



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

FEB 28 1984

Congressman Thomas

*WJE
Georgia Power*

The Honorable Lindsay Thomas
United States House of Representatives
Washington, DC 20515

Dear Congressman Thomas:

I am pleased to respond to the questions raised by your constituent Mr. J. Richard Bass. Mr. Bass's January 2, 1984 letter asked several questions concerning the \$100,000 civil penalty issued by the NRC on December 27, 1983 to the Georgia Power Company. Enclosure 1 contains the answers to Mr. Bass's questions.

The Georgia Power Company paid the proposed civil penalty and responded to the violations by letter dated January 25, 1984. Copies of (1) NRC's December 27, 1983 proposed civil penalty and the January 6, 1984 correction letter, (2) Georgia Power's January 25, 1984 response, (3) the NRC's February 14, 1984 acknowledgement, and (4) a computer printout containing a brief description of the violations identified at Hatch Units 1 and 2 during the past two years are enclosed.

Sincerely,

(Signed) T. A. Rahmi

for William J. Dircks
Executive Director for Operations

Enclosures:
As stated

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Sincerely,

(Signed) T. A. Rehm

for William J. Dircks
Executive Director for Operations

Enclosures:
As stated

Enclosure 1

Answers to the questions contained in Mr. Bass's January 2, 1984 letter.

Question

According to the source of information the plant was fined \$100,000 for not reporting something that could have developed into a very critical matter.

Answer

The civil penalty was not based upon a failure to report information to the NRC. The civil penalty was based upon three violations. These violations concerned the failure of the operators at Hatch Unit 2 to follow procedures during a reactor shutdown on July 14, 1983. The NRC resident inspector entered the control room when the improper reactor shutdown was in progress. He asked several questions concerning the method being used to shut down the reactor. The improper reactor shutdown was stopped and the reactor was then properly shut down. Since the NRC resident was aware of the violation as it was occurring, there was no failure to report information to the NRC in this instance.

Question

If the plant officials at Plant Hatch violated this regulation and were fined \$100,000, how do you or I know that they are not violating a number of other regulations?

Answer

Companies such as Georgia Power which receive a license from the Nuclear Regulatory Commission (NRC) to operate a nuclear power plant have the primary responsibility for safe operation of the facility. While no program can guarantee that every requirement is properly satisfied, the NRC has a program of site inspections to ensure that nuclear power plants are operated safely and in compliance with regulatory requirements.

The NRC conducts daily inspections at the Hatch facility. These inspections are performed by two NRC resident inspectors who are assigned to the Hatch facility. Additionally, inspectors from the NRC's Region II office in Atlanta also perform regular inspections at the Hatch facility. These inspections are supplemented by periodic special NRC inspections. This inspection program is typical of the inspections which are conducted at all operating commercial nuclear power plants.

Additionally, companies operating nuclear power plants, such as the Georgia Power Company, are required to make reports to the NRC. The Georgia Power Company has a good record of identifying and reporting violations as required by NRC regulations.

Enclosure 1

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Question

I would appreciate it very much if you could send me a list of the violations of the Hatch Plant which are recorded by the Nuclear Regulatory Agency in Washington.

Answer

The enclosed computer printouts contain a brief description of the violations which have been identified at Hatch Units 1 and 2 during the past two years. These violations are more fully described in NRC inspection reports. These reports are available to the public in the Public Document Room located in the Appling County Public Library, 301 City Hall Drive, Baxley, Georgia 31563.



UNITED STATES
 NUCLEAR REGULATORY COMMISSION
 REGION II
 101 MARIETTA STREET, N.W.
 ATLANTA, GEORGIA 30303

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DEC 3 7 1983

Georgia Power Company
 ATTN: Mr. R. J. Kelly
 Executive Vice President
 P.O. Box 4545
 Atlanta, GA 30302

Gentlemen:

SUBJECT: PROPOSED IMPOSITION OF CIVIL PENALTIES: EA 83-86
 IMPROPER SHUTDOWN (REFERENCE: INSPECTION REPORT NO. 50-366/83-23)

The enclosed Notice of Violation and Proposed Imposition of Civil Penalties is based upon the findings of an NRC special inspection. The inspection examined the circumstances associated with the improper shutdown of Hatch, Unit 2, on July 14, 1983.

