reactor Regulation,
Regional Operations and Research

Enclosure: As Stated

cc w/o Enclosure:
Georgia Power Company



UNITED STATES
NUCLEAR REGULATORY COMMISSION

WASHINGTON, D. C. 20555-0001

February 13, 1995

Harry Majors
Southern Nuclear Operating Company
40 Inverness Center Parkway
Birmingham, Alabama 35201

SUBJECT: RESPONSE TO DEMAND FOR INFORMATION REGARDING THOMAS V. GREENE,
GEORGIE R. FREDERICK, HARRY MAJORS, AND MICHAEL W. HORTON

Dear Mr. Majors:

This refers to your letter dated August 5, 1994 in response to the subject Demand for Information (DFI) issued to the Georgia Power Company (GPC or Licensee) and sent to you by our letter dated May 9, 1994. The DFI addressed your contributions to GPC's failure to provide the NRC with information regarding the Vogtle diesel generators that was complete and accurate in all material respects.

The NRC has reviewed your response to the DFI in conjunction with GPC's response to the DFI and GPC's initial and supplemental responses to the Notice of Violation and Proposed Imposition of Civil Penalties (Notice) that was also issued on May 9, 1994.

After evaluating the responses, including your denial of your performance failures as described in the DFI, the NRC maintains that four of the five violations and associated performance failures occurred as stated in the Notice and DFI. Although GPC has identified a variety of general corrective actions in an effort to ensure the accuracy and completeness of information provided to the NRC in the future, the DFI response fails to identify individualized corrective actions taken or planned by GPC to address your specific performance failures. The NRC has given careful consideration to the question as to whether additional actions should be taken with regard to your performance failures to ensure future compliance. The NRC has considered that your performance failures were limited to the submittal of one letter (June 29, 1990), and has considered the effect that GPC's general corrective actions will likely have on you, and the remedial effect that the enforcement and DFI process itself has likely had on you. After considering all of the circumstances in this matter, the NRC has concluded that no further action should be taken regarding your actions.


I have included a copy of the Modified Notice of Violation and Proposed Imposition of Civil Penalties that is being issued to GPC on this date to emphasize the seriousness with which the NRC views the violations and associated performance failures on the part of the individuals involved in the

Harry Majors

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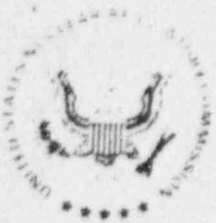
circumstances of the violations. You are reminded that, as an employee of an NRC-licensee, you have an individual responsibility and accountability to ensure that all information provided to the NRC, whether orally or in writing, is complete and accurate in all material respects.

Sincerely,


James L. Milhoan
Deputy Executive Director
for Nuclear Reactor Regulation,
Regional Operations and Research

Enclosure: As Stated

cc w/o Enclosure:
Georgia Power Company



UNITED STATES
NUCLEAR REGULATORY COMMISSION
WASHINGTON, D. C. 20545-0001

February 13, 1995

Michael W. Horton
Southern Nuclear Operating Company
40 Inverness Center Parkway
Birmingham, Alabama 35201

SUBJECT: RESPONSE TO DEMAND FOR INFORMATION REGARDING THOMAS V. GREENE,
GEORGIE R. FREDERICK, HARRY MAJORS, AND MICHAEL W. HORTON

Dear Mr. Horton:

This refers to your letter dated July 29, 1994 in response to the subject Demand for Information (DFI) issued to the Georgia Power Company (GPC or Licensee) and sent to you by our letter dated May 9, 1994. The DFI addressed your contributions to GPC's failure to provide the NRC with information regarding the Vogtle diesel generators that was complete and accurate in all material respects.

The NRC has reviewed your response to the DFI in conjunction with GPC's response to the DFI and GPC's initial and supplemental responses to the Notice of Violation and Proposed Imposition of Civil Penalties (Notice) that was also issued on May 9, 1994.

After evaluating the responses, including your denial of your performance failures as described in the DFI, the NRC maintains that four of the five violations and associated performance failures occurred as stated in the Notice and DFI. Although GPC has identified a variety of general corrective actions in an effort to ensure the accuracy and completeness of information provided to the NRC in the future, the DFI response fails to identify individualized corrective actions taken or planned by GPC to address your specific performance failures. The NRC has given careful consideration to the question as to whether additional actions should be taken with regard to your performance failures to ensure future compliance. The NRC has considered that your performance failures were limited to the submittal of one letter (June 29, 1990), and has considered the effect that GPC's general corrective actions will likely have on you, and the remedial effect that the enforcement and DFI process itself has likely had on you. After considering all of the circumstances in this matter, the NRC has concluded that no further action should be taken regarding your actions.

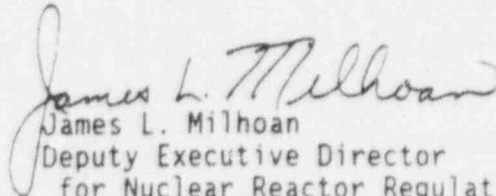
I have included a copy of the Modified Notice of Violation and Proposed Imposition of Civil Penalties that is being issued to GPC on this date to emphasize the seriousness with which the NRC views the violations and associated performance failures on the part of the individuals involved in the

Michael W. Horton

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circumstances of the violations. You are reminded that, as an employee of an NRC-licensee, you have an individual responsibility and accountability to ensure that all information provided to the NRC, whether orally or in writing, is complete and accurate in all material respects.

