



MISSISSIPPI POWER & LIGHT COMPANY

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September 7, 1984

NUCLEAR LICENSING & SAFETY DEPARTMENT

U. S. Nuclear Regulatory Commission
Region II
101 Marietta St., N.W., Suite 2900
Atlanta, Georgia 30323

Attention: Mr. J. P. O'Reilly, Regional Administrator

Dear Mr. O'Reilly:

SUBJECT: Grand Gulf Nuclear Station
Unit 1
Docket No. 50-416
License No. NPF-13
File 15524/15521
Report No. 50-416/84-23, dated
July 30, 1984 (MAEC-84/0273)
AECM-84/0444

This is in response to your letter to Mississippi Power & Light Company from Richard C. Lewis, dated July 30, 1984. The response date was extended to September 7, 1984, by Mr. R. E. Carroll of your staff.

Attached is the response to the Notice of Violation enclosed with the letter.

Should you have any questions, please contact my office.

Yours truly,

L. F. Dale
Director

RLS/SHH:cb
Attachments

cc: Mr. J. B. Richard (w/a)
Mr. R. B. McGehee (w/o) 8412060238 840918
Mr. N. S. Reynolds (w/o) PDR ADOCK 05000416
Mr. G. B. Taylor (w/o) Q PDR

Mr. Richard C. DeYoung, Director (w/a)
Office of Inspection & Enforcement
U. S. Nuclear Regulatory Commission
Washington, D. C. 20555

Mr. J. P. O'Reilly, Regional Administrator (w/a)
U.S. Nuclear Regulatory Commission
Region II
101 Marietta St., N.W., Suite 2900
Atlanta, Georgia 30323

Member Middle South Utilities System

Violation No. 50-416/84-23-01

Mississippi Power & Light Company (MP&L) denies the intent of the alleged violation. The specific statement of the alleged violation is accurate, in that "a new plant organization was placed into effect that does not conform to ... the Technical Specification." However, MP&L strongly believes that there is ample justification not to apply a strict, literal interpretation of the Technical Specifications in this case.

On May 10, 1984 MP&L executive management personnel met with the Region II top level staff and informed Messrs. J. P. O'Reilly and R. C. Lewis of the desire to proceed with the impending reorganization. It was believed that the plan was well received and that Region II was supportive of the intended changes.

The organization was announced on May 16, 1984 and MP&L immediately performed a safety evaluation in accordance with the provisions of 10 CFR 50.59 and concluded that there was no unreviewed safety question. Further, MP&L acknowledged a nonconformance with its Technical Specifications by generating a Corrective Action Request, which required submission of a formal Technical Specification amendment request to the NRC by May 24, 1984. On May 24, 1984, MP&L submitted such an amendment request via its letter AECM-84/0283. This was done in a timely manner.

The inspection which resulted in this alleged violation was conducted during the period June 25 - July 13, 1984. As of the beginning of that period, the NRC had been in possession of the Technical Specification amendment request for one month.

MP&L considers reorganization plans of this type to be confidential until they are officially announced. It is unreasonable to expect that formal submittal and processing of these matters can be done on a confidential manner. It is also unreasonable to expect MP&L to withhold a reorganization for several weeks or months until the NRC has completed formal processing and issuance of a Technical Specification change, especially if the reorganization was intended to enhance organizational efficiency and safety of operations, as this one was. Additionally, in discussions with several other utilities on this matter, MP&L has concluded that it is common practice for utilities to proceed with such organizational modifications and then to file for a Technical Specification amendment in a timely manner after announcement and implementation.

Concerning the June 26, 1984 SRC meeting, MP&L was aware that NRC had verbally rejected the Vice President - Nuclear Support as SRC Chairman as proposed in the amendment request, but was under the impression that the Senior Vice President - Nuclear could designate the Vice President - Nuclear Support to temporarily act for him as SRC Chairman. After further discussions with the Senior Resident Inspector, MP&L has now designated the Director, Nuclear Licensing and Safety as the SRC Chairman's designated alternate and directed him to act as Chairman until a Vice President - Nuclear Operations is hired.

In summary, MP&L believes this alleged violation should be withdrawn because:

1. MP&L acted prudently and in good faith by notifying Region II of its intent approximately one week in advance.
2. MP&L documented a safety evaluation and nonconformance at the time of implementation of the change.
3. MP&L applied for a Technical Specification amendment in a timely manner after implementation of the change.
4. It is unreasonable for MP&L, or any other utility, to be required to obtain advance approval, possibly requiring weeks or months, before implementing a reorganization that is in the best interest of safety of operation of a nuclear unit.
5. The organization change was prudent and was considered an enhancement that would serve the interest of safety of operation of the Grand Gulf Nuclear Station.