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R. P. McDonald
Executive Vice President
Nuclear Operations

April 1, 1991

ELV-02684
1213

Docket Nos. 50-424
50-425

U. S. Nuclear Regulatory Commission
Washington, D. C. 20555

ATTN: Thomas E. Murley, Director
Office of Nuclear Reactor Regulation

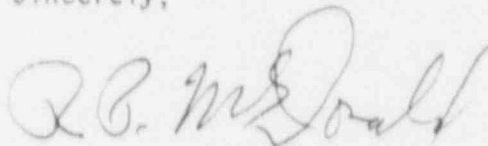
Gentlemen:

VOGTLE ELECTRIC GENERATING PLANT
REGARDING PETITION OF M. B. HOBBY AND A. L. MOSBAUGH

By letter dated February 28, 1991, the NRC requested Georgia Power Company ("GPC" or the "Company") to provide additional information concerning a request for proceedings filed with the NRC by counsel for Messrs. Marvin B. Hobby and Allen L. Mosbaugh (the "petitioners"). Enclosed herewith, GPC provides additional information supplementing its September 28, 1990 letter concerning petitioners' September 11, 1990 request for proceedings, as well as information responding to the allegations contained in the petitioners' October 1, 1990 supplemental letter.

The information provided herein is true and correct to the best of my knowledge.

Sincerely,

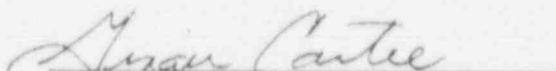


Mr. R. P. McDonald

RPM/JAB/clr

Sworn to and signed before me

this 1 day of April, 1991.


Notary Public

MY COMMISSION EXPIRES JANUARY 12, 1993

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xc: Georgia Power Company

Mr. A. W. Dahlberg (w/o Volume II)
Mr. W. G. Hairston, III (w/o Volume II)
Mr. C. K. McCoy (w/o Volume II)
Mr. W. B. Shipman (w/o Volume II)
Mr. P. D. Rushton (w/o Volume II)
Mr. J. T. Beckham (w/o Volume II)
Mr. S. H. Chesnut (w/o Volume II)
NORMS (w/o Volume II)

U. S. Nuclear Regulatory Commission

Mr. S. D. Ebner, Regional Administrator (w/Volume II)
Mr. D. S. Hood, Licensing Project Manager, NRR (w/Volume II)
Mr. B. R. Bonser, Senior Resident Inspector, Vogtle (w/Volume II)
Document Control Desk (w/Volume II)

ENCLOSURE

ADDITIONAL INFORMATION REGARDING THE HOBBY/MOSBAUGH PETITION

Background

By letter dated September 11, 1990, legal counsel for the petitioners submitted to the NRC a request that NRC institute licensing proceedings (the "Petition"). The Petition contained a list of nine allegations, only some of which were supported by alleged examples. The attachments referred to in that Petition were forwarded to the NRC on September 21, 1990. On September 28, 1990, GPC provided the NRC with a brief, initial response to the Petition which demonstrated, to the extent of the information available at the time, the inappropriateness of a proceeding as requested by the petitioners. The Company also indicated that the petitioners were abusing the NRC process for identifying safety concerns and for requests for proceedings for the purpose of merely improving their chances of obtaining a negotiated settlement of the Department of Labor ("DOL") cases which they had brought against the Company.

On October 1, 1990, the petitioners filed with the NRC a document entitled "Supplemental Information to the September 11, 1990 Hobby/Mosbaugh Petition Concerning the Illegal Transfer of Control of Georgia Power Company's Licenses to SONOPCO" (the "Supplement") containing four allegations intended to support their previously-raised "illegal license transfer" allegation. On October 23, 1990, the NRC advised the petitioners' counsel that it had received the Petition and the Supplement and that they had been referred to the Director of NRC's Office of Nuclear Reactor Regulation (the "Director") for preparation of a decision pursuant to 10 C.F.R. § 2.206. The NRC also concluded that no immediate action was necessary based on several NRC investigations and inspections at the Vogtle Electric Generating Plant ("VEPG" or "Vogtle") aimed at determining the facts surrounding several allegations and the safety significance of various issues. On February 28, 1991, the NRC requested GPC to provide additional information within 30 days concerning the allegations raised in the Petition and the Supplement.

¹Because the Petition contains allegations based on wild speculation, obvious material omissions and inaccurate statements, GPC questions whether petitioners' counsel had authority to submit the Petition to the NRC on behalf of the petitioners. The NRC might inquire whether the petitioners would attest to the accuracy of the statements contained in the Petition.

In the attachments to this Enclosure, the Company provides further information addressing each of the broad allegations raised in the Petition including information concerning the alleged examples included in the Petition and the Supplement.² Due to the lack of specificity of several allegations and the general nature of the February 28, 1991 request, this response may not address areas for which the Director desires more extensive information. If such is the case, GPC suggests that a further request for information is appropriate rather than the initiation of proceedings, particularly when the petitioners have failed to adequately identify factual bases for allegations. The balance of this Enclosure (1) provides an update of the petitioners' DOL actions, (2) discusses the legal requirements applicable to Section 2.206 petitions as applied to the petitioners, (3) discusses the NRC Staff evaluations of Vogtle operations which negate the need for the requested proceeding, and (4) provides the Company's overall conclusions respecting the Petition.

Update of Petitioners' DOL Actions

The Company's September 28, 1990 letter described three DOL actions filed by petitioners, one by Mr. Hobby and two by Mr. Mosbaugh, and the DOL preliminary findings in favor of GPC in those actions. Both petitioners appealed those DOL decisions. In October and November of 1990, Mr. Hobby's appeal was heard by DOL Administrative Law Judge Joel R. Williams. Judge Williams' decision in the Hobby v. GPC proceeding is pending.

Mr. Mosbaugh filed a third complaint against GPC with DOL under Section 210 of the Energy Reorganization Act of 1974 on September 19, 1990, which he subsequently amended on October 17, 1990. That complaint alleges that adverse employment action was taken against him because he provided the NRC "evidence of criminal conduct" and because he filed the Petition. On November 16, 1990, the DOL investigator issued a preliminary decision, in favor of Mr. Mosbaugh, which concluded that "the weight of the evidence to date" indicated that discrimination for engaging in protected activities "was a factor in the actions which comprise his complaint." A full, de novo evidentiary

² For the Commission's convenience, the attachments are numbered to correspond to the numbers assigned to the allegations in Section III of the Petition (see the "List of Attachments" which appears at the end of this Enclosure).

hearing of that third complaint, consolidated with the second complaint, is pending.³

In Hobby v. GPC, numerous depositions were taken and extensive testimony (944 transcript pages) was heard before the DOL. Significant portions of that record are relevant to certain of the allegations raised in the Petition (see Sections III.1, III.2 and III.4) and items 1, 2 and 3 of the Supplement. Likewise, but to a lesser extent, some of the deposition testimony taken in Mosbaugh v. GPC is relevant to the Petition's allegations (see footnote 1 of the Supplement). As a result, the Company's detailed responses provided herein concerning those allegations borrow from the deposition and trial testimony in those cases.⁴ A copy of the pertinent pages from the various transcripts cited in the attached GPC responses is provided in a separately bound document enclosed herewith and entitled "Volume II - Transcript Excerpts."

The Company maintains that the petitioners' primary and controlling motivation for their filings is to obtain a favorable result in their DOL actions against GPC. In addition to the information provided in the Company's September 28, 1990 letter, a recent order issued by DOL Administrative Law Judge Bernard J. Gilday, Jr. supports the Company's position in this regard. On February 19, 1991, Judge Gilday, who was assigned the appeal of Mr. Mosbaugh's first complaint, granted the NRC's motion for a partial stay of execution of an order which compelled Mr. Mosbaugh to produce certain documents. Judge Gilday questioned Mr. Mosbaugh's motives and goals, as well as the techniques of his counsel, because it was the second time that Mr. Mosbaugh had "trotted to the [NRC] for comfort, relief and solace" when he was confronted with an order to produce documentation. Judge Gilday further stated that it appeared some of the documents Mr. Mosbaugh delivered to the NRC in January 1991 had not been previously disclosed to the NRC. A copy of Judge Gilday's order is attached to this Enclosure. Additionally, on February 14, 1991, when the NRC offered to return to Mr. Mosbaugh many of the tape recordings which he delivered to the NRC, Mr. Mosbaugh refused to accept them. At

³Any one or more of the DOL proceedings brought by Mr. Mosbaugh are hereinafter referred to as Mosbaugh v. GPC.

⁴References in the attached GPC responses to the depositions taken in Hobby v. GPC and Mosbaugh v. GPC are identified as "(name of deponent) (date of deposition) Dep. at XX." References herein to the transcript of the Hobby trial appear as "Trial Tr. at XX."

the time, Mr. Mosbaugh was under a DOL order to deliver the tapes to GPC when he received them from the NRC. On February 19, 1991, Mr. Mosbaugh withdrew his first DOL complaint against GPC, which negated the DOL order in that case requiring him to deliver the tapes to GPC. GPC contends that this information calls into question the foundation of the petitioners' allegations and is a proper consideration of the Director in reaching a decision.

The Legal Requirements For Section 2.206 Petitions

In response to a petition filed pursuant to 10 C.F.R. § 2.206, the Director must reach the conclusion that substantial health or safety issues have been raised before granting requested relief, including the initiation of a proceeding. Consolidated Edison Co. of N.Y. (Indian Point, Units 1, 2 and 3), CLI-75-8, 2 NRC 173, 176 (1975). A mere dispute over factual issues will not suffice to support such a conclusion and the Director is required to make an "inquiry appropriate to the facts asserted." Id. at 175-76. The Director "is not required to accord presumptive validity to every assertion of fact, irrespective of its degree of substantiation, or to convene an adjudicatory proceeding in order to determine whether an adjudicatory proceeding is warranted. Rather, his role at this preliminary stage is to obtain and assess the information he believes necessary to make that determination. Provided he does not abuse his discretion, he is free to rely on a variety of sources of information, including staff analyses of generic issues, documents issued by other agencies, and the comments of the licensee on the factual allegations." Northern Indiana Public Service Co. (Bailly Generating Station, Nuclear-1), CLI-78-7, 7 NRC 429, 432-33 (1978).

In the case of the Hobby/Mosbaugh Petition, the Director's task, therefore, is to first determine whether the Petition raises any substantial health or safety issues based on credible and probative evidence. The Consolidated Edison case dictates that mere allegations such as those submitted by the petitioners do not establish a basis for granting relief pursuant to Section 2.206; the Director must conduct an appropriate inquiry. A careful inquiry is especially appropriate where the licensee, as in this case, disputes the factual allegations of the petitioners. And, in the course of his inquiry into the Petition's allegations, it is appropriate for the Director to rely on (1) the NRC Staff's inspections and evaluations which are relevant to the allegations, (2) the testimony taken in the related DOL cases, and (3) the information provided by GPC in this response, in the Company's September 28, 1990 letter, during NRC inspections, and, if requested, further responses.

Previous Director's Decisions which illustrate application of the substantial health or safety issue standard to Section

2.206 petitions include: Philadelphia Electric Co. (Limerick Generating Station, Units 1 and 2), DD-85-11, 22 NRC 149 (1985); Wolf Creek Nuclear Operating Corp. (Wolf Creek Generating Station, Unit 1), DD-89-4, 29 NRC 545 (1989) and Florida Power & Light Co., (Turkey Point Nuclear Generating Plant, Units 3 and 4), DD-89-5, 30 NRC 73 (1989). Those Director's Decisions illustrate that the petitioners bear a heavy burden in establishing that a substantial health or safety issue exists. For example, the identification of violations of NRC requirements and unsatisfactory management practices did not constitute sufficient grounds in those cases for the issuance of a show-cause order. A Section 2.206 petitioner must also demonstrate that such violations and practices evidence a pattern of inadequate management oversight indicative of an overall programmatic breakdown. Limerick, 22 NRC at 161-62; Wolf Creek, 29 NRC at 551-52; Turkey Point, 30 NRC at 78-79, 83. Furthermore, those same Director's Decisions have placed great emphasis on whether licensees have attempted to cure the identified deficiencies in plant operations. Provided the licensee has taken steps to correct problems identified in a Section 2.206 petition, a show cause order is generally unwarranted notwithstanding remaining isolated areas where corrective action is needed. Limerick, 22 NRC at 161-62; Wolf Creek, 29 NRC at 551-52; Turkey Point, 30 NRC at 80-83.

The Company contends that the above Directors' Decisions correctly apply the legal requirements for Section 2.206 petitions and establish that the proper decision in this case is for the Director to deny the Petition in its entirety for failure to raise any substantial health or safety issue. Based on the NRC Staff evaluations to date, any deficiencies in GPC's Vogtle-related operations identified by the Petition's allegations are clearly isolated incidents which do not show a pattern of inadequate management oversight and are of relatively minor safety significance. Such deficiencies can appropriately be addressed by the NRC in the routine exercise of its inspection and enforcement authority and, therefore, are not an appropriate basis on which to issue a show cause order. See, generally, Wolf Creek, supra. Furthermore, the Company has taken steps to correct identified deficiencies; it consistently takes corrective action when the NRC, or GPC itself for that matter, identifies violations or areas requiring attention.

Additionally, petitions reviewed under Section 2.206 must meet certain minimum standards before the NRC makes the inquiry described above. In addition to specifying the action requested, a petition must "set forth the facts that constitute the basis for the request," and absent such a showing by a petitioner the petition should be denied. Duke Power Co. (Oconee Nuclear Station, Units 1, 2 and 3), DD-79-6, 9 NRC 661, 661-62 (1979); Limerick, 22 NRC at 154; Turkey Point, 30 NRC at 75; 10 C.F.R. § 2.206(a). Certain of the Petition's allegations fail to meet

this specificity requirement, including items III.5, III.6(d), III.7 and III.9. Therefore, the Director should deny the Petition with respect to those allegations for failure to meet the minimum requirements applicable to Section 2.206 petitions.

The NRC Staff Evaluations of Vogtle

On August 6 through 17, 1990, the NRC conducted an Operational Safety Inspection at Vogtle following the receipt of several allegations related to operational activities which the Company believes were submitted by Mr. Mosbaugh. The inspection was conducted by two inspection groups -- an operations follow-up group and an allegations follow-up group. The allegations follow-up group examined the technical validity and safety significance of each of the allegations with the assistance of the NRC Office of Investigations ("OI"). On January 11, 1991, the NRC issued Inspection Report Nos. 50-424/90-19 and 50-425/90-19 (the "Inspection Report") which provided the results of the operations follow-up group inspection. Although two level-four violations were identified, the inspection report's primary conclusion was that the facility "was operated in a safe manner in accordance with the requirements of the licensee's operating license." In addition, several operational practices were identified which, while complying with NRC requirements, could be enhanced. Further, the operations follow-up group made factual determinations which are relevant to certain allegations raised in the Petition. For example, the Inspection Report includes findings concerning VEGP Technical Specification interpretations (pp. 7-9), voluntary entry into limiting conditions for operation (p. 15) and completed surveillance procedures (p. 27). Therefore, the Inspection Report supports a finding by the Director that no substantial health or safety issue is raised by certain of the Petition's allegations.

The NRC's OI has also conducted an investigation of certain operational activities at Vogtle which are addressed in Sections III.6(a) and (b) of the Petition. The results of that investigation have not been provided to the Company to date. However, the Company is confident that the OI investigators have determined that Mr. Mosbaugh historically submitted allegations to the NRC which are largely based on unsubstantiated hearsay, speculation, and limited personal knowledge.

On December 10, 1990, the NRC issued a Systematic Assessment of Licensee Performance report for the Vogtle facility covering the period October 1, 1989 through September 30, 1990 (the "SALP Report"). That SALP Report concluded that during the assessment period Vogtle "has been operated in a safe manner" although operational occurrences and inspections had identified areas requiring attention. The SALP Report assigned ratings of "2" or above to all assessment areas except emergency preparedness and

security. The emergency preparedness area is not a subject of the Petition's allegations. In the area of security, the SALP Report notes (p. 2) that GPC continues to experience difficulty although improvements were noted in training, armed response capability, and search equipment. However, relevant to the Petition's allegations is the SALP Report's finding (p. 17) that an on-site review of safeguards events indicated proper identification and reporting by GPC.

Conclusion

The Company respectfully submits that, based on the NRC Staff evaluations to date and the information provided to the NRC by the Company, and considering the motivation for, the lack of merit and detail and the speculative nature of, the Petition, the Director should deny the Hobby/Mosbaugh Petition. Any deficiencies in GPC's Vogtle-related operations to date, or which might be identified by on-going NRC evaluations, are isolated in nature and of relatively minor safety significance, and are being, or can be, appropriately addressed through the NRC's routine inspection and enforcement authority. The deficiencies identified by the Petition have been, or can be, adequately addressed by licensee corrective action and do not indicate a programmatic breakdown or otherwise raise a substantial health or safety issue. Therefore, the Company respectfully requests the Director to deny the relief requested by the petitioners for failure to raise any substantial health or safety issue.

LIST OF ATTACHMENTS

- Attachment 1 - GPC Response to Section III.1 of the Petition and the October 1, 1990 Supplement.
- Attachment 2 - GPC Response to Section III.2 of the Petition.
- Attachment 3 - GPC Response to Section III.3 of the Petition.
- Attachment 4 - GPC Response to Section III.4 of the Petition.
- Attachment 5 - GPC Response to Section III.5 of the Petition.
- Attachment 6(a) & (b) - GPC Response to Sections III.6(a) and (b) of the Petition.
- Attachment 6(c) - GPC Response to Section III.6(c) of the Petition.
- Attachment 6(d) - GPC Response to Section III.6(d) of the Petition.
- Attachment 6(e) - GPC Response to Sections III.6(e)(i), (e)(ii) and (e)(iii) of the Petition.
- Attachment 7 - GPC Response to Section III.7 of the Petition.
- Attachment 8 - GPC Response to Section III.8 of the Petition.
- Attachment 9 - GPC Response to Section III.9 of the Petition.

U.S. Department of Labor

Office of Administrative Law Judges
525 Vine Street, Suite 900
Cincinnati, Ohio 45202

IN THE MATTER OF

ALLEN MOSBAUGH,

Complainant

Date: FEB 19 1991

v.

Case No: 90-ERA-58

GEORGIA POWER COMPANY,

Respondent

ORDER GRANTING MOTION FOR PARTIAL STAY
OF EXECUTION OF ORDER GRANTING MOTION TO COMPEL
ISSUED JANUARY 22, 1991

The Nuclear Regulatory Commission has moved for a partial stay of execution of the Order Granting Motion To Compel, issued on January 22, 1991, on the ground that disclosure of seventeen documents could seriously compromise the investigation of Respondent for alleged violations of health and safety regulations. Respondent's stout opposition to this motion, including, but not limited to, assertions of Movant's absence of an articulated privilege, prejudice in the preparation of defenses and the questionable tactics and practices of Complainant is spread upon the record.

For a second time, when confronted with an Order To Produce and his back literally against the wall, Complainant has trotted to the Nuclear Regulatory Commission for comfort, relief and solace. On September 12, 1990, two hundred seventy-seven tape recordings, the existence of which was hidden until he was deposed by Respondent, were delivered to the Nuclear Regulatory Commission. To protect an on-going investigation, the Commission had no choice but to intervene, seek and obtain, on September 13, 1990, a stay of execution of an Order Compelling Production. On January 29, 1991, the date when Complainant faced compliance with another Order to Produce, he delivered approximately twenty boxes of documents, which were subject to this Order, to Region II of Headquarters. It appears that some of the delivered documents had not even been disclosed to the Nuclear Regulatory Commission, though Complainant well knew of and had contributed to the Commission's investigation. Complainant's actions raise serious questions, not only about his true motives and goals, but also about the quality of the techniques which have been employed. If early on had any semblance of openness and fair play been exhibited, substantial effort, expense and time, on the part of many, would have been saved. As Respondent appears to suggest, Complainant has affixed to his case a brand he personally

designed. Be that as it may, the merits of the Commission's motion must be addressed.

Movant maintains that release of seventeen documents delivered by Complainant to NRC Investigator Robinson could seriously compromise the investigation of alleged violations of NRC regulations, some of which could or may be criminal in nature. It is also appropriately noted that a Memorandum of Understanding between the Nuclear Regulatory Commission and the Department of Labor provides for cooperation so that administrative efficiency and sound enforcement policies will be maximized. Respondent's absence of privilege argument, thusly, is non-persuasive. Additionally, delay in providing discovery to Respondent is not tantamount to withholding discovery. However, Respondent's right, hereafter, to claim and establish prejudice because of Complainant's actions is fully reserved. I find, therefore, that the Motion For Partial Stay Of Execution of the January 22, 1991 Order Compelling Production is well taken and must be granted.

WHEREFORE, IT IS ORDERED that each and all of the documents numbered 1 through 17 and described in Exhibit 1 which is attached hereto, made a part hereof and incorporated herein as fully and completely as if rewritten, be and they are hereby exempt from the January 22, 1991 Order Compelling Production until the Nuclear Regulatory Commission notifies the Parties and this Tribunal that release of said documents would not compromise the Nuclear Regulatory Commission investigation and/or possible referral to the Department of Justice. Upon release of any or all of said documents to Complainant, an exact copy of every document returned to Complainant shall, forthwith, be delivered by Complainant to Respondent.


BERNARD C. GILDAY, JR.
ADMINISTRATIVE LAW JUDGE

RESPONSE TO HOBBY/MOSBAUGH PETITION, SECTION III.1 AND THE SUPPLEMENT

I. Petitioners' Allegation.

Petitioners assert that Georgia Power Company ("GPC") has illegally transferred control of NRC operating licenses for Plants Hatch and Vogtle to the SONOPCO Project and the Southern Company System in violation of 10 C.F.R. § 50.80(c). Specifically, petitioners assert that Mr. Joseph M. Farley, then Executive Vice President of The Southern Company, rather than Mr. Alfred W. Dahlberg, President and CEO of GPC, was in control of and operating GPC's nuclear facilities.

II. Background of Southern Nuclear Operating Company Formation.

In 1987, a task force of GPC and Alabama Power Company ("APC") personnel recommended the formation of a separate nuclear operating company within The Southern Company to operate Plants Hatch, Vogtle and Farley on behalf of the plants' owners. It was envisioned that the operating company (hereinafter "Southern Nuclear" or "SONOPCO") would be the repository of the Southern System's collective nuclear expertise and would thereby maximize the safe and efficient operation of the system's plants. Southern Nuclear would not retain any ownership interest in the plants or any right to power output. A description of the proposed phased formation of Southern Nuclear is attached as Exhibit 1.

On March 2, 1988, GPC and APC personnel met with the NRC to discuss licensing considerations related to the formation of Southern Nuclear. The presentation to the NRC explained, among other things, the benefits of higher levels of performance and improved economics which would be achieved through the consolidation. At that time the NRC indicated its willingness, subject to further discussions, to support the formation of Southern Nuclear. See NRC March 9, 1988 letter concerning the March 2, 1988 meeting, attached as Exhibit 2.

On March 18, 1988, representatives from GPC, APC and Southern Company Services, Inc. ("SCSI") met with the NRC to discuss details of the NRC operating license amendments which would be required to properly transfer control of the operation of the system's nuclear plants to Southern Nuclear. The NRC issued a summary of that meeting on March 25, 1988, which is attached as Exhibit 3.

On April 20, 1988, the GPC Board of Directors elected Mr. R. Patrick McDonald to be a senior officer of the Company, giving the Chairman of the Board authority to designate his position. Thereafter, the Chairman designated Mr. McDonald as Executive

Vice President (Nuclear Operations) effective April 25, 1988. From that day forward, Mr. McDonald was the GPC senior executive responsible for the operation of GPC's nuclear plants.

On May 18, 1988, The Southern Company Board of Directors and the GPC Board of Directors passed resolutions authorizing eventual formation of a new subsidiary to operate the nuclear facilities owned by subsidiaries of the Southern Company. On that same date, the GPC Board of Directors elected Mr. William G. Hairston, III to the position of Senior Vice President (Nuclear Operations) and Mr. Charles K. McCoy to the position of Vice President - Nuclear. Certified copies of the GPC Board resolutions respecting the elections of Messrs. McDonald, Hairston and McCoy and a copy of the Chairman's letter designating Mr. McDonald's position are attached as composite Exhibit 4.

In June, 1988, The Southern Company filed a Form U-1 "Application or Declaration" with the Securities and Exchange Commission ("SEC") to form Southern Nuclear as a wholly owned subsidiary. Exhibit B-1 of that filing is a form of Agreement for Shared Employment which was entered into by Mr. McDonald, GPC and APC on June 1, 1988 and which provides, in part, that as an employee of GPC, Mr. McDonald "shall devote his time, attention, and energies in the performance of the duties designated by GPC, and will, during such time, be under the sole supervision, direction and control of GPC." Exhibit B-2 of that Form U-1 is a copy of the Phase I organizational structure. It clearly shows that, during Phase I, Mr. McDonald, as the "Nuclear Operating Executive VP" reported directly to APC and GPC management. Exhibits B-3 and B-4 depict the Phase II and Phase III organizations, respectively. A copy of the Form U-1 Application or Declaration, with the exhibits described above, is attached as Exhibit 5. That SEC filing contemplated that control over actual plant operations would remain with the licensed operators, GPC and APC until the operating licenses were amended by the NRC to designate Southern Nuclear as the sole licensed operator, i.e., until Phase III. See, e.g., SEC Notice of Filing (Release No. 35-24694), dated August 12, 1988, attached as Exhibit 6.

On July 25, 1988, GPC personnel met with NRC Region II staff to discuss the GPC nuclear plant operations organization and the planned reorganization. An organizational chart depicting the "Nuclear Operations - Transition Organization" was provided to the NRC identifying Mr. McDonald as the Executive Vice President - Nuclear Operations. A copy of the meeting summary issued by the NRC on August 11, 1988 is attached as Exhibit 7.

On September 21, 1988, Mr. Edward L. Addison, President of The Southern Company, issued a memorandum to all employees of GPC, APC and SCSi briefly describing the progress made on the phased formation of SONOPCO. That memorandum, a copy of which is

attached as Exhibit 8, announced the implementation of Phase I and stated that Mr. McDonald would serve as Executive Vice President of both GPC and APC and would be responsible for the operation of Plants Hatch, Vogtle and Farley. Mr. Addison also noted that each company, as the licensee, would be responsible for operating its respective plants. The memorandum stated that Mr. Addison had recently asked Mr. Joseph Farley "to devote a portion of his time to guiding the formation of our new nuclear company. His leadership and insight will be of immeasurable value."

On or about November 1, 1988, Phase I began and the GPC, APC and SCSI personnel who would be working within the SONOPCO Project were consolidated in the Birmingham, Alabama offices of SCSI. However, as a result of a delay in proceedings before the SEC, the formation of Southern Nuclear was stalled in Phase I.

On November 23, 1988, GPC submitted to the NRC Amendment No. 39 to the VEGP Final Safety Analysis Report ("FSAR"). That amendment included the Phase I changes to the GPC organization and specifically described the Executive Vice President - Nuclear Operations position as one which was shared between GPC and APC and which reported directly to the chairmen and CEOs of those companies. The GPC letter and selected pages of the attachment to that letter are attached as Exhibit 9.

In December, 1988, the NRC conducted an inspection of the SONOPCO Project corporate offices to review areas of corporate organization, responsibilities, and functions. A management meeting was also held on December 19, 1988. The NRC issued a report on that inspection on February 7, 1989, which is attached as Exhibit 10. The inspection report concluded that the corporate organization was functioning as described in FSAR Amendment No. 39 and that "[t]he philosophy of operations of the corporate staff functioning in a support role as opposed to an overview role appears sound." See Exhibit 10, "Report Details" at pp. 3, 11. In response to an NRC inquiry made during the December, 1988 inspection, GPC notified the NRC by letter dated December 29, 1988 (attached as Exhibit 11) that the nuclear support departments in the corporate office were "organized as a staff function to support the plant operation and not as a line function to direct the operation of the plant. However, as shown on FSAR Figures 13.1.1-2 and 13.1.1-3, the Executive Vice President, the Senior Vice President-Nuclear Operations and the Vice President-Nuclear, do provide line management direction for the operation of the Plant."

On February 24, 1989, The Southern Company Board of Directors and the SCSI Board of Directors elected Mr. Farley to the position of Executive Vice President Nuclear and Executive Vice President, respectively, effective March 1, 1989. A copy of the minutes of the February 24, 1989 board meetings of The

Southern Company and SCSi are attached as composite Exhibit 12. Mr. Farley had previously been a Vice President of The Southern Company and the CEO of APC. Effective March 1, 1989, Mr. Farley was replaced as President and CEO of APC by Mr. Elmer B. Harris, a former officer of GPC. As an Executive Vice President, Mr. Farley's duties include (1) overseeing the formation of Southern Nuclear, (2) acting as spokesman for Southern Nuclear among the chief executive officers of the other Southern Company affiliates,¹ and (3) representing The Southern Company on the national scene concerning generic nuclear power issues. Trial Tr. at 565-66. As Executive VP, and prior to his election to the position of CEO of Southern Nuclear, three SCSi staff positions reported administratively to Mr. Farley: Vice President of Technical Services, Vice President of Administrative Services and Director of Strategic Analysis. However, those three positions reported functionally to the GPC Executive Vice President - Nuclear Operations pursuant to an April 24, 1989 letter agreement discussed below. Additionally, one Executive Assistant and one Assistant reported directly to Mr. Farley.

On March 23, 1989, GPC management attended a meeting of the NRC Commissioners convened to vote on the full power operating license for Vogtle Unit 2. In response to a question from then Commissioner Carr, Mr. McDonald stated that he reports to Mr. Dahlberg. A discussion of the March 30, 1989 proceeding is provided in the Company's Response To Hobby/Mosbaugh Petition, Section III.2, included as Attachment 2.

On April 24, 1989, Mr. McDonald, as an officer of GPC, enumerated the specific services which SCSi was requested to provide to GPC in support of GPC's operation of Plants Hatch and Vogtle, pursuant to a January 1, 1984 service agreement between GPC and SCSi. That letter, a copy of which is attached as Exhibit 13, included a request for services under the direction of Mr. Farley relating to the "anticipated transfer of nuclear operating and support activities from Georgia Power Company to the Southern Nuclear Operating Company in compliance with applicable regulatory requirements, and for support on an industry basis." A similar agreement was entered into by APC and SCSi.

¹This function refers to Mr. Farley's membership on the Southern System Management Council which is composed of all the CEOs of the Southern System companies. The Southern System Management Council provides a forum for the exchange of information among subsidiary companies that will aid the companies' daily operations, it reviews system performance and it provides strategic and policy guidance to the system. However, day-to-day management of policy and operating issues pertaining solely to an individual subsidiary company is the exclusive responsibility of that subsidiary company's CEO.

On July 25, 1989, GPC and SCSi personnel met with NRC personnel to discuss the Southern Nuclear/GPC organizations and generic activities. An overview of the then-current organizational status was provided to NRC, including corporate structure, responsibilities and interface with the plants. A summary of that meeting prepared by the NRC on August 3, 1989 is attached as Exhibit 14. As the hand-outs reflect, management oversight of plants or project activities were not functions assigned to the support organizations within the SONOPCO Project.

On March 28, 1990, GPC submitted an updated VEGP FSAR to the NRC. That update included a revised organizational chart which showed that the Executive Vice President - Nuclear Operations, an officer of both APC and GPC, reported to the President and CEO of GPC. A copy of that organizational chart and the GPC transmittal letter is attached as Exhibit 15.

On December 6, 1990, GPC and APC provided the NRC with a description of the Phase II organization which was to be implemented shortly. See Exhibit 16.

On December 17, 1990, following receipt of SEC approval, Southern Nuclear Operating Company was incorporated.

On January 1, 1991, Phase II went into effect.

On January 11, 1991, GPC, APC and Southern Nuclear personnel met with the NRC to discuss Phase II of the formation of Southern Nuclear. The meeting was transcribed.²

III. GPC Responses to Petitioners' Specific Allegations.

A. The Petition's Allegations.

The Petition alleges that the deposition testimony of H. Grady Baker, Jr. on May 23, 1990 in Hobby v. GPC acknowledges that Joseph M. Farley is the de facto CEO of SONOPCO, that Mr. Farley is an officer of GPC, that SONOPCO's CEO is Mr. Farley not Mr. Dahlberg, and that when Mr. Hobby raised this issue in an April 27, 1989 memorandum to GPC Vice President Fred Williams, he was instructed to destroy the memorandum.

²References to that transcript herein shall appear as "NRC Mtg. Tr. at XX." The organizational chart which was referred to throughout the meeting was the one provided by GPC along with its December 6, 1990 letter to NRC (Exhibit 16).

B. GPC Response to the Petition's Allegations.

The petitioners' allegations are without merit.

First, Mr. Baker's statement has been taken out of context and contorted. Mr. Baker stated in his May 23, 1990 deposition: "The appropriate oversight of SONOPCO exists, in that the chief operating officer, Pat McDonald and the CEO of--not the CEO because it's not a corporation--but Farley and McDonald are officers of Georgia Power Company, reporting to the president, Bill Dahlberg. McDonald particularly is a member of Georgia Power's management council and attends most of the meetings of the management council or many of the meetings of the management council." Thus, Mr. Baker did correctly state that Mr. McDonald reported to the president of GPC, Mr. Dahlberg, which is the controlling issue of this allegation. Baker 5-23-90 Dep. at 17. He was, however, in error when he stated that Mr. Farley was an officer of GPC. Mr. Baker corrected his erroneous deposition statement with his testimony in the Hobby trial when he acknowledged that Mr. Farley was not an officer of GPC and that Mr. McDonald takes his management direction from Mr. Dahlberg respecting GPC matters. Trial Tr. at 690-92. It is not surprising that Mr. Baker was not well versed on the reporting structure of GPC's nuclear operations because responsibility for nuclear operations management since April 1988 was Mr. McDonald's.

At the time of Mr. Baker's deposition, "Phase I" was in effect and Mr. Farley was not the CEO of SONOPCO (no such entity existed), he was not an officer of GPC and he did not otherwise have any management control over GPC licensed activities at Plants Hatch or Vogtle or, for that matter, over GPC personnel matters. The Phase I organizational structure was described to the NRC on numerous occasions. See discussion above associated with Exhibits 2, 3, 7, 9, 10, 11, 14 and 15; see also Farley 5-7-90 Dep. at 50-55.

Second, Mr. Hobby has omitted material information provided to him prior to the submission of the Petition. A Phase I organizational chart was provided to Mr. Hobby on May 15, 1989 attached to a memorandum from Mr. Fred Williams in response to an April 26, 1989 memorandum from Mr. Hobby. See Exhibit 17. Thus, as early as April 1989, the role of Mr. Farley had been explained to Mr. Hobby (a manager) by Mr. Williams (an officer of the Company).

Third, Mr. Farley has assisted with the formation of Southern Nuclear pursuant to Mr. Addison's request and his responsibilities as an Executive Vice President of The Southern Company and SCS. See Exhibit 8 and Trial Tr. at 565-66. However, such assistance does not include any management control over licensed activities or other GPC matters. Trial Tr. at 567-

68, 596. Without exception, all reports on the status of nuclear plant operations made to the GPC Board of Directors from May 18, 1988 through 1990 were made by Mr. Dahlberg, Mr. McDonald, Mr. Hairston, Mr. McCoy or Mr. Beckham, who were all GPC officers.³ As a GPC officer, Mr. McDonald's office was located initially in the GPC General Office headquarters in Atlanta and, while his primary office was relocated to Birmingham in late 1988, he retains an office in Atlanta to this day. The GPC Board of Directors also receives periodic reports from its Nuclear Operations Overview Committee (the "NOOC"), a subcommittee of five Board members. From May 1988 through December 1990, the NOOC reported to the Board on ten occasions. Prior to each report to the Board, the NOOC held a meeting at either the GPC General Office or at one of the GPC nuclear plants. Those meetings were attended by Mr. McDonald in every case, Mr. Dahlberg in eight (8) cases and Mr. Farley in three (3) cases.⁴ Additionally, Mr. McDonald is a member of the GPC Management Council and Mr. Farley is not. The GPC Management Council is made up of all the Executive and Senior Vice Presidents of GPC. It functions as a policy-setting body, makes corporate resource allocation decisions and facilitates communications and coordination between GPC departments. Between April 1988 and December 1990, Mr. McDonald reported periodically to the GPC Management Council with Mr. Dahlberg presiding, on nuclear operating matters, including budget matters and organizational goals.

Fourth, Mr. Hobby's factual basis for the allegation is devoid of personal credible knowledge. The testimony of Mr. Hobby in the DOL hearing establishes that Mr. Hobby was not in a position to know how management decisions concerning Plants Hatch and Vogtle were made and that he had not personally observed any instances of improper management reporting. Trial Tr. 238-39.

Fifth, the Hobby proceeding is replete with the testimony of knowledgeable witnesses who stated under oath that Mr. McDonald took his management direction from Mr. Dahlberg and not from Mr. Farley. See, e.g., the testimony of Mr. Dahlberg (Trial Tr. 304-09 and 324), Mr. Farley (Trial Tr. 567-68), Mr. McDonald (Trial Tr. 602-04, 608, 613-14, 631), Mr. George Head (Trial Tr. at 648-

³Mr. Farley did address the GPC Board of Directors on one occasion, September 24, 1990, at the request of Mr. Dahlberg during which he reported on the status of the formation of Southern Nuclear.

⁴The NOOC meetings attended by Mr. Farley occurred after Mr. Farley had been appointed the Executive Vice President-Nuclear for The Southern Company. Mr. Farley attended those meetings for the sole purpose of reporting on the status of the formation of Southern Nuclear.

49, 657, 675-76), and Mr. Baker (Trial Tr. at 683-84); see also NRC Mtg Tr. at 12-13, 20-21.

A specific example demonstrating that Mr. Dahlberg is, indeed, responsible for and in control of GPC matters concerning Plants Hatch and Vogtle is reflected in Hobby v. GPC. In August 1989, Mr. McDonald had a disagreement with Mr. Dwight Evans concerning testimony to be filed with the Georgia Public Service Commission on the subject of nuclear plant performance standards. Trial Tr. 365-68, 380-81. That disagreement was resolved by Mr. Dahlberg in an August 10, 1989 meeting during which Mr. Dahlberg directed Mr. McDonald to take certain actions. See Trial Tr. at 336-39, 365-68, 606-08; see also NRC Mtg. Tr. at 20-21.

Finally, in Phase II, which began in December 1990, after the Petition was filed, and following Southern Nuclear's incorporation, Mr. Farley became its CEO. Even in that present position, Mr. Farley has no management control over licensed activities or GPC personnel. In Phase II, Mr. Farley's management control is limited to Southern Nuclear support functions much the same as the CEO of SCS is limited to control over SCS matters. See NRC Mtg. Tr. at 6-10, 22-23, 36-37. Only in "Phase III", after the operating licenses of Plants Hatch, Vogtle and Farley are amended to designate Southern Nuclear as the operating licensee, will Mr. Farley as CEO of Southern Nuclear have management control over NRC licensed activities at the plants.

Mr. Hobby's testimony to the effect that Mr. Williams instructed him to destroy his April 27, 1989 memorandum to Mr. Williams is in direct conflict with that of the other witnesses at the hearing who testified on that subject, i.e., Mr. Williams, Mr. Head and Mr. Robert Edwards. Compare Mr. Hobby's testimony (Trial Tr. at 151-56, 264) to the testimony of Mr. Williams (Trial Tr. at 416-17, 424), Mr. Head (Trial Tr. at 651) and Mr. Edwards (Trial Tr. at 779-80). It is noteworthy that Mr. Edwards was called as a witness on behalf of Mr. Hobby. Trial Tr. at 776.

C. The Allegations in the October 1, 1990 Supplement to the Petition.

1. The "Supplement" asserts that Mr. Farley should not have participated in the selection of GPC corporate officers who would be working within the SONOPCO Project (Phase I).⁵

⁵The Supplement also suggested that the NRC "may wish to independently review its internal NRC documentation concerning apparent possible prior material false statements made to the Commission by Mr. McCoy" while he was employed at the Grand Gulf nuclear facility. The petitioners point for support to

GPC Response. The allegation is without merit.

Petitioners cite the deposition of GPC counsel, Mr. Jesse P. Schaudies, Jr., as somehow evidencing an improper role of Mr. Farley in the selection of GPC personnel who would work within the SONOPCO Project. Mr. Schaudies simply stated his understanding of how positions were initially filled. He indicated that Mr. Farley and Mr. McDonald were initially selected and that they, in turn, selected the personnel immediately below them. Schaudies 8-23-90 Dep. at 79-80. Although Mr. Farley did not hold a position which was formally working within the SONOPCO Project (i.e., during Phase I), he does hold the position of CEO of Southern Nuclear in Phase II and is expected to hold that position in Phase III. Mr. Farley's experience in nuclear industry matters was valuable in advising or assisting GPC management in making their personnel decisions. Cf. McDonald 5-7-90 Dep. at 14. Indeed, Mr. Addison requested such assistance from Mr. Farley (See Exhibit 8) and such assistance fell within his duties as Executive Vice President-Nuclear of The Southern Company. See Trial Tr. 565-66. Nevertheless, Mr. Farley did not exercise ultimate decision-making authority over personnel who were to be GPC employees.⁶ In every instance concerning a GPC employee, the final decision was made or approved by GPC management and all officers were elected by the GPC Board of Directors. See Mr. Farley's testimony concerning the selection process, Trial Tr. at 594-97; McDonald 5-7-90 Dep. at 14-16; McDonald 8-23-90 Dep. at 27-28; see also Exhibit 4 respecting the election of GPC officers Messrs. Hairston and McCoy.

deposition testimony of Mr. McDonald which states Mr. McDonald was aware that, while Mr. McCoy was employed by Mississippi Power & Light Company, an allegation had been made that he provided false information to the NRC, but that, as far as Mr. McDonald was concerned, the allegation had not been proven. See McDonald 9-17-90 Mosbaugh v. GPC Dep. at 42-44. In the event the NRC accepts this baseless invitation to conduct yet another independent review, GPC and Mr. McCoy specifically should be given an opportunity to provide a detailed response. This is particularly appropriate since the NRC thoroughly investigated this allegation years ago and no new information has been provided.

⁶Of course, it was appropriate for Mr. Farley, who was in 1988 the President and CEO of APC, to exercise management authority over staff selections of personnel who would also be APC employees, such as Mr. Hairston, who was elected as an officer of both APC and GPC.

2. The Supplement alleges that Mr. Farley, and not GPC management, controls matters related to the staffing of Plants Hatch and Vogtle.

GPC Response. The allegation is without merit.

As stated above, Mr. Farley was not and is not an employee of GPC and he has no management control over staffing decisions made with respect to GPC personnel. Petitioners assert that a statement made by Mr. William Evans, a GPC Corporate Concern program investigator, clearly establishes that Mr. Farley is in control of GPC personnel matters. However, that is simply not the case. Mr. Evans stated that Mr. Lee Glenn, his supervisor, led him to believe that Mr. Farley would resolve issues concerning the possible transfer of GPC personnel from Birmingham to Atlanta. At the time, Mr. Evans had been assigned by Mr. Glenn to investigate the general policy concerning the transfer of such personnel. In his deposition, Mr. Glenn testified that it was his understanding that Mr. Grady Baker would discuss the issue with GPC management and Mr. Farley. Glenn 8-23-90 Dep. at 15-17. Mr. Glenn and Mr. Evans were far removed from management decisions respecting GPC personnel working within the SONOPCO Project and, even though they were involved in investigating a concern about personnel transfers, they did not know how the matter was ultimately resolved by GPC management other than that management had worked it out. Glenn 8-23-90 Dep. at 16-20.

Furthermore, Mr. Farley's testimony clearly indicates that he was not making the final decisions with respect to the possible transfer of GPC personnel working within the SONOPCO Project to GPC in Atlanta; rather, it was his testimony that Mr. Dahlberg would make those decisions. Trial Tr. at 587-88, 598.

Finally, the testimony in the Hobby trial provides a specific example of Mr. Dahlberg's control over GPC positions and the transfer of GPC personnel. One individual, Mr. Michael Barker, whose requested transfer from Birmingham to the Nuclear Operations Contract Administration ("NOCA") group in Atlanta had been denied, called Mr. Dahlberg for an explanation. Mr. Dahlberg informed Mr. Barker that he, Mr. Dahlberg, had stopped the transfer because he had determined that there was not a need for the NOCA group. Trial Tr. 908-12.

3. The Supplement alleges that a GPC attorney had a concern about who was controlling GPC's nuclear facilities after Mr. Hobby raised that issue in his April 27, 1989 memorandum. The Supplement also suggests that the staff of GPC's Corporate Concerns program indirectly provided Mr. Hobby with an answer to

a concern he raised regarding the reporting structure of organizations working within the SONOPCO Project.

GPC Response. The allegations are without merit.

Petitioners base this allegation on an October 25, 1989 confidential attorney-client communication from Mr. Robert Edwards, a partner at Troutman, Sanders, Lockerman & Ashmore, to Mr. Hobby. Mr. Edwards communication provided legal advice concerning a discussion draft of a proposed services agreement between GPC and Southern Nuclear, believed to have been prepared by one of the minority co-owners of the nuclear plants. During the Hobby v. GPC proceeding, petitioners' counsel attempted to have a copy of Mr. Edwards' communication admitted as evidence. The Company argued that the document was covered by the attorney-client privilege, prepared by Mr. Edwards in response to a request for legal advice from the client, GPC, and that Mr. Hobby had no authority whatsoever to waive the privilege. Judge Williams ruled that Mr. Edwards' communication would not be admitted. Trial Tr. at 7-10. The Company wishes to preserve the privileged nature of that document.

The GPC Corporate Concerns staff did not investigate Mr. Hobby's concern over the reporting structure of organizations working within the SONOPCO Project because Mr. Hobby indicated that he was discussing the matter with management. Trial Tr. 520-25. Petitioners suggest that the GPC Corporate Concerns staff responded to that concern when they allegedly told Mr. Hobby that Mr. Farley "would be making the call about the staffing of all GPC nuclear positions" including those associated with the NOCA group in Atlanta. As demonstrated above, it was Mr. Dahlberg who was in control of decisions respecting GPC positions, including transfers into GPC non-nuclear positions, and Mr. Dahlberg had made the decision that there was no need for Mr. Hobby's NOCA group. Mr. Dahlberg did, in fact, consult with Mr. Farley before Mr. Dahlberg made the final decision that the NOCA group was not needed. Trial Tr. at 319-20, 329-32.

4. The Supplement asserts that "Vogtle project management assumes that Mr. Farley and not Mr. Dahlberg controls Vogtle's operation."

GPC Response. The allegation is without merit.

The Supplement states that two specific facts demonstrate this assertion is true. The first is a meeting at Vogtle during which Mr. McCoy addressed the subject of outage philosophy. The second is another meeting at Vogtle at

which Mr. McCoy addressed the subject of the reporting structure of plant duty managers.

As an initial matter, Mr. Farley did not create the outage philosophy of Vogtle. Furthermore, as described above, Mr. Farley did not, and does not, have management control over the outage philosophy respecting Vogtle. Mr. McCoy does not recall any statement he made with reference to Mr. Farley. However, Mr. McCoy believes that any statement he would have made referring to Mr. Farley was not suggestive that Mr. Farley had management authority over Vogtle operations.