Sincerely,



James L. Milhoan
Deputy Executive Director
for Nuclear Reactor Regulation,
Regional Operations and Research

Enclosure: As Stated

cc w/o Enclosure:
Georgia Power Company



UNITED STATES
NUCLEAR REGULATORY COMMISSION
WASHINGTON, D.C. 20555-0001

February 13, 1995

Kenneth McCoy
Southern Nuclear Operating Company
40 Inverness Center Parkway
Birmingham, Alabama 35201

SUBJECT: RESPONSE TO DEMAND FOR INFORMATION REGARDING KENNETH MCCOY

Dear Mr. McCoy:

This refers to your letter dated August 5, 1994 in response to the subject Demand for Information (DFI) issued to the Georgia Power Company (GPC or licensee) and sent to you by our letter dated May 9, 1994. The DFI addressed your contributions to GPC's repeated failures to provide the NRC with information regarding the Vogtle diesel generators that was complete and accurate in all material respects.

The NRC has reviewed your response to the DFI in conjunction with GPC's response to the DFI and GPC's initial and supplemental responses to the Notice of Violation and Proposed Imposition of Civil Penalties (Notice) that was also issued on May 9, 1994.

After evaluating the responses, including your denial of your performance failures as described in the DFI, the NRC maintains that four of the five violations and associated performance failures occurred as stated in the Notice and DFI. Although GPC has identified a variety of general corrective actions in an effort to ensure the accuracy and completeness of information provided to the NRC in the future, the DFI response fails to identify individualized corrective actions taken or planned by GPC to address your specific performance failures. The NRC has given careful consideration to the question as to whether additional actions should be taken with regard to your performance failures to ensure future compliance. The NRC has considered that your performance failures were limited to the submittal of two letters (June 29, and August 30, 1990), and has considered the effect that GPC's general corrective actions will likely have on you, and the remedial effect that the enforcement and DFI process itself has likely had on you. After considering all of the circumstances in this matter, the NRC has concluded that no further action should be taken regarding your actions.

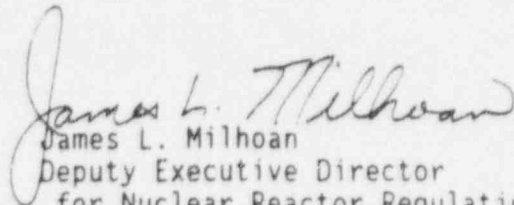
I have included a copy of the Modified Notice of Violation and Proposed Imposition of Civil Penalties that is being issued to GPC on this date to emphasize the seriousness with which the NRC views the violations and associated performance failures on the part of the individuals involved in the

Kenneth McCoy

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circumstances of the violations. You are reminded that, as an employee of an NRC-licensee, you have an individual responsibility and accountability to ensure that all information provided to the NRC, whether orally or in writing, is complete and accurate in all material respects.

Sincerely,


James L. Milhoan
Deputy Executive Director
for Nuclear Reactor Regulation,
Regional Operations and Research

Enclosure: As Stated

cc w/o Enclosure:
Georgia Power Company



UNITED STATES
NUCLEAR REGULATORY COMMISSION

WASHINGTON, D. C. 20555-0001

February 13, 1995

George Bockhold, Jr.
Southern Nuclear Operating Company
40 Inverness Center Parkway
Birmingham, Alabama 35201

SUBJECT: RESPONSE TO DEMAND FOR INFORMATION REGARDING GEORGE BOCKHOLD, JR.

Dear Mr. Bockhold:

This refers to your letters dated August 5, 1994 and February 1, 1995 in response to the subject Demand for Information (DFI) issued to the Georgia Power Company (GPC or Licensee) and sent to you by our letter dated May 9, 1994. The DFI addressed your contributions to GPC's repeated failures to provide the NRC with information regarding the Vogtle diesel generators that was complete and accurate in all material respects.

The NRC has reviewed your responses to the DFI in conjunction with GPC's response to the DFI and GPC's initial and supplemental responses to the Notice of Violation and Proposed Imposition of Civil Penalties (Notice) that was also issued on May 9, 1994. After evaluating those responses, the NRC maintains that four of the five violations and the associated performance failures occurred as stated in the Notice and DFI.