This inspection was conducted by the NRC Resident and Region-based inspectors on July 14 and 15, 1983 to review the circumstances of the improper shutdown of your Hatch Unit 2 reactor on July 14, 1983 (the findings are set forth in Inspection Report No. 50-366/83-23). The detailed findings of this inspection were discussed at the site with facility management at the conclusion of the inspection. In addition, NRC safety concerns were discussed during enforcement conferences held in the Region II office in Atlanta, Georgia, on July 21, 1983, at Plant Hatch on November 2, 1983, and in the NRC offices in Washington, D.C. on November 14, 1983.

The findings of the inspection revealed that on July 14, 1983, while Unit 2 was being returned to service, a problem was experienced with main condenser vacuum. This problem required a reduction in reactor power to avoid a reactor shutdown. The on-shift operators and their supervisors recognized that the normal method of reducing power would not achieve a sufficiently timely power reduction to avoid a scram. These individuals, apparently strongly influenced by advice from two shift technical advisers, made a "consensus decision" to achieve the necessary rapid power reduction by bypassing both the Rod Worth Minimizer and the Rod Sequence Controller and by selectively scrambling individual control rods, without an approved procedure, from the Scram Time Test Panel which is out of sight of, and out of normal voice communications with, the reactor control console. The "consensus decision" and the resulting actions resulted in a control rod configuration that had not been analyzed from a reactor safety viewpoint.

CERTIFIED MAIL
RETURN RECEIPT REQUESTED

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Georgia Power Company

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To emphasize the level of unacceptability of the manner in which the reactor was controlled on July 14, 1983, and after consultation with the Director of the Office of Inspection and Enforcement, I have been authorized to issue the enclosed Notice of Violation and Proposed Imposition of Civil Penalties in the amount of One Hundred Thousand Dollars based upon the findings of the first inspection. Three separate violations were identified and a separate civil penalty could have been assessed for each. However, since all three violations stemmed from the same fundamental problem, the violations have been classified together as a Severity Level II problem (Supplement I) pursuant to the NRC Enforcement Policy, 10 CFR Part 2, Appendix C, and a single civil penalty is proposed. The base penalty of \$64,000 has been escalated to \$100,000 because of the seriousness of this event, the number of Technical Specifications that were violated, and the number of licensed operators and supervisors involved.

You are required to respond to the Notice and should follow the instructions specified therein when preparing your response. The sequence of events that occurred on July 14, 1983 gives rise to a number of questions which the NRC believes must be addressed by the Georgia Power Company. First, has the Georgia Power Company's policy of "safety first" been compromised by improper consideration by individual members of the Plant Hatch staff of "keeping the plant running" without proper consideration of overall plant safety? Second, has the Georgia Power Company's policy of strict adherence to approved operating procedures been compromised at Plant Hatch by individual supervisors and managers and has an effective system of audits been implemented to assure compliance with the policy? Third, is each operations supervisor fully aware of his/her individual responsibilities for making decisions? Fourth, is the role and the authority of the shift technical adviser clear to them and to each operations supervisor? And finally, is each licensed operator aware of the importance of adherence to Technical Specifications and knowledgeable of approved interpretations of those Technical Specifications? Your response to the attached Notice of Violation and Proposed Imposition of Civil Penalties should address, in detail, each of these questions with particular emphasis on assuring good vertical communications between Plant Hatch in Baxley, Georgia, and the corporate offices in Atlanta, Georgia. It is further requested that you provide sufficient information on these specific matters so that we may conclude that your corrective actions will be effective over the long run. Your reply to this letter, and the results of future inspections, will be considered in determining whether further action is appropriate.