Second, Mr. McCoy does not believe his statements addressing the reporting structure for plant duty managers suggested that Mr. Farley was notified in lieu of Mr. Dahlberg. Vogtle project emergency planning procedures require the duty manager to notify senior corporate management, including both Mr. Dahlberg and Mr. Farley, in the event of a significant event at Vogtle. The actual practice regarding notification is that the On-Call Project Manager or the Director of Corporate Response contacts Mr. Hairston or Mr. McDonald, and then Mr. Hairston or Mr. McDonald contacts Mr. Dahlberg and Mr. Farley. See December 7, 1990 interoffice correspondence from Mr. McCoy to Mr. Hairston attached as Exhibit 18.

The fact that Mr. Farley will be notified along with the GPC officers in the event of a nuclear-related emergency is not surprising. Mr. Farley's expertise would be a valuable asset in the event of a crisis situation, when GPC management would want the benefit of the entire system's nuclear expertise. Furthermore, he has a need to know of such instances in light of his ongoing industry representation of the Southern System. GPC does, in fact, contact Mr. Dahlberg, and not Mr. Farley, in the event of possible curtailment of generation of electrical power at GPC's nuclear plants. Of course, if such an event also triggers the foregoing emergency notification procedures, then Mr. Farley would also be notified. Additionally, Mr. Dahlberg is contacted on a daily basis by the GPC nuclear operating officers concerning the status of GPC nuclear plants.

Mr. McCoy believes that any reference he may have made in this context to "president" could only have been to the president of GPC. Indeed, in August of 1990, Mr. Farley's title was Executive Vice President-Nuclear of The Southern Company. If Mr. Chesnut made a statement to the contrary, he was in error. Mr. Chesnut does not recall any statement he may have made to Mr. Mosbaugh on the subject of the reporting structure of the plant duty manager. Mr. Chesnut

notes, however, that he was not concerned with such reporting structure since the duty manager functions were not within his scope of responsibilities and, therefore, he would not have given much thought to any casual comment he may have made on the subject.

IV. Conclusion.

Based on the foregoing, the Company concludes that petitioners' allegation that GPC has illegally transferred control of the operating licenses for Plants Hatch and Vogtle is without merit.

Proposed Phased Formation of Southern Nuclear Operating Company

Phase I - Southern System nuclear personnel from GPC, APC and SCS, other than nuclear plant personnel, are consolidated into a division referred to as the "SONOPCO Project" and relocated to a single, central location. All personnel remain employees of GPC, APC or SCS as appropriate.

Phase II - Southern Nuclear is incorporated as a wholly owned subsidiary of The Southern Company and all SONOPCO Project personnel are transferred from GPC, APC or SCS, as appropriate, to Southern Nuclear. With the exception of the on-site Safety Audit and Engineering Review staff, who transfer to Southern Nuclear, plant personnel remain solely employees of GPC or APC, as appropriate. All Southern Nuclear management personnel in the reporting chain above the plant managers are officers of Southern Nuclear and GPC, Southern Nuclear and APC or Southern Nuclear, GPC and APC, such that the NRC operating license holder always has management control over licensed activities. The Southern Nuclear Executive Vice President reports directly to the presidents of GPC and APC with respect to plant operations and all administrative matters concerning GPC and APC plants and personnel, respectively. Additionally, the Southern Nuclear Executive Vice President reports to the Southern Nuclear CEO concerning Southern Nuclear matters only. In this phase, Southern Nuclear has no management authority respecting GPC or APC matters, including rights under the NRC operating licenses or personnel matters concerning GPC or APC employees.

Phase III - The NRC operating licenses for Plants Hatch, Vogtle and Farley are amended to designate Southern Nuclear as the exclusive operating licensee of each plant. GPC and APC remain on the licenses as owner-licensees. No changes occur in the ownership of or entitlement to power output from the plants. All plant personnel are transferred from GPC or APC, as appropriate, to Southern Nuclear. All Southern Nuclear management personnel will be officers of Southern Nuclear only which will have exclusive control over licensed activities under the direction of the Southern Nuclear CEO. Southern Nuclear will operate the plants pursuant to operating agreements entered into with the plant owners, or possibly in the case of Plants Hatch and Vogtle, with an agent of the plant owners.

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

March 9, 1988

Jocket Nos. 50-348/364 - 50-321/366
50-424/425

LICENSES: Alabama Power Company and
Georgia Power Company

UTILITIES: Farley Nuclear Plant, Units 1 and 2
Hatch Nuclear Plant, Units 1 and 2
Vogtle Nuclear Plant, Units 1 and 2

SUBJECT: SUMMARY OF MEETING HELD ON MARCH 2, 1988 IN ROCKVILLE, MARYLAND
BETWEEN NRC AND REPRESENTATIVES OF ALABAMA POWER COMPANY AND
GEORGIA POWER COMPANY TO DISCUSS FORMATION OF A SEPARATE
OPERATING ORGANIZATION.

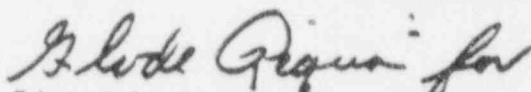
Discussion

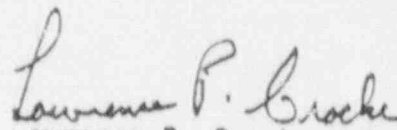
The meeting was requested by Mr. R. P. McDonald, Senior Vice President, APCO, to discuss considerations for formation of a separate operating organization to operate the APCO and GPC nuclear plants and to complete licensing proceedings for Vogtle Unit 2. A list of meeting attendees is enclosed.

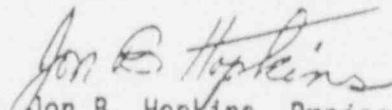
After introductions of persons in attendance, Mr. McDonald led the discussion regarding formation of the Southern Nuclear Operating Company (SONOPCO). Mr. L. Long of Southern Company Services continued the discussion of the licensing considerations involved. A copy of the viewgraphs used during the discussion is enclosed.

Summary

The NRC staff indicated that it was willing to support the effort. Additional meetings will be required between the NRC staff and utility representatives to discuss details of the proposal to form the new operating company. Contacts for this effort will be G. Lainas for the NRC (301-492-1453) and Louis B. Long for the licensees (205-868-5403).


Edward A. Reeves, Sr. Project Manager
Project Directorate II-1, DRPR:NRR


Lawrence P. Crocker, Sr. Project Manager
Project Directorate II-3, DRPR:NRR


Jon B. Hopkins, Project Manager
Project Directorate II-3

Enclosure:
As stated

cc w/encls:
See next page

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Joseph M. Farley Nuclear Plant

cc:

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Chairman
Appling County Commissioners
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Mr. George F. Head
Georgia Power Company

Vogtle Electric Generating Plant

cc:

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LIST OF ATTENDEES

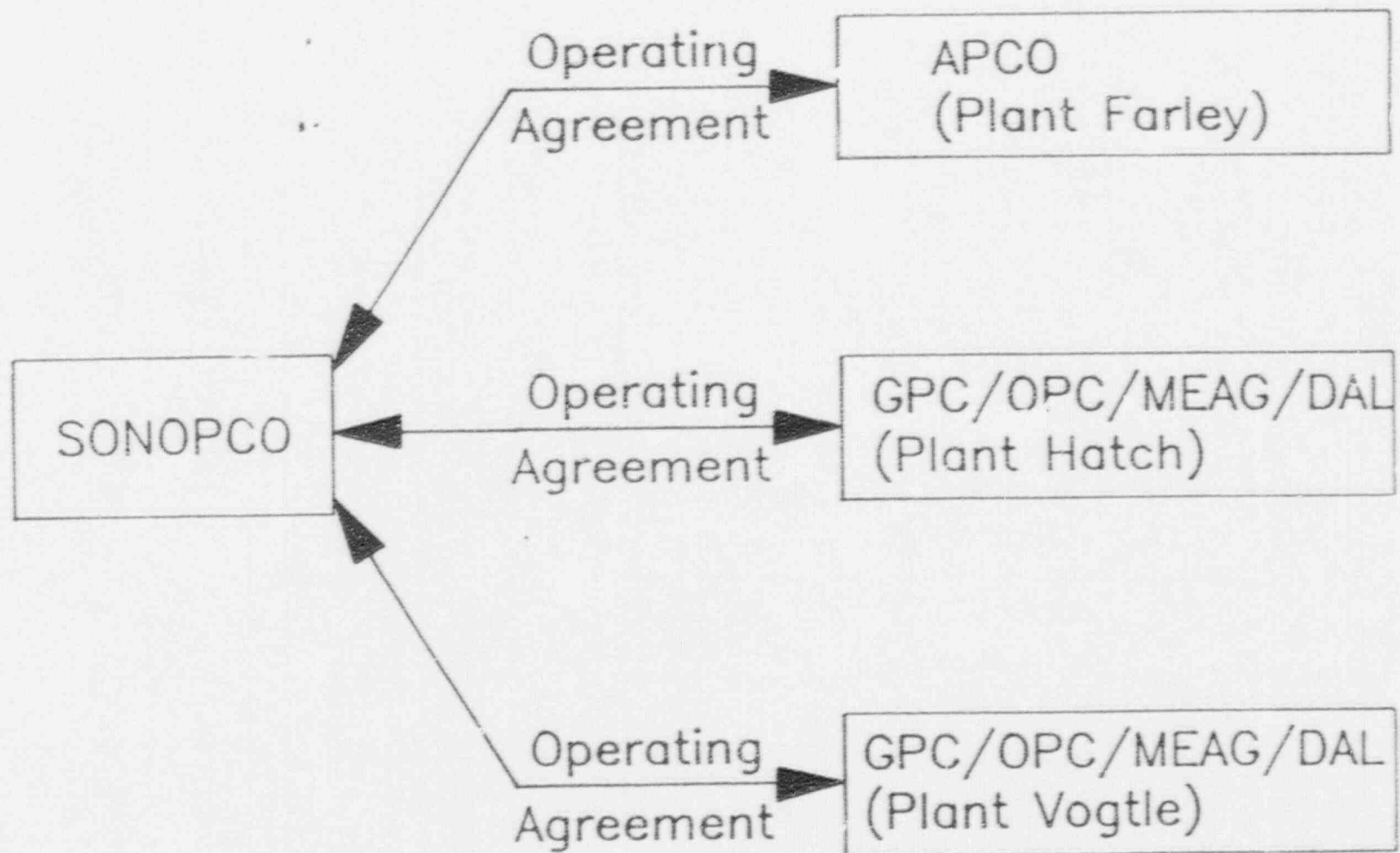
MARCH 2, 1988

<u>NAME</u>	<u>ORGANIZATION</u>
R. P. McDonald	APCo
L. Gucwa	GPC
L. Long	SCS
N. Reynolds	SCS
R. Edwards	GPC
R. Buittner	APCo
T. M. Murley	NRR
G. C. Lainas	NRR
S. A. Varga	NRR
J. Scinto	OGC
E. G. Adensam	NRR
E. A. Reeves :	NRR
J. B. Hopkins	NRR
L. P. Crocker	NRR

SOUTHERN NUCLEAR
OPERATING COMPANY

SOUTHERN NUCLEAR OPERATING COMPANY (SONOPCO) OVERVIEW

- Phase II Task Force
- Southern Company Subsidiary to Operate Hatch, Farley and Vogtle
 - Hatch, Farley, Vogtle Unit 1 — Operating
 - Vogtle Unit 2 — Load Fuel, March 1989
- Owners — Retain Assets and Power Output



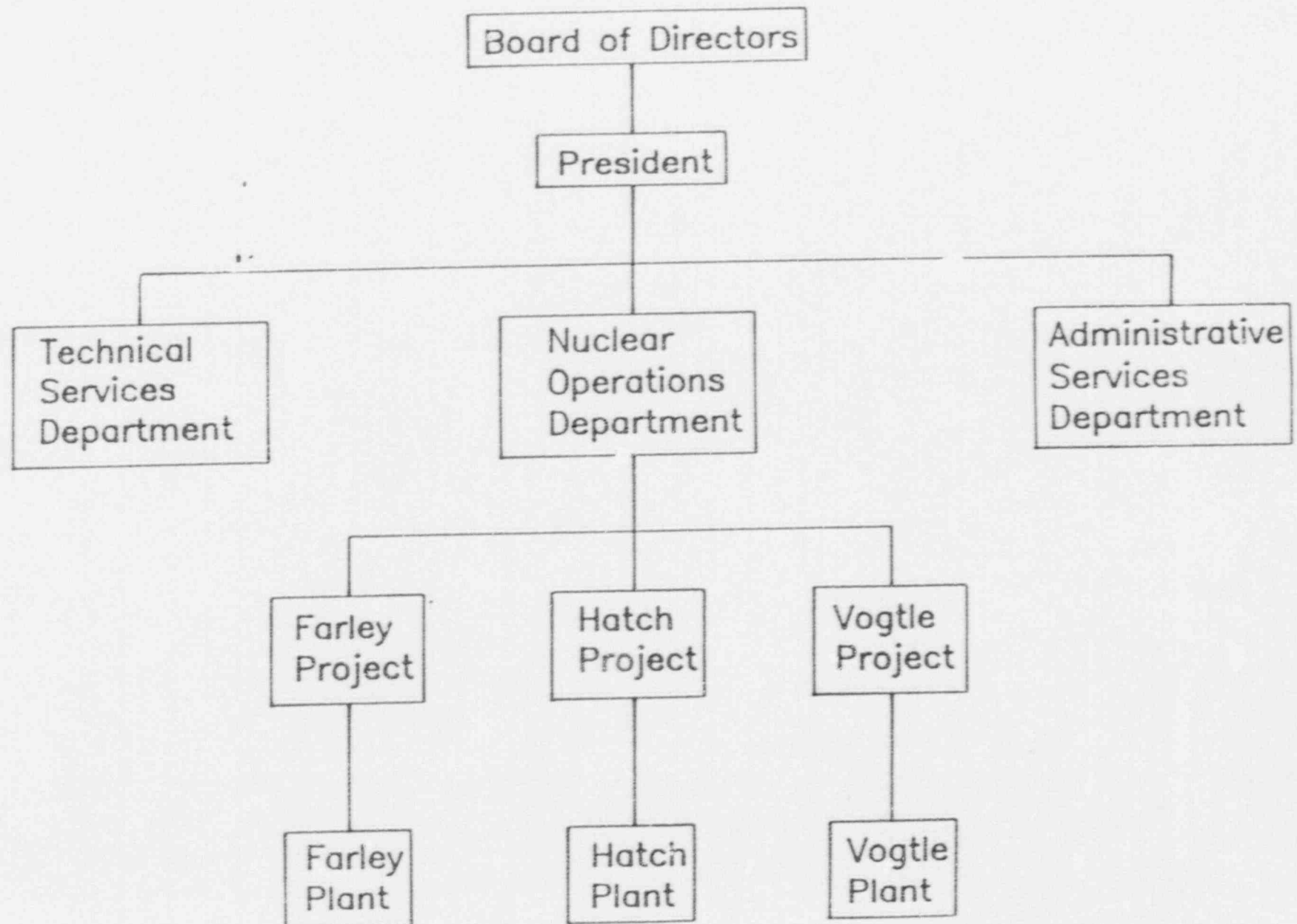
PRINCIPAL BENEFITS

- Higher Levels of Performance by Pooling Expertise
- Retention and Recruitment of New Employees
- Economies Through Consolidation
- Enhanced Influence in Industry Matters
- Strategically Positioned for Future

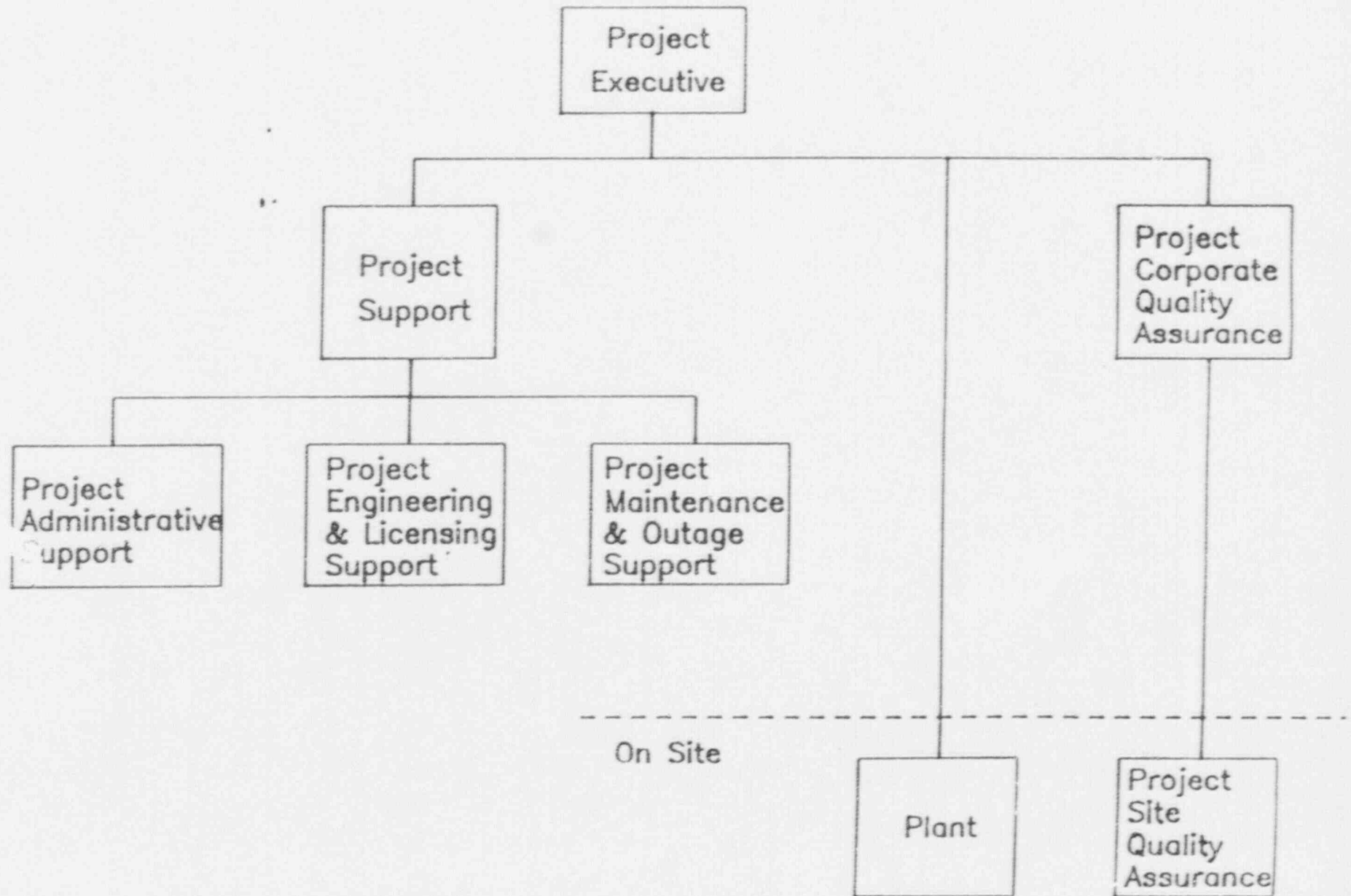
ORGANIZATION

- Onsite Organizational Structure Unchanged
- Offsite Organizations Merged
 - GPC
 - APC
 - SCS Specialized Nuclear Services
- Project Concept
 - Clear Lines of Authority
 - Focused Goals
 - Ease of Project Assimilation
 - Competitive Environment

Nuclear Operating Company



Project Organization



MEETING PURPOSE

Confirm that NRC Management and Policies can support the proposed SONOPCo Licensing Approach in these areas:

1. Coordinated Review of all Applications
2. "Sholly" Procedure for all Applications
3. Early Establishment of Probable Review Completion Date

LICENSING

UNIQUE LICENSING CONSIDERATIONS

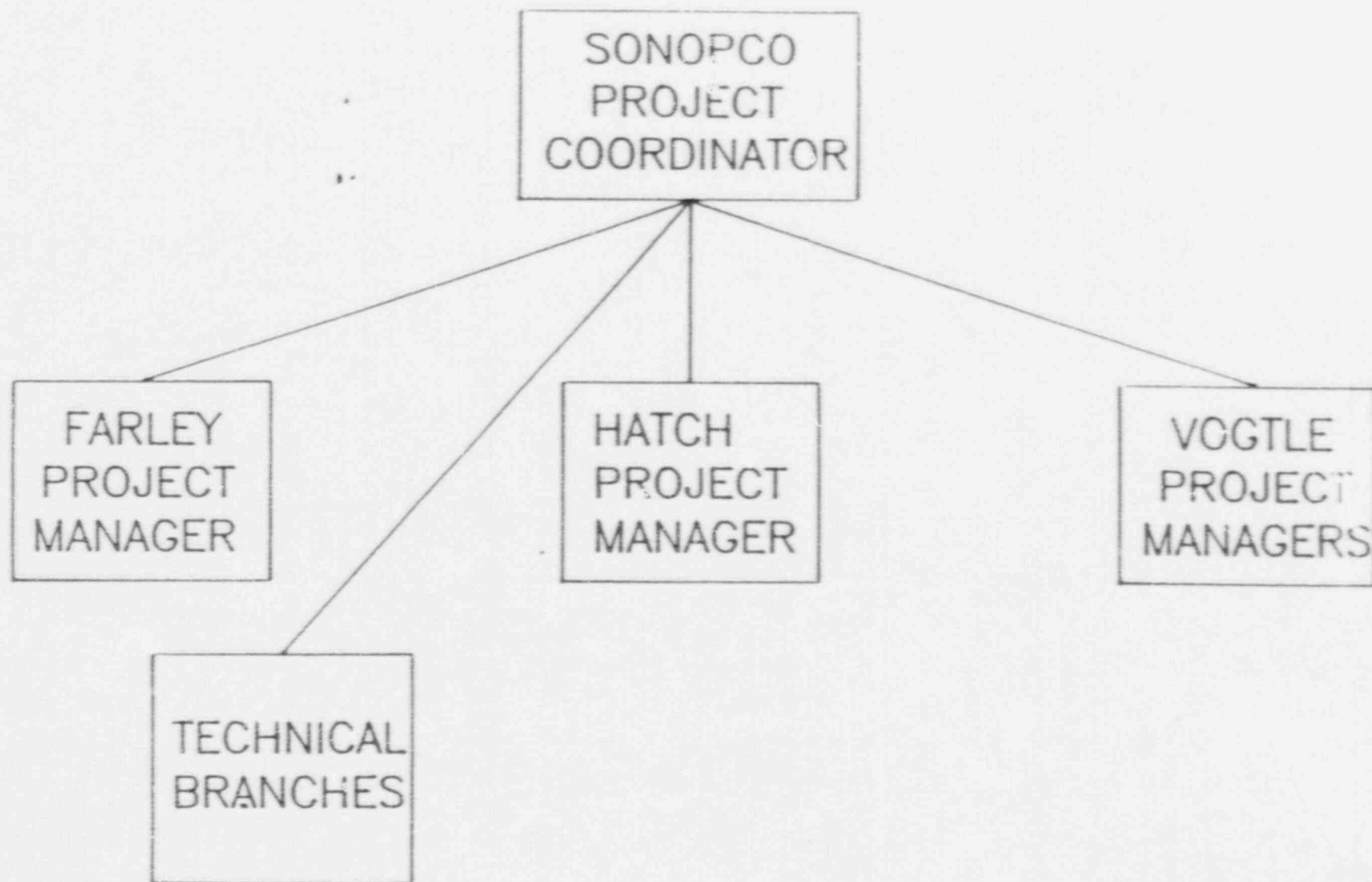
- Five Operating Licenses (Hatch, Farley, Vogtle-1)
- One Construction Permit (Vogtle-2)
- Two Operating Companies (GPC, APC)
- Three Sites
- Four Southern Licensing Contacts
- Three NRC Project Managers

SONOPCO LICENSING APPROACH

- Simultaneous Filing of License Amendment Applications

<u>Plant</u>	<u>Operator</u>	<u>License</u>	<u>Owner</u>
●● Hatch, Units 1 & 2	GPC	OL	GPC, MEAG, Dalton
●● Farley, Units 1 & 2	APC	OL	APC
●● Vogtle, Unit 1	GPC	OL	GPC, MEAG, Dalton
●● Vogtle, Unit 2	GPC	CP	GPC, MEAG, Dalton

- Applications Essentially Same
- Applications Complete



NRC REVIEW

- Integrated Review of all Applications
- "Sholly" Process for all Applications
 - Complete "NSHC" Determination
 - Simultaneously Publish Notices of Proposed Action with "NSHC" Determinations
 - Simultaneously Publish Notices of Issuance to be Immediately Effective
- Early Establishment of Probable Review Completion Date



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

MAR 25 1988

Docket Nos. 50-348/364 - 50-321/366
50-424/425

LICENSEES: Alabama Power Company and
Georgia Power Company

FACILITIES: Farley Nuclear Plant, Units 1 and 2
Hatch Nuclear Plant, Units 1 and 2
Vogtle Nuclear Plant, Units 1 and 2

SUBJECT: MEETING SUMMARY FOR MEETING OF MARCH 18, 1988, WITH SOUTHERN
COMPANY REPRESENTATIVES REGARDING THE ESTABLISHMENT OF AN
OPERATING COMPANY FOR THE FARLEY, HATCH AND VOGTLE PLANTS

On March 18, 1988, the NRC staff met with representatives of Southern Company Services (SCS), Georgia Power Company (GPC) and Alabama Power Company (APC) in Rockville, Maryland to discuss the information that would be required in a submittal for amendments to the licenses and construction permit held by APC and GPC for the Farley, Hatch and Vogtle Nuclear Plants. Attendees are listed in Enclosure 1. The viewgraphs used by the SCS representative in his presentation are in Enclosure 2.

Mr. L. Long of SCS made the presentation. He emphasized that the companies were still evaluating the idea and concept of an operating company. His presentation was to describe generally what the licensees propose to include in their applications. He covered previous actions that the agency has taken regarding changes in plant operators. The changes in Technical Specifications were also discussed, including the deletion of the organization charts from the specifications as was done for the Shearon Harris Station. The staff advised him that we anticipate the issuance of the generic letter on this issue in the near future.

There was some discussion regarding the need to file the OL application amendment and the FSAR amendment concurrent with the CP amendment for Vogtle Unit 2. The licensees did not believe that the amendments needed to be submitted concurrently and, in fact, should be done sequentially.

The licensees requested that the staff advise them on the level of detail that would be needed in the applications. The staff suggested to the licensees that they address the following points:

1. The responsibilities and authorities of the elements of the new organization.
2. Identify where tasks were in the old organization and where they will be in the new organization.

3. Address the corporate aspects of programmatic areas, such as security and fire protection, in the transfer from the old offsite to the new offsite organization.

The licensees expressed concerns that we were asking more of them than had been done for other licensees like GPU Nuclear. The staff offered to investigate the level of detail that was required in the change for GPU Nuclear and get back to the licensee.

The licensee indicated that their start date was indeterminate because of other factors, but that following a decision to proceed, they would plan to have the amendment applications filed within two weeks. There would be amendment applications for the five operating licenses and the construction permit. The OL application amendment and the FSAR amendment for Vogtle Unit 2 would be filed at a later date. They then requested that the staff conduct its review as expeditiously as possible, preferably within three months.

Elinor G. Adensam

Elinor G. Adensam, Director
Project Directorate II-1
Division of Reactor Projects I/II

Enclosures: As stated

cc w/encs: See next page

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Alabama Power Company

Joseph M. Farley Nuclear Plant

CC:
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Executive Vice President
Alabama Power Company
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Birmingham, Alabama 35202

Charles R. Lowman
Alabama Electric Corporation
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Chairman
Houston County Commission
Dothan, Alabama 36301

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Resident Inspector
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Mr. George F. Head
Georgia Power Company

Edwin I. Hatch Nuclear Plant,
Units Nos. 1 and 2

cc:
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Mr. J. Leonard Ledbetter, Commissioner
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Chairman
Appling County Commissioners
County Courthouse
Baxley, Georgia 31513

Mr. George F. Head
Georgia Power Company

Vogtle Electric Generating Plant

cc:
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Nuclear Regulatory Commission
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Council
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Regional Administrator, Region II
U.S. Nuclear Regulatory Commission
101 Marietta Street, N.W., Suite 2900
Atlanta, Georgia 30323

LIST OF ATTENDEES

March 18, 1988

<u>NAME</u>	<u>ORGANIZATION</u>
E. G. Adensam	NRR
E. A. Reeves	NRR
L. T. Gucwa	GPC
L. B. Long	SCS
F. Allenspach	NRR
J. E. Garlington	APCo
G. C. Lainas	NRR
L. P. Crocker	NRR
J. A. Bailey	SCS
D. P. Allison	AEOD
J. Scinto	OGC
J. Hopkins	NRR
D. B. MacGuineas	Volpe, Boskey & Lyons (for AEC)
I. Schoenfeld	NRR

MEETING PURPOSE

Confirm the general acceptability of the proposed SONOPCO license application regarding:

- (1) Topics included in application
- (2) Completeness of discussion

WOLF CREEK

- Application Filed April 15, 1986
 - Technical Qualifications
(1-1/2 Pages)
 - NSHC
 - Technical Specification Changes
- Public Notice of Proposed Action
with NSHC, August 13, 1986

GRAND GULF

- Application Filed September 2, 1986
 - ● Technical Qualifications (2 Pages)
 - ● NSHC
 - ● Technical Specification Changes
- Supplemental Information
 - ● GDC-17 - October 13, 1986
 - ● Exclusion and Emergency Preparedness - October 24, 1986
 - ● Emergency Plan Transition Plan - November 20, 1986
 - ● Consent Letter - November 21, 1986
 - ● Emergency Plan Agreement - December 11, 1986
 - ● Switchyard Agreement - December 23, 1986
- Granted December 20, 1986

APPLICATION TO AMEND FACILITY
OPERATING LICENSE NOS. _____

General License Revisions

- I. General Information
- II. Specific Information Regarding
Substantive Issues
- III. No Significant Hazards
Consideration Evaluation
- IV. Effective Date
- V. Consent

Appendices:

- License Conditions
- Safety Technical Specifications
- Environmental Technical
Specifications

I. GENERAL INFORMATION

- Name
- Address
- Directors and Officers
- Technical Qualifications
- Financial Aspects
- Anti-Trust Considerations
- Restricted Data

TECHNICAL QUALIFICATIONS

- Same as present organizations
- Project concept advantages
- Cffsite Project Group
 - Licensing and engineering
 - Maintenance and outage planning
 - Administrative - Human Resources, procurement, financial, emergency planning
- SRB (PRB)
- Technical Services
 - Nuclear Fuel
 - ISI
 - Regulatory and engineering services
 - Engineering support
 - Corporate QA

TECHNICAL QUALIFICATIONS (CONTINUED)

- Administration
 - ● Financial
 - ● Human Resources
 - ● Information resources
 - ● Records
 - ● Corporate communications

- Benefits of an integrated nuclear company

II. SPECIFIC INFORMATION REGARDING SUBSTANTIVE ISSUES

- Emergency Planning
- GDC-17
- Exclusion Area

EMERGENCY PLANNING

- Onsite plan unaffected
- Offsite organization changes
- Revisions to contracts with support agencies
- No decrease in effectiveness
- 10 CFR 50.54 (q) applies

GDC 17

- Assured source of offsite power
- Operating company continues to maintain switchyard
- Procedures define responsibilities

EXCLUSION AREA

- Owners authorize exclusion area control to SONOPCO
- Includes switchyard, transmission lines

III. NO SIGNIFICANT HAZARDS CONSIDERATION EVALUATION

- Proposed Change
- Background
- Analysis
- Conclusion

SAFETY TECHNICAL SPECIFICATION CHANGES

- 6.2.1 Onsite and Offsite Organization
 - Figure 6.2-1 - Revised
 - Figure 6.2-2 - Unchanged
- Shearon Harris Option (January 27, 1988)
 - Figure 6.2-1 - Deleted
 - Figure 6.2-2 - Deleted

ADMINISTRATIVE CONTROLS

6.1 RESPONSIBILITY

6.1.1 The General Manager - Nuclear Plant shall be responsible for overall unit operation and shall delegate in writing the succession to this responsibility during his absence.

6.1.2 The Shift Supervisor or during his absence from the Control Room a designated individual shall be responsible for the Control Room command function. A management directive to this effect, signed by the Senior Vice President responsible for Nuclear Generation, hereafter referred to as Senior Vice President, shall be reissued on an annual basis.

6.2 ORGANIZATION

OFFSITE

6.2.1 The offsite organization for facility management and technical support shall be as shown on Figure 6.2-1.

FACILITY STAFF

6.2.2 The facility organization shall be as shown on Figure 6.2-2 and:

- a. Each on-duty shift shall be composed of at least the minimum shift crew composition shown in Table 6.2-1.
- b. At least one licensed Reactor Operator shall be in the Control Room when fuel is in the reactor. In addition, at least one licensed Senior Reactor Operator shall be in the Control Room while the unit is in MODE 1, 2, 3 or 4.
- c. A Health Physics Technician # shall be on site when fuel is in the reactor.
- d. All CORE ALTERATIONS shall be directly supervised by either a licensed Senior Reactor Operator or Senior Reactor Operator Limited to Fuel Handling who has no other concurrent responsibilities during this operation.
- e. A site Fire Brigade of at least 5 members shall be maintained onsite at all times. # The Fire Brigade shall not include 3 members of the minimum shift crew necessary for safe shutdown of the unit and any personnel required for other essential functions during a fire emergency.

#The Health Physics Technician and Fire Brigade composition may be less than the minimum requirements for a period of time not to exceed 2 hours in order to accommodate unexpected absence of the Health Physics Technician and/or Fire Brigade members provided immediate action is taken to restore the Health Physics Technician and/or Fire Brigade to within the minimum requirements.

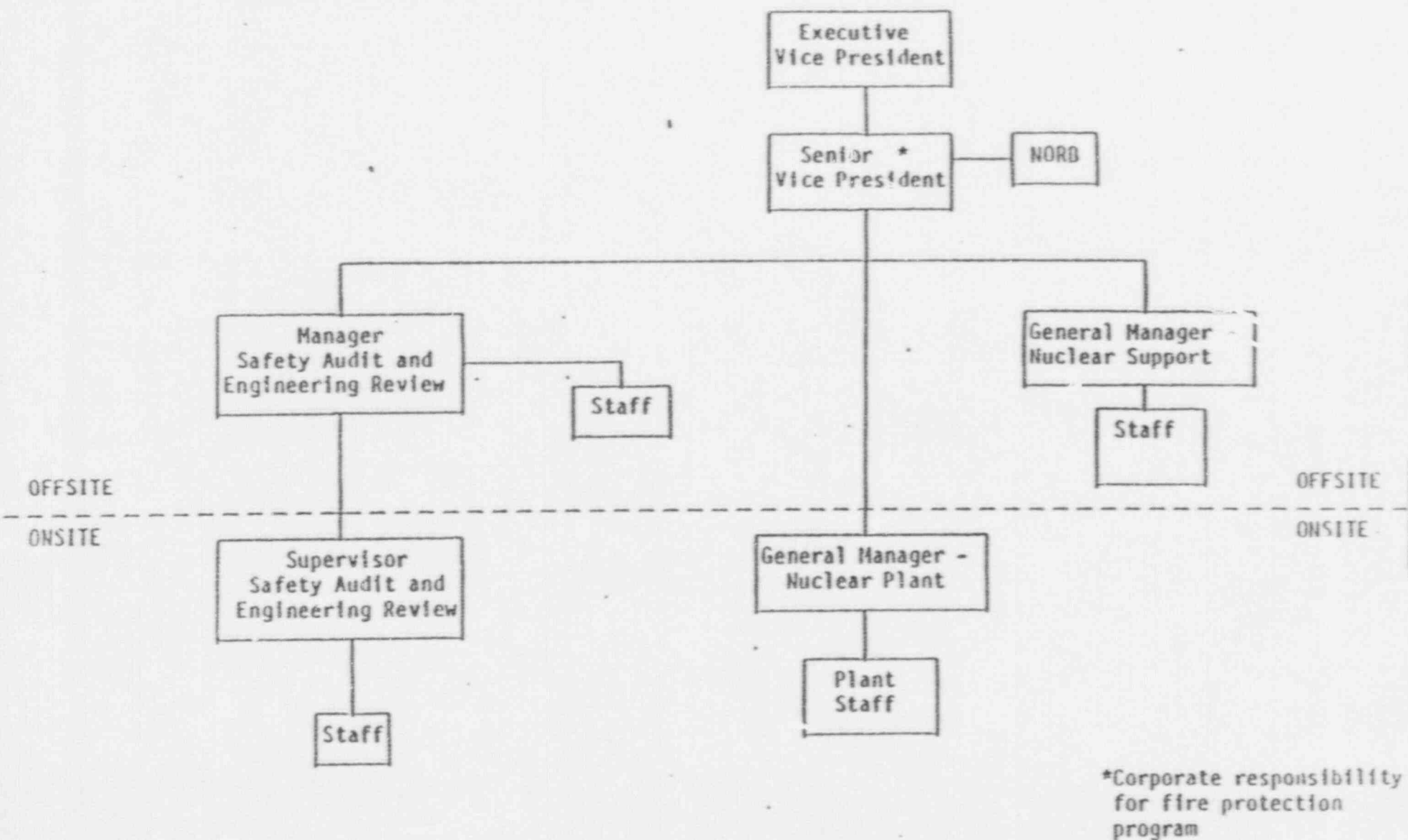


Figure 6.2-1 Offsite Organization for Facility Management and Technical Support

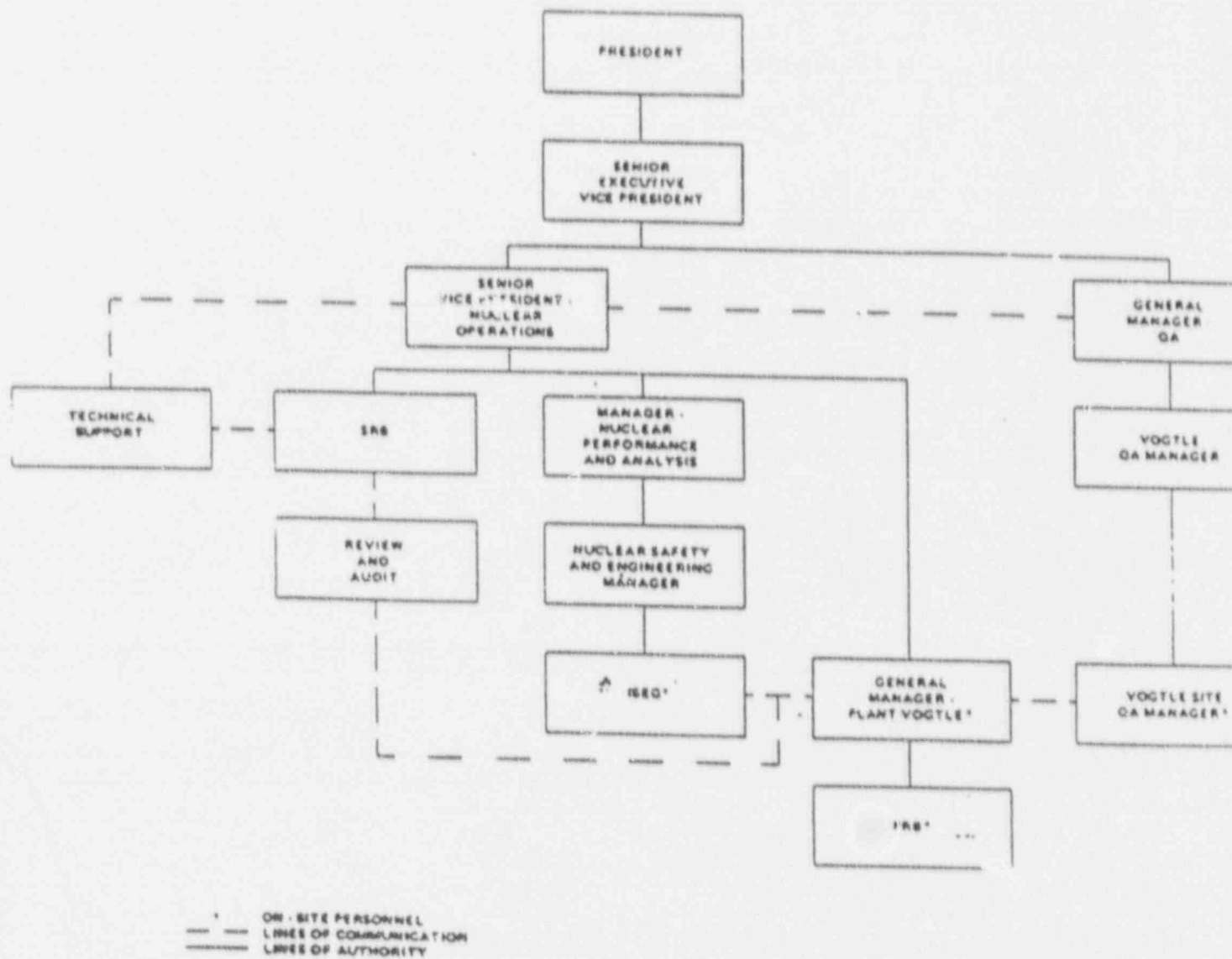


FIGURE 6.2-1
OFFSITE ORGANIZATION

6.0 ADMINISTRATIVE CONTROLS

6.1 RESPONSIBILITY

6.1.1 The Plant General Manager shall be responsible for overall unit operation and shall delegate in writing the succession to this responsibility during his absence.

6.1.2 The Shift Foreman (or, during his absence from the control room, a designated individual) shall be responsible for the control room command function. A management directive to this effect, signed by the Vice President-Harris Nuclear Project shall be reissued to all station personnel on an annual basis.

6.2 ORGANIZATION

6.2.1 Onsite and Offsite Organization

An onsite and an offsite organization shall be established for unit operation and corporate management. The onsite and offsite organization shall include the positions for activities affecting the safety of the nuclear power plant.

- a. Lines of authority, responsibility and communication shall be established and defined from the highest management levels through intermediate levels to and including all operating organization positions. Those relationships shall be documented and updated, as appropriate, in the form of organizational charts. These organizational charts will be documented in the FSAR and updated in accordance with 10 CFR 50.71(e).
- b. There shall be an individual executive position (corporate officer) in the offsite organization having corporate responsibility for overall plant nuclear safety. This individual shall take any measures needed to ensure acceptable performance of the staff in operating, maintaining, and providing technical support in the plant so that continued nuclear safety is assured.
- c. There shall be an individual management position in the onsite organization having responsibility for overall unit safe operation and shall have control over those onsite resources necessary for safe operation and maintenance of the plant.
- d. Although the individuals who train the operating staff and those who carry out the quality assurance functions may report to the appropriate manager onsite, they shall have sufficient organizational freedom to be independent from operating pressures.
- e. Although health physics individuals may report to any appropriate manager onsite, for matters relating to radiological health and safety of employees and the public, the health physics manager shall have direct access to that onsite individual having responsibility for overall unit management. Health physics personnel shall have the authority to cease any work activity when worker safety is jeopardized or in the event of unnecessary personnel radiation exposures.

ELECTION OF OFFICER

The Chairman recommended that Mr. Robert P. McDonald be elected as a senior officer of the Company and requested that the Chairman have discretionary authority to designate his position as either Senior Vice President (Nuclear Operations) or Executive Vice President (Nuclear Operations) and the effective date of his appointment.

WHEREUPON, On motion, duly made and seconded, the following resolution was unanimously adopted:

RESOLVED: That Mr. Robert P. McDonald be and hereby is elected as a senior officer of the Company and that the Chairman of the Board be and hereby has discretionary authority to designate his position as either Senior Vice President (Nuclear Operations) or Executive Vice President (Nuclear Operations) and the effective date of his appointment.

.....

The undersigned officer of Georgia Power Company does hereby certify that the foregoing is a true and correct copy of resolutions duly and regularly adopted at meeting of the Board of Directors of Georgia Power Company, duly held on April 20, 1988, at which a quorum was in attendance and voting throughout, and that said resolution has not since been rescinded but is still in full force and effect.

Dated March 1, 1991

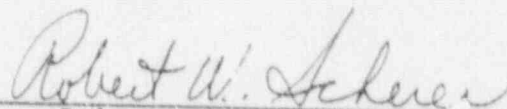

Assistant Secretary

Georgia Power Company
Piedmont Avenue
Atlanta, Georgia 30333
Telephone 404-526-6114
Mailing Address
Post Office Box 4544
Atlanta, Georgia 30333

R. W. Scherer
Chairman of the Board
Chief Executive Officer
President

April 22, 1988

I hereby designate Robert P. McDonald, Executive Vice President (Nuclear Operations) of Georgia Power Company, effective April 25, 1988.


Robert W. Scherer

Election of William G. Hairston, III, as Senior Vice President-Nuclear Operations:

On motion, duly made and seconded, the following resolution was unanimously adopted:

RESOLVED: That Mr. William G. Hairston, III be and hereby is elected Senior Vice President-Nuclear Operations of Georgia Power Company, effective May 18, 1988.

.....

The undersigned officer of Georgia Power Company does hereby certify that the foregoing is a true and correct copy of resolution duly and regularly adopted at meeting of the Board of Directors of Georgia Power Company, duly held on May 18, 1988, at which a quorum was in attendance and voting throughout, and that said resolution has not since been rescinded but is still in full force and effect.

Dated March 28, 1991


Assistant Secretary

Election of Charles K. McCoy, as Vice President-Nuclear:

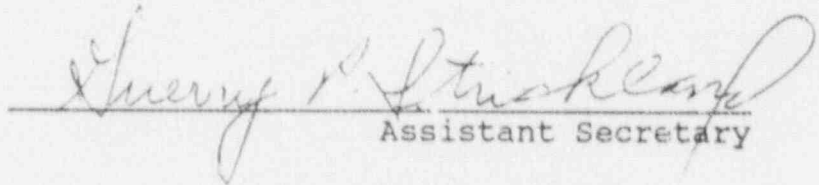
On motion, duly made and seconded, the following resolution was unanimously adopted:

RESOLVED: That Mr. Charles K. McCoy be and hereby is elected Vice President-Nuclear of Georgia Power Company, effective May 18, 1988.

.....

The undersigned officer of Georgia Power Company does hereby certify that the foregoing is a true and correct copy of resolution duly and regularly adopted at meeting of the Board of Directors of Georgia Power Company, duly held on May 18, 1988, at which a quorum was in attendance and voting throughout, and that said resolution has not since been rescinded but is still in full force and effect.

Dated March 28, 1991


Assistant Secretary

SECURITIES AND EXCHANGE COMMISSION
Washington, D.C. 20549

FORM U-1

APPLICATION OR DECLARATION

under

The Public Utility Holding Company Act of 1935

The Southern Company
64 Perimeter Center East
Atlanta, Georgia 30346

Alabama Power Company
600 North 18th Street
Birmingham, Alabama 35291

Georgia Power Company
333 Piedmont Ave., N.E.
Atlanta, Georgia 30308

(Name of company or companies filing this statement
and addresses of principal executive offices)

THE SOUTHERN COMPANY

(Name of top registered holding company parent
of each applicant or declarant)

Tommy C.holm, Secretary
The Southern Company
64 Perimeter Center East
Atlanta, Georgia 30346

Richard A. Bowron, Secretary
Alabama Power Company
600 North 18th Street
Birmingham, Alabama 35291

Judy M. Anderson, Secretary
Georgia Power Company
333 Piedmont Ave., N.E.
Atlanta, Georgia 30308

(Names and addresses of agents for service)

The Commission is requested to mail signed copies of all orders, notices and communications to:

W. L. Westbrook,
Financial Vice President
The Southern Company
64 Perimeter Center East
Atlanta, Georgia 30346

J. R. Harris,
Vice President
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Balch & Bingham
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Birmingham, Alabama 35203

John D. McLanahan, Esq.
Troutman, Sanders, Lockerman
& Ashmore
1400 Candler Building
Atlanta, Georgia 30043

Item 1. Description of Proposed Transactions.

