



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

October 10, 2019

EA-19-089

Mr. Michael Yox
Regulatory Affairs Director
Southern Nuclear Operating Company Vogtle 3 & 4
7835 River Road, Bldg. 140
Waynesboro, GA 30830

SUBJECT: NRC OFFICE OF INVESTIGATION REPORT 2-2018-0029

Dear Mr. Yox:

This refers to the investigation completed on July 23, 2019, by the Nuclear Regulatory Commission's (NRC) Office of Investigations (OI), at Southern Nuclear Company's (SNC) Vogtle Nuclear Plant Units 3 & 4 construction project. The investigation was conducted to determine if a contract supervisor and two contract employees at Southern Nuclear Operating Company's Vogtle Electrical Generating Plant, Unit 3 (Vogtle), in Waynesboro, Georgia, willfully violated a licensee procedure regarding compliance with fitness for duty (FFD) requirements, which included any attempt to subvert the required testing process. Based on the investigation, OI did substantiate that a contract supervisor and one contract employee deliberately violated a licensee procedure regarding compliance with FFD requirements in that they attempted to subvert the required testing process.

After considering the information developed during the investigation, the NRC has concluded no further action is warranted. This decision was made after considering corrective actions you have taken to resolve the issues. Specifically, SNC performed an investigation, substantiated the concerns, developed appropriate corrective actions and ultimately placed all three individuals in question into the Personnel Access Data System (PADS) with a lifetime ban.

You are not required to respond to this letter. However, should you choose to respond, your response should be sent to the U.S. Nuclear Regulatory Commission, ATTN: Regional Administrator, Region II, 245 Peachtree Center Avenue NE, Suite 1200, Atlanta, GA 30303-1257 and marked "Open by Addressee Only," within 30 days of the date of this letter. You may contact me if you have any questions. I can be reached at 404-997-4510.

This letter, and your response, if you choose to submit one, will be made publicly available for public inspection in the NRC Public Document Room, or from the Publicly Available Records (PARS) component of NRC's document system (ADAMS). However, you should be aware that all final NRC documents, including the final OI investigation report, are official agency records

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M. Yox

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and may be made available to the public under the Freedom of Information Act (FOIA), subject to redaction of certain information in accordance with the FOIA.

Sincerely,

/RA/

Nicole Coover, Chief
Construction Inspection Branch 1
Division of Construction Oversight

Enclosure: OI Synopsis

Letter to Michael Yox from Nicole Coover dated October 10, 2019.

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DATE	10/08/2019	10/10/2019	10/10/2019			

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SYNOPSIS

This investigation was initiated on June 2, 2017, by the U.S. Nuclear Regulatory Commission (NRC), Office of Investigations (OI), Region II (RII), to determine whether a Fitness-for-Duty (FFD) Collector employed by WECTEC working for Southern Nuclear Company (SNC) at the Vogtle Nuclear Plant (Vogtle) willfully failed to follow the FFD procedure.

Based on the evidence developed during this investigation OI: RII did substantiate the allegation that an FFD Collector employed by WECTEC at the Vogtle Nuclear Plant (Vogtle) willfully failed to follow FFD procedure drug testing on May 8, 2017. Additionally, this investigation substantiated that a contractor for SNC engaged in deliberate misconduct when he submitted and/or otherwise caused a specimen to provide an inaccurate test result to avoid detection of illegal drug usage.

Approved for release, **WBJ** - SES

Enclosure