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JOHN LAMBERSKI

October 22, 1991

Mr. Donnie H. Grimsley, Director
Division of Freedom of Information
and Publications Services
Office of Administration
U. S. Nuclear Regulatory Commission
Washington, DC 20555

FREEDOM OF INFORMATION
ACT REQUEST

FOIA-91-468

Rec'd 10 29-91

Re: Freedom Of Information Act Request

Dear Mr. Grimsley:

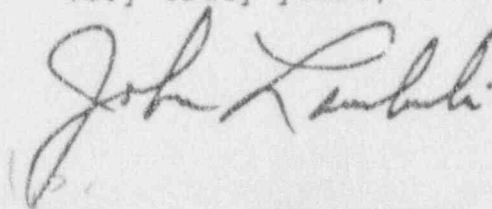
I hereby request, pursuant to the federal Freedom of Information Act ("FOIA"), 5 U.S.C. § 552, as amended, and Nuclear Regulatory Commission ("NRC") regulations, 10 C.F.R. Part 9, copies of all "records" as defined in 10 C.F.R. § 9.13 which formed the basis of the NRC's April 12, 1990 letter from Mr. Stewart D. Ebnetter (NRC Region II Administrator) to Mr. W. George Hairston, III (Georgia Power Company) entitled "Completion of Confirmation of Action Letter Commitments." Additionally, I request a copy of all records, as defined above, constituting or relating to any internal NRC Task Interface Agreement(s) addressing follow-up NRC actions in connection with the NRC's review of the March 20, 1990 loss of off-site power event at the Vogtle Electric Generating Plant (see attached NRC Staff Guidelines Concerning Plant Restart Approval, dated November 23, 1988, Part I, item 3).

For your information, I believe that records encompassed by this FOIA request are or were in the possession of Mr. Stewart D. Ebnetter (Region II), Mr. Kenneth E. Brockman (Region II), Mr. Rick Kendall (NRR) and Mr. Alfred E. Chaffee (Region V).

I am willing to pay the applicable charges for production of the requested records in accordance with 10 C.F.R. Part 9 up to a maximum amount of \$1000.00 and those charges in excess of \$1000.00 of which I am notified, and which I approve, in advance.

If you have any questions concerning this FOIA request, please feel free to contact me.

Very truly yours,



9207280201 911022
PDR FOIA
LAMBERS91-468 PDR



UNITED STATES
 NUCLEAR REGULATORY COMMISSION
 REGION II
 101 MARIETTA STREET, N.W.
 ATLANTA, GEORGIA 30333

APR 12 1990

Docket No. 50-424
 License No. NPF-68

Georgia Power Company
 ATTN: Mr. W. G. Hairston, III
 Senior Vice President -
 Nuclear Operations
 P. O. Box 1295
 Birmingham, AL 35201

Gentlemen:

SUBJECT: COMPLETION OF CONFIRMATION OF ACTION LETTER COMMITMENTS

In a letter from the NRC to Georgia Power Company (GPC), subject "Confirmation of Action Letter," dated March 23, 1990, certain matters were agreed to be completed prior to Vogtle, Unit 1, reattaining criticality. Additionally, your commitments concerning the needs and requirements of the Incident Investigation Team dispatched to review the March 20, 1990, loss of vital AC power event on Unit 1, were delineated. This letter confirms the satisfactory resolution of item number 1 and documents the Regional Administrator's concurrence that appropriate corrective actions have been taken and the plant can safely return to operation.

On April 9, 1990, Georgia Power Company briefed NRC management on their event critique results and the short- and long-term corrective actions they plan to implement. These items were specified in a letter from GPC to the NRC, dated April 9, 1990, and included additional items which GPC has committed to submit to the NRC.

Based upon the information provided by GPC and the short-term actions which have been implemented, Georgia Power Company is authorized to return Unit 1 to Mode 2, attain criticality, and proceed to subsequent power operation. Items 2-5 of the March 23, 1990, Confirmation of Action Letter remain applicable and are not relieved by this letter.

If your understanding differs from that set forth above, please call me immediately.

Sincerely,

Stewart D. Ebnetter
 Regional Administrator



CAL-50-424/90-01

cc: (See page 2)

~~424-424-424~~

APR 12 1990

cc: IIT Leader
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Regional Administrators

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(cc cont'd - see page 3)

APR 12 1990

cc: (Continued)
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Atlanta, GA 30334

Attorney General
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Atlanta, GA 30334

State of Georgia

NOV 8 1988

PDR

MEMORANDUM FOR: NRC Office Directors
 NRC Regional Administrators

FROM: Victor Stello, Jr.
 Executive Director for Operations

SUBJECT: STAFF GUIDELINES CONCERNING PLANT RESTART APPROVAL

In my memorandum of July 21, 1988, guidelines regarding management of the staff's activities associated with plant restart approval were issued. The enclosure expands these guidelines to include general criteria on the issues to be considered during the staff's evaluation.