A. The Southern Company ("Southern") is a registered holding company under the Public Utility Holding Company Act of 1935 (the "Act"). Southern proposes to form, organize and acquire the capital stock of another direct wholly-owned subsidiary to be incorporated in Delaware and called Southern Nuclear Operating Company, Inc. (sometimes referred to hereinafter as "SONOPCO"), which will provide nuclear operation services, technical services and administrative services (sometimes referred to hereinafter collectively as "nuclear services") to affiliates of the Southern electric system. In the final phase of its implementation, SONOPCO may also provide nuclear services to unaffiliated co-owners of Southern electric system nuclear plants. To the extent feasible and as an incident to its provision of nuclear services to the Southern electric system, SONOPCO may also provide nuclear services to owners of nuclear facilities which are not part of the Southern electric system.

It is proposed that, upon obtaining all requisite regulatory authorizations and after evaluation during a transition period, SONOPCO will provide nuclear services with respect to the nuclear electric generating facilities owned by the Southern electric system. Presently, two of the operating companies of the Southern electric system have responsibility for nuclear operations. Alabama Power Company ("APC") owns and is licensed to operate the Farley Nuclear Plant Units 1 and 2 ("Farley"). Georgia Power Company ("GPC") is a co-owner of and

is licensed to operate the Hatch Nuclear Plant Units 1 and 2 ("Hatch") and Vogtle Nuclear Plant Unit 1. GPC is also a co-owner of Unit 2 of the Vogtle plant which is scheduled for commercial operation by June, 1989 (Units 1 and 2 of the Vogtle Plant are collectively referred to herein as "Vogtle").

The objective of establishing SONOPCO is to develop an organization that will consolidate personnel of the Southern electric system engaged in nuclear operations into a single, integrated group that can pursue, as its sole purpose, higher degrees of performance in nuclear operations. Ownership of the plants will continue to reside with APC, GPC and the co-owners of the GPC plants. By consolidating and focusing the management of its nuclear operations, the Southern electric system will benefit from the availability of specialized management and technical personnel in an area where safety and efficiency are critical concerns.

Salary structures, career path policies and procedures for nuclear employees of SONOPCO are intended to be separate and distinct from the non-nuclear employees of the other Southern system operating companies. This will permit nuclear management to focus on the qualifications and requirements of nuclear employees. Human resources and compensation policies tailored to nuclear operations will allow SONOPCO to be competitive in the market for skilled nuclear professionals without directly influencing, or being restricted by, personnel policies and procedures governing Southern electric system

non-nuclear personnel. The ability to attract superior nuclear talent and retain quality individuals once recruited will benefit the Southern electric system and its customers and investors.

B. Southern anticipates implementing the SONOPCO operating structure in a transitional process involving three phases, with each phase being designed to improve the safety and efficiency of the nuclear operations over that obtained in the previous phase. Southern anticipates that each phase of this project will have benefits for system operations independent of the benefits derived from subsequent phases and will evaluate each phase prior to implementation.

The initial phase will be to form a matrix organization in which key management personnel will be shared between APC and GPC pursuant to shared employee agreements in substantially the form attached as Exhibit B-1 hereto. No changes in corporate structures will be needed to accomplish this pooling of management resources. Exhibit B-2 hereto presents the matrix organizational structure during phase one.

The second phase, to commence upon approval by the Commission of this Application/Declaration, will entail creation of the nuclear operating company as a service company providing nuclear services to APC and GPC. Authorization is hereby requested for SONOPCO to perform a wide range of nuclear services, including without limitation plant operating services, fuel procurement services, engineering services, administrative services

and technical services. Exhibit B-3 hereto presents the anticipated SONOPCO organizational structure during phase two. Since certain executive management will continue to be employees of both APC and GPC, as is shown in this exhibit, APC and GPC will have direct input into SONOPCO operations through established management reporting relationships.

In the third phase, SONOPCO will become the licensed operator for the nuclear plants and will enter into contracts for the actual operation of the plants. It is contemplated that the nuclear operating company will become the licensee under licenses issued by the Nuclear Regulatory Commission ("NRC") only during this final stage. Exhibit B-4 hereto presents the anticipated SONOPCO organizational structure during phase three. It is expected that the owners will retain approval authority over budgets for operations and maintenance, fuel procurement and capital additions. In addition, owner management will be kept informed on a current basis as to the status of plant operations through periodic briefings and reports by responsible SONOPCO officers.

Since the nuclear functions now existing within APC and GPC are separate and distinct, it is anticipated that the formation and operation of SONOPCO will not have any detrimental effect on the fossil, hydroelectric or other corporate functions remaining in these companies. With few exceptions, the operating personnel who will be transferred to SONOPCO are currently dedicated to nuclear operations at APC and GPC.

C. Farley is owned by APC and is currently operated by APC pursuant to an operating license granted by the NRC and its predecessor.

Hatch and Unit 1 of Vogtle are currently operated by GPC pursuant to an operating agreement between it and Oglethorpe Power Corporation ("Oglethorpe"), the Municipal Electrical Authority of Georgia ("MEAG"), and City of Dalton, Georgia ("Dalton") and operating licenses granted to the owners of Hatch and Vogtle Unit 1 by the NRC which specify GPC as the operator. Hatch is owned as tenants-in-common by GPC (50.1% undivided interest), Oglethorpe (30.0% undivided interest), MEAG (17.7% undivided interest) and Dalton (2.2% undivided interest). Vogtle is owned as tenants-in-common by GPC (45.7% undivided interest), Oglethorpe (30.0% undivided interest), MEAG (22.7% undivided interest) and Dalton (1.6% undivided interest). Vogtle Unit 2 is subject to the same ownership interests, operating agreement and license arrangements as Vogtle Unit 1. The proposed transactions will not change the ownership of Farley, Hatch or Vogtle. In connection with implementing the third phase, SONOPCO would become the licensed operator of Farley, Hatch and Vogtle.

D. SONOPCO will follow the uniform system of accounts for mutual and subsidiary service companies as prescribed by the Commission from time to time in accordance with Rule 93 and 17 CFR Part 256. To the extent that costs incurred by SONOPCO can be identified to a particular plant,

those costs will be directly assigned to APC or GPC as appropriate. It is anticipated that SONOPCO will directly assign substantially all of its costs. Costs which cannot be directly assigned will be allocated to APC or GPC as provided in service agreements or operating agreements, the forms of which are attached hereto as Exhibits B-5 through B-9, respectively. In this regard, SONOPCO will utilize an Annual Report on Form U-13-60 to comply with periodic reporting requirements in accordance with Rule 94.

The initial agreements between SONOPCO and APC and GPC will provide for the furnishing of nuclear services by SONOPCO to APC and GPC, the licensed operators of the nuclear plants. These services will be furnished by SONOPCO at cost. The costs of SONOPCO thus to be taken into account will include all costs of doing business, including reasonable compensation for necessary capital as permitted by Rule 91. In the case of SONOPCO services rendered for Hatch and Vogtle, these costs will be determined and accumulated and allocated among the owners of Hatch and Vogtle in proportion to their respective ownership interests in such plants in the manner provided in the participation and operating agreements among the owners. The service agreements will provide for indemnification of SONOPCO by APC and GPC with respect to liability for personal injuries, property damage or other damages arising out of or in connection with the performance of work pursuant to the service agreements.

At the time SONOPCO assumes responsibility for the nuclear plant operations, operating contracts will be executed by SONOPCO for each plant. Under these operating agreements, SONOPCO will submit for review and a

approval, with respect to each plant, annual budget estimates of costs of nuclear services, and the anticipated fuel and capital costs that are expected to be incurred. It is presently anticipated that under these operating agreements, SONOPCO would receive payment for the costs of its nuclear services by drawing upon reserve accounts for monthly costs and expenses as they are incurred and that SONOPCO will submit monthly billing statements for such amounts after the end of the month. This monthly payment and billing procedure is expected to minimize the need for substantial working capital for SONOPCO.

Any nuclear services which may be rendered by SONOPCO with respect to nuclear plants which are not owned in whole or in part by affiliates of the Southern electric system will be effected pursuant to service or operating agreements which provide for billing at negotiated rates.

SONOPCO may provide a wide range of nuclear services to nonaffiliated companies, such as plant operating services, engineering services, technical services and administrative services. SONOPCO will account and report separately in its books and records the cost of providing such services to ensure that such costs are properly segregated between affiliated companies and nonaffiliated companies. The Commission is hereby requested to reserve jurisdiction with respect to this matter until contracts are negotiated for such transactions.

E. Accounting, treasury and other support services, as well as personnel, may be furnished to SONOPCO at cost by Southern Company Services, Inc. ("SCS"), APC and GPC.

F. Southern will capitalize SONOPCO by purchasing for cash all of the shares of SONOPCO's common stock for an aggregate consideration of up to \$10,000,000. In addition, Southern proposes to make open account advances to SONOPCO from time to time, which at the option of Southern could be converted into capital contributions or shares of common stock of SONOPCO. The rate of return on SONOPCO's common equity capital will not exceed the average of the most recent rates of return allowed by the Alabama Public Service Commission ("APSC") and the Georgia Public Service Commission ("GPSC") on the common equity capital of APC and GPC, respectively. Open account advances from Southern will accrue interest at a rate not to exceed the prime rate in effect at a bank to be designated by Southern. Southern also seeks authority for a period of five years for SONOPCO to borrow from lenders other than Southern. The aggregate principal amount of any advances to SONOPCO by Southern or lenders other than Southern will not exceed \$50,000,000 at any one time outstanding. Unless authorized by the Commission, loans obtained from lenders other than Southern will have maturities not to exceed 10 years and will accrue interest at a rate not to exceed the prime rate plus 2% for variable rate loans and the prime rate at the time of borrowing plus 3% for fixed rate loans. Such loans may be secured or unsecured and may be guaranteed by Southern, APC and/or GPC.

G. The salaries and other costs of present Southern system employees who will be transferred to SONOPCO as discussed above, including provision of appropriate pension and other employee benefits for such

employees, will be included in SONOPCO's operating costs. The directors and officers of SONOPCO will be selected without regard to whether interlocking positions between SONOPCO, Southern or other system companies or affiliates will result.

H. It is expected that consolidation of nuclear operations for the Southern electric system into SONOPCO will create the potential for significant long term benefits in three principal areas. First, nuclear staffing requirements should be reduced through sharing of information and personnel, elimination of duplication, enhanced motivation of employees, and greater management focus. Second, it is expected that higher levels of nuclear unit availability and performance will be achieved. Third, SONOPCO will seek to reduce the cost of purchased materials and services through integrated planning and coordinated purchasing.

It is recognized that certain start-up costs will be incurred in forming SONOPCO. However, these one time costs are expected to be small when compared to the potential long term benefits.

Item 2. Fees, Commissions and Expenses.

The estimated fees, commissions and expenses to be incurred in connection herewith will be filed by amendment.

Item 3. Applicable Statutory Provisions.

A. The issuance and sale by SONOPCO of shares of its capital stock are subject to the provisions of Sections 6(a) and 7 of the Act. They are not subject to the provisions of Rule 50 thereunder by reason of the exemption provided by subparagraph (a)(3) thereof.

B. The acquisition by Southern of shares of the capital stock of SONOPCO is subject to Sections 9(a) and 10 of the Act.

C. The making of open account advances by Southern to SONOPCO is subject to Section 12(b) of the Act and Rule 45 thereunder.

D. The organization of SONOPCO and the conduct of its business are subject to Section 13(b) of the Act and Rules 86-95 thereunder.

E. The indemnification of SONOPCO by APC and GPC pursuant to the service or operating agreement, described in item 1.D above, and the guarantees of SONOPCO indebtedness described in Item 1.F above, are subject to Section 12(b) of the Act and Rule 45 thereunder.

F. The conversion by Southern of open account advances into capital contributions or equity of SONOPCO is subject to Section 9(a)(2) of the Act and Rule 44(a) thereunder.

G. Since the regulatory authorizations to carry out the proposed transactions may be forthcoming at different times, authorization is requested from the Commission to implement the proposed transactions in stages. Applicants believe that since the SONOPCO program will be a

continuing one, the provisions of paragraph (c)(i) and of the second clause of the first sentence of paragraph (a) of Rule 24 should not be applicable to the proposed transactions. Applicants propose to report their progress and activities under Rule 24 as their authority to undertake the proposed transactions is exercised. Any significant variations in the proposed transactions, including significant changes in SONOPCO's organizational structure, services to be rendered, character of companies to be serviced or method of cost allocation, would be reported under a 60-day letter procedure prescribed by the Commission.

Item 4. Regulatory Approval.

The execution and carrying out of the proposed agreements between the owners of the subject nuclear facilities and SONOPCO will not limit in any way the existing or further authority of either the APSC or GPSC, or any successor agency or agencies, with respect to such nuclear facilities. Such agreements will not involve any abandonment or surrender of any service or any sale, lease, encumbrance or transfer of the possession or use of any tangible or intangible property, franchises, privileges or rights of the owners of such property, all of which will remain vested in such owners. Moreover, the proposed operating agreements will require that SONOPCO furnish to the owners certain data or other information requested by them in addition to the regular reports required by such agreements and that each operating agreement may be terminated at any time upon reasonable notice, provided that such termination rights may not be exercised without first taking such action as may be necessary to protect the public health and safety.

SONOPCO anticipates that it will in the future apply to the NRC for an amendment to the facility licenses or permits of the six nuclear units of the Southern electric system.

APC anticipates that approval of the APSC will be required if an operating contract between SONOPCO and APC is ultimately entered into.

GPC believes that entering into the proposed service or operating agreements for Hatch and Vogtle does not require approval of the GPSC.

Item 5. Procedure.

The applicants request that the Commission's order herein be issued as soon as the rules will allow and that there be no 30-day waiting period between the issuance of the Commission's order and the date on which it is to become effective.

It is submitted that a recommended decision by a hearing or other responsible officer of the Commission is not needed with respect to the proposed transaction. The applicants hereby consent that the Division of Investment Management may assist with the preparation of the Commission's decision and/or order in this matter unless such Division opposes the matters covered hereby.

Item 6. Exhibits and Financial Statements.

The following exhibits and financial statements are filed as a part of this Application/Declaration:

(a) Exhibits

- A-1 - Proposed Certificate of Incorporation of SONOPCO. (Filed under Form SE.)
- A-2 - Proposed By-Laws of SONOPCO. (Filed under Form SE.)
- B-1 - Form of shared employee agreement. (Filed under Form SE.)
- B-2 - Phase one matrix organizational structure. (Filed under Form SE.)
- B-3 - SONOPCO Phase two organizational structure. (Filed under Form SE.)
- B-4 - SONOPCO Phase three organizational structure. (Filed under Form SE.)
- B-5 - Form of proposed services agreement between APC and SONOPCO. (Filed under Form SE.)
- B-6 - Form of proposed services agreement between GPC and SONOPCO. (Filed under Form SE.)
- B-7 - Form of proposed operating agreement for Plant Farley. (To be filed by amendment.)
- B-8 - Form of proposed operating agreement for Plant Hatch. (To be filed by amendment.)
- B-9 - Form of proposed operating agreement for Plant Vogtle. (To be filed by amendment.)
- B-10 - Form of proposed services agreement between SCS and SONOPCO. (Filed under Form SE.)
- B-11 - Form of proposed services/operating agreement between nonaffiliated company and SONOPCO. (To be filed by amendment.)
- C - Not applicable.
- D-1 - Copy of petition to APSC. (To be filed by amendment.)
- D-2 - Copy of order of APSC. (To be filed by amendment.)
- E - Not applicable.
- F - Opinions of counsel. (To be filed by amendment.)
- G - Form of Notice.

(b) Financial Statements.

Financial statements of Southern and subsidiary companies have been omitted since they are not deemed to be material to or necessary for a proper disposition of the proposed transactions.

Item 7. Information as to Environmental Effects.

The issuance of an order by the Commission with respect to the subject transactions is not a major federal action significantly affecting the quality of the human environment.

No federal agency has prepared or is preparing an environmental impact statement with respect to the subject transactions. The NRC is the federal agency with principal federal jurisdiction with respect to Farley, Hatch and Vogtle, including, but not limited to, environmental matters.

SIGNATURES

Pursuant to the requirements of the Public Utility Holding Company Act of 1935, the undersigned companies have duly caused this statement to be signed on their behalf by the undersigned thereunto duly authorized.

Dated June 22, 1988

THE SOUTHERN COMPANY

By William A. Maner III
William A. Maner, III
Assistant Secretary

ALABAMA POWER COMPANY

By Wayne Boston
Wayne Boston
Assistant Secretary

GEORGIA POWER COMPANY

By Wayne Boston
Wayne Boston
Assistant Secretary

Note: SONOPCO has not been formed yet and consequently has not joined in the execution of this Application/Declaration. However, when the formation and organization of SONOPCO is authorized, that corporation will join in an amendment to this Application/Declaration whereby it will adopt such Application/Declaration, as previously amended.

AGREEMENT FOR SHARED EMPLOYMENT OF

THIS AGREEMENT, made and entered into as of the first day of June, 1988 by and among Alabama Power Company (APC), Georgia Power Company (GPC), and _____ (Employee).

WITNESSETH:

WHEREAS, Employee is an employee of APC having experience and expertise in the field of nuclear operations; and

WHEREAS, GPC wishes to employ Employee as an employee of GPC to provide services in his area of experience and expertise; and

WHEREAS, APC continues to need Employee in its employ to provide such services, and is willing for Employee to be employed by GPC at times when he is not employed by and providing service to APC; and

WHEREAS, Employee is willing to perform as an employee of APC and of GPC from time to time on the terms and conditions set forth herein;

NOW, THEREFORE, in consideration of the premises and the mutual terms and conditions set forth herein, the parties hereto agree as follows:

1. Basis for Employment of Employee: APC shall continue to pay and provide Employee the total compensation, pension, savings plans, insurance, company furnished vehicle, and other benefits agreed to between APC and Employee as of the date of this Agreement, or such

other or additional compensation, pension, savings plans, insurance, or other benefits as would, at any future point in time during the term hereof, be paid and provided to Employee as an employee of APC in the ordinary course of business. In addition, APC shall pay all expenses incurred by Employee in his employment by either APC or GPC as would be reimbursable to Employee as an employee of APC in the ordinary course of business. Notwithstanding Employee's agreement hereunder to become an employee of GPC from time to time, the resulting breaks in employment with APC during the times he is employed by GPC pursuant to this Agreement shall be disregarded for all purposes in connection with the compensation and benefits, including retirement benefits, that would be due him from APC. Employee agrees that he shall have no claim, right or cause of action against GPC for any compensation, benefits, or expense reimbursement that he might earn under this Agreement and that APC shall exclusively be responsible and liable for all such payments and contributions; provided, however, nothing herein shall be construed to affect any rights of Employee to indemnification or other protection from liability afforded by GPC to its officers or employees that would normally be available to Employee.

2. Basis for Sharing Employment of Employee: GPC agrees to employ Employee, and Employee agrees to be employed by GPC for such periods of time during each month mutually acceptable to GPC, APC and Employee. During the time Employee is employed by GPC, he shall devote his time, attention, and energies in the performance of the duties designated by GPC, and will, during such time, be under the sole super-

vision, direction and control of GPC. Employee shall, during the remainder of each month, be employed by APC and shall devote his time, attention, and energies in the performance of the duties designated by APC and will, during such time be under the sole supervision, direction and control of APC.

3. Reimbursement of APC Costs: GPC agrees to reimburse APC two-thirds of APC's full costs associated with the compensation and benefits paid and provided to Employee each month, such share being based on the estimated percentage of time during the month Employee will be employed by GPC. Each month, Employee shall consult with APC and GPC to determine whether events have occurred to cause adjustment in the reimbursement percentage. GPC also agrees to pay APC the reasonable pro rata cost incurred by APC with respect to the payroll, pension, savings, tax withholding, unemployment, bookkeeping and other personnel support and administrative services utilized by APC in connection with the provision of compensation and benefits to Employee, and shall pay APC for all expenses incurred by Employee in the course of his employment for GPC that have been reimbursed by APC. It is acknowledged by the parties that, in some instances, expenses may be incurred that must be allocated between APC and GPC, and APC and GPC agree to such allocation on the basis reasonably recommended by Employee. GPC shall reimburse APC any other costs of any nature that APC may incur arising out of GPC's employment of Employee. APC shall reimburse GPC any other costs of any nature that GPC may incur arising out of APC's employment of Employee.

4. Responsibility for Work: Limitation. APC shall have no responsibility whatsoever to GPC or a (other than Employee) claiming by or on behalf of GPC for any claims, liabilities, injuries, damages or other consequences under any theory of liability, whether in contract, in tort (including negligence and strict liability) or otherwise, arising out of or related to the work or other act or omission of Employee during any time Employee is employed by GPC, it being understood and agreed that GPC has sole authority and responsibility for the work of Employee during the period of employment with GPC. GPC shall have no responsibility whatsoever to APC or anyone claiming by or on behalf of APC for any claims, liabilities, injuries, damages or other consequences under any theory of liability, whether in contract, in tort (including negligence and strict liability) or otherwise, arising out of or related to the work or other act or omission of Employee during any time Employee is employed by APC, it being understood and agreed that APC has sole authority and responsibility for the work of Employee during the period of employment with APC.

5. Term: This Agreement shall become effective as of the date first set forth above and shall continue until terminated in writing by Employee, APC, or GPC, without any necessity for demonstration of cause, at the will of the party giving notice of termination.

6. Governing Law: This Agreement is governed by the laws of

the State of Alabama.

IN WITNESS WHEREOF, the parties have executed or caused this Agreement to be executed as of the date first written above.

ALABAMA POWER COMPANY

By _____

GEORGIA POWER COMPANY

By _____

EMPLOYEE

Exhibit B-2
Phase One Matrix Organization

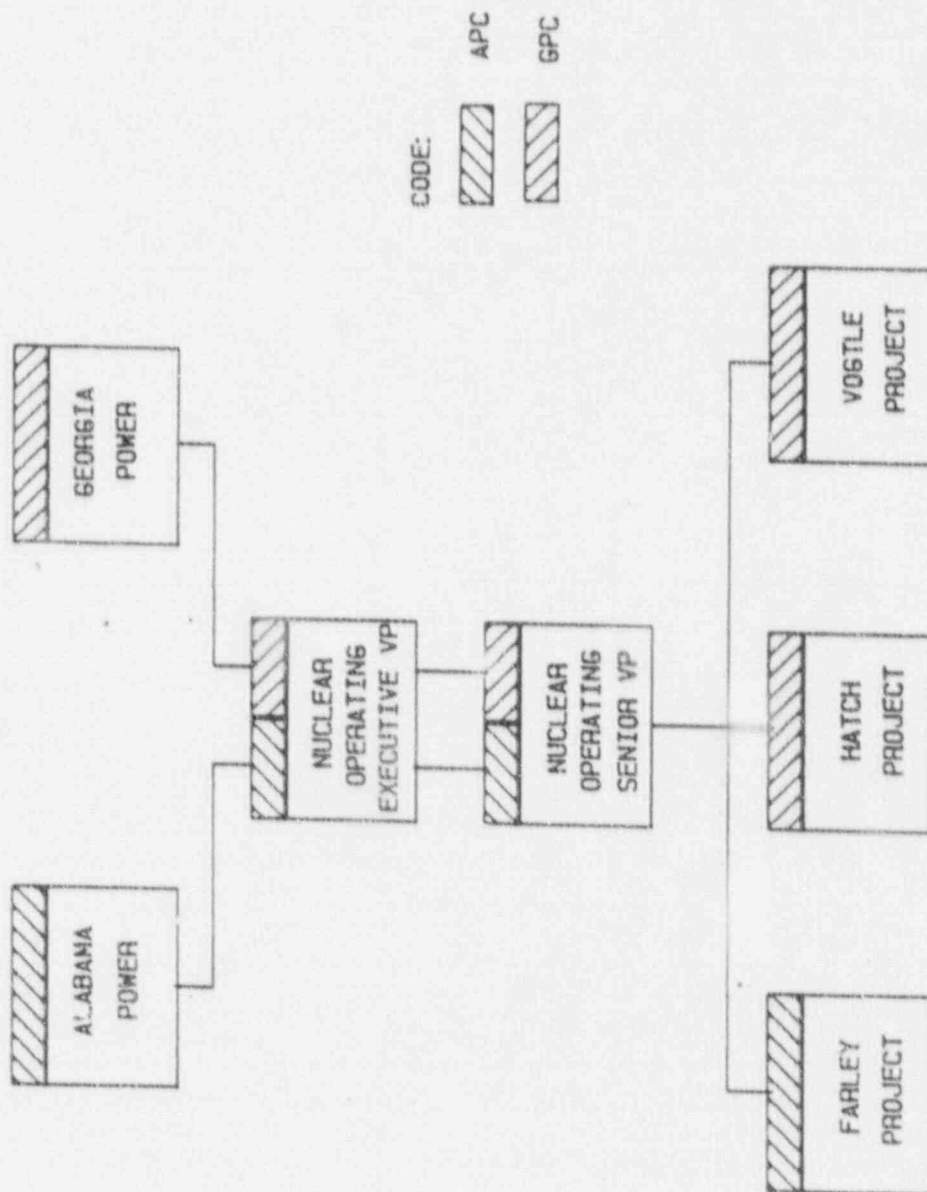


Exhibit B-3
SONOPCO Phase Two Organization

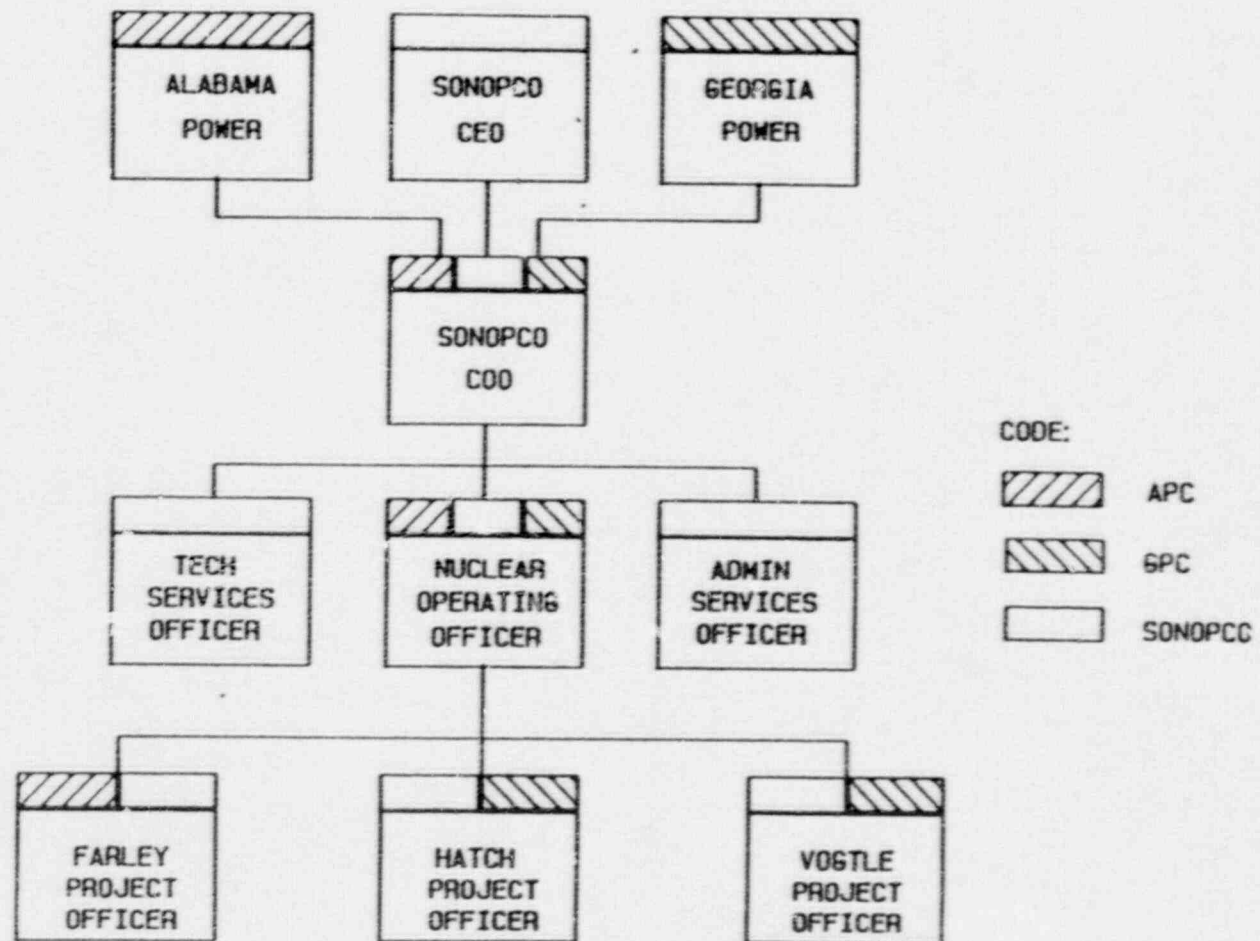
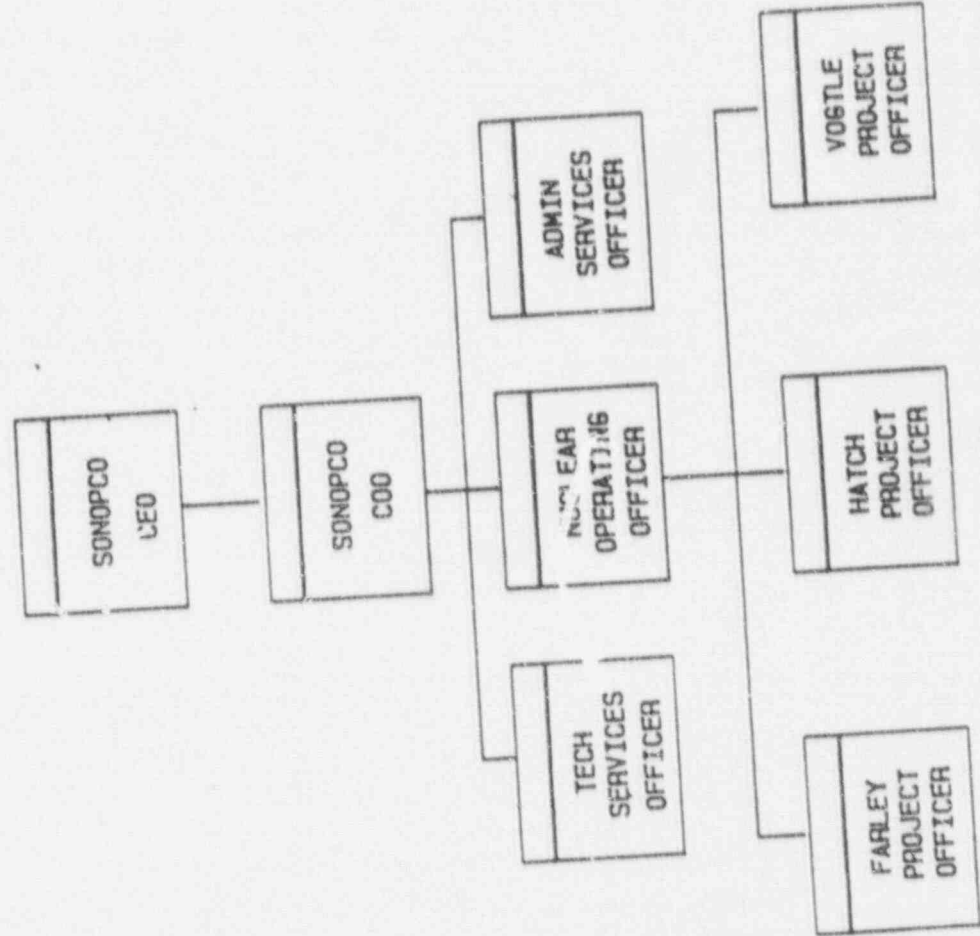


Exhibit B-4
SONOPCO Phase Three Organization



CODE:

SONOPCO

SECURITIES AND EXCHANGE COMMISSION

(Release No. 35 - 24694)

Filings Under the Public Utility Holding Company Act of 1935
("Act")

August 12, 1988

Notice is hereby given that the following filing(s) has/have been made with the Commission pursuant to provisions of the Act and rules promulgated thereunder. All interested persons are referred to the application(s) and/or declaration(s) for complete statements of the proposed transaction(s) summarized below. The application(s) and/or declaration(s) and any amendment(s) thereto is/are available for public inspection through the Commission's Office of Public Reference.

Interested persons wishing to comment or request a hearing on the application(s) and/or declaration(s) should submit their views in writing by September 6, 1988 to the Secretary, Securities and Exchange Commission, Washington, D.C. 20549, and serve a copy on the relevant applicant(s) and/or declarant(s) at the address(es) specified below. Proof of service (by affidavit or, in case of an attorney at law, by certificate) should be filed with the request. Any request for hearing shall identify specifically the issues of fact or law that are disputed. A person who so requests will be notified of any hearing, if ordered, and will receive a copy of any notice or order issued in the matter. After said date, the application(s) and/or declaration(s), as filed or as amended, may be granted and/or permitted to become effective.

The Southern Company (70-7530)

The Southern Company ("Southern"), 64 Perimeter Center East, Atlanta, Georgia 30346, a registered holding company, and its electric utility subsidiaries, Alabama Power Company ("APC"), 600 North 18th Street, Birmingham, Alabama 35291, and Georgia Power Company ("GPC"), 333 Piedmont Avenue, N.E., Atlanta, Georgia 30308, have filed an application-declaration pursuant to Sections 6(a), 7, 9(a), 10, 12(b) and 13(b) of the Act and Rules 45 and 86-95 thereunder.

Southern proposes to organize a new wholly owned Delaware subsidiary to be known as Southern Nuclear Operating Company, Inc., ("SONOPCO"), to consolidate the personnel of the Southern system companies involved in nuclear services into a single organization. SONOPCO's operating structure will be implemented in three phases. Initially, key nuclear operations management personnel will be shared between APC and GPC. In the second phase, which would begin upon approval by the Commission of the present application-declaration, SONOPCO will be organized as a service company that will provide APC and GPC with nuclear services, including plant operating services, fuel procurement services, administrative services and technical services, but will not own, finance or operate any nuclear or other utility assets. In the third phase, SONOPCO will become responsible, on behalf of the owners and through contract with them, for the

operation and maintenance of all nuclear generating facilities owned by Southern electric system companies.

SONOPCO may apply to the Nuclear Regulatory Commission ("NRC") or its successor for facility license or permits for the Farley Nuclear Plant ("Farley"), owned and operated by APC, and for the Hatch Nuclear Plant ("Hatch") and Vogtle Nuclear Plant ("Vogtle"), each of which is jointly owned by GPC, the Municipal Electric Authority of Georgia, Oglethorpe Power Corporation, and the City of Dalton, Georgia, and for which GPC is the present licensee and operator under an existing operating agreement. Nuclear services rendered by SONOPCO to nuclear plants not wholly owned by associates of the Southern system will be pursuant to service or operating agreements that provide for billing at negotiated rates.

Accounting, treasury, and other support services, as well as personnel, may be furnished to SONOPCO at cost by Southern Company Services, Inc., APC, and GPC. SONOPCO will render service to associated companies at cost, pursuant to Section 13(b) of the Act. The costs will be accounted for and billed to the owners of the subject facilities as prescribed by Rules 91 and 93 and the uniform system of accounts prescribed thereunder. In the case of SONOPCO's services rendered for the Vogtle and Hatch units, these costs will be determined, accumulated, and allocated among the owners of Vogtle and Hatch in proportion to their ownership interests.

SONOPCO will issue, and Southern will purchase for cash, all of the shares of SONOPCO's common stock for an aggregate consideration of up to \$10 million. Southern proposes to make open account advances to SONOPCO from time to time, which may be converted into capital contributions or shares of common stock of SONOPCO. The rate of return on SONOPCO's equity capital will not exceed the average of the most recent rates of return allowed by the Alabama Public Service Commission and the Georgia Public Service Commission on the equity capital of APC and GPC, respectively. SONOPCO also proposes to obtain funds from third party lenders. The aggregate principal amount of advances to SONOPCO by Southern or lenders other than Southern will not exceed \$50 million at any time outstanding. Interest on open account advances by Southern will accrue at a rate not to exceed the prime rate at a bank designated by Southern. Unless authorized by the Commission, loans by parties other than Southern will have maturities not to exceed ten years and will accrue interest at a rate not to exceed the lender's prime rate plus 2% for variable rate loans and the prime rate at the time of borrowing plus 3% for fixed rate loans. Loans by parties other than Southern may be secured or unsecured and may be guaranteed by Southern, APC and/or GPC. With respect to the initial capitalization of \$10 million and to open account advances from Southern, it is requested that the Commission reserve jurisdiction over amounts in excess of \$5,000,000 and

\$15,000,000, respectively, and over all advances from lenders other than Southern. Southern requests this financing authority through December 31, 1990.

For the Commission, by the Division of Investment Management, pursuant to delegated authority.

Jonathan G. Katz
Secretary



By: Shirley E. Hollis
Assistant Secretary



UNITED STATES
NUCLEAR REGULATORY COMMISSION
REGION II
101 MARIETTA STREET, N.W.
ATLANTA, GEORGIA 30323

AUG 11 1988

Docket Nos. 50-321, 50-366
50-424, 50-425
License Nos. DPR-57, NPF-5
NPF-68, CPPR-109

Georgia Power Company
ATTN: Mr. W. G. Hairston, III
Senior Vice President -
Nuclear Operations
P. O. Box 4545
Atlanta, GA 30302

Gentlemen:

SUBJECT: MEETING SUMMARY - NUCLEAR OPERATIONS - TRANSITION ORGANIZATION

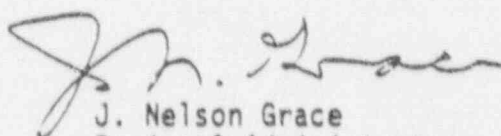
This refers to the information meeting conducted in the NRC Region II Office on July 25, 1988. This meeting was held at your request to discuss your current transitional nuclear operations organization for the corporate office, Vogtle facility and Hatch facility. A list of attendees, a brief summary and a copy of your handout are enclosed.

It is our opinion that this meeting was beneficial and has kept us apprised of your nuclear operations organization.

In accordance with Section 2.790 of NRC's "Rules of Practice," Part 2, Title 10, Code of Federal Regulations, a copy of this letter and its enclosures will be placed in the NRC Public Document Room.

Should you have any questions concerning this letter, we will be pleased to discuss them.

Sincerely,



J. Nelson Grace
Regional Administrator

Enclosures:

1. Meeting Summary
2. List of Attendees
3. Georgia Power Company Presentation

cc w/encls: (See page 2)

AUG 11 1988

cc w/encls:

R. P. McDonald, Executive Vice
President, Nuclear Operations
P. D. Rice, Vice President, Project
Director
C. W. Hayes, Vogtle Quality
Assurance Manager
G. Bockhold, Jr., General Manager,
Nuclear Operations
L. Gucwa, Manager, Nuclear Safety
and Licensing
J. A. Bailey, Project Licensing
Manager
B. W. Churchill, Esq., Shaw,
Pittman, Potts and Trowbridge
D. Kirkland, III, Counsel,
Office of the Consumer's Utility
Council
D. Feig, Georgians Against
Nuclear Energy

ENCLOSURE 1

MEETING SUMMARY

On July 25, 1988, representatives of Georgia Power Company (GPC) met with the NRC in the Region II office in Atlanta, Georgia to discuss the Corporate office, Vogtle facility, and Hatch facility nuclear operations organization. A list of meeting attendees is in Enclosure 2.

GPC gave a presentation which provided an organization status.

An outline of GPC's presentation is given in Enclosure 3.

After approval by the Securities and Exchange Commission, a nuclear operating company consisting of the nuclear plants in the Southern Company (Hatch, Farley, Vogtle) will be formed. The corporate office location will be decided once approval for the company is obtained. A project organization has been established for each plant.

ENCLOSURE 2

LIST OF ATTENDEES

U. S. Nuclear Regulatory Commission - Region II

L. A. Reyes, Director, Division of Reactor Projects (DRP)
V. L. Brownlee, Chief, Branch 3, DRP
H. C. Dance, Chief, Section 1B, DRP
M. V. Sinkule, Chief, Section 3B, DRP
D. M. Verrelli, Chief, Branch 1, DRP
C. Patterson, Project Engineer, DRP

NRC - Office of Nuclear Reactor Regulation

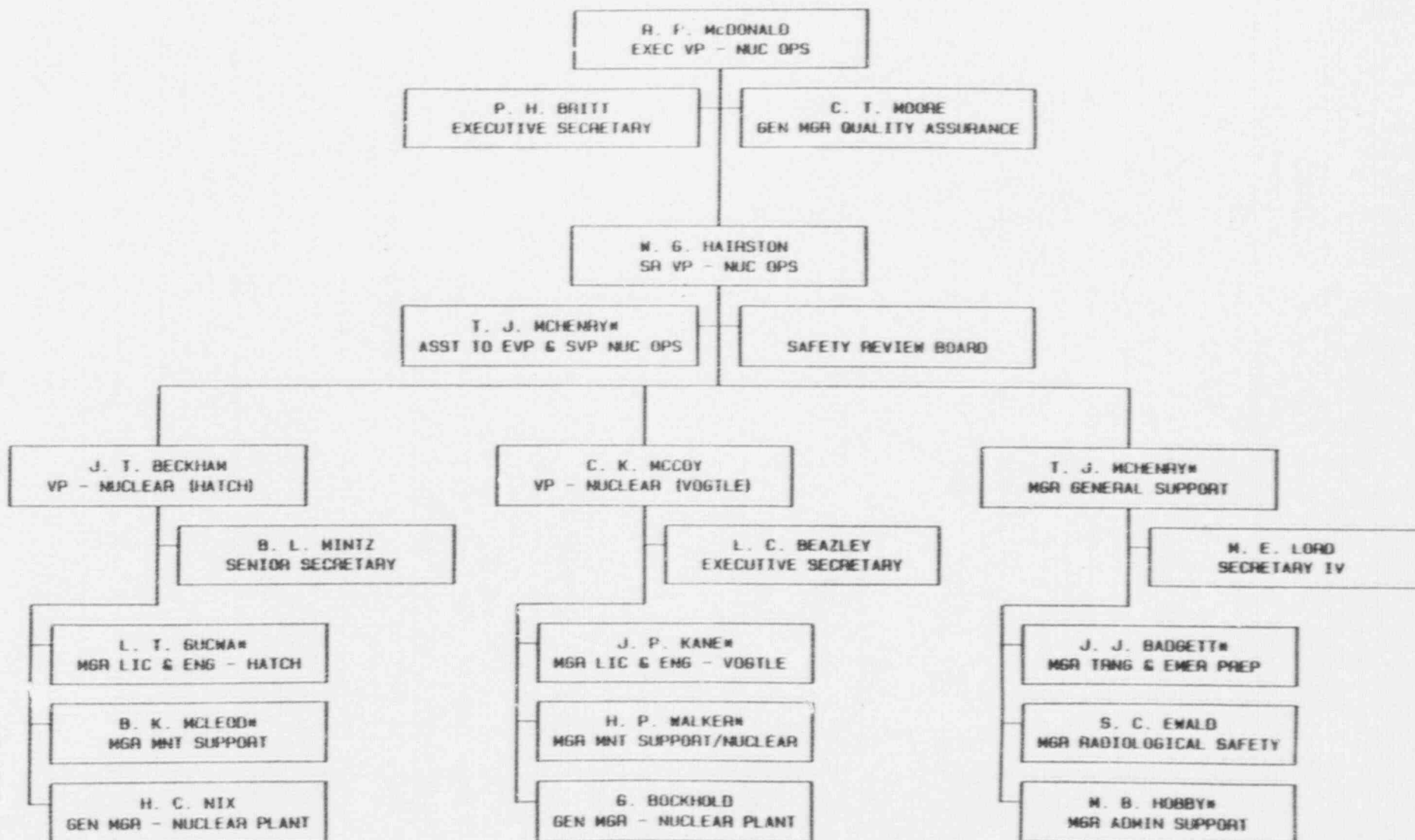
D. B. Matthews, Project Directorate II-3

Georgia Power Company

W. G. Hairston, III, Senior Vice President, Nuclear Operations
C. K. McCoy, Vice President, Nuclear Operations
J. T. Beckham, Vice President, Nuclear Operations
T. J. McHenry, Manager, General Support

ENCLOSURE 3

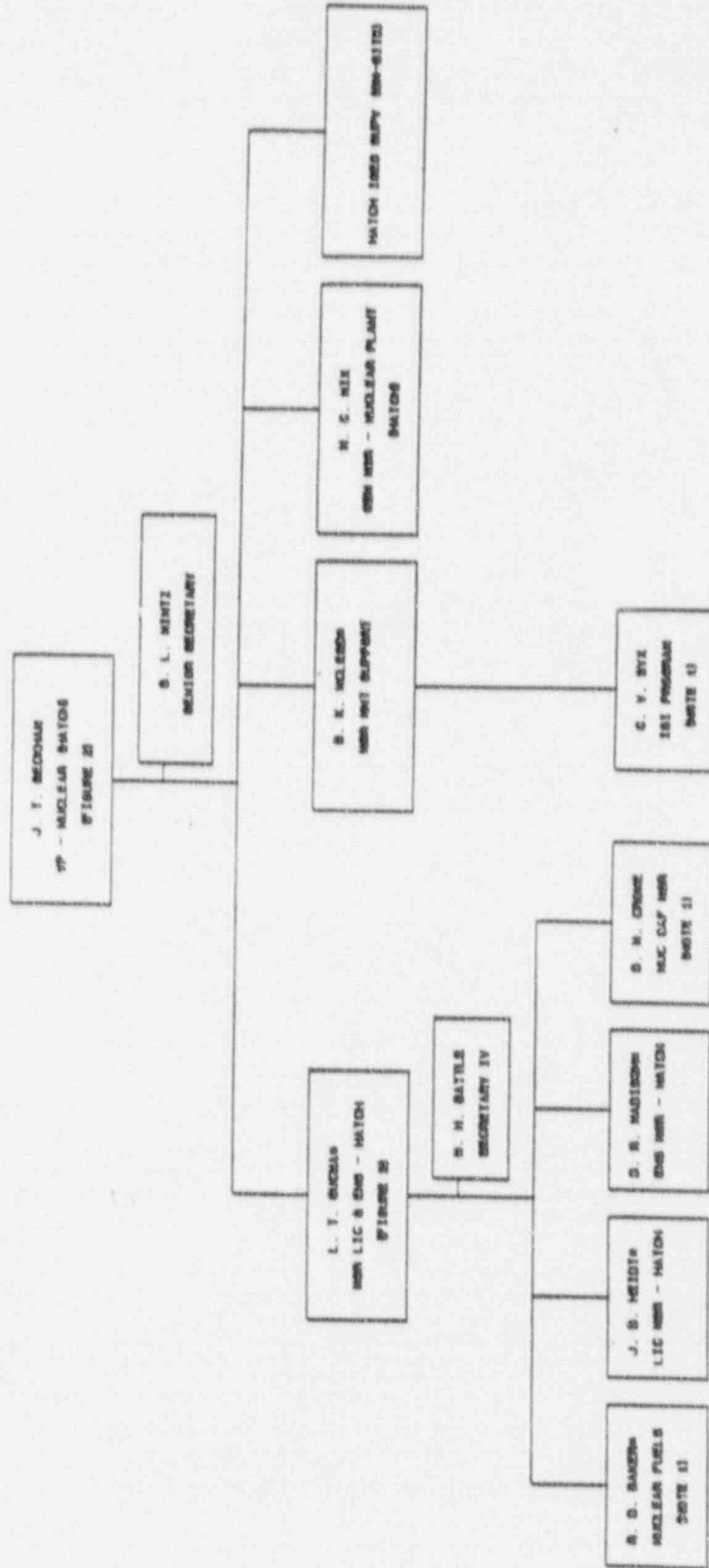
NUCLEAR OPERATIONS - TRANSITION ORGANIZATION



* Indicates a transitional position
with incumbent serving in an acting
capacity.