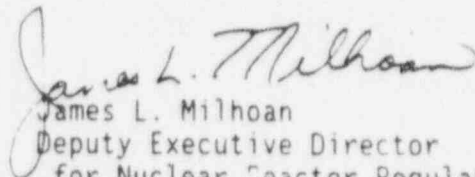
In your supplemental response to the DFI, you acknowledged your role and responsibilities in the events underlying the enforcement action and expressed that your performance today reflects a more mature person who is open to contrary views and cautious in formulating conclusions. You stated that you would like to continue to be employed in your current position until such time as you have reacquired the confidence of the licensee and your employer. You also stated that you understood that additional assurance was required by the NRC. In an effort to provide this additional assurance, you stated that you have requested that your current employer, Southern Nuclear Operating Company, provide you with an opportunity for intensive training in the areas of a manager's obligations and responsibilities in the nuclear industry and as a communicator with co-workers and regulatory agencies. You committed to notify the NRC after you have completed this effort. You also stated that you have requested that your immediate supervisor meet quarterly with you to review your performance in the areas of communication effectiveness, attention to detail, accountability for actions, and any other standard that your employer identifies. You also committed not to seek a line management position over licensed activities at any nuclear power plant licensed by the NRC until after satisfactory completion of this training. Thereafter, if you are nominated for a position in line management within 3 years of February 1, 1995, you committed to inform the NRC of that nomination at least 60 days prior to assuming the position. You expressed your view that with these additional steps on improving your management style, and reinforcement of your current sensitivity to the very high standard legitimately required in communications with the NRC, the NRC can have confidence in your involvement in licensed

sensitivity to the very high standard legitimately required in communications with the NRC, the NRC can have confidence in your involvement in licensed activities in the future.

The NRC has given careful consideration to the question as to whether additional actions should be taken with regard to your performance failures to ensure future compliance. The NRC has considered your acknowledgement of your role and responsibilities in the events underlying the enforcement action, the effect that GPC's general corrective actions will likely have on you, the remedial effect that the enforcement and DFI process itself has likely had on you, and your commitments to take the actions noted above. After considering all of the circumstances in this matter, the NRC has concluded that, subject to your commitments, no further action should be taken regarding your actions.

I have included a copy of the Modified Notice of Violation and Proposed Imposition of Civil Penalties that is being issued to GPC on this date to emphasize the seriousness with which the NRC views the violations and associated performance failures on the part of the individuals involved in the circumstances of the violations. You are reminded that, as an employee of an NRC-licensee, you have an individual responsibility and accountability to ensure that all information provided to the NRC, whether orally or in writing, is complete and accurate in all material respects.

Sincerely,



James L. Milhoan
Deputy Executive Director
for Nuclear Reactor Regulation,
Regional Operations and Research

Enclosure: As Stated

cc w/o Enclosure:
Georgia Power Company



UNITED STATES
NUCLEAR REGULATORY COMMISSION
WASHINGTON, D. C. 20555-0001

February 13, 1995

Thomas V. Greene
Southern Nuclear Operating Company
40 Inverness Center Parkway
Birmingham, Alabama 35201

SUBJECT: RESPONSE TO DEMAND FOR INFORMATION REGARDING THOMAS V. GREENE,
GEORGIE R. FREDERICK, HARRY MAJORS, AND MICHAEL W. HORTON

Dear Mr. Greene:

This refers to your letter dated August 9, 1994 in response to the subject Demand for Information (DFI) issued to the Georgia Power Company (GPC or Licensee) and sent to you by our letter dated May 9, 1994. The DFI addressed your contributions to GPC's failure to provide the NRC with information regarding the Vogtle diesel generators that was complete and accurate in all material respects.

The NRC has reviewed your response to the DFI in conjunction with GPC's response to the DFI and GPC's initial and supplemental responses to the Notice of Violation and Proposed Imposition of Civil Penalties (Notice) that was also issued on May 9, 1994.

After evaluating the responses, including your denial of your performance failures as described in the DFI, the NRC maintains that four of the five violations and associated performance failures occurred as stated in the Notice and DFI. Although GPC has identified a variety of general corrective actions in an effort to ensure the accuracy and completeness of information provided to the NRC in the future, the DFI response fails to identify individualized corrective actions taken or planned by GPC to address your specific performance failures. The NRC has given careful consideration to the question as to whether additional actions should be taken with regard to your performance failures to ensure future compliance. The NRC has considered that your performance failures were limited to the submittal of one letter (June 29, 1990), and has considered the effect that GPC's general corrective actions will likely have on you, and the remedial effect that the enforcement and DFI process itself has likely had on you. After considering all of the circumstances in this matter, the NRC has concluded that no further action should be taken regarding your actions.

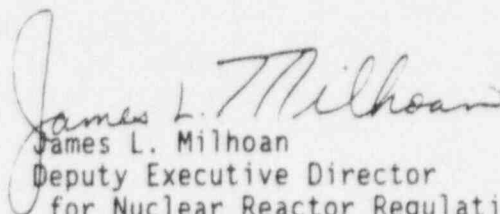
I have included a copy of the Modified Notice of Violation and Proposed Imposition of Civil Penalties that is being issued to GPC on this date to emphasize the seriousness with which the NRC views the violations and associated performance failures on the part of the individuals involved in the

Thomas V. Greene

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circumstances of the violations. You are reminded that, as an employee of an NRC-licensee, you have an individual responsibility and accountability to ensure that all information provided to the NRC, whether orally or in writing, is complete and accurate in all material respects.

Sincerely,



James L. Milhoan
Deputy Executive Director
for Nuclear Reactor Regulation,
Regional Operations and Research

Enclosure: As Stated

cc w/o Enclosure:
Georgia Power Company