Original signed by
 Victor Stello, Jr.

Victor Stello, Jr.
 Executive Director
 for Operations

Enclosure:
 Plant Restart Approval Guidelines

DISTRIBUTION

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 RMartin/RClark
 NO'Brien
 Drossburg (WITS 880114)

*Previously Concurred

PDI-2/PM*
 RMartin:mr
 10/26/88

PDI-2/D*
 WButler
 10/26/88

BBoger
 10/27/88

SVarga
 10/28/88

DCrutchfield
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STAFF GUIDELINES CONCERNING PLANT RESTART APPROVAL

This paper establishes the framework for the authorization of the restart of a nuclear power plant, after a voluntary or involuntary shutdown due to a significant event or serious management deficiencies. No attempt is made to precisely define these terms, and judgement as outlined below is needed. The guidelines presented (1) provide for more effective coordination of NRC resources between Regions and Headquarters, (2) clarify responsibilities, and (3) ensure that there is consistency in the actions of NRR and Regional management personnel involved in major NRC decisions directly affecting licensees.

Licensed commercial nuclear power plants are shutdown, voluntarily or not, for a variety of reasons. When a plant is shutdown for reasons stemming from license conditions or technical specifications, the licensee normally can develop and implement a clearly defined correction plan; when the criteria of this plan are met, the plant is allowed to restart without special authorization from NRC. However, plants occasionally are in a shutdown condition as a result of a significant event or serious management deficiencies. These are the cases at which this statement is directed. Examples of this type of shutdown include plants that were shut down because of performance problems during the past few years; e.g., Sequoyah, Browns Ferry, Rancho Seco, Pilgrim and Peach Bottom.

The NRC has reacted to these types of facility shutdowns in a variety of ways depending on the severity of the event that led to the shutdown. Historically, the NRC has approached each event individually, and an individual plan of action has evolved. The results have been satisfactory, but the process has not been approached in a uniform manner. The guidelines presented in this statement will ensure that (1) NRR and Regions will be appropriately involved in all restart decisions and (2) the NRC will present a unified position to the licensees. However, because each plant shutdown situation is different, a detailed generic procedure for restart approvals is not appropriate.

The general guidelines for NRC reaction to the events of concern are provided in two parts. Part one deals with the management of the staff's activities associated with the restart review efforts and part two deals with the various issues that are considered in the reviews.

Part I

1. When a Region believes that a particular situation at a plant represents a significant event or serious management deficiencies warranting increased regulatory attention, the Region should discuss the issue with NRR. Except for special circumstances, the initial discussion should be between the appropriate Region management and the NRR Division Director for Operational Events Assessment (DOEA). The discussion should include a

description of the event or circumstances, as well as the Region actions already taken, and proposed future actions. Potential NPC reactions could include the establishment of an Incident Investigation Team (IIT), Augmented Inspection Team (AIT), a Regional Assessment Team (RAT), or a special inspection, and including, as appropriate, the need for a Confirmatory Action Letter or Order. All of these individual reactions would be conducted in accordance with appropriate standard office policies, procedures, and Manual Chapters. Special circumstances involve significant, rapidly occurring events, where discussions could be initiated directly at the level of the Regional Administrator, the Director, NRR, or the DEDRO.

2. The NRR Division Director for Operational Events Assessment will promptly notify the appropriate NRR Projects Division Director of the results of the discussion with the Region. The focal point for discussions within the NRC for follow-up actions will be the appropriate Projects Division Directors in the Region and in NRR. They will coordinate participation in conference calls and management discussions to ensure that the Regional Administrator and the Director, NRR, are directly involved in important decisions. The Project Divisions will coordinate and carry out the actions prescribed in the follow-up plan.
3. After the Region and NRR decide on a course of action, including notification of the EDO and Commission as appropriate, the respective Projects Divisions will jointly initiate a Task Interface Agreement (TIA) to document the assignment of responsibility for follow-up actions. For rapidly occurring events leading to a quick restart of a plant, the coordination between the Region and NRR may be done orally. However, for events that take more than about a week to resolve, a formal TIA should be drafted. Elements of the TIA should include the following:
 - a. The TIA format must be flexible to account for the diverse nature of events. However, all TIA's should define (1) what must be accomplished, as a minimum, to authorize plant restart, (2) who has lead responsibility for each action, and (3) who has responsibility for actual plant restart authorization.
 - b. The TIA should fully document all actions that must be taken before a plant is authorized to restart, even if they are not related to the initiating event.
 - c. The Commission needs to be kept adequately informed of the staff's restart actions on a continuing basis. The TIA will document lead responsibility within the agency for interactions with the Commission. The lead office will keep the Commission informed of the staff's and licensee's restart actions through the use of Commission papers, daily reports, and/or verbal communications via the EDO. Based on these staff/Commission interactions, the need for Commission briefings will be determined by the circumstances and

Commission desires. However, the staff should anticipate Commission briefings with licensee participation (a) after a corrective plan is agreed to and implemented, (b) about a month before plant restart is anticipated, and (c) a few days prior to the scheduled restart. At the anticipated final briefing, the NRC staff would be required to give the staff position as to their basis for recommending or not recommending restart. The Commission will express its views concerning restart at any time during the process, but normally a formal vote is not taken until the last briefing.