07/21/88

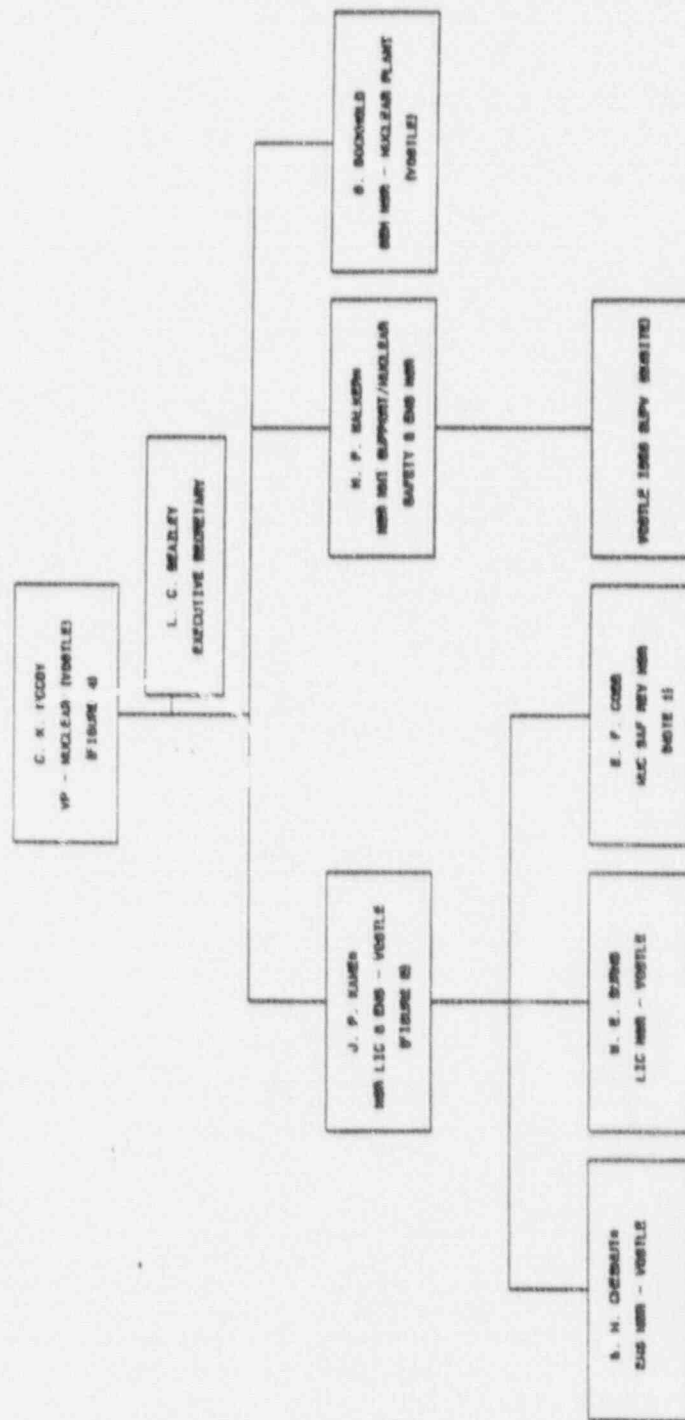
NATION PROJECT TRANSMISSION ORGANIZATION



a Indicates a transitional position with incumbent serving in an acting capacity.

Note 1: NUT includes Fuel & Support.

VOSTLE PROJECT TRANSITION ORGANIZATION



a Indicates a transitional position with incumbent serving in an acting capacity.
Note 1: Resp includes Hatch support.

The Southern Company
64 Perimeter Center East
Atlanta, Georgia 30346
Telephone 404 393-0650

Edward L. Addison
President



DATE: September 21, 1988

TO: Employees of Alabama Power
Georgia Power
Southern Company Services

As you know, this past May we announced plans to form a new subsidiary — Southern Nuclear Operating Company (SONOPCO) — to provide management and technical services for the nuclear power plants in our system.

I want to briefly update you on the progress we've made toward combining our nuclear operations.

In June, we filed an application with the Securities and Exchange Commission for approval to create the new company. We are awaiting final commission action. However, Oglethorpe Power Corporation, which owns 30 percent of Plant Vogtle and 30 percent of Plant Hatch, has intervened in the matter and asked the commission to delay its ruling until several of Oglethorpe's concerns are addressed. We are continuing to hold discussions with Oglethorpe officials.

We've also taken the first step in merging the nuclear management professionals of Alabama Power and Georgia Power. Pat McDonald is serving as executive vice president of both companies and is responsible for the operation of Plants Vogtle, Hatch, and Farley. He is being assisted by George Hairston, who is serving as a senior vice president of both companies.

Also, I recently asked Alabama Power President Joe Farley to devote a portion of his time to guiding the formation of our new nuclear company. His leadership and insight will be of immeasurable value.

Finally, we have decided to move the off-site nuclear management and support functions of both Alabama Power and Georgia Power to a single location. While each company — as the licensee — will be responsible for operating its respective plants, a common location will better facilitate exchange of information and integrated nuclear planning.

We will locate these functions in Building 40 of the Inverness office park near Birmingham — adjacent to the nuclear support and engineering support groups of Southern Company Services. This relocation should be completed by the end of 1988.

As we continue this process, some of you certainly will be called upon to assist in various aspects of SONOPCO's creation. I would ask each of you personally to do all you can to help make this exciting promise a reality.

Ed Addison

Georgia Power Company
Post Office Box 282
Waynesboro, Georgia 30830
Telephone 404 554-8961
404 724-8114

Southern Company Services, Inc.
Post Office Box 2625
Birmingham, Alabama 35202
Telephone 205 870-6011



Vogtle Project

November 23, 1988

U.S. Nuclear Regulatory Commission
Attn.: Document Control Desk
Washington, D.C. 20555

File: X7N00.0-39
Log: GN-1502

NRC DOCKET NUMBERS 50-424 AND 50-425
OPERATING LICENSE NPF-68
CONSTRUCTION PERMIT NUMBER CPPR-109
VOGTLE ELECTRIC GENERATING PLANT - UNITS 1 AND 2
FSAR AMENDMENT NUMBER 39

Gentlemen:

Georgia Power Company, acting on its own behalf and as agent for Oglethorpe Power Corporation, Municipal Electric Authority of Georgia, and the City of Dalton, Georgia, hereby submits Amendment 39 to the Vogtle Electric Generating Plant (VEGP) Final Safety Analysis Report (FSAR).

The changes resulting from this amendment are identified in the Attachment. These changes are applicable to both Units 1 and 2. All substantive changes, for Unit 1, were evaluated as required by Title 10 CFR 50.59. This amendment contains all the known processed changes for Unit 2 as of October 31, 1988. Due to the time lag associated with the as-built notification process, not all of the FSAR figures have been updated in this amendment. Our submittals to the staff, as noted in the Attachment, do contain the information on drawing modification sheets and provide the appropriate cross references to the affected FSAR figures. Your staff will be notified should the final drawings materially differ from what was previously provided.

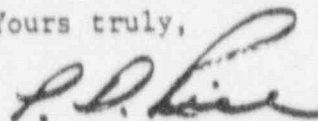
In accordance with the requirements of Title 10 CFR 50.30(f) and Title 10 CFR 50.4(b), one (1) signed original and thirty-seven (37) copies of Amendment 39 are submitted for your use. Also in accordance with the requirements of Title 10 CFR 50.4(b), copies of Amendment 39 are being sent to the NRC Regional Office and the NRC Resident Inspector.

U.S. Nuclear Regulatory Commission
November 23, 1988
Page 2

File: X7N00.0-39
Log: GN-1502

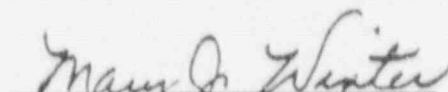
Should you have any questions on the enclosed submittal, do not hesitate to contact me.

Yours truly,



P. D. Rice

SWORN AND SUBSCRIBED BEFORE ME, THIS 22nd DAY OF November, 1988.


Mary Jo Winter
Notary Public
Alabama State at Large

My commission expires 24 ~~My~~ Commission Expires November 24, 1991

PDR/sm

Attachment

cc: NRC Regional Administrator
NRC Resident Inspector
FSAR Distribution List

13. 1.2.2 Nuclear Operations Organization

The nuclear operations organization, under the supervision of the executive vice president-nuclear operations, has direct responsibility for the operation and maintenance of GPC's nuclear plants. The nuclear operations organization consists of the plant operating staffs, the safety audit and engineering review organization, and the nuclear support (Vogtle) organization which provides support in the areas of engineering, licensing, maintenance, and administration.

Engineering support during plant operation will be provided primarily by the SCS Nuclear Plant Support Department. The SCS Technical Services-Nuclear Department will provide nuclear fuel contract administrative services, reload licensing, and operating licensing support. The structure of the General Office organization is shown in figures 13.1.1-2 and 13.1.1-3 and is described in the following paragraphs.

13.1.1.2.2.1 Executive Vice President-Nuclear Operations. The executive vice president-nuclear operations, an officer of both Georgia Power Company (GPC) and Alabama Power Company (APC), is responsible to the chairman and CEOs of each company for all aspects of operation of the nuclear generating plants in the GPC and APC systems, as well as technical and administrative support activities provided by SCS. The executive vice president-nuclear operations directs the senior vice president-nuclear operations in fulfillment of his responsibility.

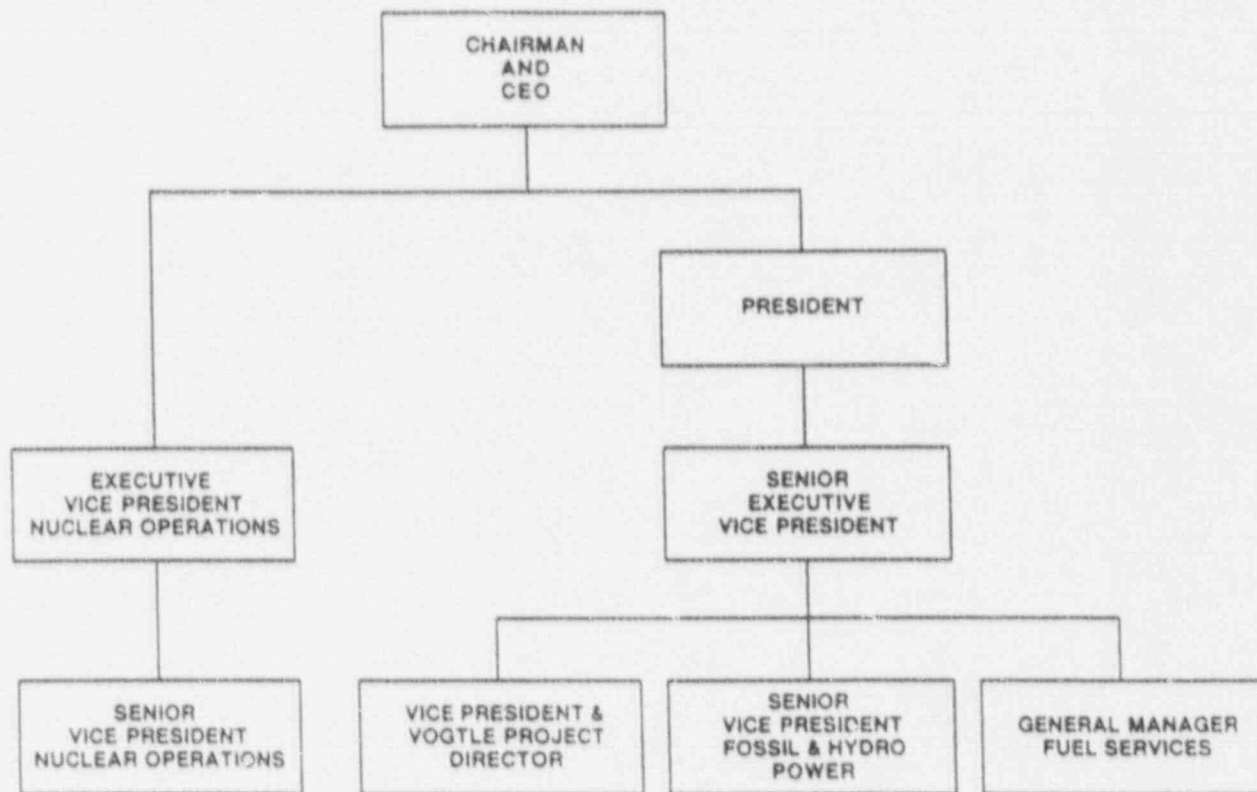
Amend. 16	4/85
Amend. 24	6/86
Amend. 25	9/86
Amend. 26	10/86
Amend. 29	11/86
Amend. 35	3/88
Amend. 39	11/88

13.1.1.2.2.2 Senior Vice President-Nuclear Operations. The senior vice president-nuclear operations, an officer of both Georgia Power Company (GPC) and Alabama Power Company (APC), reports to the executive vice president-nuclear operations. This individual is responsible for the safe, reliable, and efficient operation of Plants Vogtle, Hatch, and Farley. The senior vice president-nuclear operations directs the efforts of the vice president-nuclear (Vogtle), the vice president-nuclear (Hatch), and the vice president-nuclear (Farley).

13.1.1.2.2.3 Vice President-Nuclear (Vogtle). The vice president-nuclear (Vogtle) reports to the senior vice president-nuclear operations and is responsible for operation and maintenance of Plant Vogtle as well as licensing, engineering, maintenance, and administrative support activities. The vice president-nuclear (Vogtle) directs the general manager-nuclear plant (Vogtle), the general manager-nuclear support (Vogtle), and the manager-safety audit and engineering review (Vogtle).


13.1.1.2.2.4 General Manager - Nuclear Support (Vogtle). The general manager-nuclear support (Vogtle) reports to the vice president-nuclear (Vogtle) and is responsible for corporate support in the areas of engineering, licensing, maintenance, and administration. The general manager-nuclear support (Vogtle) directs the manager-nuclear engineering and licensing (Vogtle), the manager-nuclear maintenance and support (Vogtle), and the manager-nuclear administration (Vogtle).

13.1.1.2.2.5 Manager-Safety Audit and Engineering Review (Vogtle). The responsibilities of the manager-safety audit and engineering review (Vogtle) are described in section 17.2.



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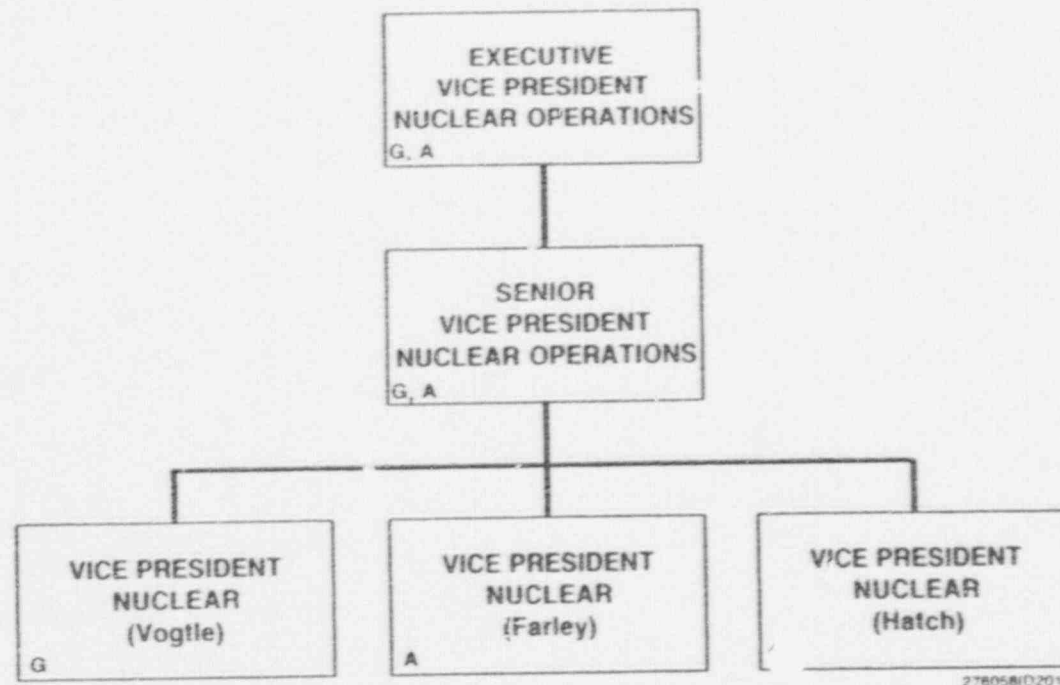
Amend. 3 1/84
 Amend. 16 4/85
 Amend. 24 6/86
 Amend. 25 9/86
 Amend. 26 10/86
 Amend. 39 11/88

Georgia Power 

VOGTLE
 ELECTRIC GENERATING PLANT
 UNIT 1 AND UNIT 2

CORPORATE ORGANIZATION
 VEGP UNITS 1 AND 2

FIGURE 13.1.1-1



LEGEND

A = APC
G = GPC

Amend. 16 4/85
Amend. 24 6/86
Amend. 25 9/86
Amend. 26 10/86
Amend. 29 11/86
Amend. 35 3/88
Amend. 39 11/88

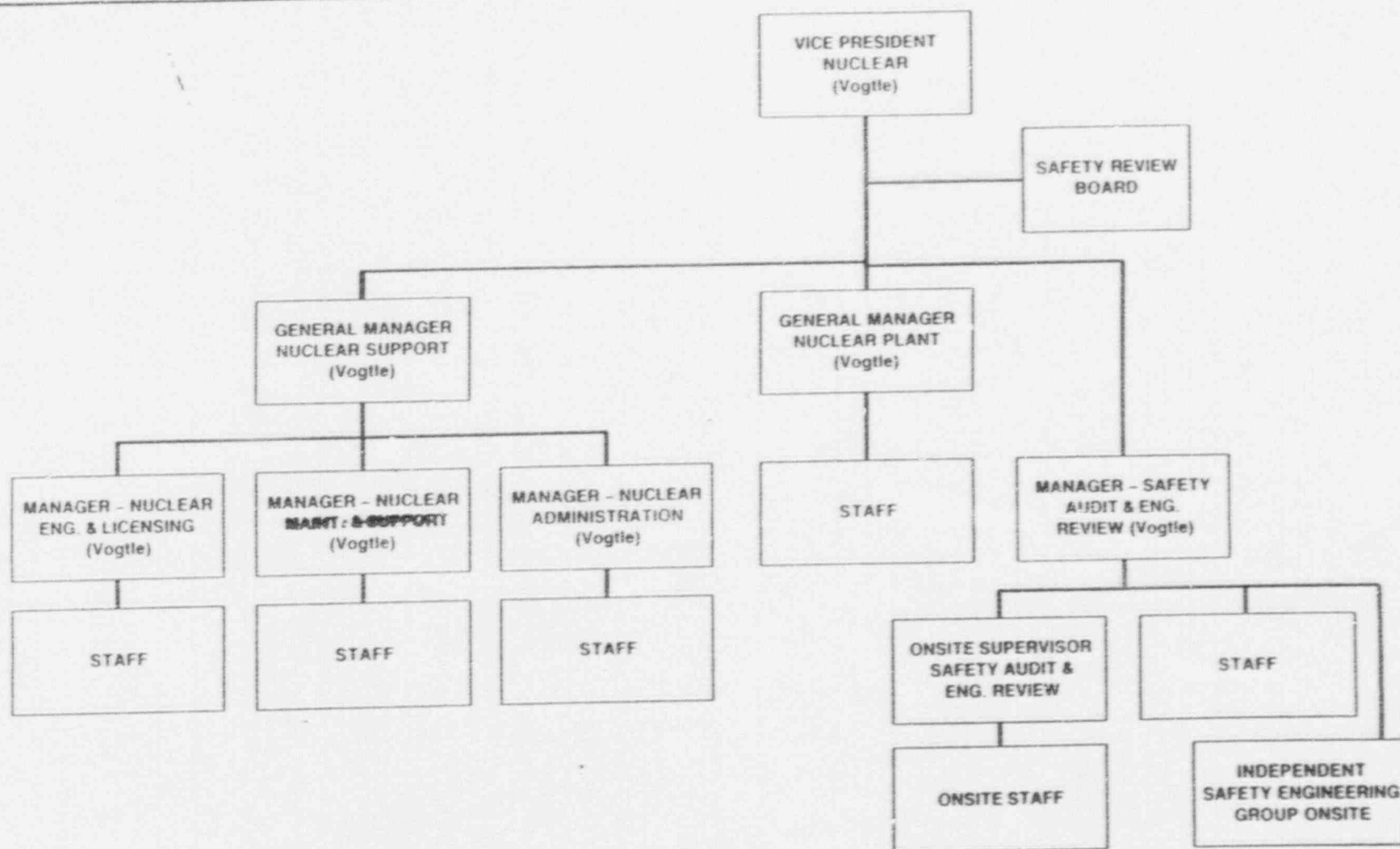
Georgia Power



VOGTLE
ELECTRIC GENERATING PLANT
UNIT 1 AND UNIT 2

NUCLEAR OPERATIONS ORGANIZATION
VEGP UNITS 1 AND 2

FIGURE 13.1.1-2



Amend. 15 3/85
 Amend. 16 4/85
 Amend. 24 6/86
 Amend. 26 10/86
 Amend. 29 11/86
 Amend. 35 3/88
 Amend. 39 11/88

Georgia Power

VOGTLE
ELECTRIC GENERATING PLANT
UNIT 1 AND UNIT 2

TECHNICAL SUPPORT ORGANIZATION
VEGP UNITS 1 AND 2

FIGURE 13.1.1-3



UNITED STATES
NUCLEAR REGULATORY COMMISSION
REGION II
101 MARIETTA ST., N.W.
ATLANTA, GEORGIA 30323

FEB 07 1989

Docket Nos. 50-321, 50-366, 50-424,
50-425, 50-348, 50-364
License Nos. DPR-57, NPF-5, NPF-68,
CPPR-109, NPF-2, NPF-8

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

Gentlemen:

SUBJECT: NRC INSPECTION REPORT NOS. 50-321/88-41, 50-366/88-41, 50-424/88-60,
50-425/88-77, 50-348/88-33, AND 50-364/88-33

This refers to a Nuclear Regulatory Commission (NRC) inspection of corporate organization, responsibilities, and functions conducted by Messrs. M. V. Sinkule, J. F. Rogge, J. E. Menning, F. Allenspach, L. R. Moore, H. C. Dance, and G. Maxwell on December 19 - 21, 1988. The inspection included a review of activities authorized for your Corporate Office in Birmingham, Alabama. At the conclusion of the inspection, the findings were discussed with those members of your staff identified in the enclosed Inspection Report. A management meeting to discuss nuclear plant oversight responsibilities, technical support responsibilities, and activities of the corporate organization was also conducted on December 19, 1988. Meeting attendees and a brief summary of this meeting are included in the enclosed Inspection Report. The meeting handouts utilized during this presentation have also been provided as Enclosure 2.

Areas examined during the inspection are identified in the report. Within these areas, the inspection consisted of selective examinations of procedures and representative records, interviews with personnel, and observation of activities in progress.

Within the scope of the inspection, no violations or deviations were identified.

In accordance with Section 2.790 of the NRC's "Rules of Practice," Part 2, Title 10, Code of Federal Regulations, a copy of this letter and its enclosures will be placed in the NRC Public Document Room.

Should you have any questions concerning this letter, please contact us.

Sincerely,

Luis A. Reyes, Director
Division of Reactor Projects

Enclosures: (See page 2)

FEB 01 1983

Enclosures:

1. NRC Inspection Report
2. Meeting Handouts

cc w/encls:

R. P. McDonald, Executive Vice President,
Nuclear Operations
J. T. Beckham, Vice President, Plant Hatch
H. C. Nix, General Manager, Plant Hatch
O. M. Fraser, Site Quality Assurance
Manager
L. T. Gucwa, Manager, Nuclear Engineering
and Licensing, Plant Hatch
S. B. Tipps, Manager of Nuclear
Safety and Compliance
B. M. Guthrie, Executive Vice President
D. N. Morey, General Manager -
Nuclear Plant
J. D. Woodard, Vice President -
Nuclear Generation
J. W. McGowan, Manager-Safety Audit
and Engineering Review
S. Fulmer, Supervisor-Safety
Audit and Engineering Review
R. P. McDonald, Executive Vice
President, Nuclear Operations
P. D. Rice, Vice President, Project
Director
C. W. Hayes, Vogtle Quality
Assurance Manager
G. Bockhold, Jr., General Manager,
Nuclear Operations
J. P. Kane, Manager Licensing
and Engineering
J. A. Bailey, Project Licensing
Manager
B. W. Churchill, Esq., Shaw,
Pittman, Potts and Trowbridge
D. Kirkland, III, Counsel,
Office of the Consumer's Utility
Council
D. Feig, Georgians Against
Nuclear Energy
State of Georgia
State of Alabama



UNITED STATES
NUCLEAR REGULATORY COMMISSION
REGION II
101 MARIETTA ST., N.W.
ATLANTA, GEORGIA 30323

Report Nos.: 50-424/88-60, 50-425/88-77, 50-348 and 50-364/88-33, 50-321 and 50-366/88-41.

Licensees: Georgia Power Company
Alabama Power Company
P. O. Box 1295
Birmingham, AL 35201

Docket Nos.: 50-424, 50-425, 50-348, 50-364, 50-321, 50-366

License Nos.: NPF-68, CPPR-109, NPF-2, NPF-8, DPR-57, NPF-5

Facility Names: Vogtle 1 and 2, Farley 1 and 2, Hatch 1 and 2

Inspection Conducted: December 19-21, 1988

Inspectors: M. V. Sinkule
M. V. Sinkule, Region II, Team Leader

2/6/89
Date Signed

Team Members: H. C. Dance, Region II
J. F. Rogge, Region II
J. E. Menning, Region II
G. F. Maxwell, Region II
L. R. Moore, Region II
F. R. Allenspach, Office of
Nuclear Reactor Regulation

Approved by: A. R. Herdt
A. R. Herdt, Branch Chief
Reactor Projects Branch 3
Division of Reactor Projects

2/6/89
Date Signed

SUMMARY

Scope: This special, announced inspection was conducted at the Corporate Office in Birmingham, Alabama, in the areas of corporate organization, responsibilities, and functions. A management meeting to discuss nuclear plant oversight responsibilities, technical support responsibilities, and activities of the corporate organization was also conducted on December 19, 1988.

Results: The new corporate organization, which was established in anticipation of the formulation of the operating company for Vogtle, Hatch, and Farley, had been in place since November 1, 1988, and was functioning at the time of this inspection. The majority of the management and technical staffing was complete; however, some administrative positions were not yet filled. Most positions were being filled by personnel with experience obtained in the plants, and the personnel interviewed during this inspection were knowledgeable of their duties and responsibilities. Existing Georgia Power Company and Alabama

Power Company procedures were in effect; however, they were still in the process of being modified to reflect the corporate organizational changes and responsibilities. Additionally, it was determined that although the new operating philosophy of the corporate staff in a support role as opposed to an overview role was sound, the Vogtle Final Safety Analysis Report needed to be revised to reflect this philosophy change.

Within the areas inspected, no violations or deviations were identified.

REPORT DETAILS

1. Persons Contacted

Licensee Employees

- #J. Badgett, Emergency Planning Coordinator, Vogtle, Georgia Power Company (GPC)
- **J. Baily, Manager of Licensing, Vogtle, GPC
- #*T. Beckham, Vice President, Hatch Project, GPC
- B. Burns, Manager of Engineering Services, Southern Company Services (SCS)
- S. Burns, Senior Project Engineer, Farley, Alabama Power Company (APC)
- #S. Chesnut, Vogtle Engineering Manager, GPC
- #E. Cobb, Supervisor of Planning and Performance, Vogtle, GPC
- J. Davis, Senior Engineer, Vogtle Safety Audit and Engineering Review, GPC
- B. Epps, Manager, Inspection and Testing Services, SCS
- S. Ewald, Manager, Environmental Services, SCS
- R. Fucich, Manager, Nuclear Administration, Farley, APC
- G. Grove, Manager, Corporate Quality Services, SCS
- L. Gucwa, Manager, Engineering and Licensing, Hatch, GPC
- #*W. Hairston, III, Senior Vice President, GPC/APC
- J. Heidt, Manager of Licensing, Hatch, GPC
- F. Jessup, Emergency Planning Coordinator, Farley, APC
- D. Jones, Manager of Engineering, Farley, APC
- #J. Kane, Manager, Engineering and Licensing, Vogtle, GPC
- O. Kennamer, Project Engineer, Farley, APC
- J. Leamon, Vogtle Project Licensing Engineer, GPC
- #L. Long, Technical Services, SCS
- D. Mansfield, Manager, Nuclear Maintenance and Support, Farley, APC
- #K. McCoy, Vice President, Vogtle Project, GPC
- *R. McDonald, Executive Vice President, GPC/APC
- E. McDougal, Supervisor, Administrative Support, Farley, APC
- J. McGowan, Manager, Farley Safety Audit and Engineering Review, APC
- B. McKinney, Manager, Nuclear Engineering and Licensing, Farley, APC
- T. Mitchel, Senior Engineer, Hatch Safety Audit and Engineering Review, GPC
- M. Rickels, Coordinator, Nuclear Fuels and Contracts, Farley, APC
- #P. Rushton, Manager, Vogtle Safety Audit and Engineering Review, GPC
- #*B. Shipman, General Manager, Support, Vogtle, GPC
- #C. Stinespring, Manager, Nuclear Administration, Vogtle, GPC
- J. Stringfellow, Project Engineer, Vogtle Licensing, GPC
- #H. Walker, Manager, Maintenance and Support, Vogtle, GPC
- #J. Woodard, Vice President, Nuclear, Farley, APC

Other licensee employees contacted during this inspection included supervisors and engineers.

NRC Region II Personnel

- #V. Brownlee, Chief, Reactor Projects Branch 3, Division of Reactor Projects
- #H. Dance, Chief, Reactor Projects Section 1A, Division of Reactor Projects
- #M. Ernst, Acting Regional Administrator
- #*L. Moore, Reactor Engineer, Division of Reactor Safety
- #L. Reyes, Director, Division of Reactor Projects
- #*M. Sinkule, Chief, Reactor Projects Section 3B, Division of Reactor Projects

NRC Office of Nuclear Reactor Regulation Personnel

- #*F. Allenspach, Operations Engineer, Performance and Quality Evaluation Branch, Division of Licensee Performance and Quality Evaluation
- #G. Lainas, Assistant Director for Region II Reactors
- #D. Matthews, Director, Project Directorate II-3

NRC Resident Inspectors

- #G. Maxwell, Senior Resident Inspector, Farley
- #*J. Menning, Senior Resident Inspector, Hatch
- #*J. Rogge, Senior Resident Inspector, Vogtle

- *Attended exit interview
- #Attended management meeting
- #*Attended both management meeting and exit interview

2. NRC/GPC/APC/SCS Management Meeting

A management meeting concerning GPC/APC/SCS corporate responsibilities was conducted at our request on December 19, 1988. This meeting was held at the GPC/APC/SCS Corporate Office in Birmingham, Alabama to discuss nuclear plant oversight responsibilities, technical support responsibilities, and activities of the corporate organization.

The meeting provided information to NRC management regarding organizational changes that were made in anticipation of the formulation of the operating company for management of Vogtle, Hatch, and Farley and also assisted in providing the NRC an understanding of how the new organization functions. The meeting also served as the starting point for the team inspection to verify that the organization was in place and was functioning.

Copies of the handouts provided during your presentation are included in Enclosure 2.

3. GPC/APC Corporate Organization

In preparation for combining the management of Vogtle, Hatch, and Farley into one organization, GPC has reorganized and moved the corporate nuclear

operations functions to Birmingham, Alabama. The combined organization consists of personnel from three companies, GPC, APC, and SCS. Currently, the Executive Vice President and Senior Vice President for Nuclear Operations are officers of both GPC and APC. All other project positions are specific to either GPC or APC. Support functions reporting to the Executive Vice President currently are in SCS. Upon formation of the operating company, all of the nuclear operations and the support group will be under the new operating company.

The corporate organization which is referred to as the SONOPCO Project is headed by the Executive Vice President. The Vice President of Technical Services and Vice President of Administration report to the Executive Vice President of Nuclear Operations.

The Vice Presidents for each of the three projects (Vogtle, Hatch, and Farley) report to the Senior Vice President of Nuclear Operations. Each Project Vice President has reporting to him a corporate staff headed by the General Manager of Nuclear Support, the Safety Review Board, the Manager of the Safety Audit and Engineering Review Group, and the nuclear plant General Manager.

The inspectors participated in a meeting with corporate management which is summarized in Section 2 of this report and conducted interviews with corporate management to determine if the organization was in place and functioning as described in Amendment No. 39 to the Vogtle Final Safety Analysis Report (FSAR).

The inspectors determined the organization was in place. The majority of technical positions had been filled with qualified personnel; however, a number of administrative positions were yet to be filled. Management appears to be aggressively active in fully staffing the organization with many of the positions being filled by personnel with experience at nuclear plants. Operational Procedures were in the process of being revised and are due to be completed in February 1989. In the meantime, the existing corporate procedures for GPC and APC were in effect. Training classes were being planned to start in January 1989 for managers that did not have actual experience on their assigned plant.

The managers interviewed were knowledgeable of their responsibilities; however, the philosophy of operations of the corporate staff has changed from an overview function to that of support to the site organization. In general, corporate line management has the responsibility for overseeing and directing the site organization. The corporate staff provides and/or obtains technical support from the Technical Services Organization. This philosophy of operation was not reflected in Amendment 39 to the Vogtle FSAR. In a letter to the NRC dated December 29, 1988, the licensee committed to update the FSAR to reflect this new philosophy in a future change to the FSAR.

The inspectors concluded that philosophy of corporate operation was sound, and although full staffing was not complete, most of the key positions had been filled and the organization was functioning.

4. Technical Services

The Technical Services Organization reports to the Executive Vice President of Nuclear Operations and consists of a Nuclear Fuel group; an Inspection and Testing Services group; a Regulatory, Engineering, and Environmental Services group; and a Quality Services group.

The Nuclear Fuel group and the Inspection and Testing Services group were transferred from SCS, are fully staffed, and perform the same functions as prior to the reorganization.

The Regulatory, Engineering, and Environment Services group has been newly formed to provide support in the areas of environmental issues, chemistry, health physics, emergency planning, 10 CFR Part 21 evaluations, generic engineering issues, specialized engineering services, probabilistic risk analysis, and plant licensing issues. At the time of this inspection, the different areas of this group were at various levels of staffing; however, management appeared to be aggressively pursuing staffing with well qualified individuals.

The Manager of Environmental Services reports to the Manager of Regulatory Engineering and Environmental Services. The functional support responsibilities that SCS provides is listed in FSAR Chapter 13.1.1.1.3 but is not fully described. This key manager's resume was deleted from the FSAR as part of recent FSAR amendment. The inspector referenced the deleted resume in reviewing the individual's qualifications. In discussion with this manager, the inspector was informed that his duties had essentially not changed from those he was performing prior to the establishment of the new corporate structure except that he now had responsibilities for support of the Farley project. In general, this manager's function is to provide support for environmental, health physics, and plant chemistry support.

The inspector concluded that this manager had the necessary qualifications and experience necessary for the development and implementation at this support function.

The Quality Services group is discussed in Section 9 of this report.

5. Vogtle Project

Staffing of the Vogtle Project Corporate organization was approximately 80 percent complete with all key positions filled with well qualified individuals. Management was aggressively pursuing the filling of the remaining positions with personnel from the site. Personnel were knowledgeable of their responsibilities, and the organization was functioning.

a. Nuclear Engineering and Licensing (Vogtle)

The Manager of Nuclear Engineering and Licensing reports directly to the General Manager of Nuclear Support. The inspector met separately with the Manager of Nuclear Engineering and Licensing, Manager of

Engineering, Manager of Licensing, Emergency Planning Coordinator, and Nuclear Fuels Coordinator. Each manager's functions and role with respect to the plant staff, SCS, and Bechtel support were discussed as well as the implementation of the new organization.

The overall philosophy of the support for Plant Vogtle was discussed with the Manager of Engineering and was verified by each of the other managers. This philosophy is to provide support as requested by the plant and to act as middleman between the plant staff and SCS and Bechtel support, providing project management and control of needed technical support. It is intended that the plant staff be freed of noncritical operational responsibilities and have these responsibilities picked up by Plant Vogtle technical support, thereby allowing the plant staff to focus on the operations and maintenance of the plant.

The staffing for the support organization under the Manager of Nuclear Engineering and Licensing is essentially complete. The individuals presently assigned to the position appear to be well qualified.

The Manager of Engineering provides support in the area of engineering. He provides an interface between plant engineering, SCS, and Bechtel; provides project management functions for design changes and modifications; and exercises controls and assistance in meeting the needs of the plant staff. At present, a Plant Field Engineer Organization group comprised of about 80 SCS and Bechtel personnel are assigned to meet the needs of the plant during the preoperational and startup phases. At the completion of Vogtle Unit 2 Construction, this group will be disbanded and most of the Engineers will go to either SCS, Bechtel, or the SONOPCO Project. Project control over these dedicated groups will be provided by the Manager of Engineering.

The Manager of Licensing provides licensing support for both Vogtle units. This is a change from the past when the licensing effort for a plant under construction (Vogtle 2) was done by SCS. The licensing group has also relieved the plant staff of the management function with respect to NRC Bulletins, Generic Letters, and NRC requests for information.

The Emergency Planning Coordinator provides for the coordination of the Corporate Emergency Plan with respect to Plant Vogtle. There has been little change in the function of this position except that in the near term, corporate support is to be provided by a joint Vogtle-Hatch group. This support function will eventually be split so that separate groups will provide support for Vogtle and Hatch. Additionally, Technical Services will provide support of a generic nature with respect to contacts and agreements with state agencies. A memorandum dated October 1988 revised the titles to reflect the new organization, and a change in the corporate plan to reflect the new titles and responsibilities is in preparation. Since the corporate

plan for Vogtle is an appendix to the site plan, these changes require approval of plant management.

The Nuclear Fuel Coordinator is a new function for both Plant Vogtle and Plant Hatch. The coordinator provides support to the plants in the implementation of the fuel management program and provides management and coordination between the plants' needs and the Fuel Design Group of Technical Services.

The organization described above has been implemented and is operational. The development of new procedures has not been completed for the implementation of the organization, and the licensee is currently operating under GPC corporate procedures. It is anticipated that the new procedures will be completed in February 1989.

b. Nuclear Administration (Vogtle)

The Manager of Nuclear Administration reports directly to the General Manager of Nuclear Support. Responsibilities of the Administration Manager are delineated in FSAR Chapter 13.1.1.2.2.6 and the manager's resume is presented in Table 13.1.1-1.

Reporting to this manager are four supervisors with the following titles:

- ° Supervisor Planning & Performance
- ° Supervisor Material Support
- ° Supervisor Document Control
- ° Supervisor Admin Support

The inspector reviewed the responsibilities and staffing levels of the manager's department. As each of the eight FSAR responsibilities were discussed, the inspector determined that the FSAR requirements were not reflective of the new corporate support role concept. The licensee is currently in a transition period to this new concept. While the original Georgia Power Corporate Policy and Instructions are being implemented, new policy and instructions are being drafted. The procedure development schedule was reviewed. These procedures have been prioritized with critical procedures targeted for completion in January 1989.

The overall staffing of the department was 50 percent (12 of 24 positions) complete. Plans for completion of staffing were discussed with the Vice President of the Vogtle Project. The corporate plans project full staffing by June 1989 with the majority of positions to be filled by current Vogtle site personnel. The inspector determined that the staffing would be performed consistent with the establishment of corporate procedures and the assumption of site support requests.

In general, the inspector concluded that the department was in the process of transitioning to a fully staffed support department consistent with the support responsibilities currently in place.

c. Nuclear Maintenance and Support

The Manager of Nuclear Maintenance reports to the General Manager of Nuclear Support. Responsibilities of the Maintenance Manager are delineated in FSAR Chapter 13.1.1.2.2.6.

The inspector conducted an interview of the Manager of Nuclear Maintenance to determine the staffing levels, the Manager's perception of his responsibilities, and whether the group was functional. This group appeared to be in the initial stages of implementation with approximately one half of the positions filled. The Manager was filling the positions with well qualified personnel from the plant. Full staffing is expected by June 1989.

The Manager's perception of the responsibilities were in line with the philosophy that the group would support the site organization in the areas of maintenance program evaluation, maintenance trend evaluation, planning and scheduling, outage management, maintenance plans and budgets, and inservice testing programs. Although all functional areas described in the FSAR were included, the FSAR did not reflect the new corporate support role concept. The licensee is currently in a transition period to this new concept. While the original Corporate Policy and Instructions are being implemented, new policy and instructions are being developed. These procedures are scheduled to be complete by February 1989.

6. Farley Project Organization

The inspectors met with members of the Farley corporate staff and received an overview of the organizational and functional responsibilities of each component of the Farley corporate staff. Specific questions were answered satisfactorily. Although the organization is consistent with Technical Specification 6.2.1.a, b, and c; FSAR Figures 13.1-4 and 17.2-1 do not reflect the new position of Vice President-Nuclear inserted in the line organization reporting to the Senior Vice President. The next FSAR update will reflect this change. A dedicated mission to support the plant was communicated to the inspectors. Overall qualifications and experience levels of the staff were satisfactory.

7. Hatch Project Organization

The inspectors met with members of the Hatch corporate staff and received an overview of the organizational and functional responsibilities of each component of the Hatch corporate staff. The managerial positions are fully staffed except for the General Manager Nuclear Support position.

There were approximately ten other vacancies that had not yet been filled. These positions were mostly clerical in nature. Management was aggressively pursuing the filling of the remaining positions. The organization was staffed with well qualified personnel and in many cases with personnel who performed similar functions in the old organization or personnel obtained from Plant Hatch.

The activities were being performed utilizing the existing GPC procedures until the procedures are revised. This is expected to be accomplished by February 1989.

8. Corporate Safety Review Activities

Activities of the Safety Review Board (SRB) for Hatch and Vogtle were reviewed to determine how the Board's review and audit functions delineated in Sections 6.0 of the Hatch and Vogtle technical specifications are addressed. This effort involved discussions with the Nuclear Safety Review Manager, the review of licensee policies and instructions relating to SRB operations, and the review of SRB and SRB subcommittee meeting minutes.

The inspector confirmed that the licensee's SRB continues to be common to both the Hatch and Vogtle Projects. The SRB currently consists of nine voting members plus the chairman. The SRB subcommittee is relied upon heavily to conduct the more routine reviews for which the SRB is responsible. The subcommittee currently consists of fourteen members plus the chairman. Twelve of the subcommittee members are consultants, and the remaining two are GPC employees. The size and composition of the subcommittee for any given meeting varies depending on the technical expertise required for the particular matters under consideration. The licensee has selected SRB and SRB subcommittee members to provide technical expertise in the areas specified in Section 6.5.2.1 of the Hatch technical specifications and Section 6.4.2.1 of the Vogtle technical specifications.

The inspector also determined that the SRB continues to function under written GPC policies and instructions. Policy NOP-10-400, "Safety Review Board," defines the authority, organization, responsibility, and method of operation of the SRB. Instruction NOI-10-401, "Conduct of Nuclear Safety Review Board Meeting," describes the necessary steps required to schedule, conduct, and document SRB meetings. Instruction NOI-10-402, "Safety Review Board Review of Documentary Material," provides instructions to ensure a consistent, minimum standard of review for the review of SRB documentary material. Instruction NOI-10-403, "Process of SRB Material," describes steps to ensure the proper receipt, initial screening, transmittal, and documentation of SRB review material. Instruction NOI-10-404, "SRB Records Retention and Handling," specifies SRB documents to be retained, the location of retention, and duration of retention. Instruction NOI-10-405, "SRB Subcommittees," defines the authority and method of

operation of SRB subcommittees and establishes a minimum standard of review; and Instruction NOI-10-406, "SRB Conduct of Onsite Reviews and Audits," describes steps to be accomplished to ensure proper performance, preparation, and reporting of onsite reviews and audits conducted by or under the cognizance of the SRB. The inspector reviewed these policies and instructions and noted that the technical specification requirements related to SRB composition, the use of alternates, meeting frequency, minimum quorum, authority, and records had been incorporated into these documents.

Based on discussions with the Nuclear Operations Review Board (NORB) chairman for Farley and review of the material noted below, the inspectors determined that Farley Technical Specification 6.5.2 requirements were being met. Material reviewed included:

- ° minutes of NORB Meeting No. 88-3 held on September 21, 1988;
- ° meeting agenda and agenda items for March 16, 1988, NORB meeting dated March 1, 1988;
- ° meeting agenda and agenda items for December 15, 1988, NORB meeting dated November 30, 1988;
- ° Plant Operating Review Committee minutes for meetings Nos. 1908 (August 4, 1988) through 1930 (September 29, 1988) dispatched for NORB review by letter dated November 30, 1988; and
- ° Safety Evaluation (3E) for NORB Review transmitted by letter dated November 23, 1988.

9. Quality Organization

The realignment of the GPC corporate organizational structure to provide development of the SONOPCO Project management organization included changes in the GPC quality organization. Section 17, Amendment 39 of the Vogtle FSAR described the present Vogtle (plant and corporate) quality organizations implemented on October 31, 1988. Generally, this amendment provided a renaming of the quality organization and a separation in the corporate reporting chains for the GPC plants (Vogtle and Hatch). The operational quality organization, previously the Quality Assurance Department, is now titled, Safety Audit and Engineering Review (SAER) organization. The Vogtle Unit 2 construction organization remains the Quality Assurance Department with its previous reporting line through the Vogtle Project organization.

The quality organization corporate realignment basically separates the two GPC plants and provides a direct reporting chain from the site quality organization (site-SAER) via the corporate quality organization (SAER-GO) to the Vice President of Nuclear Operations, which is the highest line manager directly responsible for plant activities. This chain is unique to each plant site in the SONOPCO Project (Vogtle, Hatch, and Farley). Prior to Amendment 39, the Vogtle and Hatch quality organizations reported through a common general manager to the Senior Executive Vice President.

Continuity of previous GPC corporate quality organization experience has been maintained. The previous GPC staff of four audit/engineers has been divided between the Vogtle SAER-GO, Hatch SAER-GO, and a corporate technical services quality organization, the Quality Services group. The SAER-GO staffs will each consist of one manager, two audit/engineers, and one clerical person. Currently, the only vacancies in the SAER organizations are one audit/engineer in each of the Hatch and Vogtle SAER-GO staffs. All management positions are occupied, and the vacancies do not impede the scheduled SAER-GO duties or responsibilities.

