



**UNITED STATES
NUCLEAR REGULATORY COMMISSION**
REGION II
245 PEACHTREE CENTER AVENUE N.E., SUITE 1200
ATLANTA, GEORGIA 30303-1200

October 19, 2023

EA-23-080

Jamie Coleman
Regulatory Affairs Director
Southern Nuclear Operating Company, Inc.
3535 Colonnade Parkway
Birmingham, AL 35243

**SUBJECT: JOSEPH M. FARLEY NUCLEAR PLANT – FINAL SIGNIFICANCE
DETERMINATION OF A WHITE FINDING AND NOTICE OF VIOLATION AND
ASSESSMENT FOLLOWUP LETTER – NRC INSPECTION REPORT
05000348/2023091**

Dear Jamie Coleman:

This letter provides you the final significance determination of the preliminary White finding discussed in the U.S. Nuclear Regulatory Commission's (NRC) inspection report dated August 31, 2023 (Agency Documents Access and Management System (ADAMS) Accession Number ML23229A118). The finding is associated with a self-revealing apparent violation (AV) of Title 10 of the *Code of Federal Regulations* (10 CFR) 50, Appendix B, Criterion XVI, "Corrective Action," for the failure to identify and correct a condition adverse to quality resulting in the inoperability of the Unit 1 'B' train (1B) emergency diesel generator (EDG).

In a telephone conversation with Mr. Ryan Joyce, Licensing Manager, on September 7, 2023, and in a letter dated September 8, 2023 (ADAMS Accession No. ML23251A139), Southern Nuclear Operating Company, Inc. (SNC) indicated that it did not contest the characterization of the risk significance of this finding and that you declined your opportunity to discuss this issue in a regulatory conference or to provide a written response. According to NRC Inspection Manual Chapter 0609, "Significance Determination Process," appeal rights only apply to those licensees that have either attended a regulatory conference or submitted a written response to the preliminary determination letter.

After considering the information developed during the inspection, the NRC has concluded that the finding is appropriately characterized as White with low-to-moderate safety significance.

The NRC has also determined that the failure to identify and correct a condition adverse to quality resulting in the inoperability of the 1B EDG is a violation of 10 CFR 50, Appendix B, Criterion XVI, as cited in the attached Notice of Violation (Notice). The circumstances surrounding the violation were described in detail in the August 31, 2023, NRC inspection report

(ADAMS Accession No. ML23229A118). In accordance with the NRC Enforcement Policy, the Notice is considered escalated enforcement action because it is associated with a White finding. You are required to respond to this letter and should follow the instructions specified in the enclosed Notice when preparing your response. If you have additional information that you believe the NRC should consider, you may provide it in your response to the Notice. The NRC review of your response to the Notice will also determine whether further enforcement action is necessary to ensure compliance with regulatory requirements.

The NRC has determined that the performance at Joseph M. Farley Nuclear Plant, Unit 1, would be in the Regulatory Response Column of the Reactor Oversight Process Action Matrix beginning September 1, 2023. Therefore, the NRC plans to conduct a supplemental inspection in accordance with Inspection Procedure (IP) 95001, "Supplemental Inspection for One or Two White Inputs in a Strategic Performance Area." This IP is conducted to provide assurance that the root and contributing causes for the performance issues are understood, and to provide assurance that the corrective actions are sufficient to address the root and contributing causes and prevent recurrence. This letter supplements, but does not supersede, the annual assessment letter issued on March 1, 2023 (ADAMS Accession No. ML23054A238).

For administrative purposes, this inspection report is issued as NRC inspection report 05000348/2023091. Accordingly, AV 05000348/2023002-01 is updated consistent with the regulatory positions described in this letter as NOV 05000348/2023002-01 in the Mitigating Systems cornerstone with a safety significance of White with cross-cutting aspect H.13 – Consistent Process.

In accordance with 10 CFR 2.390 of the NRC's "Rules of Practice and Procedure," a copy of this letter, its enclosure, and your response, if you choose to provide one, will be made available electronically for public inspection in the NRC Public Document Room or from ADAMS, accessible from the NRC Web site at <http://www.nrc.gov/reading-rm/adams.html>. To the extent possible, your response should not include any personal privacy, proprietary, or safeguards information so that it can be made available to the Public without redaction.