Part II

1. Licensee Restart Plan: Root Cause Identified and Corrected

First, the root cause of the event or conditions requiring the shutdown must be properly identified. Then the root cause of the event or conditions requiring the shutdown must be addressed by a comprehensive corrective action plan which addresses all applicable issues. The plan must carry the issues through their corrective action, implementation and verification phases.

The above actions are taken by the facility licensee. The NRC reviews and determines the acceptability of these actions to support safe operations using any or all of the tools available to it in the regulatory program. These could include any or all of the following: a Headquarters staff review, SALP, the inspection program including regular inspections, specialist inspections or team inspections and enforcement conferences. Resulting actions are set forth in safety evaluations, license amendments, orders, confirmatory action letters, inspection reports, enforcement documents, etc. The staff's review includes the applicable areas outlined below.

2. Licensee Management Organization

The licensee's management organization is reviewed to ensure that the proper environment and resources are provided to ensure that the problems and their root causes have been rectified. The organization must demonstrate that it can coordinate, integrate and communicate its objectives so that they are appropriately prioritized for safety significance and are achieved in a timely manner.

This requires an appreciation on the part of that management, of what the safety issues are, coupled with a positive attitude toward ensuring that they are resolved. This in turn requires that personnel with adequate qualifications and experience be provided for all key management positions. The resulting organization should: (a) exhibit good teamwork among its subelements; (b) provide strong engineering support for plant activities; (c) have the internal ability to recognize safety problems, develop adequate corrective actions, and verify their implementation and effectiveness; and (d) have an independent self-assessment capability that can identify situations not sufficiently dealt with by the regular functioning of the principal organization.

3. Plant and Corporate Staff

The operations staff must recognize and carry out their responsibilities in ensuring public health and safety as required of them by their individual licenses as well as by the facility license to operate the plant. These responsibilities must be met while working within the environment established by the licensee's management as discussed above.

This, in turn, requires that an adequate number of formally qualified licensed operators be provided. A positive proactive attitude towards safety issues should be demonstrated across the board in all aspects of operations. In this regard operators should display attentiveness to duty, fitness for duty, a disciplined approach to activities, a sensitivity for trends on what is happening in the plant, security awareness, and an openness of communications and desire for team work which supports effective relations between different groups (e.g., management, operations, health physics, maintenance, security, contractors).

4. Physical State of Readiness of the Plant

This is of principal importance for those cases where the reason for the shutdown was based on a physical event or deficiency but it is also important for other types of events as well.

For equipment problems the cause should be identified and appropriate corrective actions taken in the manner discussed in (1) above. These issues will warrant a strong focus on the pre-operational or initial operational testing which verifies that the problem is resolved. For complex issues this testing program may also be complex and of an extended duration.

For other types of problems as well as equipment problems the complete spectrum of pre-operational and startup testing programs may need to be expanded to consider the more complex types of problems or to consider the effects on plants which have been shut down for extended periods.

The licensee should be able to demonstrate that all needed safety equipment is operational prior to the restart without excessive reliance on the minimum levels of equipment availability permitted by technical specification Limiting Conditions for Operation. Surveillance tests should also be up to date without excessive reliance on the minimum level of testing permitted by US.

The maintenance backlog should be reduced to nominal levels which do not reflect chronic problems with equipment readiness nor postponement of long unmet needs.

Procedures should be updated and plant staff trained to reflect resolution of the issue at hand as well as any extensive long unmet needs. For example, procedures which conflict with other procedures or with the as-built plant, procedures which have not undergone their periodic review, or procedures which do not reflect "the way it is really done" should be considered for updating.

The as-built design of the plant should be known to agree with the safety design basis including analyses, drawings, etc. In some cases, especially for some of the older plants, fully documented design bases may not be available. For these cases, reliance on engineering judgement may be appropriate.

5. Other Agencies, Government Organizations, the Public

The decision to restart should consider the need for formal action prior to restart as well as the value of effective relations with other Federal agencies such as FEMA, DOJ, state and local government representatives and interested members of the public.

For example, this may include the need for action on the Emergency Plan by FEMA, responses to correspondence to state Governors or members of Congress and responses to 2,206 Petitions.

6. "Legal" Requirements

Notwithstanding all of the above, the plant and its prospective operation is not known to be in conflict with any regulations (GDC, etc.) and all requirements of any document authorizing restart (license amendments, orders, etc) are expected to be met.

Restart would not conflict with any matter before a Hearing Board.