Additional changes implemented by the SONOPCO project organization included the formation of another quality organization group and the addition of the Independent Safety Engineering Group (ISEG) to the quality organization reporting chain. The new corporate quality group, Quality Services, maintains the Quality Suppliers List (QSL), audits and reviews vendors/suppliers, and audits various corporate non-design, non-plant specific, engineering functions. This group relieves the individual plant SAER organizations of the responsibility for vendor audit activity. The ISEG previously reported to the Vice President of Nuclear Operations via the corporate maintenance manager. As a result of Amendment 39, the ISEG will utilize the independent reporting chain of the SAER organization, reporting to the site Vice President of Nuclear Operations via the SAER Manager. This reporting realignment does not impact the independence of either the quality organization or the ISEG.

No quality program changes or commitment reductions have occurred due to the reorganization of the GPC quality organizations. Review of the Vogtle 1988 schedule of audit activity in conjunction with the projected 1989 schedule indicated no reduction in corporate quality assurance activity or responsibilities. At present, the resources are available to fulfill all previous and current audit, review, and oversight activities that were required prior to the reorganization.

In summary, the corporate reorganization indicated in Vogtle FSAR Section 17 with respect to the quality organization management has been implemented since November 1, 1988. All management positions are filled. The major changes occurred on the corporate level with no changes at the site other than a name change. The following summarizes the corporate level changes:

- a. GPC quality organization reporting responsibilities have been separated to provide independent reporting chains for each plant (Vogtle, Hatch) to the respective plant specific nuclear Vice President.
- b. The above reporting line has dropped one functional level from the Senior Executive Vice President.
- c. Vendor/surveillance audit and QSL maintenance activity has been transferred entirely to the corporate Quality Services group.

- d. The ISEG reporting chain to the Vice President of Nuclear Operations utilizes the SAER reporting chain.
- e. The operations quality organization is now called the Safety Audit and Engineering Review organization.

This review provided no indication that the implementation of the quality organization described in Vogtle FSAR Amendment 39, Section 17, has resulted in an adverse impact on previous or present quality organization activity or commitments at Plant Vogtle.

Based on discussion with the SAER group Manager and review of documented material, the inspector determined that Farley Technical Specification 6.2.3 requirements were being met. The SAER group technical staff is composed of senior engineers with varied nuclear background with emphasis on operating experience. Several senior managers have worked in this group. Thus, it is utilized as one technique of job progression. Audit findings reviewed indicate an indepth review is being performed with followup performed of corrective actions of audit findings. The resident inspectors have periodic interface with this group.

10. Exit Interview (30703)

An exit meeting was conducted on December 21, 1988, where the scope and findings were summarized with those persons indicated in paragraph 1, above. The inspector described the areas inspected and discussed in detail the results listed below. Proprietary information is not contained in this report. Dissenting comments were not received from the licensee.

- ° The organization is in place and functioning.
- ° Some vacancies do exist, but management is aggressively pursuing the filling of these positions with personnel from the plants.
- ° The philosophy of operations of the corporate staff functioning in a support role as opposed to an overview role appears sound.
- ° Procedures are being revised to reflect the reorganization and responsibilities. Licensee management stated that this will be accomplished by February 1989.
- ° The Vogtle FSAR needed to be upgraded to reflect the philosophy of the corporate staff functioning in a support role. Subsequent to the inspection, the licensee committed in a letter to the NRC dated December 29, 1988, to revise the Vogtle FSAR when the organizational interfaces were fully established.
- ° The inspection team concluded that the corporate organizations were sufficiently established and functioning to adequately support Vogtle Unit 2 licensing.

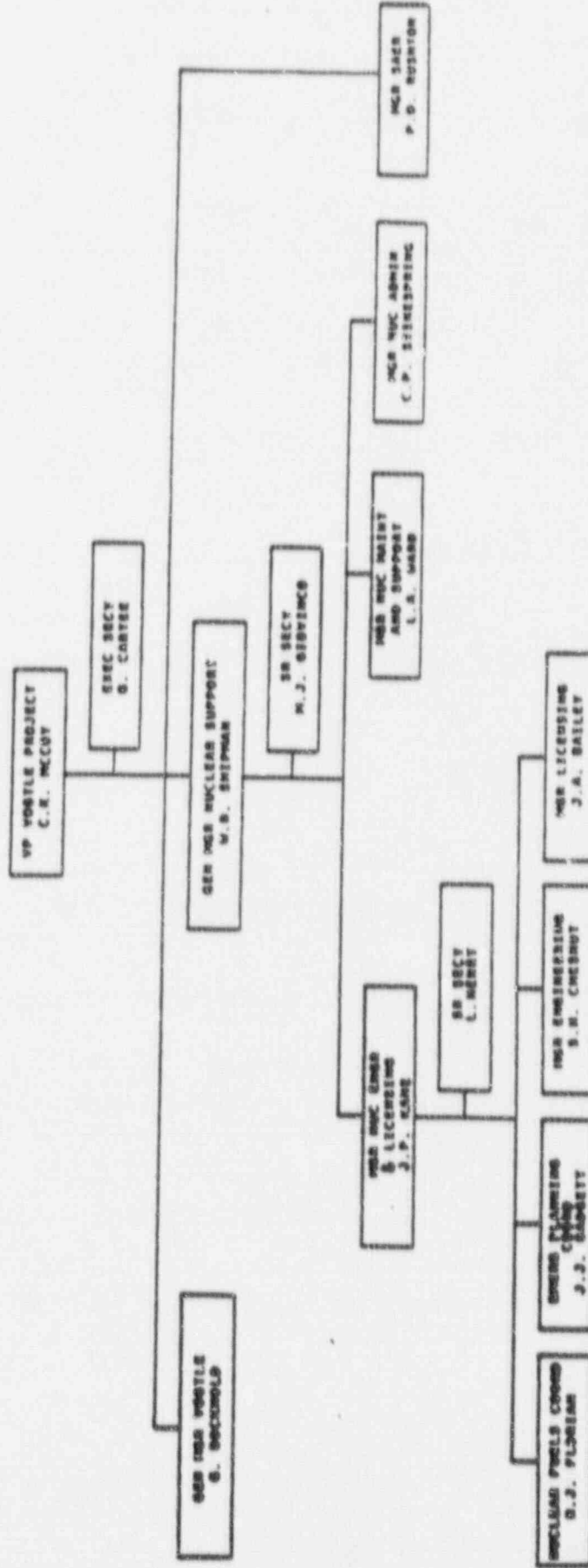
AGENDA

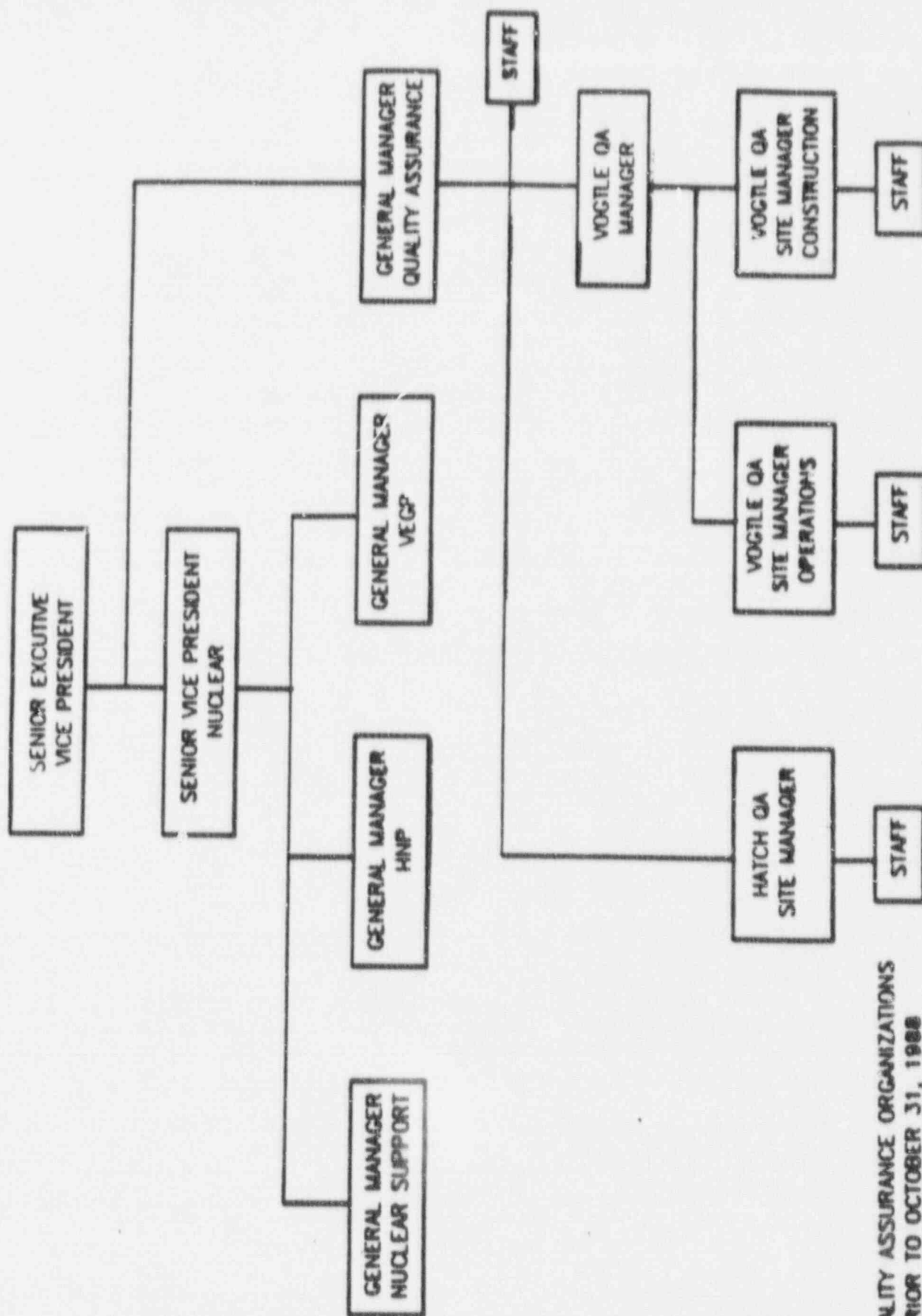
NRC ORGANIZATIONAL MEETING
BIRMINGHAM, ALABAMA

MONDAY, DECEMBER 19, 1988

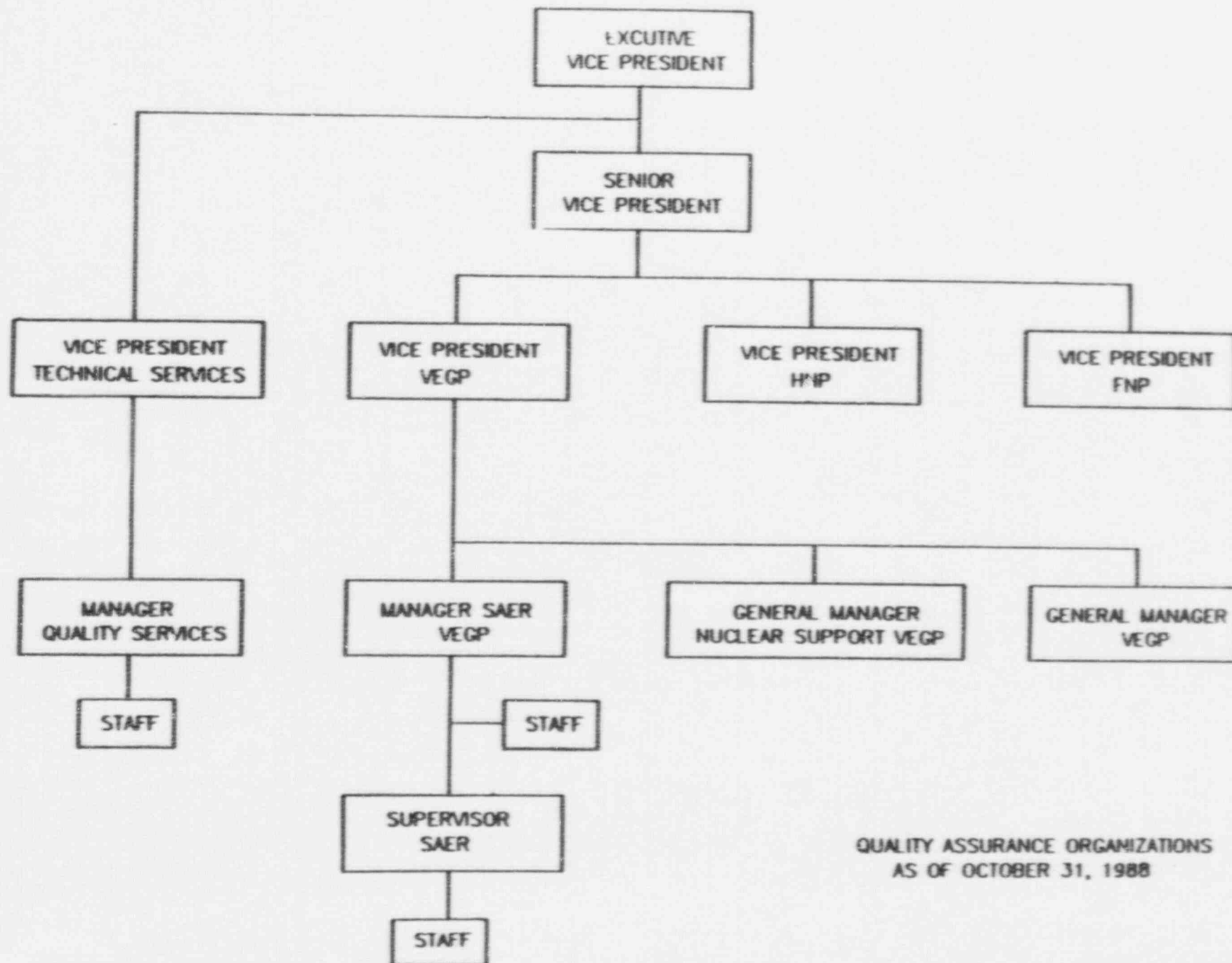
- INTRODUCTION	W.G. HAIRSTON, III
- OVERALL ORGANIZATION	W.G. HAIRSTON, III
- HATCH	J.T. BECKHAM
- FARLEY	J.D. WOODARD
- TECHNICAL SERVICES	L.B. LONG
- VOGTLE ORGANIZATION	C.K. MCCOY
- QUALITY ASSURANCE	P.D. RUSHTON
- PLANT SUPPORT	W.B. SHIPMAN
- ENGINEERING AND LICENSING	J.P. KANE
- EMERGENCY PLANNING	J.J. BADGETT
- MAINTENANCE AND SUPPORT	H.P. WALKER
- ADMINISTRATION	C.P. STINESPRING
- SAFETY REVIEW BOARD	E.F. COBB
- DISCUSS AGENDA FOR TUESDAY	
- CONCLUSION	

VOGTLER PROJECT





QUALITY ASSURANCE ORGANIZATIONS
PRIOR TO OCTOBER 31, 1988

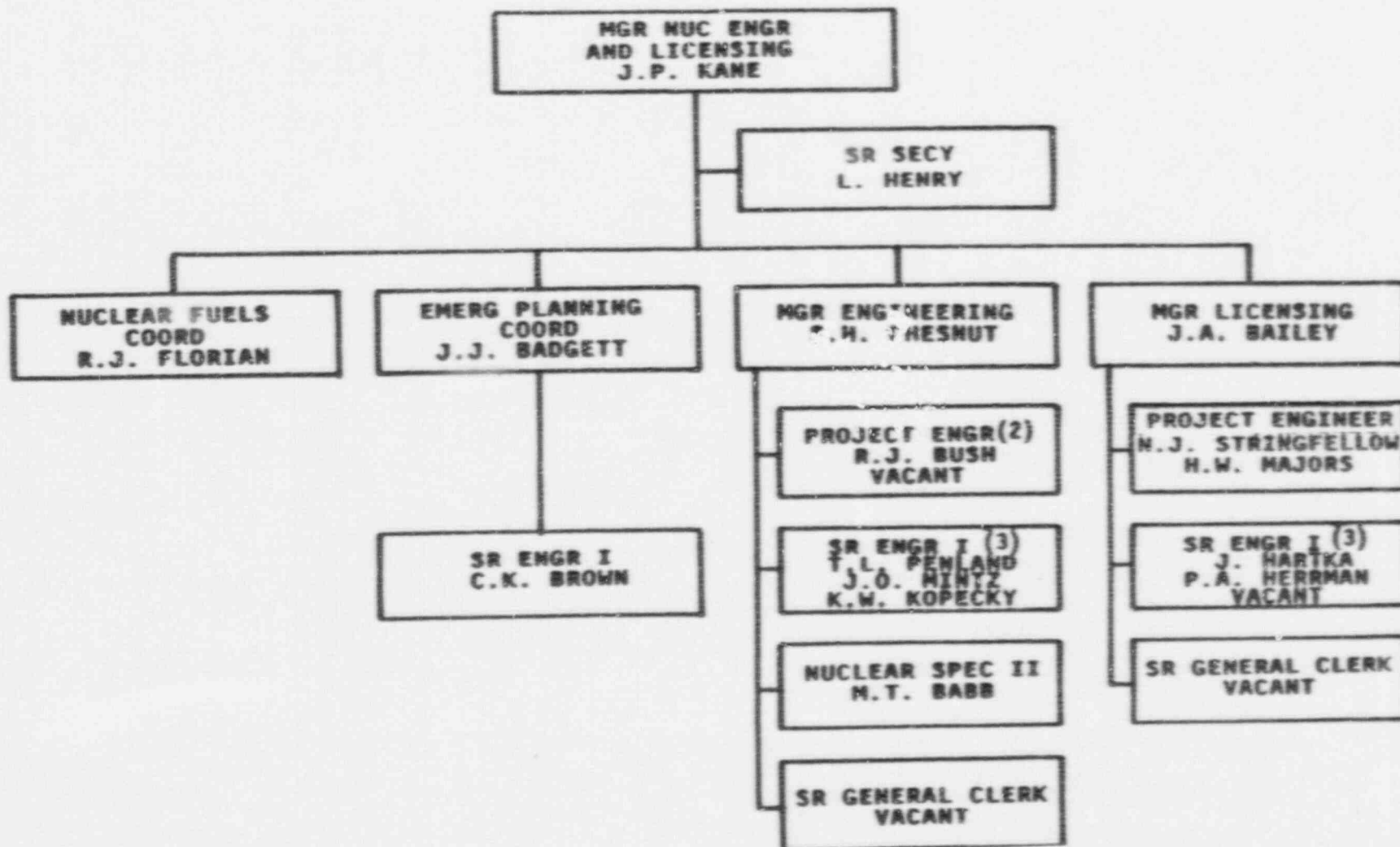


QUALITY ASSURANCE ORGANIZATIONS
AS OF OCTOBER 31, 1988

QUALITY ASSURANCE ORGANIZATIONAL CHANGES

- SEPARATED HNP, VEGP OPERATIONS AND VEGP CONSTRUCTION QA ORGANIZATIONS.
- QUALITY ASSURANCE DEPARTMENT RENAMED SAFETY AUDIT & ENGINEERING REVIEW.
- RESPECTIVE MANAGERS REPORT TO RESPONSIBLE VICE PRESIDENTS.
- VEGP CONSTRUCTION QA IS WINDING DOWN, SOME PERSONNEL ARE ROLLING OVER TO OPERATIONS QA.
- CORPORATE QUALITY SERVICES HAS RESPONSIBILITY FOR SUPPLIER QUALIFICATIONS FOR ALL 3 PROJECT
- QA MANUALS SPECIFIC TO EACH FUNCTION WILL BE ISSUED. EXISTING QA MANUAL HAS BEEN ENDORSED BY PROJECT VP AND CONTINUES IN EFFECT.

VOGTLE PROJECT



LICENSING ACTIVITIES

- NRC BULLETINS AND NRC GENERIC LETTERS**
- NRC INFORMATION NOTICES**
- LICENSE AMENDMENTS**
- NRC REQUESTS FOR INFORMATION**
- ISI PROGRAM**
- WESTINGHOUSE OWNERS GROUP REVIEW**
- LICENSEE EVENT REPORTS**
- ROUTINE OR SPECIAL REPORTS TO NRC**
- NRC INSPECTION AND ENFORCEMENT ITEMS**
- PROPOSED REGULATION REVIEW**

NUCLEAR SUPPORT ENGINEERING
FUNCTIONS AND RESPONSIBILITIES

- o Provide Dedicated Technical Engineering to support the safe and reliable operations of Plant Vogtle.
- o Direct and control A/E support.
- o Manage Engineering projects as requested by the Plant staff.
- o Conduct special Engineering studies and analyses to support Plant Operations.
- o Independently respond to designated NRC, Vendor, INPO and Industry issues.
- o Ensure that a configuration control system is maintained.
- o Ensure proper contractor controls for contracted engineering services.
- o Ensure appropriate design interface controls between organizations performing engineering work affecting design.
- o Help resolve Plant problems to help the Plant mitigate emergency conditions.

VICE PRESIDENT
VOGTLE PROJECT

GENERAL MANAGER
PLANT VOGTLE

GENERAL MANAGER
NUCLEAR SUPPORT

PLANT TRAINING
AND EMERGENCY
PREPAREDNESS
MANAGER

MANAGER NUCLEAR
ENGINEERING
&
LICENSING

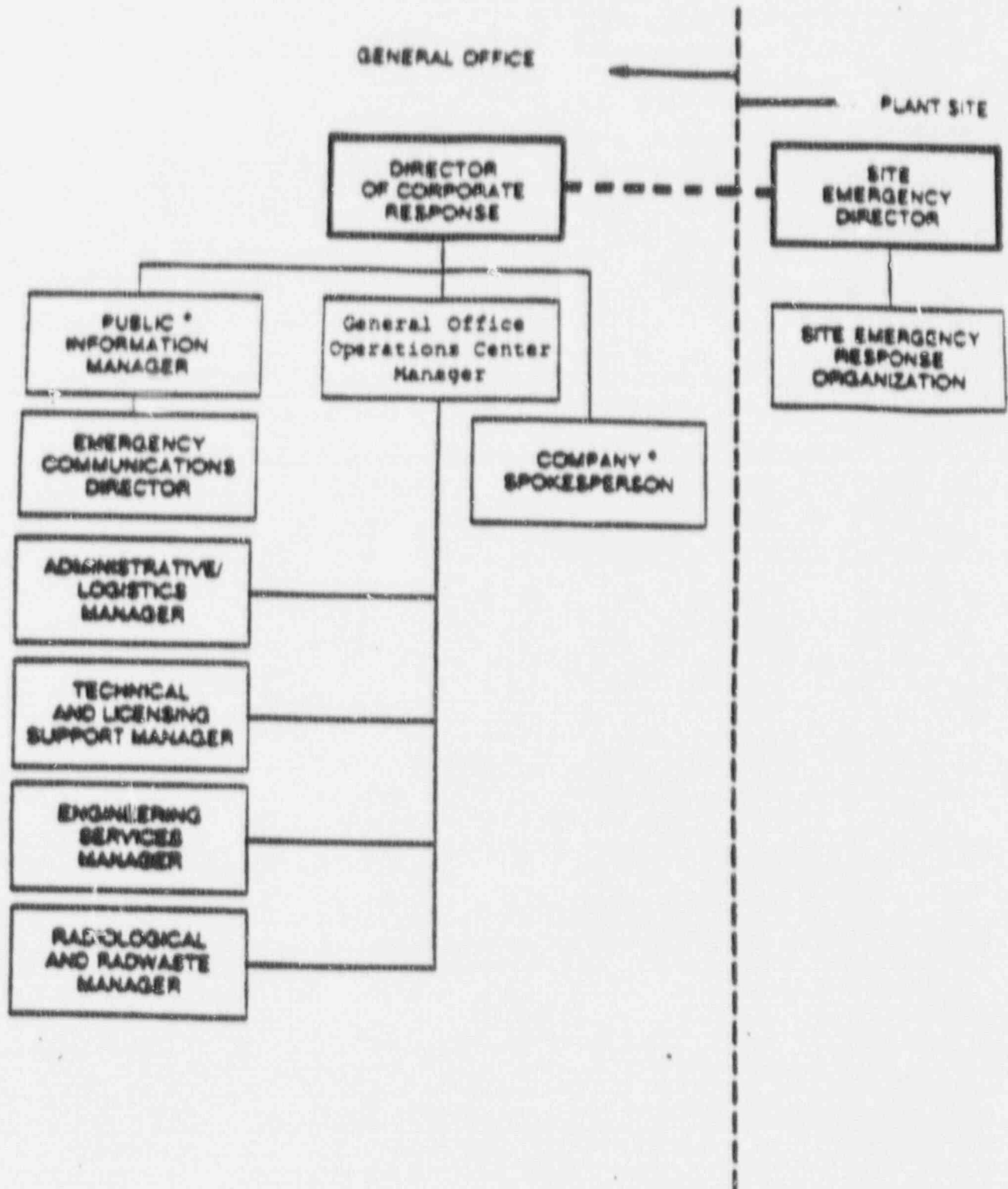
ONSITE EMERGENCY
PREPAREDNESS
SUPERVISOR

EMERGENCY
PLANNING
COORDINATOR

EMERGENCY
PREPAREDNESS
SPECIALIST

NUCLEAR
SPECIALIST I

CORPORATE EMERGENCY ORGANIZATION

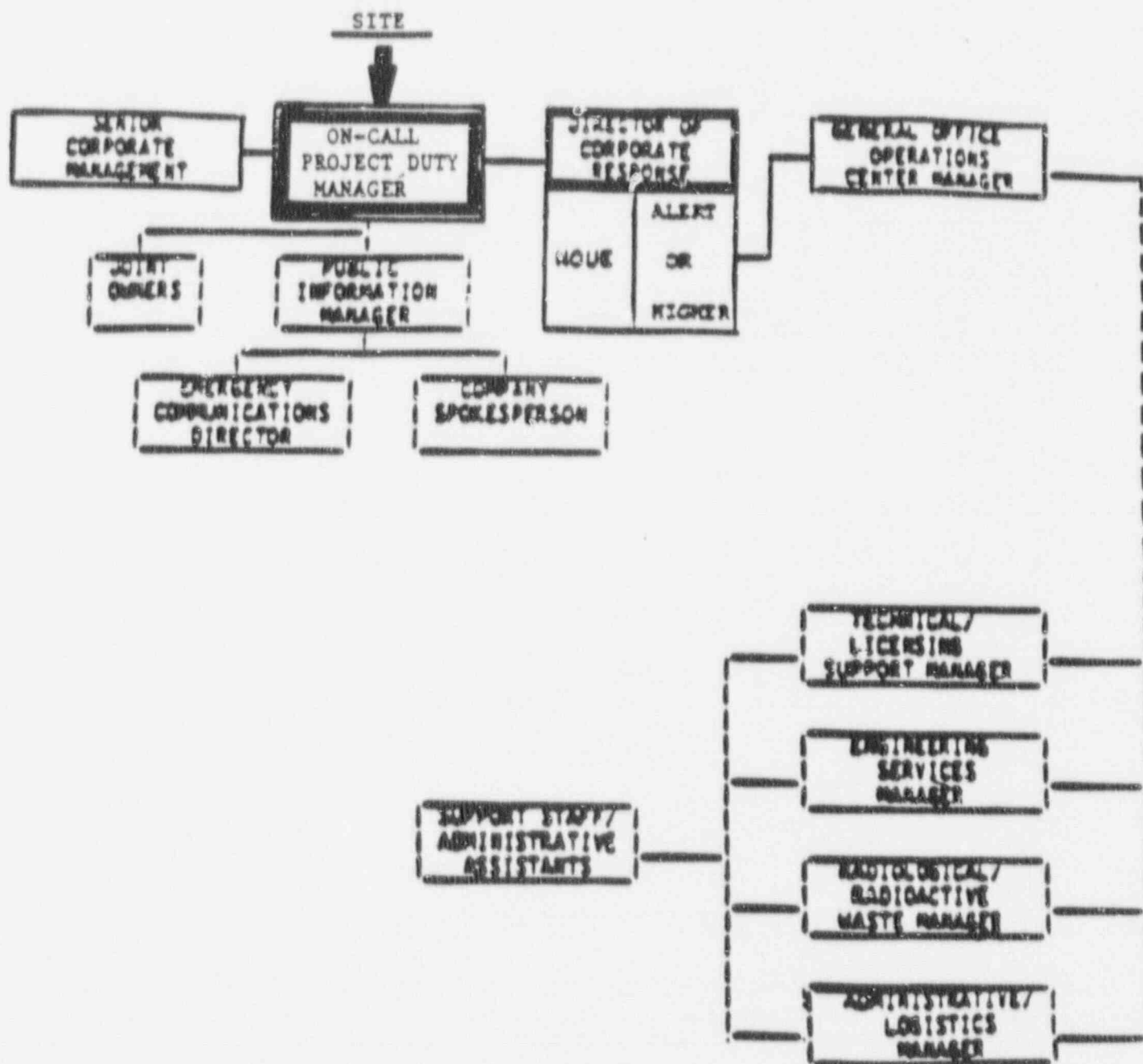


* Reports to the ENC when that facility is activated.

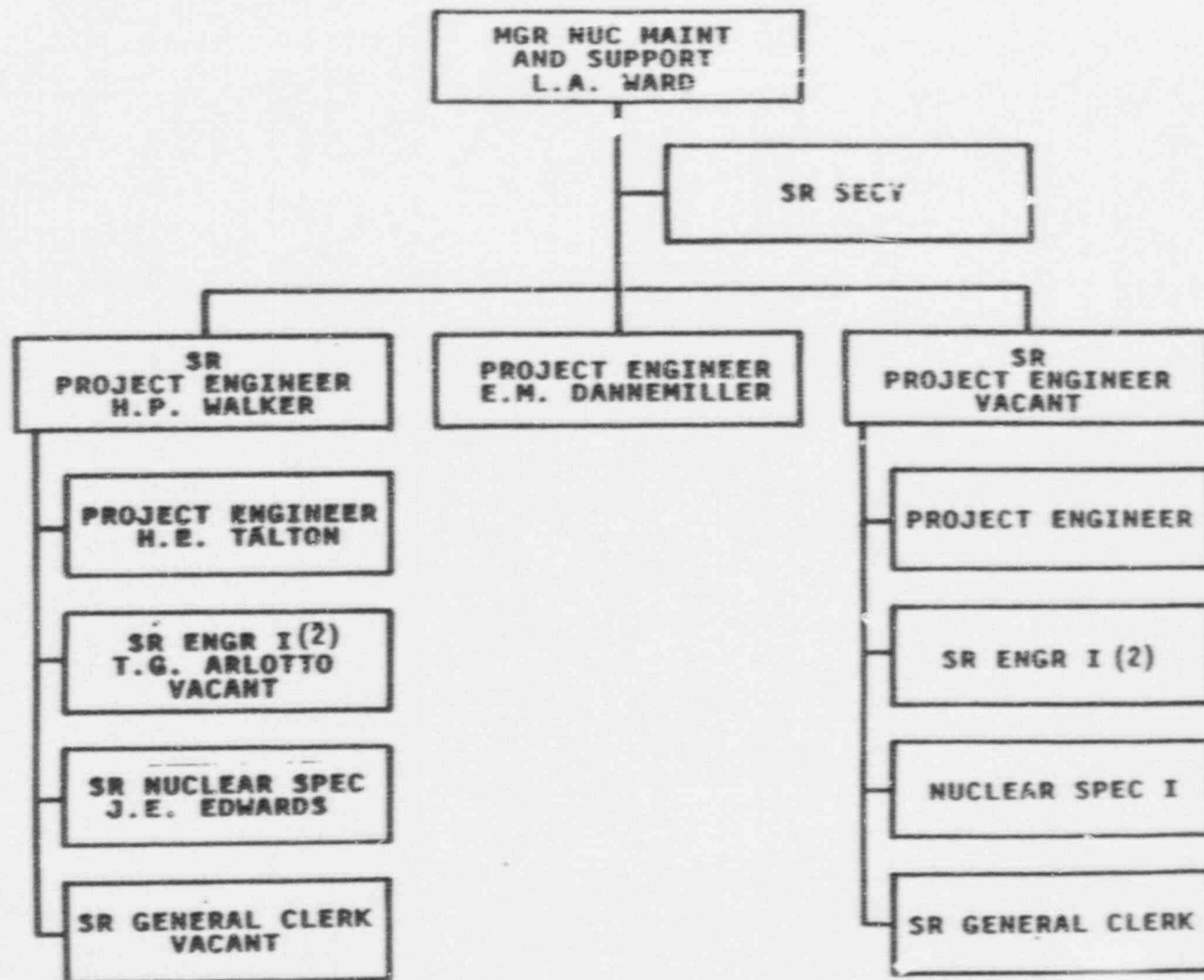
CORPORATE EMERGENCY RESPONSE ORGANIZATION ASSIGNMENTS

POSITION	PRIMARY
DIRECTOR CORPORATE RESPONSE	MANAGER NUCLEAR ENGINEERING and LICENSING (VOGTLE)
GENERAL OFFICE OPERATIONS CENTER MANAGER	MANAGER NUCLEAR ADMINISTRATION (HATCH)
ADMINISTRATIVE/ LOGISTICS MANAGER	EMERGENCY PLANNING COORDINATOR (VOGTLE)
TECHNICAL AND LICENSING SUPPORT MANAGER	MANAGER OF ENGINEERING SERVICES (TECH SERVICES)
ENGINEERING SERVICES MANAGER	MANAGER OF ENGINEERING (VOGTLE)
RADIOLOGICAL AND RADIOACTIVE WASTE MANAGER	SUPERVISOR RADIATION PROTECTION AND CHEMISTRY (TECH SERVICES)
PUBLIC INFORMATION MANAGER	DIRECTOR CORPORATE COMMUNICATIONS
EMERGENCY COMMUNICATIONS DIRECTOR	PUBLIC COMMUNICATIONS AND DEPARTMENT SERVICES SUPERVISOR
COMPANY SPOKESPERSON	MANAGER ENVIRONMENTAL SERVICES

CORPORATE EMERGENCY ORGANIZATION NOTIFICATION TREE



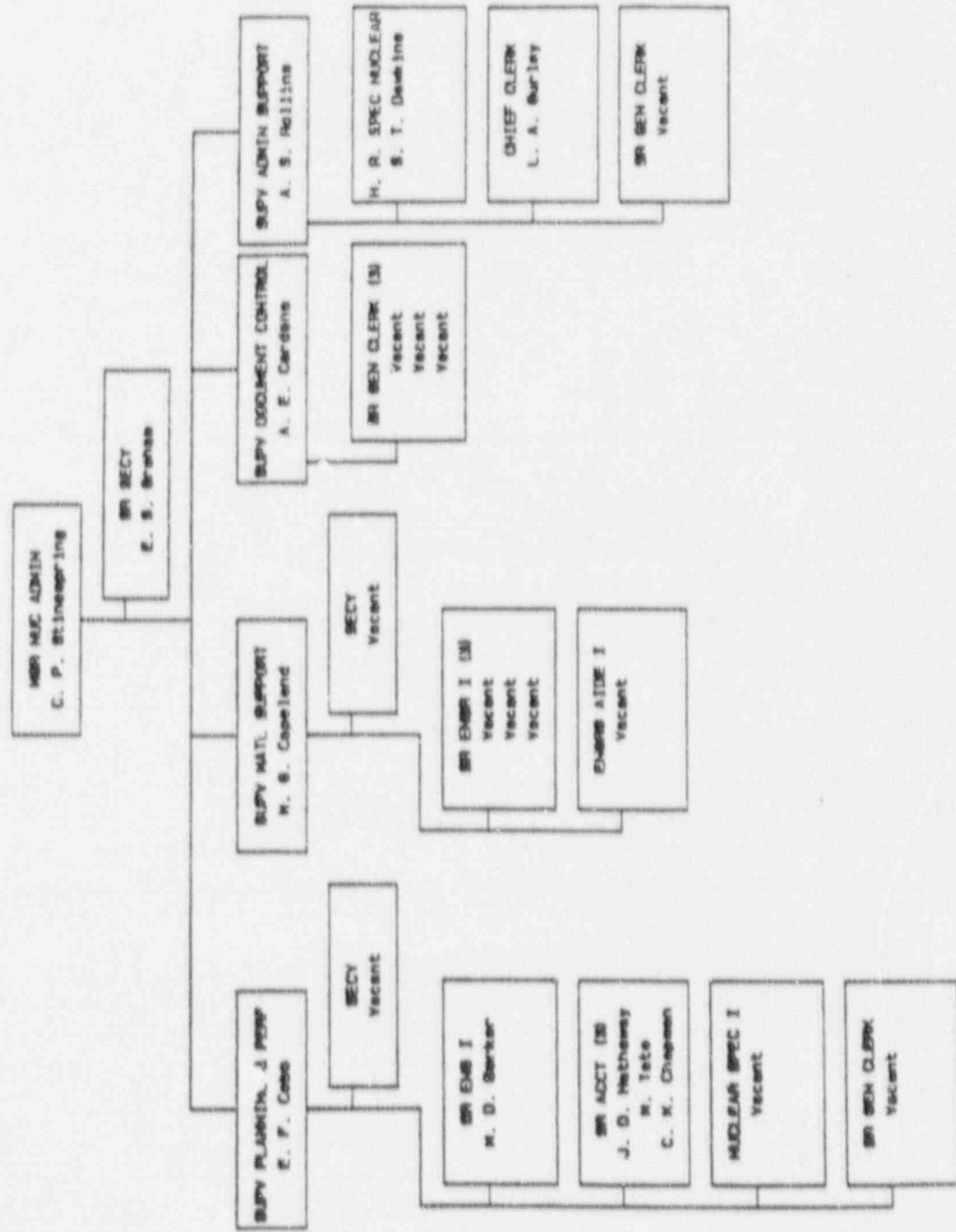
VOGTLE PROJECT



MAINTENANCE AND SUPPORT

- MANAGE MAINTENANCE PROJECTS AS REQUESTED BY PLANT
- PROVIDE TECHNICAL SUPPORT
 - TURBINE GENERATOR AND AUXILIARIES
 - ISI/IST, SNUBBER SURVEILLANCE, WELDING
 - MOV'S
 - MISV'S AND ARV'S
 - CHEMICAL INJECTION
- REPRESENT GPC ON INDUSTRY GROUPS
 - SNUG
 - MOV OWNERS GROUP
 - IGSCC OWNERS GROUP (EPRI)
 - MATERIALS AND SYSTEM DEVELOPMENT TASK FORCE (EPRI)
- ASSIST MAINTENANCE WITH MANUAL DEVELOPMENT
 - RAYCHEM SPLICES
 - BEARINGS

VOYAGE PROJECT NUCLEAR ADMINISTRATION



GEORGIA POWER COMPANY
SONOPCO-VOGTE PROJECT

NUCLEAR ADMINISTRATION

• DOCUMENT CONTROL SUPPORT

- CORPORATE STAFF
- PLANT STAFF
- NORMS

• ADMINISTRATIVE SUPPORT

- HUMAN RESOURCES
- SALARY ADMINISTRATION
- PERSONNEL QUALIFICATIONS (CORPORATE STAFF)
- REQUIRED TRAINING COORDINATION (CORPORATE STAFF)
- FITNESS-FOR-DUTY ADMINISTERED BY PLANT ADMIN. STAFF

• PLANNING AND PERFORMANCE

- BUDGETING AND COST CONTROL
- PERFORMANCE REPORTING
- INSURANCE ADMINISTRATION
- RESPONSE TO REGULATORY AGENCY DATA REQUESTS

• MATERIALS SUPPORT

- SUPERVISOR CURRENTLY CONSULTANT TO PLANT STAFF
- LONG RANGE POSSIBILITIES
 - SOME PROCUREMENT REVIEW
 - ALTERNATE SUPPLIERS
 - COMMERCIAL DEDICATION
 - EQ CENTRAL FILE

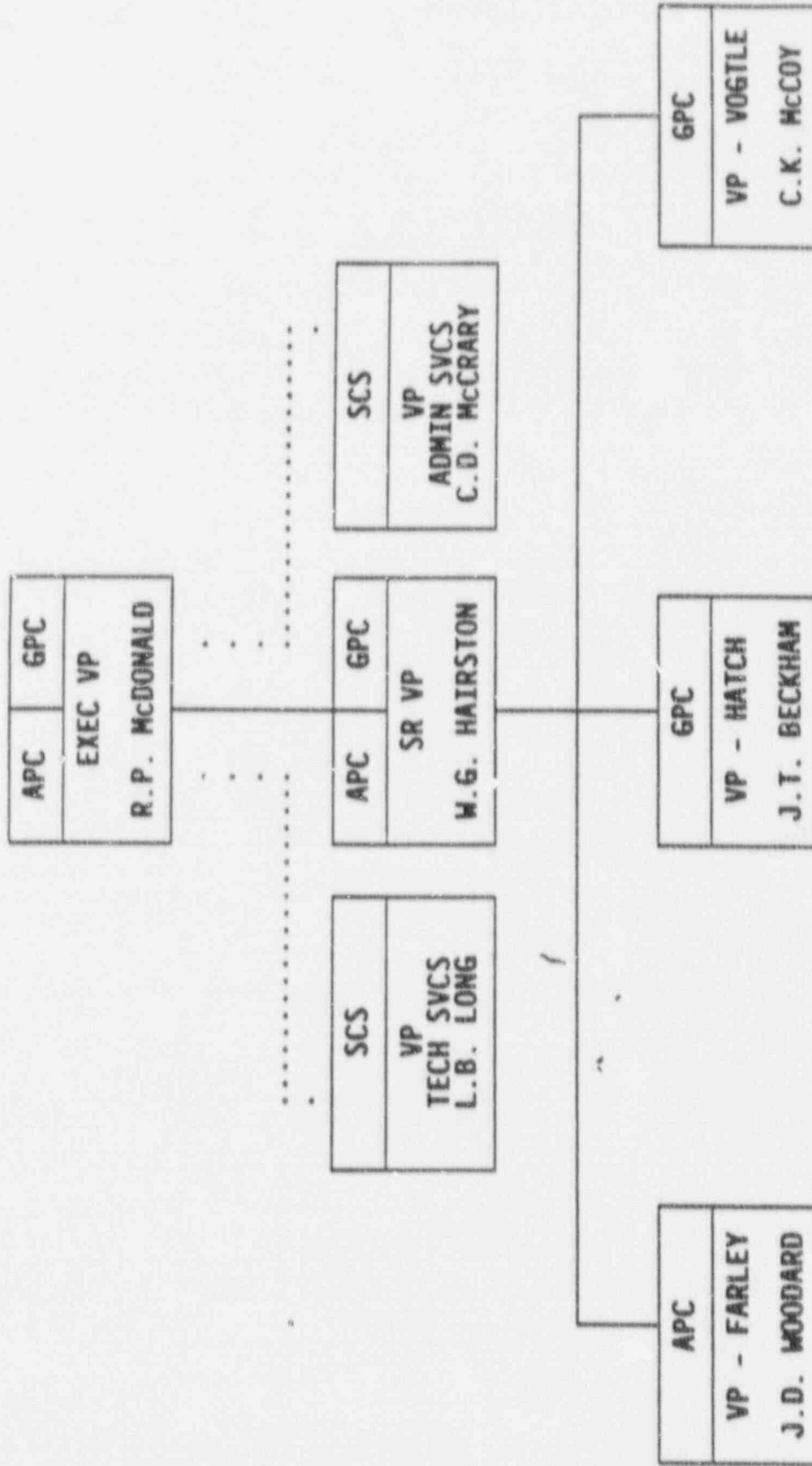
SAFETY REVIEW BOARD

- o Common Georgia Power Board for Hatch and Vogtle
- o Board Members (9)
- o Meetings Semiannually or Quarterly
- o Meeting Minutes
- o Subcommittee

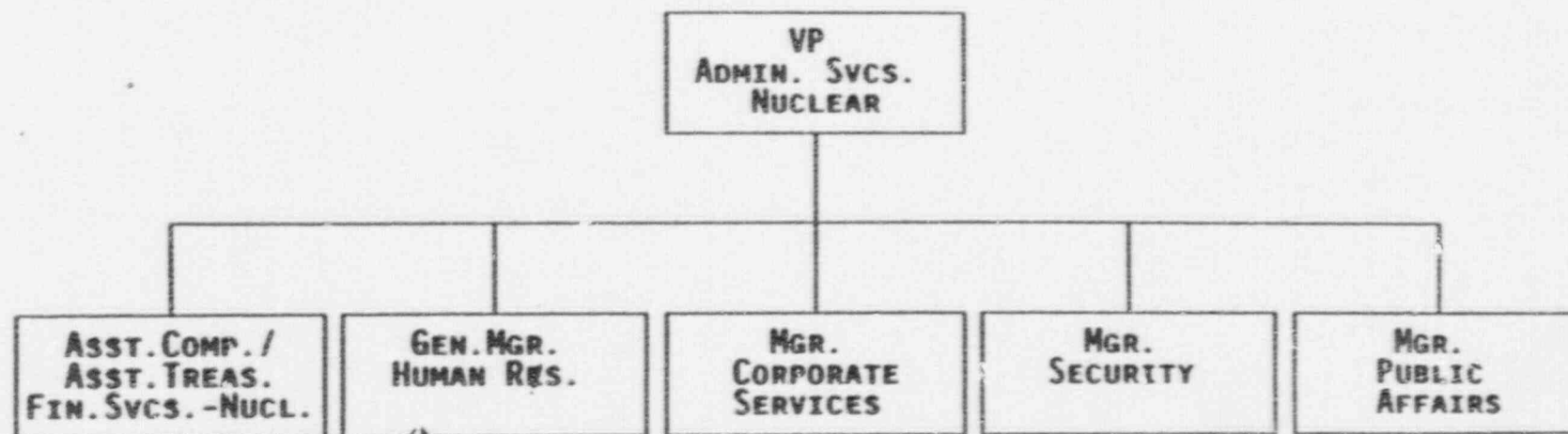
SUBCOMMITTEE

- o Subcommittee Consultants
- o Meetings Once or Twice Monthly
- o Meeting Minutes

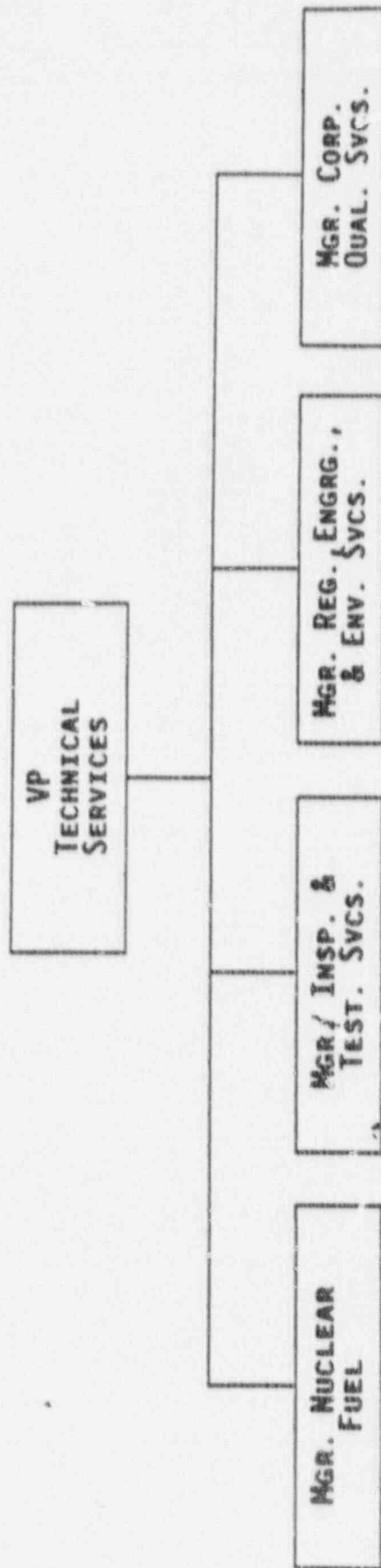
SONOPCO PROJECT ORGANIZATION



ADMINISTRATIVE SERVICES ORGANIZATION



TECHNICAL SERVICES ORGANIZATION



BENEFITS OF CONSOLIDATION

- MANAGEMENT FOCUS ON NUCLEAR OPERATIONS**
- NUCLEAR EMPLOYEE MOTIVATION, PRODUCTIVITY**
- MORE EFFECTIVE SHARING OF INFORMATION, PERSONNEL**
- ELIMINATE DUPLICATION**
- MORE EFFECTIVE, COORDINATED PLANNING**
- ECONOMIES IN PURCHASING SERVICES, MATERIALS**
- ENHANCED NUCLEAR PLANT SAFETY, PERFORMANCE, COST**

TECHNICAL SERVICES	LOUIS LONG
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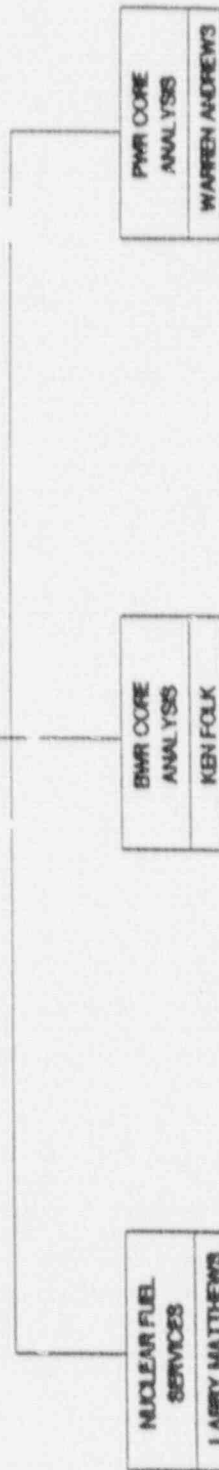
NUCLEAR FUEL	BRUCE HUNT
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ITE	BUD EPPS
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REGULATORY ENGINEERING & ENVIRONMENTAL	KEN MCORACKEN
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QUALITY SERVICES	GLEN GROVE
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NUCLEAR FUEL
BRUCE HUNT



NUCLEAR FUEL SERVICES
LARRY MATTHEWS

- PROCUREMENT
- CONTRACT ADMINISTRATION
- QA
- ECONOMICS
- FUEL PERFORMANCE

BWR CORE ANALYSIS
KEN FOLK

- FUEL CYCLES
- TARGET LOADING PATTERNS
- OPERATIONS SUPPORT
- LICENSING

PWR CORE ANALYSIS
WARREN ANDREWS

- FUEL CYCLES
- OPERATIONS SUPPORT
- LICENSING

REGULATORY, ENGINEERING & ENVIRONMENTAL
KEN MCCracken

ENVIRONMENTAL SERVICES
STEVE EWALD

- ENVIRONMENTAL PERMITS
- ENVIRONMENTAL EXPERTISE
(CLEAN WATER, RCRA, TOXIC WASTE)
- CHEMISTRY
- HP
- EMERGENCY PLANNING

ENGINEERING SERVICES
BILL BLUMS

- PART 21 EVALUATIONS
- GENERIC ENGINEERING ISSUES
- SPECIALIZED ENGINEERING SERVICES

LICENSING SERVICES
BEN GEORGE

- PRA
- GENERIC LICENSING ISSUES
- ASSIGNED ISSUES
- PLANT LICENSING SUPPORT

INSPECTION AND TESTING SERVICES BUD EPPS

INSPECTION ENGINEERING MIKE BELFORD

N D E ADRIAN MAZE

PROJECT SUPPORT JAMES AGOLD

- PROGRAMS
- OUTAGE PLANS
- CODE INTERPRETATIONS

- SUPERVISE NDE CONTRACTORS
- CONDUCT NDE AND TESTING
- QUALIFICATION CERTIFICATION

- OUTAGE PLANNING
- FINAL REPORT



SUPPLIER
EVALUATION
GEORGE BURSON

ENGINEERS

■ QBL

■ SUPPLIER EVALUATION

■ TECH SERVICES AND ADMINISTRATIVE AUDITS

■ CONTRACTOR SECURITY AUDITS

■ SONOPCO QA MANUAL

ELV- 00128
X7GJ17-V200
0890D

December 29, 1988

U. S. Nuclear Regulatory Commission
ATTN: Document Control Desk
Washington, D. C. 20555

PLANT VOGTLE - UNITS 1, and 2
NRC DOCKET 50-424, 50-425
OPERATING LICENSE NPF-68, CONSTRUCTION PERMIT CPPR-109
FSAR CHAPTER 13 DESCRIPTION

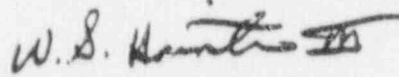
Gentlemen:

During the NRC visit at our Birmingham offices on December 19-21, 1988, you discussed a concern about potential differences between the FSAR Chapter 13 description of our corporate responsibilities and that which we verbally described to you at the meeting. We want to assure you that the information conveyed to you at the meeting is the way we are operating and the way we plan to operate in the future. That is, the Nuclear Support Departments in the corporate office are organized as a staff function to support the plant operation and not as a line function to direct the operation of the plant. However, as shown on FSAR Figures 13.1.1-2 and 13.1.1-3, the Executive Vice President, the Senior Vice President-Nuclear Operations and the Vice President-Nuclear, do provide line management direction for the operation of the Plant.