In accordance with 10 CFR 2.790 of the NRC's "Rules of Practice", Part 2, Title 10, Code of Federal Regulations, a copy of this letter and the Notice of Violation will be placed in the NRC's Public Document Room. To protect the privacy of the individuals involved, the Letters of Reprimand will not be placed in the Public Document Room at this time.

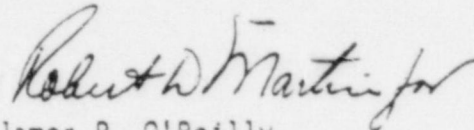
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Georgia Power Company

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The responses directed by this letter and the enclosure are not subject to the clearance procedures of the Office of Management and Budget as required by the Paperwork Reduction Act of 1980, PL 96-511.

Sincerely,



James P. O'Reilly
Regional Administrator

Enclosure:
Notice of Violation and Proposed
Imposition of Civil Penalties

cc w/encl:
J. T. Beckham, Vice President and
General Manager-Nuclear Generation
H. C. Nix, Site General Manager
C. E. Belflower, Site QA Supervisor

NOTICE OF VIOLATION
AND
PROPOSED IMPOSITION OF CIVIL PENALTIES

Georgia Power Company
Hatch Unit 2

Docket No. 50-366
License No. NPF-2
EA 83-86

A special inspection conducted at Hatch Unit 2 on July 14 and 15, 1983 disclosed that while Unit 2 was being returned to service, a problem was experienced with main condenser vacuum. This problem required a reduction in reactor power to avoid a reactor shutdown. The on-shift operators and their supervisors recognized that the normal method of reducing power would not achieve a sufficiently timely power reduction to avoid a scram. These individuals, apparently strongly influenced by advice from two shift technical advisers, made a "consensus decision" to achieve the necessary rapid power reduction by bypassing both the Rod Worth Minimizer and the Rod Sequence Controller and by selectively scrambling individual control rods, without an approved procedure, from the Scram Time Test Panel which is out of sight of, and out of normal voice communications with, the reactor control console. The "consensus decision" and the resulting actions resulted in a control rod configuration that had not been analyzed from a reactor safety viewpoint.

To emphasize the need to adhere to facility operations' and administrative procedures and to upgrade plant management control systems relating to licensed personnel shift technical advisers, and supervisor's decision-making responsibilities, NRC proposes to impose a civil penalty in the amount of \$100,000 for the matter of the improper reactor shutdown event on July 14, 1982. In accordance with the General Policy and Procedure for NRC Enforcement Actions, 10 CFR Part 2, Appendix C, and pursuant to Section 234 of the Atomic Energy Act of 1954, as amended, the violations and the associated civil penalties are set forth below:

- A. Technical Specification 6.8.1 states that procedures shall be written, approved and implemented for reactor operations.

Contrary to the above, on July 14, 1983, control rod manipulations were conducted in violation of written and approved procedures, resulting in control rod patterns outside those analyzed for the Rod Drop Accident described in FSAR chapter 15.1.38. These manipulations were improperly accomplished by scrambling control rods from the scram time test panel (2H11-P610) and inserting control rods using the Emergency In switch instead of the approved procedural method of inserting control rods in notch control from the main control panel (2H11-P603).

Examples of procedures which were not followed include:

- 1) Procedure, HNP-2-34, Rules for Performing Procedures, requires that verbatim compliance is mandatory (Paragraph 13.2) and that, if an approved procedure cannot be performed as written, stop and change the procedure. On July 14, 1983, Procedures HNP-2-9402 and HNP-2-9207 were not being followed verbatim nor was the event stopped, and the procedures were not changed.