Sincerely,



Miller, Mark signing on behalf
of Dudes, Laura
on 10/19/23

Laura A. Dudes,
Regional Administrator

Docket No. 05000348
License No. NPF-2

Enclosure:
Notice of Violation

cc w/ encl: Distribution via LISTSERV

SUBJECT: JOSEPH M. FARLEY NUCLEAR PLANT – FINAL SIGNIFICANCE DETERMINATION OF A WHITE FINDING AND NOTICE OF VIOLATION AND ASSESSMENT FOLLOWUP LETTER – NRC INSPECTION REPORT 05000348/2023091

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NOTICE OF VIOLATION

Southern Nuclear Company, Inc.
Joseph M. Farley Nuclear Plant, Unit 1

Docket No.: 05000348
License No.: NPF-2
EA-23-080

During an NRC inspection conducted from April 1, 2023, to June 30, 2023, a violation of NRC requirements was identified. In accordance with the NRC Enforcement Policy, the violation is listed below:

Title 10 of the *Code of Federal Regulations* (10 CFR) 50, Appendix B, Criterion XVI, "Corrective Action," states, in part, measures shall be established to assure that conditions adverse to quality, such as nonconformances are promptly identified and corrected.

Technical Specification (TS) Limiting Condition for Operations (LCO) 3.0.1 requires, in part, that LCOs shall be met during the modes of applicability. TS LCO 3.8.1, "AC Sources," requires, in part, two operable emergency diesel generator (EDG) sets capable of supplying the onsite Class 1E distribution systems while in Modes 1, 2, 3, or 4.

Contrary to the above, on November 4, 2022, the licensee failed to identify and correct a condition adverse to quality associated with nonconforming work instructions for the installation of a lube oil coupling assembly for the Unit 1 'B' train (1B) EDG following a coupling assembly failure and substantial lube oil leak. Specifically, the licensee did not adequately disposition the failure via troubleshooting work order (WO) SNC1399361 used to implement corrective actions in accordance with procedure NMP-GM-002-001, "Corrective Action Program Instructions," version 43.0. The disposition was inadequate because the licensee failed to adhere to its troubleshooting standards and did not evaluate available evidence surrounding the coupling assembly failure after the immediate cause of the failure could not be identified during implementation of WO SNC1399361. As a result, following the failure on November 4, 2022, repairs to the EDG were limited to replacement of the coupling assembly in accordance with the existing nonconforming work instructions. This resulted in the inoperability of the EDG due to a similar failure on February 26, 2023, during a surveillance run. In addition, from December 7, 2022, to March 3, 2023, while the plant was in the modes of applicability, the 1B EDG was inoperable. With the 1B EDG inoperable, the licensee failed to meet the LCO in accordance with TS 3.0.1 and 3.8.1 between December 7, 2022, and March 3, 2023.

This violation is associated with a White Significance Determination Process finding.

Pursuant to the provisions of 10 CFR 2.201, Southern Nuclear Company, Inc. is hereby required to submit a written statement or explanation to the U.S. Nuclear Regulatory Commission, ATTN: Document Control Desk, Washington, DC 20555-0001 with a copy to the Regional Administrator, Region II, and a copy to the NRC Resident Inspector at the facility that is the subject of this Notice, within 30 days of the date of the letter transmitting this Notice of Violation (Notice). This reply should be clearly marked as a "Reply to a Notice of Violation; EA-23-080" and should include for each violation: (1) the reason for the violation, (2) the corrective steps that have been taken and the results achieved, (3) the corrective steps that will be taken, and (4) the date when full compliance will be achieved. Your response may reference or include

previous docketed correspondence, if the correspondence adequately addresses the required response. If an adequate reply is not received within the time specified in this Notice, an order or a Demand for Information may be issued as to why the license should not be modified, suspended, or revoked, or why such other action as may be proper should not be taken. Where good cause is shown, consideration will be given to extending the response time.

Because your response will be made available electronically for public inspection in the NRC Public Document Room or from the NRC's document system (ADAMS), accessible from the NRC Web site at <http://www.nrc.gov/reading-rm/adams.html>, to the extent possible, it should not include any personal privacy, proprietary, or safeguards information so that it can be made available to the public without redaction. If personal privacy or proprietary information is necessary to provide an acceptable response, then please provide a bracketed copy of your response that identifies the information that should be protected and a redacted copy of your response that deletes such information. If you request withholding of such material, you must specifically identify the portions of your response that you seek to have withheld and provide in detail the bases for your claim of withholding (e.g., explain why the disclosure of information will create an unwarranted invasion of personal privacy or provide the information required by 10 CFR 2.390(b) to support a request for withholding confidential commercial or financial information). If safeguards information is necessary to provide an acceptable response, please provide the level of protection described in 10 CFR 73.21.

In accordance with 10 CFR 19.11, you may be required to post this Notice within two working days of receipt.

Dated this 19th day of October 2023