As you are aware, the application to form the Southern Nuclear Operating Company (SONOPCO) has been submitted to the Security Exchange Commission (SEC) for approval. Once this application has been approved and implemented, we will be submitting an appropriate application to the NRC to amend the licenses for the Vogtle Units. At this time, we will thoroughly review and revise Chapter 13 of the FSAR as appropriate, to resolve any ambiguities that may exist.

Should you have any questions concerning the above, please inquire.

Sincerely,


W. G. Hairston, III

JAB/ijb

c: See next page

U. S. Nuclear Regulatory Commission
ELV-00128
December 29, 1988
Page Two

c: Georgia Power Company
Mr. P. D. Rice
Mr. C. K. McCoy
Mr. G. Bockhold, Jr.
Mr. J. E. Swartzwelder
GO-NORMS
Vogtle-NORMS

U. S. Nuclear Regulatory Commission

Mr. M. L. Ernst, Acting Regional Administrator
Mr. J. B. Hopkins, Licensing Project Manager, NRR (2 copies)
Mr. J. F. Rogge, Senior Resident Inspector-Operations, Vogtle

THE SOUTHERN COMPANY

Minutes of
Telephonic Special Meeting of the Board of Directors

February 24, 1989

At 1:00 p.m., Central Standard Time, on the twenty-fourth day of February, 1989, the board of directors of The Southern Company met by telephone pursuant to written notice.

The following directors were present:

E. L. Addison	L. G. Hardman, III
A. R. Barton	D. L. McCrary
C. H. Chapman, Jr.	J. M. McIntosh
W. P. Copenhaver	H. G. Pattillo
A. W. Dahlberg	W. J. Rushton, III
V. A. Dwyer	R. W. Scherer
J. Edwards	G. M. Shatto
J. M. Farley	H. Stockham
H. A. Franklin	V. J. Whibbs, Sr.
A. M. Gignilliat, Jr.	

constituting a quorum of the board.

Tommy Chisholm, Secretary, was also present.

Mr. Edward L. Addison, President, presided and Mr. Tommy Chisholm acted as secretary.

Election of Joseph M. Farley

It was recommended that Joseph M. Farley be elected Executive Vice President-Nuclear of the Company, effective March 1, 1989.

Discussion and questions followed before a vote was taken.

Upon motion duly made and seconded, the following resolution was thereupon unanimously adopted:

RESOLVED: That Joseph M. Farley be and he hereby is elected Executive Vice President-Nuclear, effective March 1, 1989, to serve until the first meeting of the board of directors following the next annual meeting of stockholders or until his successor is duly elected and has qualified.

February 24, 1989

Nominating Committee Report

Mr. Stockham, Chairman, presented a report of the Nominating Committee. The Nominating Committee met on February 24, 1989, and recommended the election of Elmer B. Harris as a director of the Company, effective March 1, 1989, and in connection with the annual meeting of stockholders to be held May 24, 1989, recommended that he be named a nominee for election as a director at such meeting.

Discussion and questions followed before a vote was taken.

Upon motion duly made and seconded, the following resolutions were thereupon unanimously adopted:

RESOLVED: That Elmer B. Harris be and he hereby is elected a director of the Company, effective March 1, 1989, to serve until the next annual meeting of stockholders or until his successor is duly elected and has qualified; and

RESOLVED FURTHER: That Elmer B. Harris be and he hereby is nominated for election as a director by the stockholders of the Company at the annual meeting to be held May 24, 1989.

Election of Elmer B. Harris

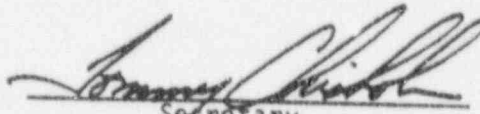
It was be recommended that Elmer B. Harris be elected Vice President of the Company, effective March 1, 1989.

Discussion and questions followed before a vote was taken.

Upon motion duly made and seconded, the following resolution was thereupon unanimously adopted:

RESOLVED: That Elmer B. Harris be and he hereby is elected Vice President, effective March 1, 1989, to serve until the first meeting of the board of directors following the next annual meeting of stockholders or until his successor is duly elected and has qualified.

The meeting thereupon adjourned.


Secretary

February 24, 1989

Upon motion duly made and seconded, the following resolution was thereupon unanimously adopted:

RESOLVED: That Joseph M. Farley be and he hereby is elected executive vice president of the Corporation, effective March 1, 1989, to serve until the first meeting of the board of directors following the next annual meeting of shareholders or until his successor is duly elected and has qualified.

Election of Bob Andrews

It was recommended that Bob Andrews be elected vice president of the Corporation, effective March 1, 1989.

Discussion and questions followed before a vote was taken.

Upon motion duly made and seconded, the following resolution was thereupon unanimously adopted:

RESOLVED: That Bob Andrews be and he hereby is elected vice president of the Corporation, effective March 1, 1989, to serve until the first meeting of the board of directors following the next annual meeting of shareholders or until his successor is duly elected and has qualified.

Employee Stock Ownership Plan

A proposal to make contributions under the Employee Stock Ownership Plan for the 1988 Plan year was presented. Section 4.1 of the Employee Stock Ownership Plan provides that the Employing Companies may make contributions in an amount determined by the Corporation.

Discussion and questions followed before a vote was taken.

Upon motion duly made and seconded, the following resolutions were thereupon unanimously adopted:

RESOLVED: That, in accordance with Section 4.1 of the Employee Stock Ownership Plan of The Southern Company System, as amended and restated effective January 1, 1987 (ESOP), the Corporation be and it hereby is authorized in its sole and absolute discretion to make such contribution under the ESOP for the year ended December 31, 1988, as it shall determine; and

RESOLVED FURTHER: That the officers of the Corporation be and they hereby are authorized and

April 24, 1989

Mr. H. A. Franklin
President and Chief Executive Officer
Southern Company Services, Inc.
P. O. Box 2625
Birmingham, Alabama 35202

Dear Mr. Franklin:

Southern Company Services, Inc., has been providing certain services to Georgia Power Company in support of the corporate nuclear operations staff which has been relocated to Birmingham. These support services are being furnished to Georgia Power Company under the Amended and Restated Agreement dated as of January 1, 1984 between Southern Company Services, Inc., and Georgia Power Company (the "Service Agreement"). This letter formalizes Georgia Power Company's request for Southern Company Services, Inc., to continue providing such services as defined from time to time in work orders which are issued under the Service Agreement, and which relate to the following general areas:

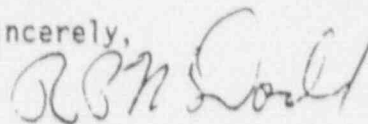
1. Administrative Services under the direction of Mr. C. D. McCrary, Vice President, Administrative Services - Nuclear.
 - a. Human resources -- safety and health, employee placement and development, compensation and benefits, equal opportunity, labor relations and employee information systems.
 - b. Corporate services -- office space, equipment and services, vehicles, records management, information resources and procurement.
 - c. Security.
 - d. Public affairs.
 - e. Financial services under the direction of Mr. R. M. Gilbert, Assistant Comptroller/Assistant Treasurer, Financial Services - Nuclear -- accounting, regulatory analysis, corporate and financial planning, and accounting systems and support.
2. Technical services under the direction of Mr. L. B. Long, Vice President, Technical Services - Nuclear.

Mr. H. A. Franklin
April 24, 1989
Page 2

- a. Nuclear fuel -- nuclear fuel services and core analysis.
 - b. Inspection and testing services -- inspection engineering, NDE and project support.
 - c. Regulatory, engineering and environmental support.
 - d. Corporate quality services.
3. Services under the direction of Mr. J. O. Meier, Director, Strategic Analysis relating to analyses in support of the management of Georgia Power Company's Hatch and Vogtle Projects.
 4. Services under the direction of Mr. J. M. Farley, Executive Vice President - Nuclear relating to the anticipated transfer of nuclear operating and support activities from Georgia Power Company to the Southern Nuclear Operating Company in compliance with applicable regulatory requirements, and for nuclear support on an industry basis.

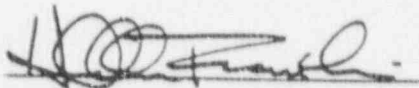
Please sign and return a copy of this letter confirming acceptance of this request on behalf of Southern Company Services, Inc.

Sincerely,

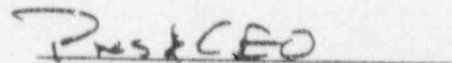


Accepted: Southern Company Services, Inc.

By:



Its:





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

August 3, 1989

Docket Nos. 50-321, 50-366
50-424, 50-425

LICENSEE: Georgia Power Company

FACILITY: Plant Vogtle, Units 1 and 2
Plant Hatch, Units 1 and 2

SUBJECT: SUMMARY OF JULY 25, 1989 GPC/NRC INTERFACE MEETING

On July 25, 1989, the NRC staff (including NRR Project Managers, Region II personnel, and resident inspectors for both Hatch and Vogtle plants) met with representatives of the Georgia Power Company (GPC) in Birmingham, Alabama to discuss the SONOPCO/GPC corporate organization including generic activities and initiatives involving the Vogtle and Hatch plants. This interface meeting was proposed by the NRC staff and was the first of its kind with GPC. Subsequent meetings are expected to be held on a bimonthly basis to discuss issues that have potential for impacting both NRC and GPC organizations. The intent of these meetings is to foster an open communication and information exchange and in this regard the meeting was a success.

Messrs. G. Hairston, T. Beckham, K. McCoy, L. Long, and K. McCracken provided an overview of the current SONOPCO (still pending SEC approval) corporate structure, responsibilities, and interface with the Hatch and Vogtle plants. Essentially, the SONOPCO organization including its support role for the Hatch and Vogtle plants remains unchanged from previous GPC presentations to the staff.

The afternoon session consisted of separate breakout meetings for the Hatch and Vogtle projects wherein upcoming priority issues were discussed. Meeting participants are listed in Enclosure 1. The slides presented by GPC are provided in Enclosure 2. The next GPC/NRC interface meeting is tentatively scheduled for October at the Vogtle plant.

A handwritten signature in dark ink, appearing to read "Timothy A. Reed".

Timothy A. Reed, Project Manager
Project Directorate II-3
Division of Reactor Projects I/II
Office of Nuclear Reactor Regulation

Enclosures:
As stated

cc w/encl:
See next page

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Burke County Commission
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Attorney General
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Atlanta, Georgia 30323

ATTENDEES

<u>NAME</u>	<u>ORGANIZATION</u>
Tim Reed	NRR/PD II-3
Jon Hopkins	NRR/PD II-3
Jim Heidt	GPC
Ken McCracken	Southern Company Services
Louis Long	Southern Company Services
Jim Bailey	GPC/Manager - Licensing
J.T. Beckham, Jr.	GPC
Wayne Scott	NRR/PQEB
David Matthews	NRR/D:PD II-3
Alan Herdt	NRC/RII/DRP
R.A. Musser	NRC/RII
Leigh Trocine	NRC/RII
John Rogge	NRC/RII/SRI Vogtle
Steve Bethay	GPC
Steve Tipps	GPC
C. Ken McCoy	GPC/Vice President - Nuclear
L.P. Crocker	NRR/PD II-3
J.P. Kane	GPC

Georgia Power/NRC
Regulatory Compliance Interface Meeting

JULY 25, 1989
Vogtle and Hatch Nuclear Plants

AGENDA

8:30 AM	Opening Remarks	W. G. Hairston, III
8:45 AM	SONOPCO/GPC Organization and Interface with Plants	J. T. Beckham/ C. K. McCoy/ L. B. Long
10:15 AM	Break	
10:30 AM	GPC Generic Activities and Initiatives for Vogtle and Hatch	K. W. McCracken
12:00 Noon	Lunch	
1:00 PM	GPC/NRC Regulatory Activities Status for Vogtle and Hatch	J. D. Heidt/ J. A. Bailey
3:00 PM	Summary	

"HORIZON ISSUES" ACTIVITIES

- O MONITOR AND ADVISE PROJECTS QUARTERLY ON SPECIFIC EMERGING NRC REGULATORY ISSUES.**
- O DEVELOP DRAFT COMMENTS ON SELECTED PROPOSED RULES AND COORDINATE DEVELOPMENT OF OWNER COMPANY COMMENTS SUBMITTALS.**
- O COORDINATE SONOPCO PROJECT PARTICIPATION IN REVIEW/DEVELOPMENT OF NUMARC COMMENTS REGARDING PROPOSED RULES.**
- O REPRESENT PROJECTS AS REQUESTED IN INDUSTRY GROUPS.**

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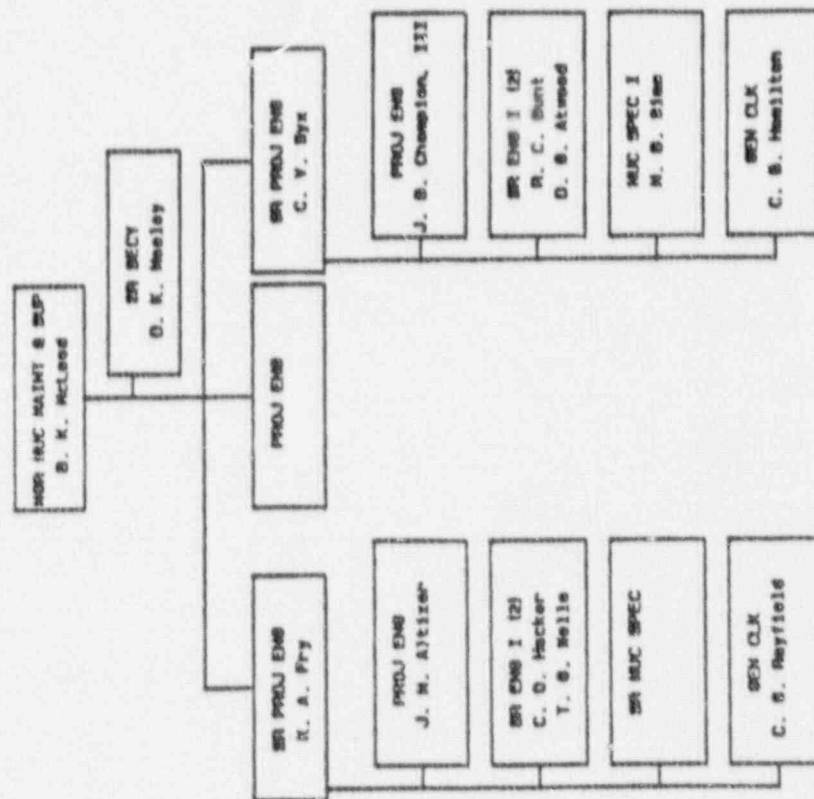
FUNCTIONS

- o PROVIDE TECHNICAL SUPPORT UPON REQUEST**
 - . CONSULTING**
 - . SPECIAL STUDIES**
 - . PROJECT MANAGEMENT**
- o MONITOR LONG-TERM GENERIC ISSUES AND COORDINATE SONOPCO PROJECT OWNER COMPANY ACTIONS**
- o ACT AS CONTRACTUAL INTERFACE POINT FOR GOVERNMENT AGENCIES REGARDING EMERGENCY PLANNING**

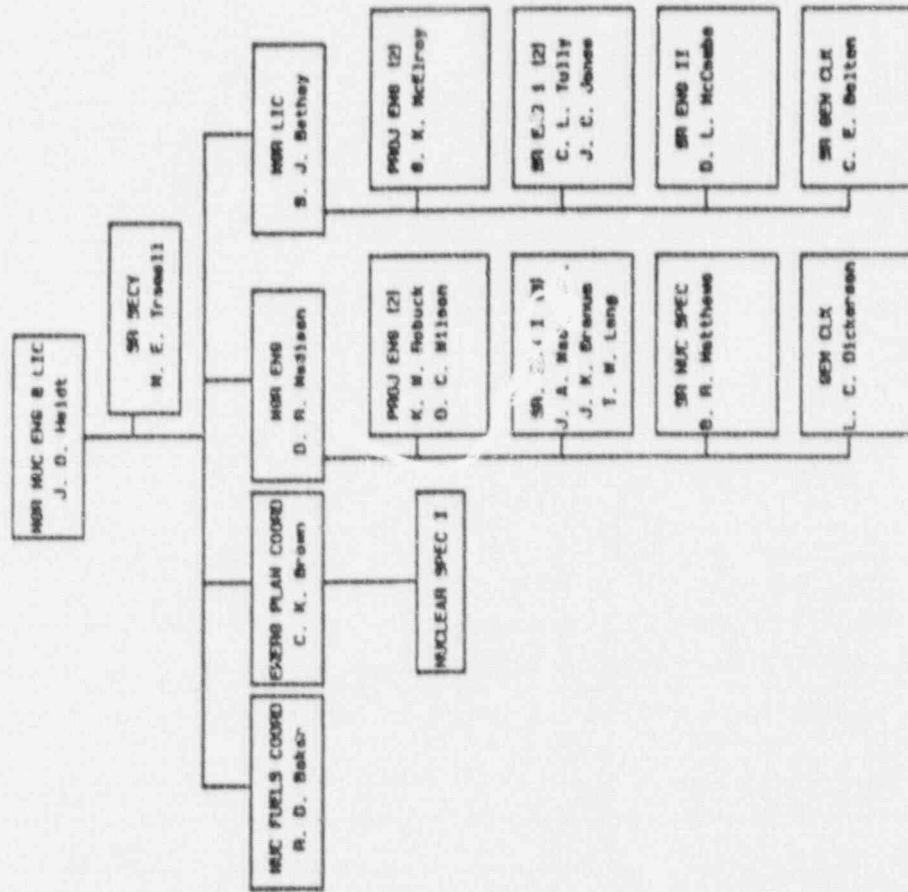
FUNCTIONS

- o NOT MANAGEMENT OVERSIGHT OF PLANT OR PROJECT
ACTIVITIES

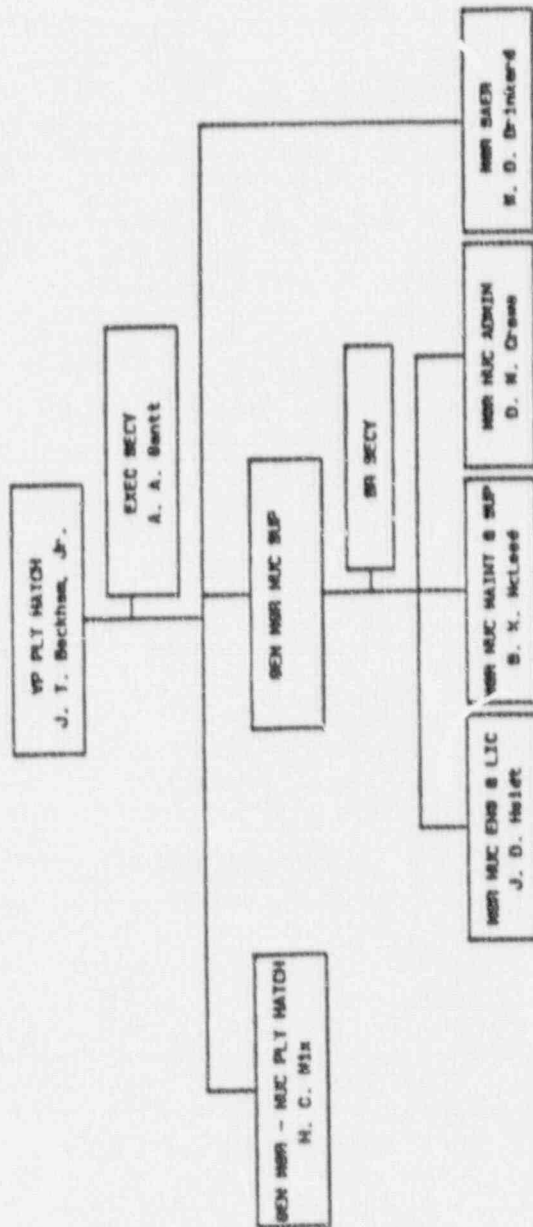
July 10, 1999



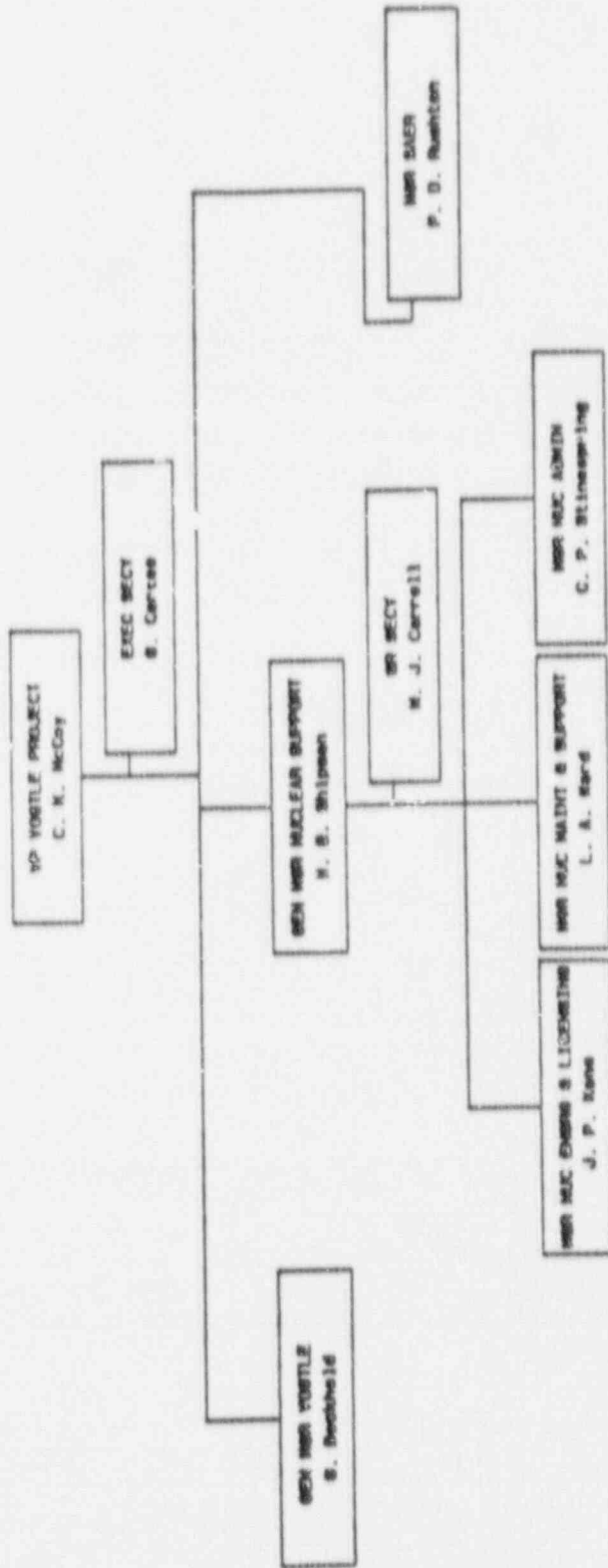
WATON PROJECT SUPPORT ORGANIZATION
ENGINEERING AND LICENSING
July 10, 1969



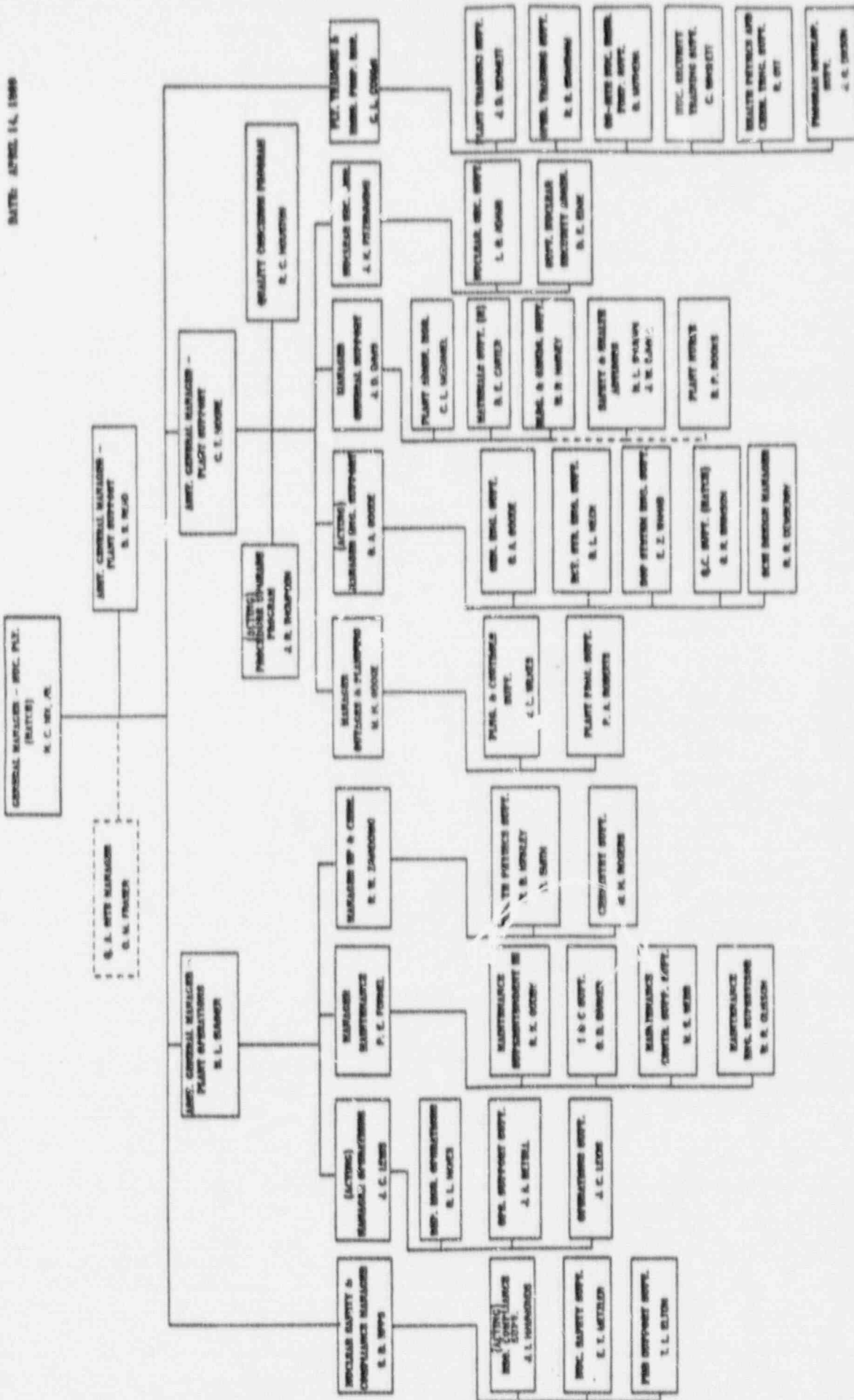
HATCH PROJECT SUPPORT ORGANIZATION
July 10, 1966



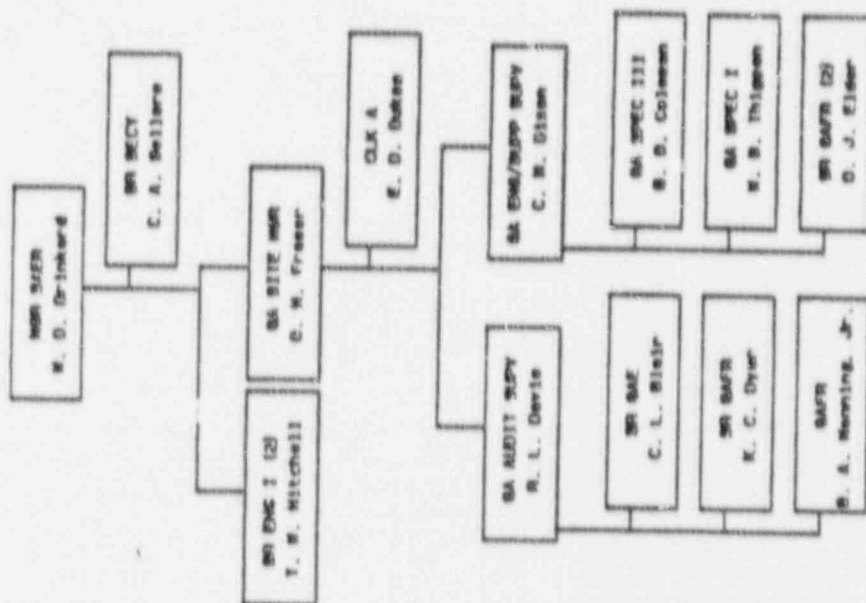
VOITILE PROJECT



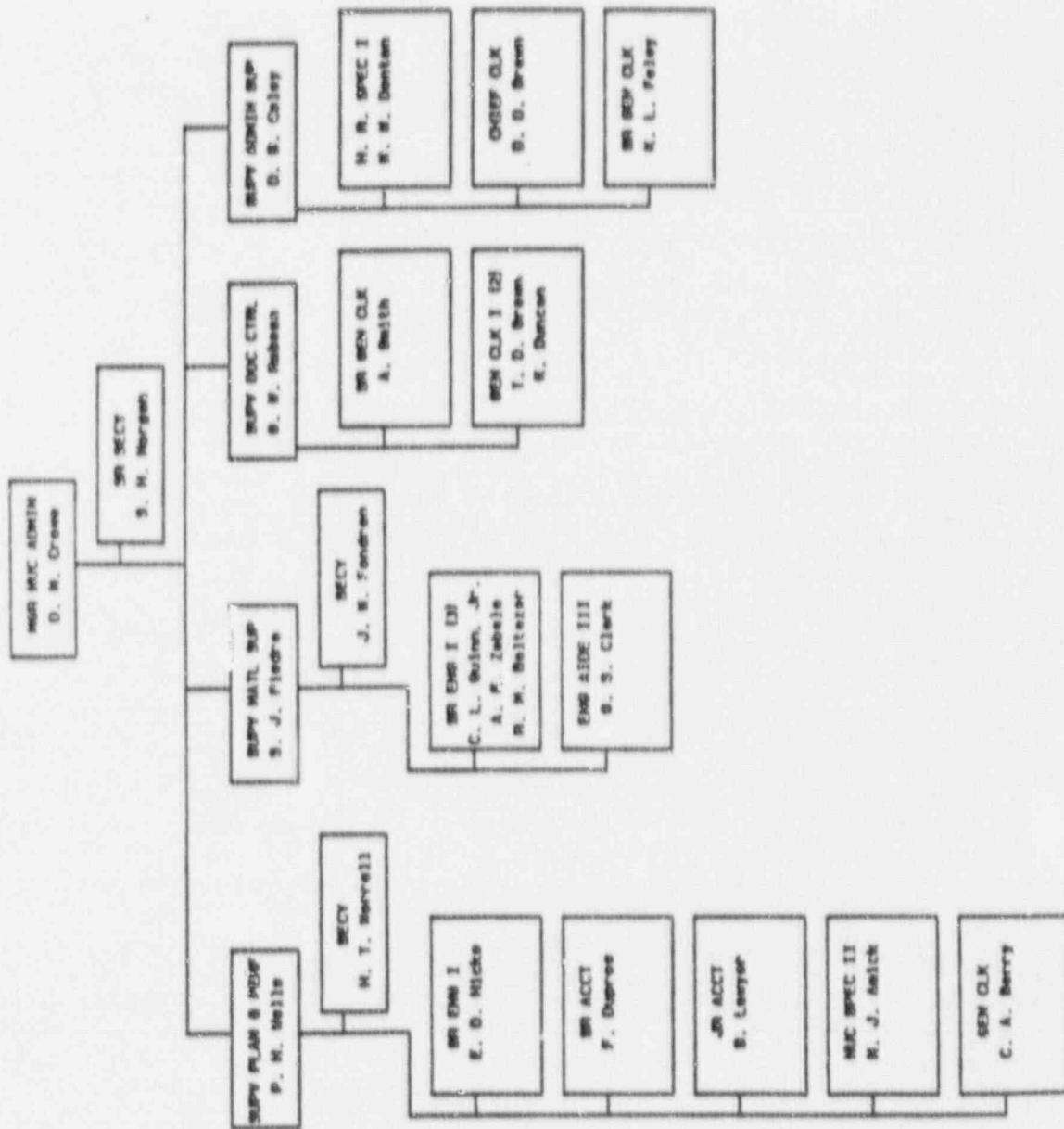
DATE: APRIL 14, 1969



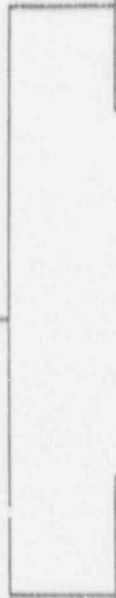
HATCH PROJECT SUPPORT ORGANIZATION
SAFETY AUDIT AND ENGINEERING REVIEW
JULY 10, 1988



HATON PROJECT SUPPORT ORGANIZATION
ADMINISTRATION
July 10, 1968



QUALITY
SERVICES
GLEN GROVE



SUPPLIER
EVALUATION
GEORGE BURSON

ENGINEERS

■ QSL

■ SUPPLIER EVALUATION

■ TECH SERVICES AND ADMINISTRATIVE AUDITS

■ CONTRACTOR SECURITY AUDITS

■ SONOPRO QA MANUAL

INSPECTION
AND
TESTING SERVICES
BUD EPPS

INSPECTION
ENGINEERING
MIKE BELFORD

N I E
ADRIAN MAIZE

PROJECT
SUPPORT
JAMES AGOLD

- PROGRAMS
- OUTAGE PLANS
- CODE INTERPRETATIONS

- SUPERVISE NIE CONTRACTORS
- CONDUCT NIE AND TESTING
- QUALIFICATION CERTIFICATION

- OUTAGE PLANNING
- FINAL REPORT

REGULATORY, ENGINEERING & ENVIRONMENTAL
KEN MCRAKCHEN

ENVIRONMENTAL SERVICES
STEVE EWALD

ENGINEERING SERVICES
BILL BURNS

LICENSING SERVICES
BEN GEORGE

- ENVIRONMENTAL PERMITS
- ENVIRONMENTAL EXPERTISE
(CLEAN WATER PORA, TOXIC WASTE)
- CHEMISTRY
- HP
- EMERGENCY PLANNING

- PART 21 EVALUATIONS
- GENETIC ENGINEERING ISSUES
- SPECIALIZED ENGINEERING SERVICES

- PRA
- GENETIC LICENSING ISSUES
- ASSIGNED ISSUES
- PLANT LICENSING SUPPORT

NUCLEAR FUEL
BRUCE HUNT

NUCLEAR FUEL SERVICES
LARRY MATTHEWS

BWR CORE ANALYSIS
KEN FOLK

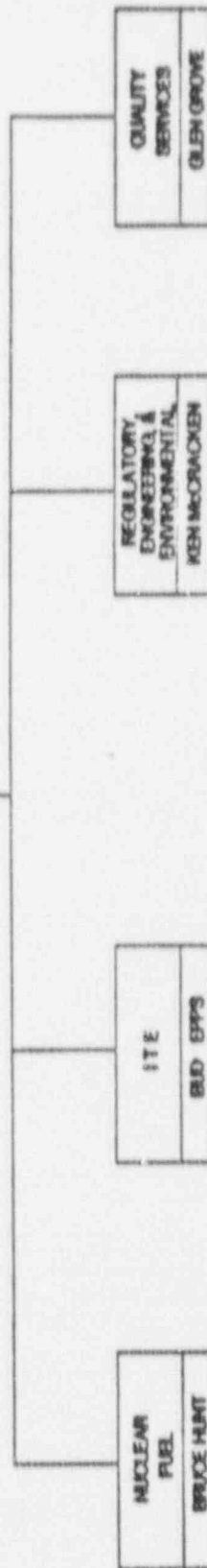
PWR CORE ANALYSIS
WARREN ANDREWS

- PROCUREMENT
- CONTRACT ADMINISTRATION
- QA
- ECONOMICS
- FUEL PERFORMANCE

- FUEL CYCLES
- TARGET LOADING PATTERNS
- OPERATIONS SUPPORT
- LICENSING

- FUEL CYCLES
- OPERATIONS SUPPORT
- LICENSING

TECHNICAL SERVICES
LOUIS LONG



NUCLEAR FUEL
BRUCE HUNT

ITE
BUD EPPS

REGULATORY ENGINEERING & ENVIRONMENTAL
KEN MCCrackEN

QUALITY SERVICES
GLEN GROVE

VOGTLE PROJECT
LICENSING SUBMITTALS AWAITING NRC ACTION

<u>SUBJECT</u>	<u>GPC LETTER NO.</u>	<u>GPC LETTER DATE</u>	<u>REQUESTED RESPONSE DATE</u>
1. Tech Spec Change Request - Containment Hydrogen Monitors	YL-76 ELV-00041 ELV-00516	11/7/88 12/8/88 5/19/89	None
2. Tech Spec Change Request - Diesel Action Requirements	YL-110 ELV-00517	11/7/88 5/19/89	None
3. Tech Spec Change Request - Deletion of Temporary Footnotes	ELV-00302	4/5/89	None
4. Tech Spec Change Request - Unit 1 CCP Flow	ELV-00390	4/6/89	None
5. Tech Spec Change Request - Low PRZ Pressure TA,Z	ELV-00284	5/8/89	None
6. Tech Spec Change Request - Containment Structural Integrity	ELV-00400	5/9/89	7/14/89
7. Revision 3 to Unit 1 ISI Program	MSV-00033	5/10/89	None
8. Q. A. Changes	ELV-00518 ELV-00594	5/18/89 6/8/89	None
9. Tech Spec Change Request - Control Room HVAC Exception to 3.0.4	ELV-00491	5/19/89	None
10. Tech Spec Change Request - Reload Fuel Enrichment	ELV-00511	6/12/89	10/1/89
11. Settlement Monitoring Program	ELV-00650	6/23/89	None

VOGTLE PROJECT
LICENSING SUBMITTALS ANTICIPATED IN NEXT 12 MONTHS

<u>SUBJECT</u>	<u>ESTIMATED SUBMITTAL DATE</u>	<u>ESTIMATED NEED DATE</u>
1. Revision of VEGP-1 IST Program	07/21/89	09/29/89
2. Revision of VEGP-2 IST Program	07/24/89	10/02/89
3. Revised Tech Spec Change Request Containment Structural Integrity	07/28/89	08/15/89
4. Tech Spec Change to Heat Up and Cool Down Curves	07/31/89	N. A.
5. RAI on Proposed Change To RTB Maintenance Frequency	08/01/89	N. A.
6. Revision of VEGP-2 ISI Program	08/04/89	11/03/89
7. Tech Spec Changes to Mitigate Control Rod Wear	08/05/89	N. A.
8. Security Plan Amendment 13 - 10 CFR 50.54(p) Change Incorporating Alternate PESB.	08/25/89	N.A.
9. GMR-1 Canister Exemption Request; also Request to Change Circuit A to Circuit C Storage	09/15/89	12/01/89
10. Tech Spec Change to Unit 2 Moderator Temperature Coefficient	09/15/89	Unit 2 Cycle 2
11. Mild Environmental Qualification Position Paper	11/01/89	Before Refueling
12. Results of First Vessel Capsule Surveillance	11/10/89	
13. Tech Spec Change to End-of-Life MTC	11/15/89	N. A.

VOGTLE PROJECT
LICENSING SUBMITTALS ANTICIPATED IN NEXT 12 MONTHS (CONTINUED)

<u>SUBJECT</u>	<u>ESTIMATED SUBMITTAL DATE</u>	<u>ESTIMATED NEED DATE</u>
14. Tech Spec Change to Incorporate Standard Westinghouse Precaution for Fuel Assembly Reconstitution	12/15/89	N. A.
15. Response to Generic Letter on MOV's	01/01/90	03/01/90
16. Tech Spec Change to Base Shutdown Margin Curves on Critical Boron Concentration	Unavailable	N. A.
17. Tech Spec Change to Remove Specific References to Grid Locations for Fxy Surveillance Exclusion	Unavailable	N. A.
18. Tech Spec Change Concerning Temporary Opening of Locked Valves in Mode 6	Unavailable	Spring 1990
19. RTD Bypass Removal	01/15/90	06/15/90

LICENSING SUBMITTALS ANTICIPATED BEYOND NEXT YEAR

1. Re-analyses and Tech Spec Changes Associated With VANTAGE 5 Fuel	09/15/90	10/15/90
2. Request for Power Level Increase	06/15/91	N. A.

Georgia Power Company
300 Piedmont Avenue
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Telephone 404 526 3195

Mailing Address
40 Riverchase Center Parkway
Post Office Box 1298
Birmingham, Alabama 35201
Telephone 205 868 5581

March 28, 1990

the Southern

W. G. Hairston, III
Senior Vice President
Nuclear Operations

ELV-01291
0222

Docket Nos. 50-424
50-425

U. S. Nuclear Regulatory Commission
ATTN: Document Control Desk
Washington, D. C. 20555

Gentlemen:

VOGTLE ELECTRIC GENERATING PLANT
INITIAL UPDATED FINAL SAFETY ANALYSIS REPORT

In accordance with 10 CFR 50.4(b)(6) and 50.71(e) including the exemption to 50.71(e)(3)(i) published in the Federal Register, Volume 53, Number 86, dated May 4, 1988 Georgia Power Company (GPC) hereby submits one signed original and ten copies of the initial Updated Vogtle Electric Generating Plant Final Safety Analysis Report. This initial Updated FSAR accurately presents changes made since the November 23, 1988 submittal of Amendment 39 to the FSAR. Revisions include changes to reflect information and analyses submitted to the NRC as well as changes that have been made under the provisions of 10 CFR 50.59 through September 30, 1989.

Mr. W. G. Hairston, III states that he is a Senior Vice President of Georgia Power Company and is authorized to execute this oath on behalf of Georgia Power Company and that, to the best of his knowledge and belief, the facts set forth in this letter and enclosures are true.