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- 2) Procedure, HNP-2-9402, Control Rod Scram Testing, requires, in step E.17, return of the scrambled rod to its initial position prior to scrambling the next rod. On July 14, 1983, the rods scrambled from the time test panel (2H11-P610) were not being returned to their initial position prior to scrambling the next rod.
 - 3) Procedure, HNP-2-9207, Control Rod Movement, Paragraph D.4 and Data Sheet 1 requires notch control for rods identified with an asterisk. This asterisk was on all rod groups moved during the shutdown of July 14, 1983, up to the point where the reactor manual scram was initiated, and these movements were not conducted by notch control.
 - 4) Procedure, HNP-2-9207, Control Rod Movement, Paragraph E.5 requires that rod movement be stopped if proper operation of the Rod Sequence Control System (RSCS) is not confirmed. On July 14, 1983, rod movement was continued even though the RSCS was circumvented and therefore inoperative.
- B. Technical Specification 3.1.4.1 requires the Rod Worth Minimizer (RWM) to be operable or a second licensed operator or other qualified member of the technical staff to be present at the reactor console to verify compliance with the prescribed control rod pattern.

Contrary to the above on July 14, 1983, after bypassing the RWM, a second person did not verify compliance with the prescribed rod pattern. As a consequence, the rod insertion sequence was violated as evidenced by Control Rod 42-39 at notch 12 versus the required notch 48.

- C. Technical Specification 3.1.4.2 requires that the Rod Sequence Control System (RSCS) be operable in Operation Condition 1 when thermal power is below 20%.

Contrary to the above, on July 14, 1983, while in Operation Condition 1, with thermal power below 20%, the RSCS was not operational in that it was not performing its intended function of notch control. The required notch control was circumvented by use of the Emergency In switch and the scram switches on the scram time test panel.

Collectively, the above violations have been evaluated as a Severity Level II problem. (Supplement I)

Cumulative Civil Penalty - \$100,000 assessed equally among the violations.

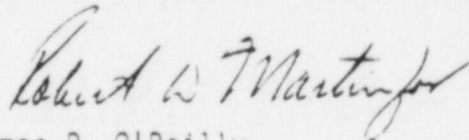
Pursuant to the provision of 10 CFR 2.201, Georgia Power Company is hereby required to submit to the Director, Office of Inspection and Enforcement, U.S. Nuclear Regulatory Commission, Washington, D.C. 20555, and a copy to the Regional Administrator, U.S. Nuclear Regulatory Commission, Region II, within 30 days of the date of this Notice a written statement or explanation, including for each alleged violation: (1) admission or denial of the alleged violations; (2) the reasons for the violation if admitted; (3) the corrective steps which have been taken and the results achieved; (4) the corrective steps which will be taken to avoid further violations; and (5) the date when full compliance will be achieved. Consideration may be given to extending the response time for good cause shown. Under the authority of Section 182 of the Act, 42 U.S.C. 2232, the response shall be submitted under oath or affirmation.

Within the same time as provided for the response required above under 10 CFR 2.201, Georgia Power Company may pay the civil penalties in the cumulative amount of \$100,000 or may protest imposition of the civil penalties in whole or in part by a written answer. Should Georgia Power Company fail to answer within the time specified, the Director, Office of Inspection and Enforcement, will issue an order imposing the civil penalties in the amounts proposed above. Should Georgia Power Company elect to file an answer in accordance with 10 CFR 2.205 protesting the civil penalties, such answer may: (1) deny the violations listed in this Notice in whole or in part; (2) demonstrate extenuating circumstances; (3) show error in this Notice; or (4) show other reasons why the penalties should not be imposed. In addition to protesting the civil penalties in whole or in part, such answer may request remission or mitigation of the penalties.

In requesting mitigation of the proposed penalties, the five factors addressed in Section IV(B) of 10 CFR Part 2, Appendix C should be addressed. Any written answer in accordance with 10 CFR 2.205 should be set forth separately from the statement or explanation in reply pursuant to 10 CFR 2.201, but may incorporate by specific reference (e.g., citing page and paragraph numbers) to avoid repetition. Georgia Power Company's attention is directed to the other provisions of 10 CFR 2.205, regarding the procedure for imposing a civil penalty.

Upon failure to pay the cumulative penalties due, which have been subsequently 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 234c of the Act, 42 U.S.C. 2282.

FOR THE NUCLEAR REGULATORY COMMISSION



James P. O'Reilly
Regional Administrator

Dated at Atlanta, Georgia
this 17th day of December 1983