GEORGIA POWER COMPANY

By:

W. G. Hairston, III
W. G. Hairston, III

Sworn to and subscribed before me this 28th day of March, 1990.

Sherry Ann Mitchell
Notary Public

My Commission Expires 12-15-1992

WGH, III/JLL/gm

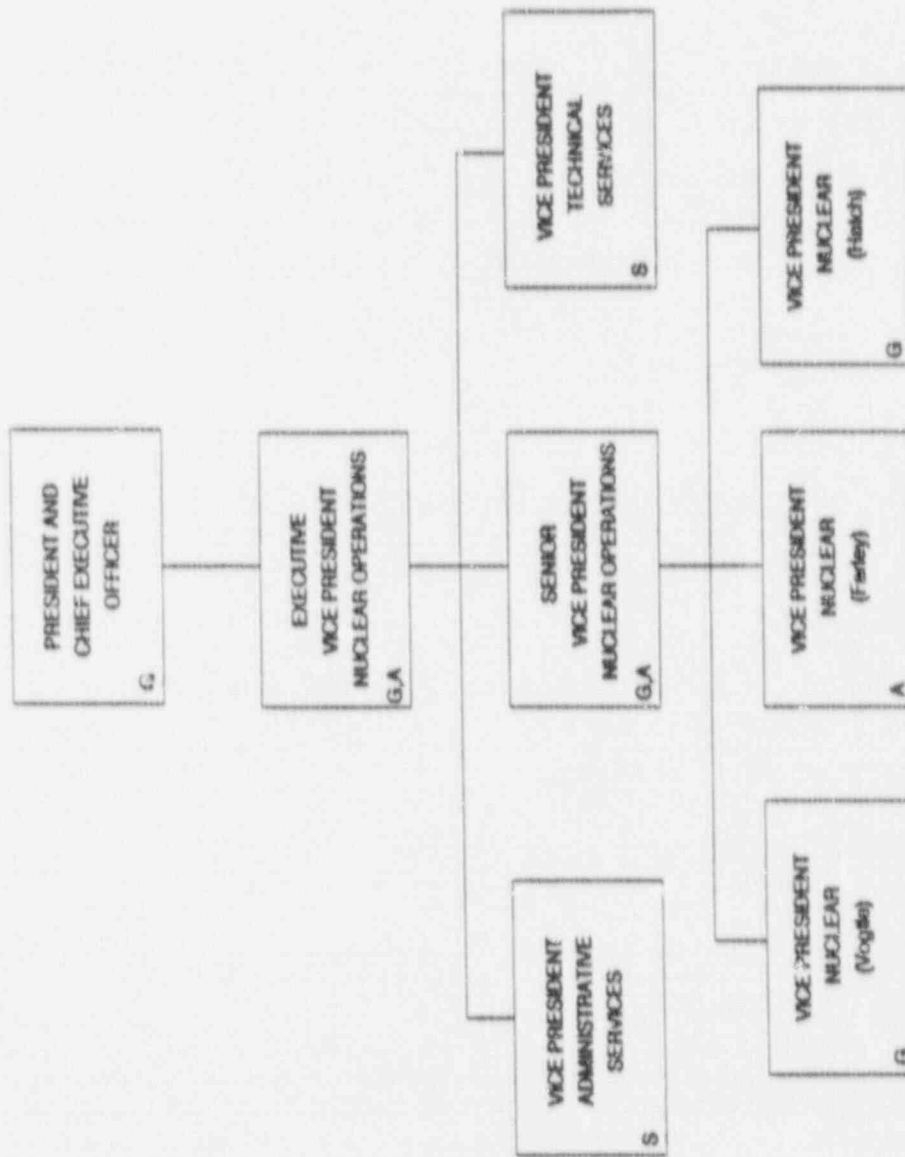
xc (see next page)

U. S. Nuclear Regulatory Commission
ELV-01291
Page Two

Enclosures: FSAR Update

xc: Georgia Power Company
Mr. C. K. McCoy
Mr. G. Bockhold, Jr.
Mr. P. D. Rushton
Mr. R. M. Odom
NORMS

U. S. Nuclear Regulatory Commission
Mr. S. D. Ebnetter, Regional Administrator
Mr. T. A. Reed, Licensing Project Manager, NRR
Mr. R. F. Aiello, Senior Resident Inspector, Vogtle



LEGEND
A=APC
G=GPC
S=SCS

REV E 1/90

2905-4081

Georgia Power

VOGTLE
ELECTRIC GENERATING PLANT
UNIT 1 AND UNIT 2

NUCLEAR OPERATIONS ORGANIZATION
VEGP UNITS 1 AND 2

FIGURE 13.1.1-1

W. G. Harriston III
Secretary
Nuclear

December 6, 1990

Docket Nos. 50-321 50-424
50-366 50-425

HL-1346
ELV-02209

Mr. Samuel J. Chilk
Secretary of the Commission
U.S. Nuclear Regulatory Commission
Washington, D.C. 20555

ATTN: Docketing and Service Branch

Southern Nuclear Operating Company, Inc.

Dear Mr. Chilk:

The purpose of this letter is to advise the NRC that within the next few weeks, The Southern Company plans to form a wholly-owned subsidiary named the Southern Nuclear Operating Company, Inc. (SONOPCO or Southern Nuclear). An application to this effect was filed with the Securities and Exchange Commission in June of 1988, and it is anticipated that approval of this application will be forthcoming shortly. Upon formation, Southern Nuclear will be assigned responsibility to perform certain functions which were previously performed by Alabama Power Company, Georgia Power Company and Southern Company Services organizations including, but not limited to, fuel procurement services, engineering services, and administrative and technical services. The functions assigned to the Southern Nuclear subsidiary at this time will not include any right under the license, and Georgia Power retains responsibility for compliance with its regulatory obligations.

Organizational structure and line reporting of those corporate functions which support site operations will generally not be changed by Southern Nuclear formation. Specific management personnel will be employees of both Southern Nuclear and Alabama Power Company and/or Georgia Power Company in order to maintain continuity of reporting within each licensed operator's organization, and also to consolidate other functions within Southern Nuclear. An organizational chart indicating the anticipated structure of Southern Nuclear is attached. Georgia Power Company, Oglethorpe, MEAG and the City of Dalton will continue to be the owners of Plant Hatch and Vogtle, and Georgia Power Company will continue to be the licensed operator. Alabama Power Company will continue to be the owner and licensed operator of Plant Farley.

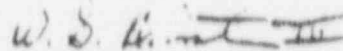
Mr. Samuel J. Chilk
Page 2

Safety evaluations for the organizational change have been performed under 10 CFR 50.59 concerning the formation of Southern Nuclear. The safety evaluations assume that Georgia Power Company contracts with Southern Nuclear for many of its delegable duties under licenses numbered DPR-57 and NPF-5 (Hatch) and NPF-68 and NPF-81 (Vogtle). The conclusion of the safety evaluations is that no unreviewed safety question exists or change to the plant technical specifications is required as a result of this contract and resulting organizational change. Reporting and communication lines will remain essentially the same as before the change. In addition, Georgia Power Company's Quality Assurance, Security, and Emergency Planning programs were also reviewed. Evaluations were performed in accordance with 10 CFR 50.54(a), and they determined that no reduction to any commitments of the Quality Assurance programs will occur. Evaluations conducted pursuant to 10 CFR 50.54(p) determined that there will be no decrease in the effectiveness of the Security Plans and programs. Moreover, evaluations conducted in accordance with 10 CFR 50.54(q) demonstrated that there will be no decrease in the effectiveness of the Emergency Plans.

Georgia Power Company submits this letter to the NRC for informational purposes only. Based on the above conclusions, no action is requested.

Should you have any questions, please advise.

Respectfully submitted,



W. G. Hairston, III

WGH, III/LPD
Attachment

Mr. Samuel J. Chilk
Page 3

cc: Georgia Power Company

Mr. J. T. Beckham, Jr., Vice President - Nuclear, Plant Hatch

Mr. C. K. McCoy, Vice President - Nuclear, Plant Vogtle

Mr. W. B. Shipman, Acting General Manager - Plant Vogtle

Mr. H. L. Sumner, Jr., General Manager - Plant Hatch

NORMS

U. S. Nuclear Regulatory Commission, Washington, D.C.

Mr. K. N. Jabbour, Licensing Project Manager - Hatch

Mr. D. S. Hood, Licensing Project Manager - Vogtle

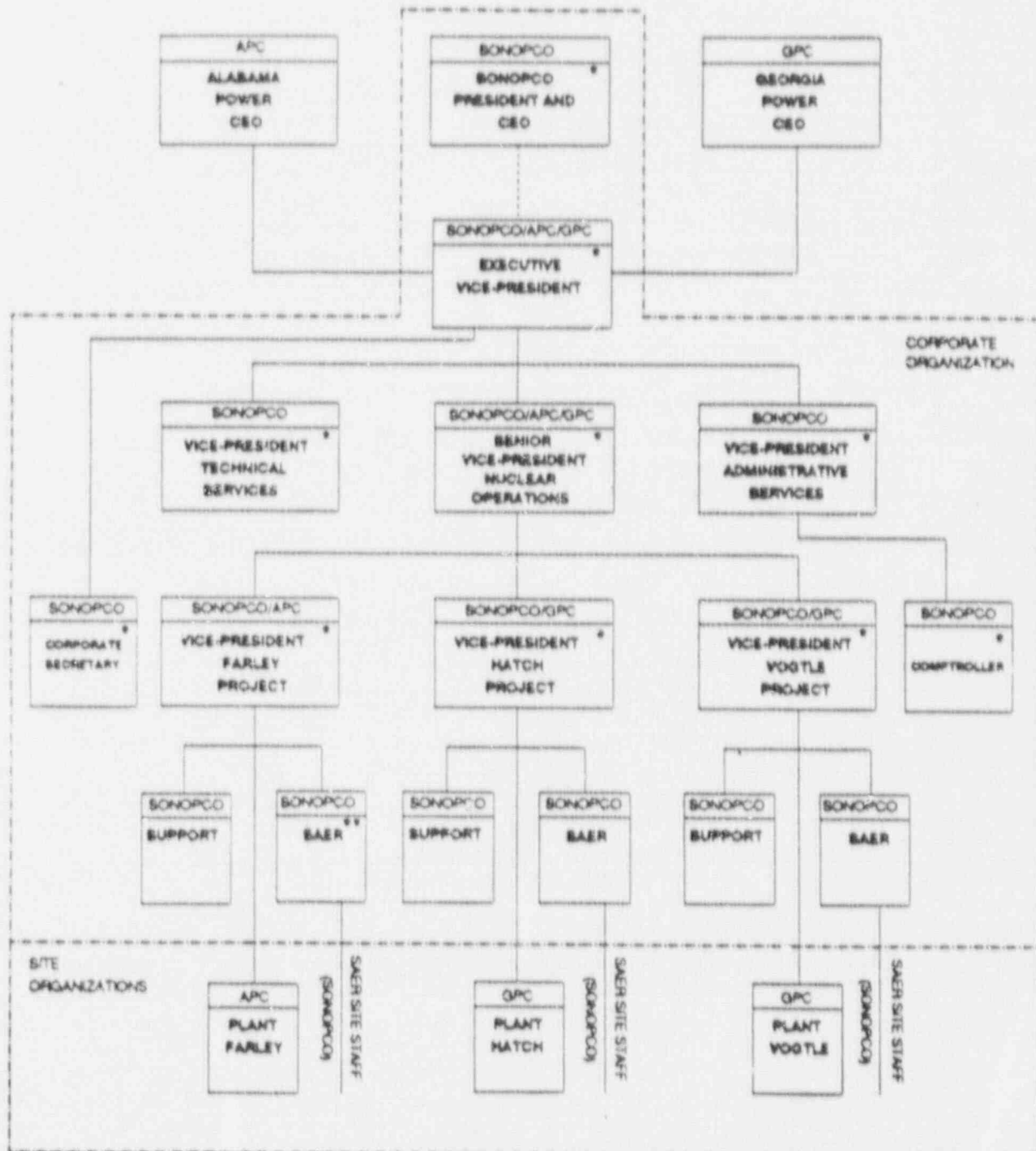
U. S. Nuclear Regulatory Commission, Region II

Mr. S. D. Ebnetter, Regional Administrator

Mr. L. D. Wert, Senior Resident Inspector - Hatch

Mr. B. R. Bonser, Senior Resident Inspector - Vogtle

ATTACHMENT SONOPCO ORGANIZATION



..... DENOTES ADMINISTRATIVE REPORTING

* SONOPCO OFFICERS
** MANAGER SAER WILL ALSO BE AN APC EMPLOYEE

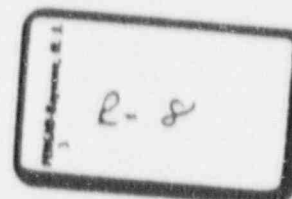
DATE: May 15, 1989
TO: M. B. Hobby
FROM: F. D. Williams

In response to your questions in your letter of April 26, 1989, I have the following reply.

Mr. R. P. McDonald reports to A. W. Dahlberg for operation and support activities of Plants Vogtle and Hatch. I have attached a copy of the most recent published organization chart showing the reporting. Mr. George Hairston reports to Mr. McDonald.

Mr. J. M. Farley, Executive Vice President - Nuclear, provides services relating to the anticipated transfer of nuclear operating and support activities from Georgia Power Company to the Southern Nuclear Operating Company. These services include the compliance with applicable regulatory requirements and for nuclear support on an industry basis.

jdg
Attachment



April 19, 1989



DATE: December 7, 1990

RE: Vogtle Electric Generating Plant
Georgia Power Company Crisis Management Plan
Log: ELV-02333
Security Code: NC

FROM: C. K. McCoy

TO: W. G. Hairston, III

The Vogtle Project Corporate Emergency Plan Implementing Procedures (VNS-EP-04 and VNS-EP-05) satisfy the commitments of the Georgia Power Company Crisis Management Plan regarding notification of Senior Corporate Management. Please be advised that my On-Call Project Manager or Director of Corporate Response, as appropriate, will call you or Mr. McDonald in accordance with the Corporate Emergency Telephone Directory. They will assume that you or Mr. McDonald will advise Mr. Dahlberg and Mr. Farley unless directed otherwise. There are no other inconsistencies between our procedures and the Crisis Management Plan.

C.K. McCoy
C. K. McCoy

CKM/JAB/11h

xc: NORMS

798

RESPONSE TO HOBBY/MOSBAUGH PETITION, SECTION III.2

I. Petitioners' Allegations.

The petitioners assert that Mr. McDonald "knowingly made false statements to the NRC Commissioners" concerning the hierarchy of the Company's management of Vogtle and that other officers of the Company who were present did not correct the statement before the Vogtle full power license was granted.

II. GPC Response to Petitioners' Allegations.

The petitioners' suggestion that Mr. McDonald's incorrect statement had a material impact on the licensing of Vogtle is without merit.

On March 30, 1989, the NRC Commissioners met for a "Discussion/Possible Vote On Full Power Operating License For Vogtle, Unit 2." During that meeting, then Commissioner (now Chairman) Carr asked a question of GPC management concerning the hierarchy between the Vogtle general manager and the CEO of the Company. In response to that question, Mr. McDonald, GPC Executive Vice President - Nuclear Operations, indicated (1) that he reported to Mr. Dahlberg, the GPC CEO, (2) that Mr. Ken McCoy, the Vice President of Vogtle, reported to him (Mr. McDonald), and (3) that Mr. George Bockhold, the then Vogtle general manager, reported directly to Mr. McCoy. See transcript excerpt of March 30, 1989 proceeding, attached as Exhibit 1, at pp. 33-34.

The transcript reflects that Mr. McDonald did not specifically refer to Mr. George Hairston, GPC Senior Vice President - Nuclear Operations, in his response to then Commissioner Carr's question. However, the Commission had been apprised of the Company's organization prior to the March 30th proceeding, including the Senior Vice President position. By letter dated November 23, 1988, Georgia Power submitted an amendment to the VEGP Final Safety Analysis Report ("FSAR") which described the reporting chain from Mr. McCoy to Mr. Hairston to Mr. McDonald. See Exhibit 2. Moreover, the NRC, in December, 1988, had specifically reviewed the SONOPCO Project organizational structure and noted the following in an inspection report, addressed to Mr. Hairston: (1) the organization had been in place since November 1, 1988 and was functioning at the time of the inspection; (2) the Vice Presidents of the Farley, Hatch and Vogtle projects reported to the Senior Vice President who, in turn, reported to the Executive Vice President; and (3) the organization was consistent with the VEGP FSAR amendment submitted in November, 1988. See NRC February 7, 1989 Inspection Report, attached as Exhibit 3, "Summary" at p. 1 and "Report Details" at p. 3. Additionally, during the March 30th proceeding, at least one member of the Commission, Commissioner Rogers, referred to the fact that he had reviewed the Company's organizational chart during a visit he made to the plant site.

See Exhibit 1 at p. 37. Therefore, it is highly unlikely that the Commission was misled by Mr. McDonald's erroneous statement. More importantly, Mr. McDonald could not have intended to mislead the Commission as to the actual structure of the management organization; the erroneous statement was potentially obvious to the many knowledgeable NRC representatives in attendance at the March 30th proceeding. Further, while Mr. McCoy doesn't "report" directly to Mr. McDonald, they frequently discuss major items affecting Vogtle.

Following the Commission meeting, GPC personnel reviewed the transcript of the proceeding and noted that Mr. McDonald's statement, as recorded, was incorrect. Specifically, Mr. James A. Bailey had reviewed information in an earlier, unrelated SER which was incorrect and had been advised by counsel that, notwithstanding its NRC origin, the licensee had an obligation to correct the error. Applying that advice to the March 30th proceeding, Mr. Bailey concluded that a correction of the transcript was necessary. As a result, on May 1, 1989, GPC sent a letter to the NRC to correct that statement and another statement made by Mr. McCoy, approximately two weeks after receiving the NRC transcript. See Exhibit 4.¹ That letter states: "[t]he organization is as described on figures 13.1.1-1 and 13.1.1-2 of the Vogtle Final Safety Analysis Report." Those are the same figures reviewed by the NRC in December, 1988. See December 29, 1988 letter from Mr. W. G. Hairston, III to NRC, attached as Exhibit 5.

It appears that petitioners' allegation is a pretext for the claims they have made against the Company before the Department of Labor ("DOL"). Mr. Hobby's view of the significance of the statement changed radically after the filing of his DOL complaint in February 1990. First, in the statement he prepared about the time of the DOL filing, Mr. Hobby states that he "knew" that McDonald's statement was a "material false statement." See Exhibit 6 at p. 2. However, Mr. Hobby's actions prior to the filing of the DOL complaint suggest that he did not consider the error to be at all significant. In response to questions from the Company's counsel during his deposition, Mr. Hobby indicated that he learned of Mr. McDonald's statement shortly after March 30, 1989 from a representative of Oglethorpe Power Corporation who attended the March 30th proceeding. Yet, he took

¹The petitioners further allege that "the correction [of the statement] did not address the fact that Mr. McDonald was and continued to report[sic] to SONOPCO's de facto CEO, Mr. Farley, rather than to GPC's President." As discussed in the Company's Response to Hobby/Mosbaugh Petition, Section III.1 (see Attachment 1), Mr. McDonald does, in fact, report to Mr. Dahlberg, the CEO of GPC, on all matters concerning the operation of the Company's nuclear facilities.

no action on the issue, such as calling the error to the attention of GPC management, until after filing his DOL complaint in early 1990. See transcript excerpt of the August 24, 1990 deposition of Marvin Hobby, attached as Exhibit 7, at pp. 511-20. Second, even in his April 27, 1989 memorandum to GPC's Mr. Fred Williams, Mr. Hobby failed to bring the error to the attention of the Company, while at the same time he raised the "illegal license transfer" allegation. See Exhibit 8. Third, prior to the filing of his DOL complaint, Mr. Hobby took no action to notify the NRC of the error even though it was not until May 7, 1990 that he learned that the NRC previously had been notified of the error. See Exhibit 7 at pp. 517-19; see also Trial Tr. at 252-255. Fourth, when pressed by Company counsel, Mr. Hobby personally would not commit to an opinion that the error was a material false statement even though this characterization is implied in the petition. See Exhibit 7 at pp. 519-20.

III. Conclusion.

Based on the foregoing, the Company concludes that the petitioners' allegation is without merit.

UNITED STATES OF AMERICA
NUCLEAR REGULATORY COMMISSION

Title: DISCUSSION/POSSIBLE VOTE ON FULL POWER OPERATING
LICENSE FOR VOGTLE, UNIT 2

Location: ROCKVILLE, MARYLAND

Date: MARCH 30, 1989

Pages: 71 PAGES

NEAL R. GROSS AND CO., INC.

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1323 Rhode Island Avenue, Northwest
Washington, D.C. 20005
(202) 234-4433

1 General Manager for Support.

2 The Assistant General Manager for
3 Operations, he has reporting to him a Manager of
4 Operations because that Assistant General Manager has
5 other things reporting to him. So, you go right down
6 that line through his assistant general manager and
7 manager of operations.

8 COMMISSIONER CARR: So, the two plant is one
9 plant as far as management is concerned.

10 MR. McDONALD: That's right. That's exactly
11 right.

12 COMMISSIONER CARR: I had a management
13 concern that looked to me like he was a long way from
14 the CEO.

15 MR. McDONALD: He's a long way from the CEO?

16 COMMISSIONER CARR: Yes. Maybe I don't
17 understand what Ken's -- what's the hierarchy between
18 the CEO and the plant manager?

19 MR. McDONALD: Okay. That's what you mean.
20 Okay. The hierarchy between a CEO and a plant
21 manager, I report to Mr. Dahlberg. Reporting to me is
22 Ken McCoy who is in charge of the entire Vogtle
23 Project. He and I have a -- I have two Vice
24 Presidents reporting to me. The Vice President of
25 Hatch has a similar position to his. So, he is

1 responsible for all the corporate support as well as
2 the plant. George reports directly to him.

3 CHAIRMAN ZECH: Both units he has.

4 MR. McDONALD: Both units.

5 CHAIRMAN ZECH: Yes. All right.

6 MR. McDONALD: Is that what you want to
7 know?

8 COMMISSIONER CARR: So, you have a guy for
9 each, Vogtle and Hatch.

10 MR. McDONALD: Yes.

11 COMMISSIONER CARR: But they don't have
12 anybody for the two plants.

13 MR. McDONALD: They manage those two plants
14 as one plant, those two units as one plant.

15 COMMISSIONER CARR: And Ken has Vogtle and
16 Hatch.

17 MR. McDONALD: No. No, Ken has reporting to
18 him three people. He has George reporting to him, he
19 has a QA manager reporting to him and he has the
20 corporate staff support reporting to him.

21 MR. BOCKHOLD: Only for Vogtle.

22 MR. McDONALD: For Vogtle, for Plant Vogtle.

23 MR. RICE: Then there's a Vice President for
24 Hatch.

25 MR. McDONALD: That has a similar

1 organization.

2 COMMISSIONER CARR: Okay. I understand your
3 organization. I still have my concern, I guess.

4 MR. McDONALD: May I be responsive to more?

5 COMMISSIONER CARR: Oh, sure. I just say,
6 if he's got a problem that needs the CEO's attention,
7 he goes a long way to get there, was my concern.

8 MR. DAHLEER: I guess I should add
9 something on that matter also. I guess one of the
10 things we have done well is while Pat is an Executive
11 Vice President of Nuclear, it does mean that he is
12 available to the site. He visits the site. He is
13 there. He talks to the people and he looks at the
14 equipment. We've tried to use that philosophy for all
15 of our operations. It doesn't stop with Pat. I have
16 the same type of a relationship. I guess we could go
17 even further than that. We do have a Board of
18 directors committee for oversight of nuclear. They
19 even visit the site. So, it's not removed.

20 I think we have established the kind of a
21 relationship and the kind of a personal hands on with
22 management. George has access to anybody he needs
23 access to.

24 COMMISSIONER CARR: Let me -- are you -- is
25 Ken at the site?

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WASHINGTON, D.C. 20005

1 MR. McCOY: No, I'm --

2 COMMISSIONER CARR: You're at the
3 headquarters.

4 MR. McDONALD: Let me expound on that just a
5 moment. One of our major management techniques is
6 managing problems and we keep pretty comprehensive
7 lists of the top problems, top 10, 20, 30 problems.
8 Those problems are reviewed periodically by all levels
9 of management including the Board of Directors. We
10 have a completely technical meeting with the Board of
11 Directors describing such things as the PERM problem
12 and any other kind of a technical problem there is, so
13 that the entire management structure is involved in
14 personnel matters, technical matters and what have you
15 on a routine basis. All these facts which might
16 otherwise get lost are brought up to the top level of
17 the company.

18 On the Board of Directors committee, which
19 he takes part, we have some very capable people from
20 various walks of life, like almost any board. We have
21 a gentleman who is head of a big construction company
22 and another -- various types of things. So, I think
23 that we talk technical detail on a routine basis with
24 all levels of management very frequently.

25 CHAIRMAN ZECH: Commissioner Rogers?

1 COMMISSIONER ROGERS: Well, I was just
2 curious on this management lineup because when I
3 visited you not so long ago, you showed me your
4 organizational chart.

5 Mr. Bockhold, your title is General Manager
6 and you had Mr. Bellamy reporting to you as Plant
7 Manager. Now, I understand he's resigned.

8 MR. BOCKHOLD: That's correct. Yes, sir.

9 COMMISSIONER ROGERS: Now, are you wearing
10 two hats at this time?

11 MR. McDONALD: Let me explain that. We have
12 changed the name of Mr. Bellamy's position to
13 Assistant General Manager for Operations. The term
14 "plant manager" was often construed to mean the person
15 in charge of the plant. Really, the general manager is
16 the man who's in charge of the plant. It's been
17 confusing. So, we changed those two titles to
18 Assistant General Manager of Operations and Assistant
19 General Manager of Support.

20 CHAIRMAN ZECH: And the boss at the plant is
21 the plant manager.

22 MR. McDONALD: He's the general manager of
23 the plant.

24 CHAIRMAN ZECH: All right.

25 MR. McDONALD: That's right.

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WASHINGTON, D.C. 20005

Georgia Power Company
Post Office Box 282
Waynesboro, Georgia 30830
Telephone 404 554-9961
404 724-8114

ATTACHMENT 8

Southern Company Services, Inc.
Post Office Box 2625
Birmingham, Alabama 35202
Telephone 205 870-6011



Vogtle Project

November 23, 1988

U.S. Nuclear Regulatory Commission
Attn.: Document Control Desk
Washington, D.C. 20555

File: X7N00.0-39
Log: GN-1502

NRC DOCKET NUMBERS 50-424 AND 50-425
OPERATING LICENSE NPF-68
CONSTRUCTION PERMIT NUMBER CPPR-109
VOGTLE ELECTRIC GENERATING PLANT - UNITS 1 AND 2
FSAR AMENDMENT NUMBER 39

Gentlemen:

Georgia Power Company, acting on its own behalf and as agent for Oglethorpe Power Corporation, Municipal Electric Authority of Georgia, and the City of Dalton, Georgia, hereby submits Amendment 39 to the Vogtle Electric Generating Plant (VEGP) Final Safety Analysis Report (FSAR).

The changes resulting from this amendment are identified in the Attachment. These changes are applicable to both Units 1 and 2. All substantive changes, for Unit 1, were evaluated as required by Title 10 CFR 50.59. This amendment contains all the known processed changes for Unit 2 as of October 31, 1988. Due to the time lag associated with the as-built notification process, not all of the FSAR figures have been updated in this amendment. Our submittals to the staff, as noted in the Attachment, do contain the information on drawing modification sheets and provide the appropriate cross references to the affected FSAR figures. Your staff will be notified should the final drawings materially differ from what was previously provided.

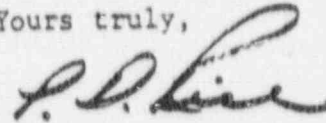
In accordance with the requirements of Title 10 CFR 50.30(f) and Title 10 CFR 50.4(b), one (1) signed original and thirty-seven (37) copies of Amendment 39 are submitted for your use. Also in accordance with the requirements of Title 10 CFR 50.4(b), copies of Amendment 39 are being sent to the NRC Regional Office and the NRC Resident Inspector.

U.S. Nuclear Regulatory Commission
November 23, 1988
Page 2

File: X7N00.0-39
Log: GN-1502

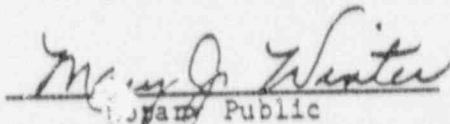
Should you have any questions on the enclosed submittal, do not hesitate to contact me.

Yours truly,



P. D. Rice

SWORN AND SUBSCRIBED BEFORE ME, THIS 22nd DAY OF November, 1988.



~~Public~~
Alabama State at Large

My commission expires My Commission Expires November 24, 1991

PDR/sm

Attachment

xc: NRC Regional Administrator
NRC Resident Inspector
FSAR Distribution List

13.1.1.2.2 Nuclear Operations Organization

The nuclear operations organization, under the supervision of the executive vice president-nuclear operations, has direct responsibility for the operation and maintenance of GPC's nuclear plants. The nuclear operations organization consists of the plant operating staffs, the safety audit and engineering review organization, and the nuclear support (Vogtle) organization which provides support in the areas of engineering, licensing, maintenance, and administration.

Engineering support during plant operation will be provided primarily by the SCS Nuclear Plant Support Department. The SCS Technical Services-Nuclear Department will provide nuclear fuel contract administrative services, reload licensing, and operating licensing support. The structure of the General Office organization is shown in figures 13.1.1-2 and 13.1.1-3 and is described in the following paragraphs.

13.1.1.2.2.1 Executive Vice President-Nuclear Operations. The executive vice president-nuclear operations, an officer of both Georgia Power Company (GPC) and Alabama Power Company (APC), is responsible to the chairman and CEOs of each company for all aspects of operation of the nuclear generating plants in the GPC and APC systems, as well as technical and administrative support activities provided by SCS. The executive vice president-nuclear operations directs the senior vice president-nuclear operations in fulfillment of his responsibility.

Amend. 16	4/85
Amend. 24	6/86
Amend. 25	9/86
Amend. 26	10/86
Amend. 29	11/86
Amend. 35	3/88
Amend. 39	11/88

13.1.1.2.2.2 Senior Vice President-Nuclear Operations. The senior vice president-nuclear operations, an officer of both Georgia Power Company (GPC) and Alabama Power Company (APC), reports to the executive vice president-nuclear operations. This individual is responsible for the safe, reliable, and efficient operation of Plants Vogtle, Hatch, and Farley. The senior vice president-nuclear operations directs the efforts of the vice president-nuclear (Vogtle), the vice president-nuclear (Hatch), and the vice president-nuclear (Farley).

13.1.1.2.2.3 Vice President-Nuclear (Vogtle). The vice president-nuclear (Vogtle) reports to the senior vice president-nuclear operations and is responsible for operation and maintenance of Plant Vogtle as well as licensing, engineering, maintenance, and administrative support activities. The vice president-nuclear (Vogtle) directs the general manager-nuclear plant (Vogtle), the general manager-nuclear support (Vogtle), and the manager-safety audit and engineering review (Vogtle).

13.1.1.2.2.4 General Manager - Nuclear Support (Vogtle). The general manager-nuclear support (Vogtle) reports to the vice president-nuclear (Vogtle) and is responsible for corporate support in the areas of engineering, licensing, maintenance, and administration. The general manager-nuclear support (Vogtle) directs the manager-nuclear engineering and licensing (Vogtle), the manager-nuclear maintenance and support (Vogtle), and the manager-nuclear administration (Vogtle).

13.1.1.2.2.5 Manager-Safety Audit and Engineering Review (Vogtle). The responsibilities of the manager-safety audit and engineering review (Vogtle) are described in section 17.2.

Amend. 16 4/85
 Amend. 24 6/86
 Amend. 25 9/86
 Amend. 26 10/86
 Amend. 29 11/86
 Amend. 35 3/88
 Amend. 39 11/88



UNITED STATES
NUCLEAR REGULATORY COMMISSION

REGION II
101 MARIETTA ST., N.W.
ATLANTA, GEORGIA 30323

FEB 07 1989

Docket Nos. 50-321, 50-366, 50-424,
50-425, 50-348, 50-364
License Nos. DPR-57, NPF-5, NPF-68,
CPPR-109, NPF-2, NPF-8

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

Gentlemen:

SUBJECT: NRC INSPECTION REPORT NOS. 50-321/88-41, 50-366/88-41, 50-424/88-60,
50-425/88-77, 50-348/88-33, AND 50-364/88-33

This refers to a Nuclear Regulatory Commission (NRC) inspection of corporate organization, responsibilities, and functions conducted by Messrs. M. V. Sinkule, J. F. Rogge, J. E. Menning, F. Allenspach, L. R. Moore, H. C. Dance, and G. Maxwell on December 19 - 21, 1988. The inspection included a review of activities authorized for your Corporate Office in Birmingham, Alabama. At the conclusion of the inspection, the findings were discussed with those members of your staff identified in the enclosed Inspection Report. A management meeting to discuss nuclear plant oversight responsibilities, technical support responsibilities, and activities of the corporate organization was also conducted on December 19, 1988. Meeting attendees and a brief summary of this meeting are included in the enclosed Inspection Report. The meeting handouts utilized during this presentation have also been provided as Enclosure 2.

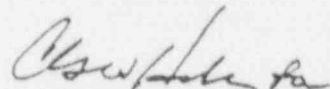
Areas examined during the inspection are identified in the report. Within these areas, the inspection consisted of selective examinations of procedures and representative records, interviews with personnel, and observation of activities in progress.

Within the scope of the inspection, no violations or deviations were identified.

In accordance with Section 2.790 of the NRC's "Rules of Practice," Part 2, Title 10, Code of Federal Regulations, a copy of this letter and its enclosures will be placed in the NRC Public Document Room.

Should you have any questions concerning this letter, please contact us.

Sincerely,


Luis A. Reyes, Director
Division of Reactor Projects

Enclosures: (See page 2)

FEB 04 1983

Enclosures:

1. NRC Inspection Report
2. Meeting Handouts

cc w/encls:

R. P. McDonald, Executive Vice President,
Nuclear Operations
J. T. Beckham, Vice President, Plant Hatch
H. C. Nix, General Manager, Plant Hatch
O. M. Fraser, Site Quality Assurance
Manager
L. T. Gucwa, Manager, Nuclear Engineering
and Licensing, Plant Hatch
S. B. Tipps, Manager of Nuclear
Safety and Compliance
B. M. Guthrie, Executive Vice President
D. N. Morey, General Manager -
Nuclear Plant
J. D. Woodard, Vice President -
Nuclear Generation
J. W. McGowan, Manager-Safety Audit
and Engineering Review
S. Fulmer, Supervisor-Safety
Audit and Engineering Review
R. P. McDonald, Executive Vice
President, Nuclear Operations
P. D. Rice, Vice President, Project
Director
C. W. Hayes, Vogtle Quality
Assurance Manager
G. Bockhold, Jr., General Manager,
Nuclear Operations
J. P. Kane, Manager Licensing
and Engineering
J. A. Bailey, Project Licensing
Manager
B. W. Churchill, Esq., Shaw,
Pittman, Potts and Trowbridge
D. Kirkland, III, Counsel,
Office of the Consumer's Utility
Council
D. Feig, Georgians Against
Nuclear Energy
State of Georgia
State of Alabama



UNITED STATES
NUCLEAR REGULATORY COMMISSION
REGION II
101 MARIETTA ST., N.W.
ATLANTA, GEORGIA 30323

Report Nos.: 50-424/88-60, 50-425/88-77, 50-348 and 50-364/88-33, 50-321 and 50-366/88-41.

Licensees: Georgia Power Company
Alabama Power Company
P. O. Box 1295
Birmingham, AL 35201

Docket Nos.: 50-424, 50-425, 50-343, 50-364, 50-321, 50-366

License Nos.: NPF-68, CPPR-109, NPF-2, NPF-8, DPR-57, NPF-5

Facility Names: Vogtle 1 and 2, Farley 1 and 2, Hatch 1 and 2

Inspection Conducted: December 19-21, 1988

Inspectors: M. V. Sinkule
M. V. Sinkule, Region II, Team Leader

2/6/89
Date Signed

Team Members: H. C. Dance, Region II
J. F. Rogge, Region II
J. E. Menning, Region II
G. F. Maxwell, Region II
L. R. Moore, Region II
F. R. Allenspach, Office of
Nuclear Reactor Regulation

Approved by: A. R. Herdt
A. R. Herdt, Branch Chief
Reactor Projects Branch 3
Division of Reactor Projects

2/6/89
Date Signed

SUMMARY

Scope: This special, announced inspection was conducted at the Corporate Office in Birmingham, Alabama, in the areas of corporate organization, responsibilities, and functions. A management meeting to discuss nuclear plant oversight responsibilities, technical support responsibilities, and activities of the corporate organization was also conducted on December 19, 1988.

Results: The new corporate organization, which was established in anticipation of the formulation of the operating company for Vogtle, Hatch, and Farley, had been in place since November 1, 1988, and was functioning at the time of this inspection. The majority of the management and technical staffing was complete; however, some administrative positions were not yet filled. Most positions were being filled by personnel with experience obtained in the plants, and the personnel interviewed during this inspection were knowledgeable of their duties and responsibilities. Existing Georgia Power Company and Alabama

Power Company procedures were in effect; however, they were still in the process of being modified to reflect the corporate organizational changes and responsibilities. Additionally, it was determined that although the new operating philosophy of the corporate staff in a support role as opposed to an overview role was sound, the Vogtle Final Safety Analysis Report needed to be revised to reflect this philosophy change.

Within the areas inspected, no violations or deviations were identified.

REPORT DETAILS

1. Persons Contacted

Licensee Employees

- #J. Badgett, Emergency Planning Coordinator, Vogtle, Georgia Power Company (GPC)
- #*J. Baily, Manager of Licensing, Vogtle, GPC
- #*T. Beckham, Vice President, Hatch Project, GPC
- B. Burns, Manager of Engineering Services, Southern Company Services (SCS)
- S. Burns, Senior Project Engineer, Farley, Alabama Power Company (APC)
- #S. Chesnut, Vogtle Engineering Manager, GPC
- #E. Cobb, Supervisor of Planning and Performance, Vogtle, GPC
- J. Davis, Senior Engineer, Vogtle Safety Audit and Engineering Review, GPC
- B. Epps, Manager, Inspection and Testing Services, SCS
- S. Ewald, Manager, Environmental Services, SCS
- R. Fucich, Manager, Nuclear Administration, Farley, APC
- G. Grove, Manager, Corporate Quality Services, SCS
- L. Gucwa, Manager, Engineering and Licensing, Hatch, GPC
- #*W. Hairston, III, Senior Vice President, GPC/APC
- J. Heidt, Manager of Licensing, Hatch, GPC
- F. Jessup, Emergency Planning Coordinator, Farley, APC
- D. Jones, Manager of Engineering, Farley, APC
- #J. Kane, Manager, Engineering and Licensing, Vogtle, GPC
- O. Kennamer, Project Engineer, Farley, APC
- J. Leamon, Vogtle Project Licensing Engineer, GPC
- #L. Long, Technical Services, SCS
- D. Mansfield, Manager, Nuclear Maintenance and Support, Farley, APC
- #K. McCoy, Vice President, Vogtle Project, GPC
- *R. McDonald, Executive Vice President, GPC/APC
- E. McDougal, Supervisor, Administrative Support, Farley, APC
- J. McGowan, Manager, Farley Safety Audit and Engineering Review, APC
- B. McKinney, Manager, Nuclear Engineering and Licensing, Farley, APC
- T. Mitchel, Senior Engineer, Hatch Safety Audit and Engineering Review, GPC
- M. Rickels, Coordinator, Nuclear Fuels and Contracts, Farley, APC
- #P. Rushton, Manager, Vogtle Safety Audit and Engineering Review, GPC
- #*B. Shipman, General Manager, Support, Vogtle, GPC
- #C. Stinespring, Manager, Nuclear Administration, Vogtle, GPC
- J. Stringfellow, Project Engineer, Vogtle Licensing, GPC
- #H. Walker, Manager, Maintenance and Support, Vogtle, GPC
- #J. Woodard, Vice President, Nuclear, Farley, APC

Other licensee employees contacted during this inspection included supervisors and engineers.

NRC Region II Personnel

- #V. Brownlee, Chief, Reactor Projects Branch 3, Division of Reactor Projects
- #H. Dance, Chief, Reactor Projects Section 1A, Division of Reactor Projects
- #M. Ernst, Acting Regional Administrator
- #*L. Moore, Reactor Engineer, Division of Reactor Safety
- #L. Reyes, Director, Division of Reactor Projects
- #*M. Sinkule, Chief, Reactor Projects Section 3B, Division of Reactor Projects

NRC Office of Nuclear Reactor Regulation Personnel

- #*F. Allenspach, Operations Engineer, Performance and Quality Evaluation Branch, Division of Licensee Performance and Quality Evaluation
- #G. Lainas, Assistant Director for Region II Reactors
- #D. Matthews, Director, Project Directorate II-3

NRC Resident Inspectors

- #G. Maxwell, Senior Resident Inspector, Farley
- #*J. Menning, Senior Resident Inspector, Hatch
- #*J. Rogge, Senior Resident Inspector, Vogtle

- *Attended exit interview
- #Attended management meeting
- #*Attended both management meeting and exit interview

2. NRC/GPC/APC/SCS Management Meeting

A management meeting concerning GPC/APC/SCS corporate responsibilities was conducted at our request on December 19, 1988. This meeting was held at the GPC/APC/SCS Corporate Office in Birmingham, Alabama to discuss nuclear plant oversight responsibilities, technical support responsibilities, and activities of the corporate organization.

The meeting provided information to NRC management regarding organizational changes that were made in anticipation of the formulation of the operating company for management of Vogtle, Hatch, and Farley and also assisted in providing the NRC an understanding of how the new organization functions. The meeting also served as the starting point for the team inspection to verify that the organization was in place and was functioning.

Copies of the handouts provided during your presentation are included in Enclosure 2.

3. GPC/APC Corporate Organization

In preparation for combining the management of Vogtle, Hatch, and Farley into one organization, GPC has reorganized and moved the corporate nuclear

operations functions to Birmingham, Alabama. The combined organization consists of personnel from three companies, GPC, APC, and SCS. Currently, the Executive Vice President and Senior Vice President for Nuclear Operations are officers of both GPC and APC. All other project positions are specific to either GPC or APC. Support functions reporting to the Executive Vice President currently are in SCS. Upon formation of the operating company, all of the nuclear operations and the support group will be under the new operating company.

The corporate organization which is referred to as the SONOPCO Project is headed by the Executive Vice President. The Vice President of Technical Services and Vice President of Administration report to the Executive Vice President of Nuclear Operations.

The Vice Presidents for each of the three projects (Vogtle, Hatch, and Farley) report to the Senior Vice President of Nuclear Operations. Each Project Vice President has reporting to him a corporate staff headed by the General Manager of Nuclear Support, the Safety Review Board, the Manager of the Safety Audit and Engineering Review Group, and the nuclear plant General Manager.

The inspectors participated in a meeting with corporate management which is summarized in Section 2 of this report and conducted interviews with corporate management to determine if the organization was in place and functioning as described in Amendment No. 39 to the Vogtle Final Safety Analysis Report (FSAR).

The inspectors determined the organization was in place. The majority of technical positions had been filled with qualified personnel; however, a number of administrative positions were yet to be filled. Management appears to be aggressively active in fully staffing the organization with many of the positions being filled by personnel with experience at nuclear plants. Operational Procedures were in the process of being revised and are due to be completed in February 1989. In the meantime, the existing corporate procedures for GPC and APC were in effect. Training classes were being planned to start in January 1989 for managers that did not have actual experience on their assigned plant.

The managers interviewed were knowledgeable of their responsibilities; however, the philosophy of operations of the corporate staff has changed from an overview function to that of support to the site organization. In general, corporate line management has the responsibility for overseeing and directing the site organization. The corporate staff provides and/or obtains technical support from the Technical Services Organization. This philosophy of operation was not reflected in Amendment 39 to the Vogtle FSAR. In a letter to the NRC dated December 29, 1988, the licensee committed to update the FSAR to reflect this new philosophy in a future change to the FSAR.

The inspectors concluded that philosophy of corporate operation was sound, and although full staffing was not complete, most of the key positions had been filled and the organization was functioning.

4. Technical Services

The Technical Services Organization reports to the Executive Vice President of Nuclear Operations and consists of a Nuclear Fuel group; an Inspection and Testing Services group; a Regulatory, Engineering, and Environmental Services group; and a Quality Services group.

The Nuclear Fuel group and the Inspection and Testing Services group were transferred from SCS, are fully staffed, and perform the same functions as prior to the reorganization.

The Regulatory, Engineering, and Environment Services group has been newly formed to provide support in the areas of environmental issues, chemistry, health physics, emergency planning, 10 CFR Part 21 evaluations, generic engineering issues, specialized engineering services, probabilistic risk analysis, and plant licensing issues. At the time of this inspection, the different areas of this group were at various levels of staffing; however, management appeared to be aggressively pursuing staffing with well qualified individuals.

The Manager of Environmental Services reports to the Manager of Regulatory Engineering and Environmental Services. The functional support responsibilities that SCS provides is listed in FSAR Chapter 13.1.1.1.3 but is not fully described. This key manager's resume was deleted from the FSAR as part of recent FSAR amendment. The inspector referenced the deleted resume in reviewing the individual's qualifications. In discussion with this manager, the inspector was informed that his duties had essentially not changed from those he was performing prior to the establishment of the new corporate structure except that he now had responsibilities for support of the Farley project. In general, this manager's function is to provide support for environmental, health physics, and plant chemistry support.

The inspector concluded that this manager had the necessary qualifications and experience necessary for the development and implementation at this support function.

The Quality Services group is discussed in Section 9 of this report.

5. Vogtle Project

Staffing of the Vogtle Project Corporate organization was approximately 80 percent complete with all key positions filled with well qualified individuals. Management was aggressively pursuing the filling of the remaining positions with personnel from the site. Personnel were knowledgeable of their responsibilities, and the organization was functioning.

a. Nuclear Engineering and Licensing (Vogtle)

The Manager of Nuclear Engineering and Licensing reports directly to the General Manager of Nuclear Support. The inspector met separately with the Manager of Nuclear Engineering and Licensing, Manager of

Engineering, Manager of Licensing, Emergency Planning Coordinator, and Nuclear Fuels Coordinator. Each manager's functions and role with respect to the plant staff, SCS, and Bechtel support were discussed as well as the implementation of the new organization.

The overall philosophy of the support for Plant Vogtle was discussed with the Manager of Engineering and was verified by each of the other managers. This philosophy is to provide support as requested by the plant and to act as middleman between the plant staff and SCS and Bechtel support, providing project management and control of needed technical support. It is intended that the plant staff be freed of noncritical operational responsibilities and have these responsibilities picked up by Plant Vogtle technical support, thereby allowing the plant staff to focus on the operations and maintenance of the plant.

The staffing for the support organization under the Manager of Nuclear Engineering and Licensing is essentially complete. The individuals presently assigned to the position appear to be well qualified.

The Manager of Engineering provides support in the area of engineering. He provides an interface between plant engineering, SCS, and Bechtel; provides project management functions for design changes and modifications; and exercises controls and assistance in meeting the needs of the plant staff. At present, a Plant Field Engineer Organization group comprised of about 80 SCS and Bechtel personnel are assigned to meet the needs of the plant during the preoperational and startup phases. At the completion of Vogtle Unit 2 Construction, this group will be disbanded and most of the Engineers will go to either SCS, Bechtel, or the SONOPCO Project. Project control over these dedicated groups will be provided by the Manager of Engineering.

The Manager of Licensing provides licensing support for both Vogtle units. This is a change from the past when the licensing effort for a plant under construction (Vogtle 2) was done by SCS. The licensing group has also relieved the plant staff of the management function with respect to NRC Bulletins, Generic Letters, and NRC requests for information.

The Emergency Planning Coordinator provides for the coordination of the Corporate Emergency Plan with respect to Plant Vogtle. There has been little change in the function of this position except that in the near term, corporate support is to be provided by a joint Vogtle-Hatch group. This support function will eventually be split so that separate groups will provide support for Vogtle and Hatch. Additionally, Technical Services will provide support of a generic nature with respect to contacts and agreements with state agencies. A memorandum dated October 1988 revised the titles to reflect the new organization, and a change in the corporate plan to reflect the new titles and responsibilities is in preparation. Since the corporate

plan for Vogtle is an appendix to the site plan, these changes require approval of plant management.

The Nuclear Fuel Coordinator is a new function for both Plant Vogtle and Plant Hatch. The coordinator provides support to the plants in the implementation of the fuel management program and provides management and coordination between the plants' needs and the Fuel Design Group of Technical Services.

The organization described above has been implemented and is operational. The development of new procedures has not been completed for the implementation of the organization, and the licensee is currently operating under GPC corporate procedures. It is anticipated that the new procedures will be completed in February 1989.

b. Nuclear Administration (Vogtle)

The Manager of Nuclear Administration reports directly to the General Manager of Nuclear Support. Responsibilities of the Administration Manager are delineated in FSAR Chapter 13.1.1.2.2.6 and the manager's resume is presented in Table 13.1.1-1.

Reporting to this manager are four supervisors with the following titles:

- ° Supervisor Planning & Performance
- ° Supervisor Material Support
- ° Supervisor Document Control
- ° Supervisor Admin Support

The inspector reviewed the responsibilities and staffing levels of the manager's department. As each of the eight FSAR responsibilities were discussed, the inspector determined that the FSAR requirements were not reflective of the new corporate support role concept. The licensee is currently in a transition period to this new concept. While the original Georgia Power Corporate Policy and Instructions are being implemented, new policy and instructions are being drafted. The procedure development schedule was reviewed. These procedures have been prioritized with critical procedures targeted for completion in January 1989.

The overall staffing of the department was 50 percent (12 of 24 positions) complete. Plans for completion of staffing were discussed with the Vice President of the Vogtle Project. The corporate plans project full staffing by June 1989 with the majority of positions to be filled by current Vogtle site personnel. The inspector determined that the staffing would be performed consistent with the establishment of corporate procedures and the assumption of site support requests.

In general, the inspector concluded that the department was in the process of transitioning to a fully staffed support department consistent with the support responsibilities currently in place.

c. Nuclear Maintenance and Support

The Manager of Nuclear Maintenance reports to the General Manager of Nuclear Support. Responsibilities of the Maintenance Manager are delineated in FSAR Chapter 13.1.1.2.2.6.

The inspector conducted an interview of the Manager of Nuclear Maintenance to determine the staffing levels, the Manager's perception of his responsibilities, and whether the group was functional. This group appeared to be in the initial stages of implementation with approximately one half of the positions filled. The Manager was filling the positions with well qualified personnel from the plant. Full staffing is expected by June 1989.

The Manager's perception of the responsibilities were in line with the philosophy that the group would support the site organization in the areas of maintenance program evaluation, maintenance trend evaluation, planning and scheduling, outage management, maintenance plans and budgets, and inservice testing programs. Although all functional areas described in the FSAR were included, the FSAR did not reflect the new corporate support role concept. The licensee is currently in a transition period to this new concept. While the original Corporate Policy and Instructions are being implemented, new policy and instructions are being developed. These procedures are scheduled to be complete by February 1989.

6. Farley Project Organization

The inspectors met with members of the Farley corporate staff and received an overview of the organizational and functional responsibilities of each component of the Farley corporate staff. Specific questions were answered satisfactorily. Although the organization is consistent with Technical Specification 6.2.1.a, b, and c; FSAR Figures 13.1-4 and 17.2-1 do not reflect the new position of Vice President-Nuclear inserted in the line organization reporting to the Senior Vice President. The next FSAR update will reflect this change. A dedicated mission to support the plant was communicated to the inspectors. Overall qualifications and experience levels of the staff were satisfactory.

7. Hatch Project Organization

The inspectors met with members of the Hatch corporate staff and received an overview of the organizational and functional responsibilities of each component of the Hatch corporate staff. The managerial positions are fully staffed except for the General Manager Nuclear Support position.

There were approximately ten other vacancies that had not yet been filled. These positions were mostly clerical in nature. Management was aggressively pursuing the filling of the remaining positions. The organization was staffed with well qualified personnel and in many cases with personnel who performed similar functions in the old organization or personnel obtained from Plant Hatch.

The activities were being performed utilizing the existing GPC procedures until the procedures are revised. This is expected to be accomplished by February 1989.

8. Corporate Safety Review Activities

Activities of the Safety Review Board (SRB) for Hatch and Vogtle were reviewed to determine how the Board's review and audit functions delineated in Sections 6.0 of the Hatch and Vogtle technical specifications are addressed. This effort involved discussions with the Nuclear Safety Review Manager, the review of licensee policies and instructions relating to SRB operations, and the review of SRB and SRB subcommittee meeting minutes.

The inspector confirmed that the licensee's SRB continues to be common to both the Hatch and Vogtle Projects. The SRB currently consists of nine voting members plus the chairman. The SRB subcommittee is relied upon heavily to conduct the more routine reviews for which the SRB is responsible. The subcommittee currently consists of fourteen members plus the chairman. Twelve of the subcommittee members are consultants, and the remaining two are GPC employees. The size and composition of the subcommittee for any given meeting varies depending on the technical expertise required for the particular matters under consideration. The licensee has selected SRB and SRB subcommittee members to provide technical expertise in the areas specified in Section 6.5.2.1 of the Hatch technical specifications and Section 6.4.2.1 of the Vogtle technical specifications.

The inspector also determined that the SRB continues to function under written GPC policies and instructions. Policy NOP-10-400, "Safety Review Board," defines the authority, organization, responsibility, and method of operation of the SRB. Instruction NOI-10-401, "Conduct of Nuclear Safety Review Board Meeting," describes the necessary steps required to schedule, conduct, and document SRB meetings. Instruction NOI-10-402, "Safety Review Board Review of Documentary Material," provides instructions to ensure a consistent, minimum standard of review for the review of SRB documentary material. Instruction NOI-10-403, "Process of SRB Material," describes steps to ensure the proper receipt, initial screening, transmittal, and documentation of SRB review material. Instruction NOI-10-404, "SRB Records Retention and Handling," specifies SRB documents to be retained, the location of retention, and duration of retention. Instruction NOI-10-405, "SRB Subcommittees," defines the authority and method of

operation of SRB subcommittees and establishes a minimum standard of review; and Instruction NOI-10-406, "SRB Conduct of Onsite Reviews and Audits," describes steps to be accomplished to ensure proper performance, preparation, and reporting of onsite reviews and audits conducted by or under the cognizance of the SRB. The inspector reviewed these policies and instructions and noted that the technical specification requirements related to SRB composition, the use of alternates, meeting frequency, minimum quorum, authority, and records had been incorporated into these documents.

Based on discussions with the Nuclear Operations Review Board (NORB) chairman for Farley and review of the material noted below, the inspectors determined that Farley Technical Specification 6.5.2 requirements were being met. Material reviewed included:

- ° minutes of NORB Meeting No. 88-3 held on September 21, 1988;
- ° meeting agenda and agenda items for March 16, 1988, NORB meeting dated March 1, 1988;
- ° meeting agenda and agenda items for December 15, 1988, NORB meeting dated November 30, 1988;
- ° Plant Operating Review Committee minutes for meetings Nos. 1908 (August 4, 1988) through 1930 (September 29, 1988) dispatched for NORB review by letter dated November 30, 1988; and
- ° Safety Evaluation (35) for NORB Review transmitted by letter dated November 23, 1988.

9. Quality Organization

The realignment of the GPC corporate organizational structure to provide development of the SONOPCO Project management organization included changes in the GPC quality organization. Section 17, Amendment 39 of the Vogtle FSAR described the present Vogtle (plant and corporate) quality organizations implemented on October 31, 1988. Generally, this amendment provided a renaming of the quality organization and a separation in the corporate reporting chains for the GPC plants (Vogtle and Hatch). The operational quality organization, previously the Quality Assurance Department, is now titled, Safety Audit and Engineering Review (SAER) organization. The Vogtle Unit 2 construction organization remains the Quality Assurance Department with its previous reporting line through the Vogtle Project organization.

The quality organization corporate realignment basically separates the two GPC plants and provides a direct reporting chain from the site quality organization (site-SAER) via the corporate quality organization (SAER-GO) to the Vice President of Nuclear Operations, which is the highest line manager directly responsible for plant activities. This chain is unique to each plant site in the SONOPCO Project (Vogtle, Hatch, and Farley). Prior to Amendment 39, the Vogtle and Hatch quality organizations reported through a common general manager to the Senior Executive Vice President.

Continuity of previous GPC corporate quality organization experience has been maintained. The previous GPC staff of four audit/engineers has been divided between the Vogtle SAER-GO, Hatch SAER-GO, and a corporate technical services quality organization, the Quality Services group. The SAER-GO staffs will each consist of one manager, two audit/engineers, and one clerical person. Currently, the only vacancies in the SAER organizations are one audit/engineer in each of the Hatch and Vogtle SAER-GO staffs. All management positions are occupied, and the vacancies do not impede the scheduled SAER-GO duties or responsibilities.

Additional changes implemented by the SONOPCO project organization included the formation of another quality organization group and the addition of the Independent Safety Engineering Group (ISEG) to the quality organization reporting chain. The new corporate quality group, Quality Services, maintains the Quality Suppliers List (QSL), audits and reviews vendors/suppliers, and audits various corporate non-design, non-plant specific, engineering functions. This group relieves the individual plant SAER organizations of the responsibility for vendor audit activity. The ISEG previously reported to the Vice President of Nuclear Operations via the corporate maintenance manager. As a result of Amendment 39, the ISEG will utilize the independent reporting chain of the SAER organization, reporting to the site Vice President of Nuclear Operations via the SAER Manager. This reporting realignment does not impact the independence of either the quality organization or the ISEG.

No quality program changes or commitment reductions have occurred due to the reorganization of the GPC quality organizations. Review of the Vogtle 1988 schedule of audit activity in conjunction with the projected 1989 schedule indicated no reduction in corporate quality assurance activity or responsibilities. At present, the resources are available to fulfill all previous and current audit, review, and oversight activities that were required prior to the reorganization.

In summary, the corporate reorganization indicated in Vogtle FSAR Section 17 with respect to the quality organization management has been implemented since November 1, 1988. All management positions are filled. The major changes occurred on the corporate level with no changes at the site other than a name change. The following summarizes the corporate level changes:

- a. GPC quality organization reporting responsibilities have been separated to provide independent reporting chains for each plant (Vogtle, Hatch) to the respective plant specific nuclear Vice President.
- b. The above reporting line has dropped one functional level from the Senior Executive Vice President.
- c. Vendor/surveillance audit and QSL maintenance activity has been transferred entirely to the corporate Quality Services group.

- d. The ISEG reporting chain to the Vice President of Nuclear Operations utilizes the SAER reporting chain.
- e. The operations quality organization is now called the Safety Audit and Engineering Review organization.

This review provided no indication that the implementation of the quality organization described in Vogtle FSAR Amendment 39, Section 17, has resulted in an adverse impact on previous or present quality organization activity or commitments at Plant Vogtle.

Based on discussion with the SAER group Manager and review of documented material, the inspector determined that Farley Technical Specification 6.2.3 requirements were being met. The SAER group technical staff is composed of senior engineers with varied nuclear background with emphasis on operating experience. Several senior managers have worked in this group. Thus, it is utilized as one technique of job progression. Audit findings reviewed indicate an indepth review is being performed with followup performed of corrective actions of audit findings. The resident inspectors have periodic interface with this group.

10. Exit Interview (30703)

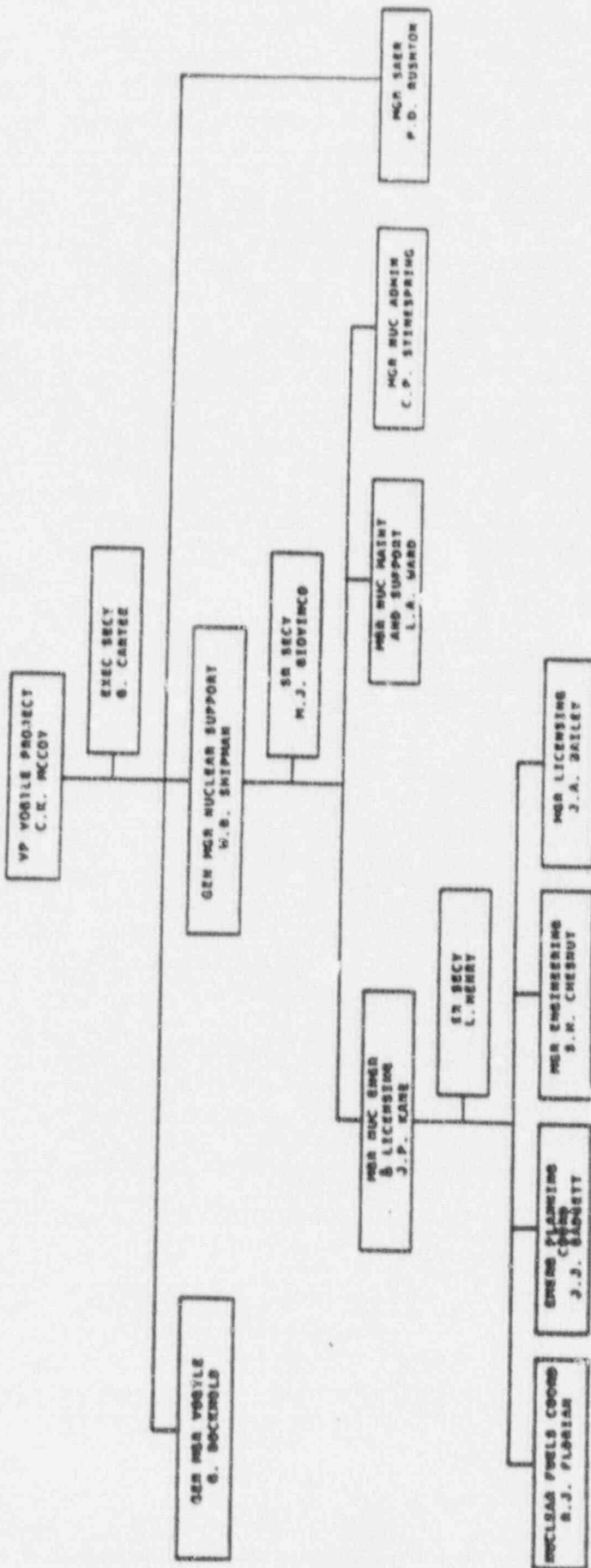
An exit meeting was conducted on December 21, 1988, where the scope and findings were summarized with those persons indicated in paragraph 1, above. The inspector described the areas inspected and discussed in detail the results listed below. Proprietary information is not contained in this report. Dissenting comments were not received from the licensee.

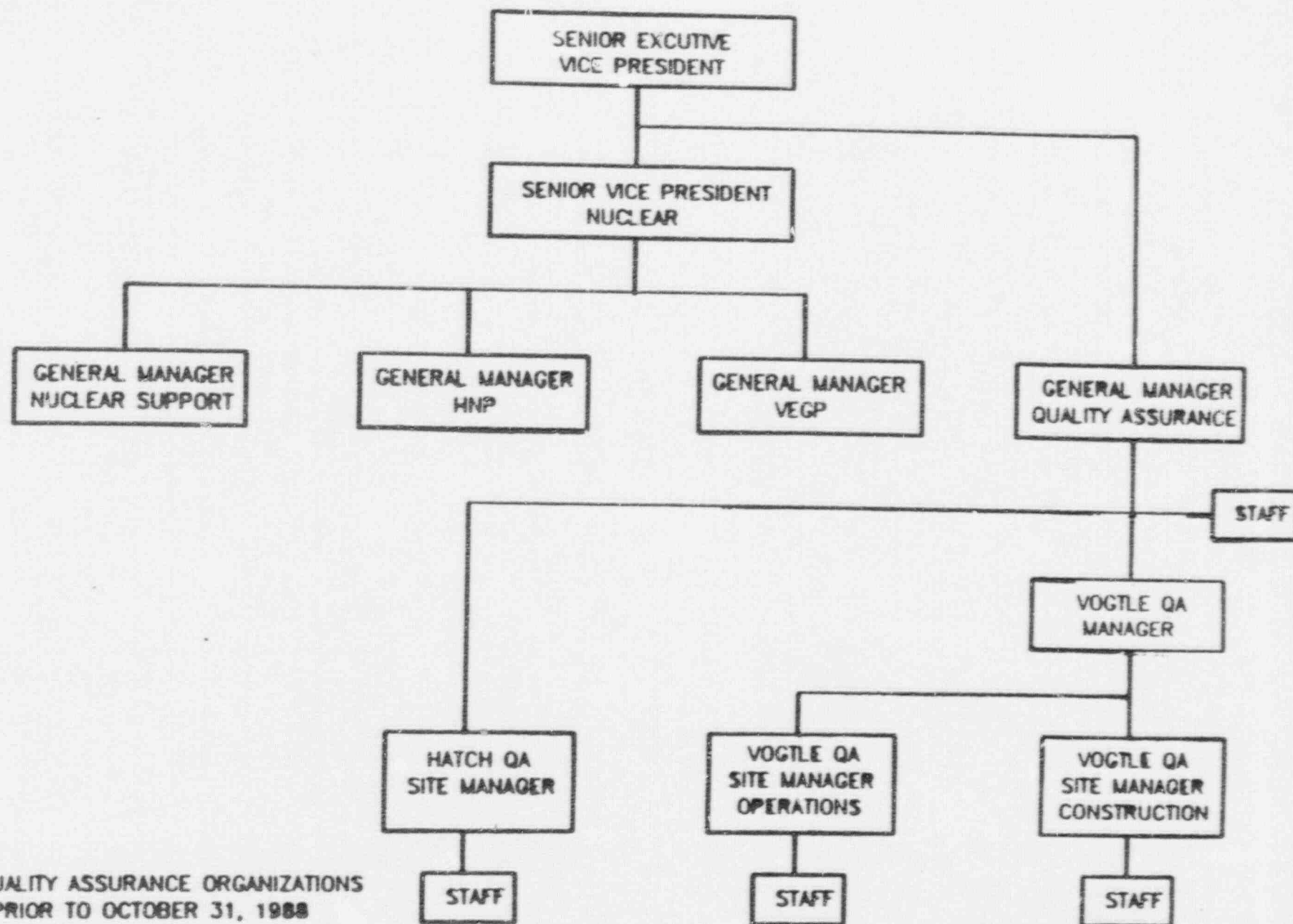
- ° The organization is in place and functioning.
- ° Some vacancies do exist, but management is aggressively pursuing the filling of these positions with personnel from the plants.
- ° The philosophy of operations of the corporate staff functioning in a support role as opposed to an overview role appears sound.
- ° Procedures are being revised to reflect the reorganization and responsibilities. Licensee management stated that this will be accomplished by February 1989.
- ° The Vogtle FSAR needed to be upgraded to reflect the philosophy of the corporate staff functioning in a support role. Subsequent to the inspection, the licensee committed in a letter to the NRC dated December 29, 1988, to revise the Vogtle FSAR when the organizational interfaces were fully established.
- ° The inspection team concluded that the corporate organizations were sufficiently established and functioning to adequately support Vogtle Unit 2 licensing.

AGENDA
NRC ORGANIZATIONAL MEETING
BIRMINGHAM, ALABAMA
MONDAY, DECEMBER 19, 1988

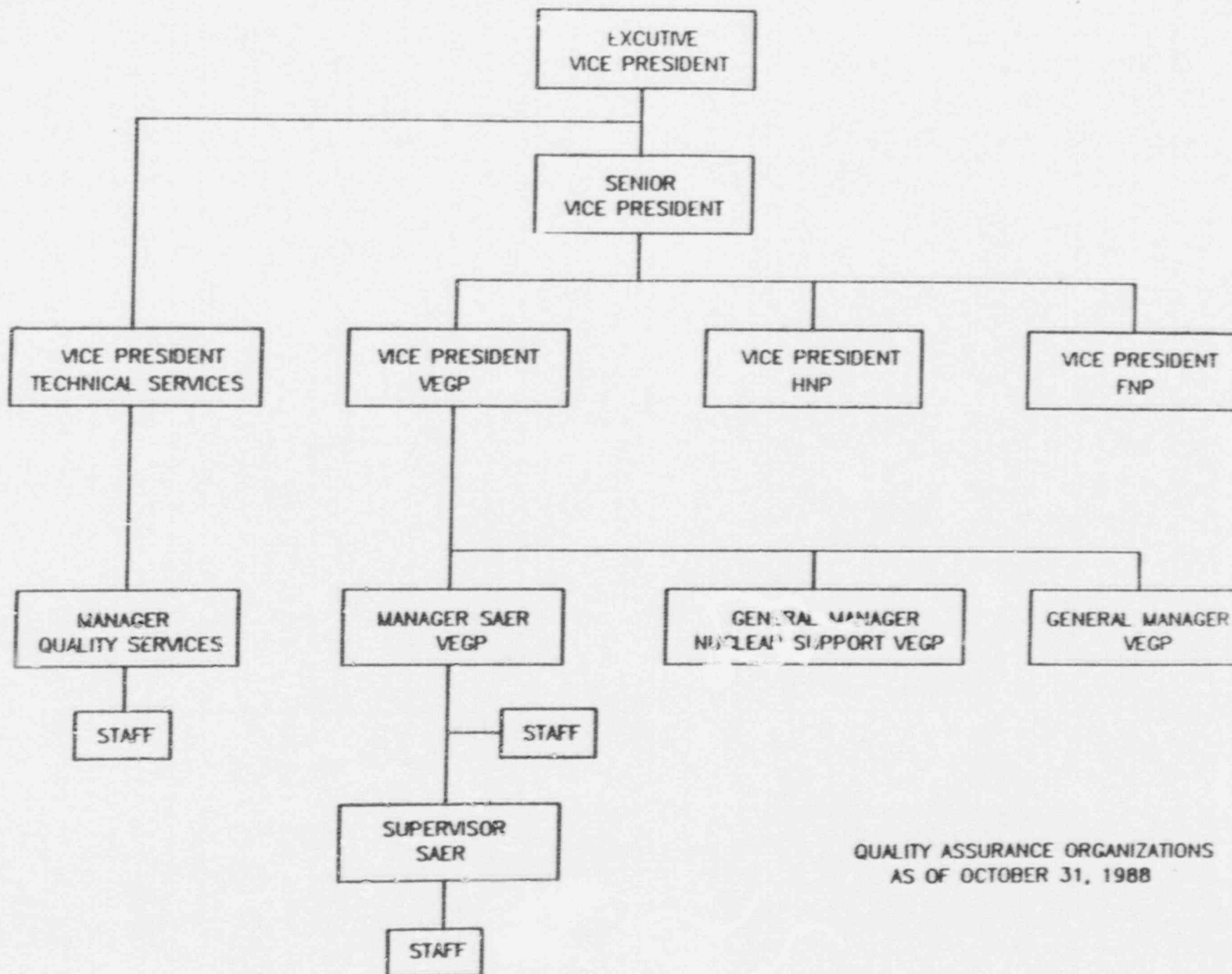
- | | |
|------------------------------|--------------------|
| - INTRODUCTION | W.G. HAIRSTON, III |
| - OVERALL ORGANIZATION | W.G. HAIRSTON, III |
| - WATCH | J.T. BECKHAM |
| - FARLEY | J.D. WOODARD |
| - TECHNICAL SERVICES | L.B. LONG |
| - VOGTLE ORGANIZATION | C.K. MCCOY |
| - QUALITY ASSURANCE | P.D. RUSHTON |
| - PLANT SUPPORT | W.B. SHIPMAN |
| - ENGINEERING AND LICENSING | J.P. KANE |
| - EMERGENCY PLANNING | J.J. BADGETT |
| - MAINTENANCE AND SUPPORT | H.P. WALKER |
| - ADMINISTRATION | C.P. STINESPRING |
| - SAFETY REVIEW BOARD | E.F. COBB |
| - DISCUSS AGENDA FOR TUESDAY | |
| - CONCLUSION | |

VOXILE PROJECT





QUALITY ASSURANCE ORGANIZATIONS
PRIOR TO OCTOBER 31, 1988

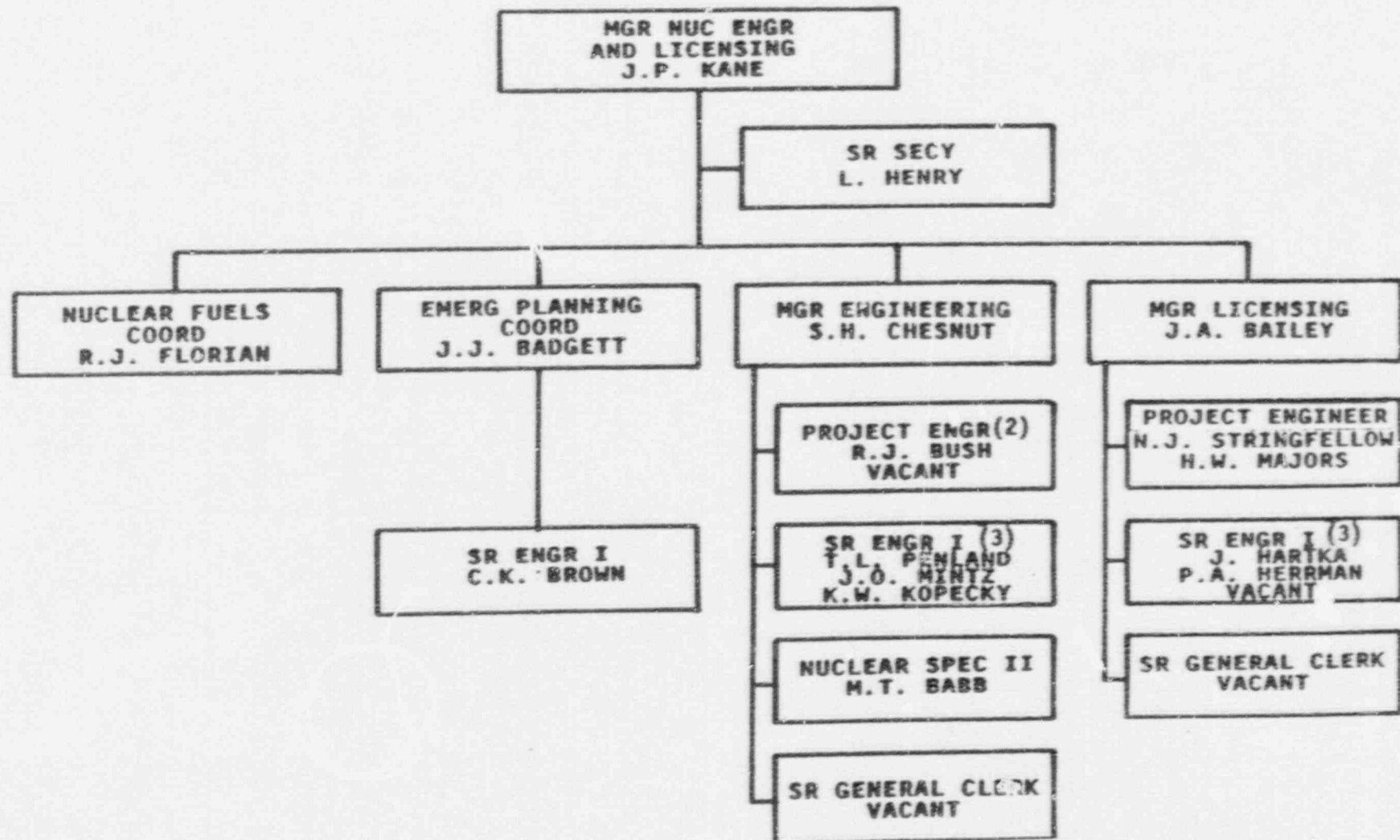


QUALITY ASSURANCE ORGANIZATIONS
AS OF OCTOBER 31, 1988

QUALITY ASSURANCE ORGANIZATIONAL CHANGES

- SEPARATED HNP, VEGP OPERATIONS AND VEGP CONSTRUCTION QA ORGANIZATIONS.
- QUALITY ASSURANCE DEPARTMENT RENAMED SAFETY AUDIT & ENGINEERING REVIEW.
- RESPECTIVE MANAGERS REPORT TO RESPONSIBLE VICE PRESIDENTS.
- VEGP CONSTRUCTION QA IS WINDING DOWN, SOME PERSONNEL ARE ROLLING OVER TO OPERATIONS QA.
- CORPORATE QUALITY SERVICES HAS RESPONSIBILITY FOR SUPPLIER QUALIFICATIONS FOR ALL 3 PROJECTS.
- QA MANUALS SPECIFIC TO EACH FUNCTION WILL BE ISSUED. EXISTING QA MANUAL HAS BEEN ENDORSED BY PROJECT VP AND CONTINUES IN EFFECT.

VOGTLE PROJECT



LICENSING ACTIVITIES

- NRC BULLETINS AND NRC GENERIC LETTERS
- NRC INFORMATION NOTICES
- LICENSE AMENDMENTS
- NRC REQUESTS FOR INFORMATION
- ISI PROGRAM
- WESTINGHOUSE OWNERS GROUP REVIEW
- LICENSEE EVENT REPORTS
- ROUTINE OR SPECIAL REPORTS TO NRC
- NRC INSPECTION AND ENFORCEMENT ITEMS
- PROPOSED REGULATION REVIEW

1

NUCLEAR SUPPORT ENGINEERING
FUNCTIONS AND RESPONSIBILITIES

- o Provide Dedicated Technical Engineering to support the safe and reliable operations of Plant Vogtle.
- o Direct and control A/E support.
- o Manage Engineering projects as requested by the Plant staff.
- o Conduct special Engineering studies and analyses to support Plant Operations.
- o Independently respond to designated NRC, Vendor, INPO and Industry issues.
- o Ensure that a configuration control system is maintained.
- o Ensure proper contractor controls for contracted engineering services.
- o Ensure appropriate design interface controls between organizations performing engineering work affecting design.
- o Help resolve Plant problems to help the Plant mitigate emergency conditions.

VICE PRESIDENT
VOGTLE PROJECT

GENERAL MANAGER
PLANT VOGTLE

GENERAL MANAGER
NUCLEAR SUPPORT

PLANT TRAINING
AND EMERGENCY
PREPAREDNESS
MANAGER

MANAGER NUCLEAR
ENGINEERING
&
LICENSING

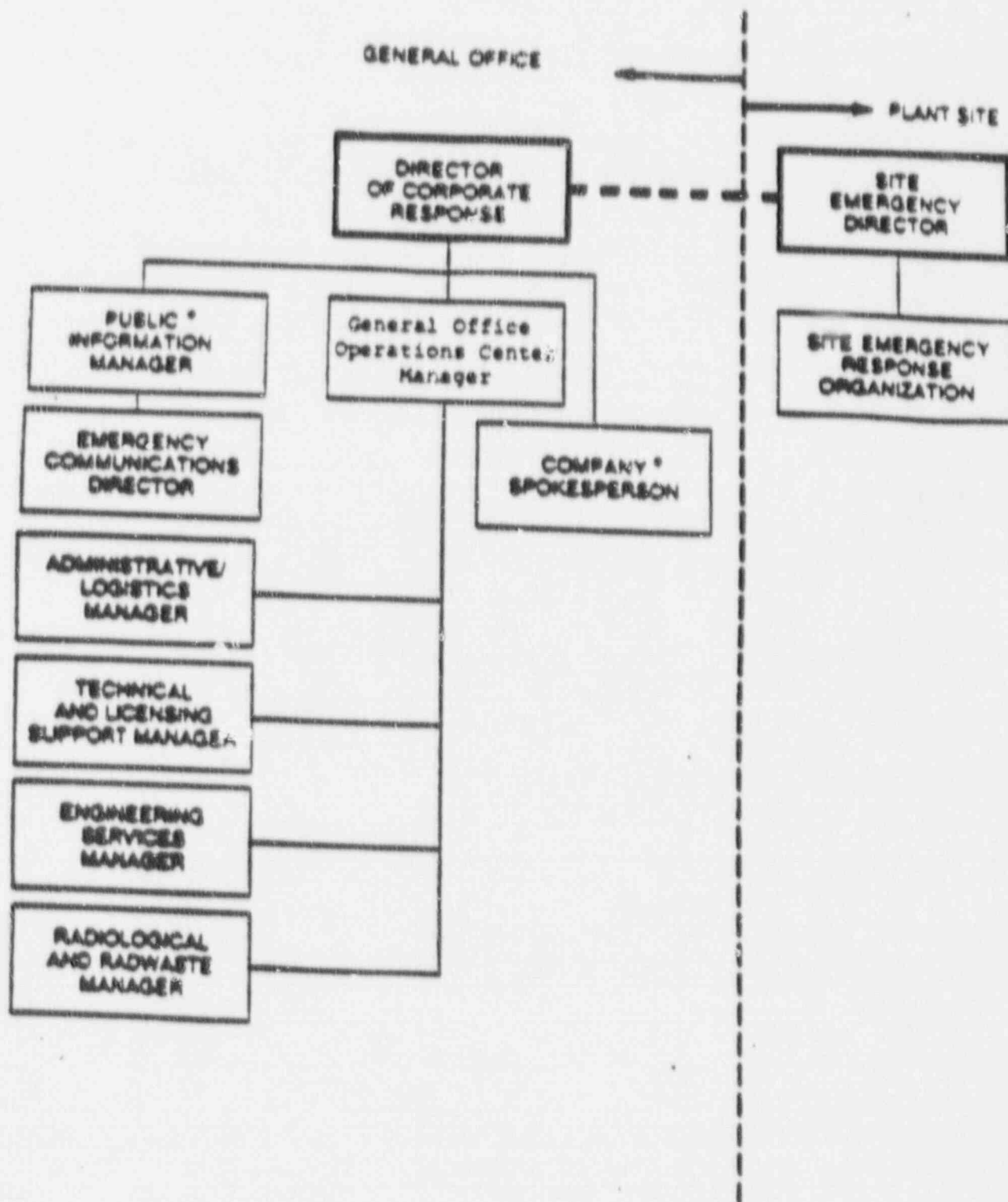
ONSITE EMERGENCY
PREPAREDNESS
SUPERVISOR

EMERGENCY
PLANNING
COORDINATOR

EMERGENCY
PREPAREDNESS
SPECIALIST

NUCLEAR
SPECIALIST I

CORPORATE EMERGENCY ORGANIZATION

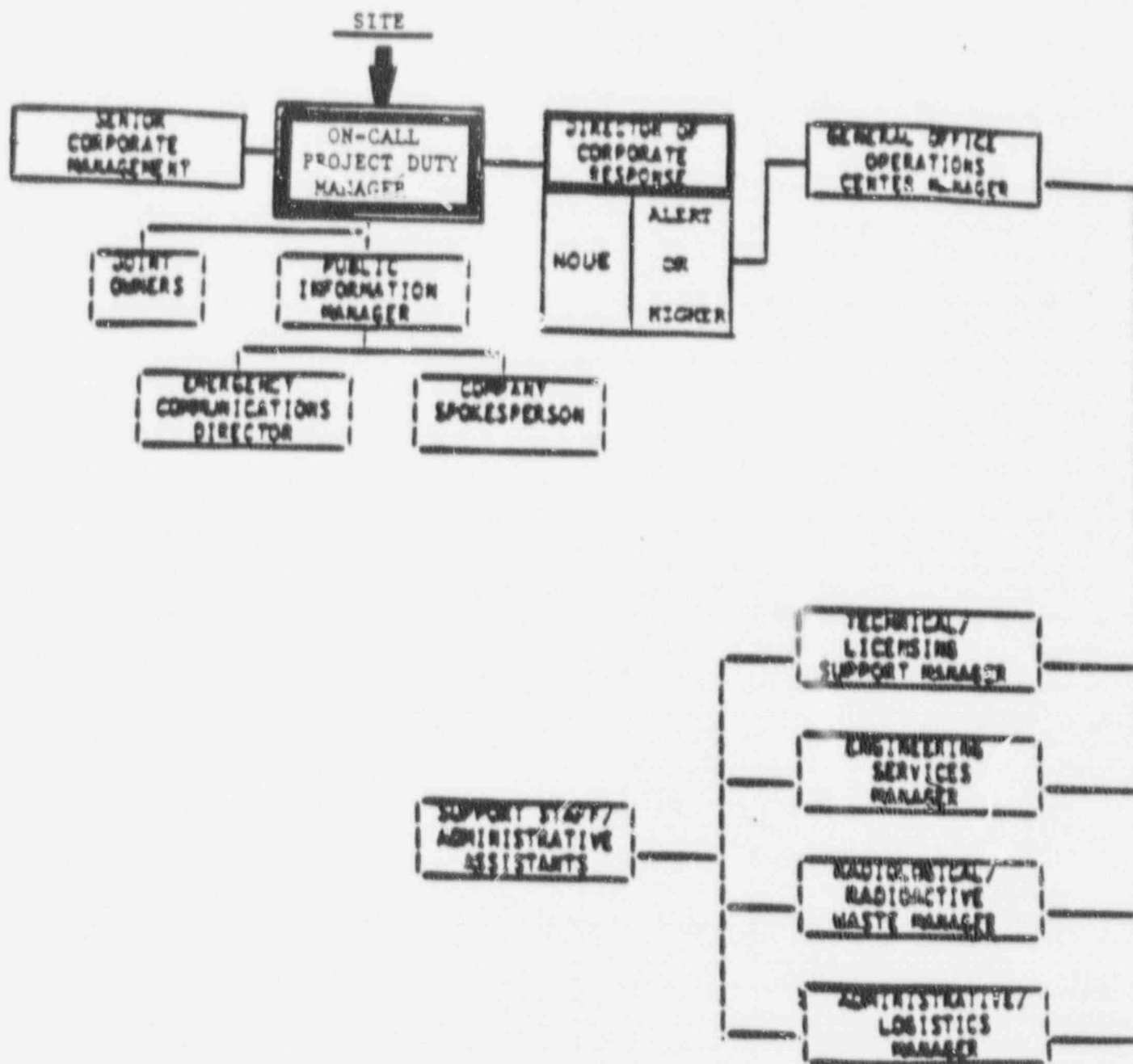


* Reports to the ENC when that facility is activated

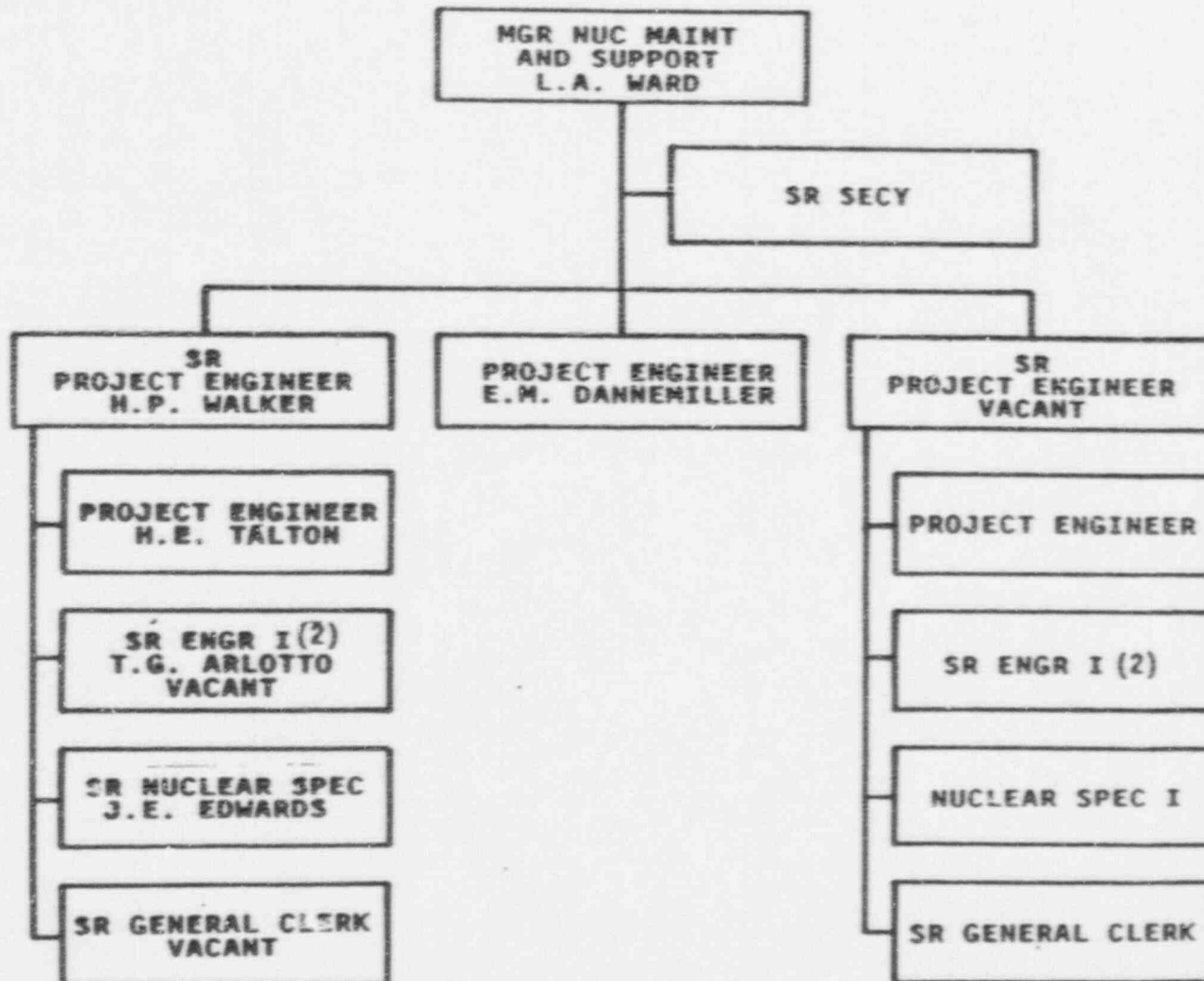
CORPORATE EMERGENCY RESPONSE ORGANIZATION ASSIGNMENTS

POSITION	PRIMARY
DIRECTOR CORPORATE RESPONSE	MANAGER NUCLEAR ENGINEERING and LICENSING (VOGTLE)
GENERAL OFFICE OPERATIONS CENTER MANAGER	MANAGER NUCLEAR ADMINISTRATION (HATCH)
ADMINISTRATIVE/ LOGISTICS MANAGER	EMERGENCY PLANNING COORDINATOR (VOGTLE)
TECHNICAL AND LICENSING SUPPORT MANAGER	MANAGER OF ENGINEERING SERVICES (TECH SERVICES)
ENGINEERING SERVICES MANAGER	MANAGER OF ENGINEERING (VOGTLE)
RADIOLOGICAL AND RADIOACTIVE WASTE MANAGER	SUPERVISOR RADIATION PROTECTION AND CHEMISTRY (TECH SERVICES)
PUBLIC INFORMATION MANAGER	DIRECTOR CORPORATE COMMUNICATIONS
EMERGENCY COMMUNICATIONS DIRECTOR	PUBLIC COMMUNICATIONS AND DEPARTMENT SERVICES SUPERVISOR
COMPANY SPOKESPERSON	MANAGER ENVIRONMENTAL SERVICES

CORPORATE EMERGENCY ORGANIZATION NOTIFICATION TREE



VOGTLE PROJECT



MAINTENANCE AND SUPPORT

- MANAGE MAINTENANCE PROJECTS AS REQUESTED BY PLANT
- PROVIDE TECHNICAL SUPPORT
 - TURBINE GENERATOR AND AUXILIARIES
 - ISI/IST, SNUBBER SURVEILLANCE, WELDING
 - MOV's
 - MISV's AND ARV's
 - CHEMICAL INJECTION
- REPRESENT GPC ON INDUSTRY GROUPS
 - SNUG
 - MOV OWNERS GROUP
 - IGSCC OWNERS GROUP (EPRI)
 - MATERIALS AND SYSTEM DEVELOPMENT TASK FORCE (EPRI).
- ASSIST MAINTENANCE WITH MANUAL DEVELOPMENT
 - RAYCHEM SPLICES .
 - BEARINGS

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graph TD
    HRA[HEARST RADIO ADMIN  
C. P. Stinebaugh] --- SRSEC[SR SECY  
E. S. Graham]
    HRA --- SUPVPLN[SUPV PLANNING & PERP  
E. F. Cobb]
    HRA --- SUPVMATL[SUPV MATL SUPPORT  
M. S. Capeland]
    HRA --- SUPVDOC[SUPV DOCUMENT CONTROL  
A. E. Cardona]
    HRA --- SUPVADM[SUPV ADMIN SUPPORT  
A. B. Bellone]
    
    SUPVPLN --- SECY1[SECY  
Vacant]
    SUPVPLN --- SRENB1[SR ENB I  
W. D. Bernier]
    SUPVPLN --- SRACCT[SR ACCT (3)  
J. D. Hatheway  
W. Tate  
C. K. Chapman]
    SUPVPLN --- NUSPEC[NUCLEAR SPEC I  
Vacant]
    SUPVPLN --- SRGEN1[SR GEN CLERK  
Vacant]
    
    SUPVMATL --- SECY2[SECY  
Vacant]
    SUPVMATL --- SRENB2[SR ENB I (3)  
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    SUPVMATL --- ENBAID[ENB AIDE I  
Vacant]
    
    SUPVDOC --- SRGEN2[SR GEN CLERK (3)  
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Vacant]
    SUPVDOC --- CHIEF[CHIEF CLERK  
L. A. Gurley]
    SUPVDOC --- SRGEN3[SR GEN CLERK  
Vacant]
    
    SUPVADM --- HRSPEC[H. R. SPEC NUCLEAR  
S. T. Dawkins]
  
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GEORGIA POWER COMPANY
SONOPCO-VOGTE PROJECT

NUCLEAR ADMINISTRATION

• DOCUMENT CONTROL SUPPORT

- CORPORATE STAFF
- PLANT STAFF
- NORMS

• ADMINISTRATIVE SUPPORT

- HUMAN RESOURCES
- SALARY ADMINISTRATION
- PERSONNEL QUALIFICATIONS (CORPORATE STAFF)
- REQUIRED TRAINING COORDINATION (CORPORATE STAFF)
- FITNESS-FOR-DUTY ADMINISTERED BY PLANT ADMIN. STAFF

• PLANNING AND PERFORMANCE

- BUDGETING AND COST CONTROL
- PERFORMANCE REPORTING
- INSURANCE ADMINISTRATION
- RESPONSE TO REGULATORY AGENCY DATA REQUESTS

• MATERIALS SUPPORT

- SUPERVISOR CURRENTLY CONSULTANT TO PLANT STAFF
- LONG RANGE POSSIBILITIES
 - SOME PROCUREMENT REVIEW
 - ALTERNATE SUPPLIERS
 - COMMERCIAL DEDICATION
 - EQ CENTRAL FILE

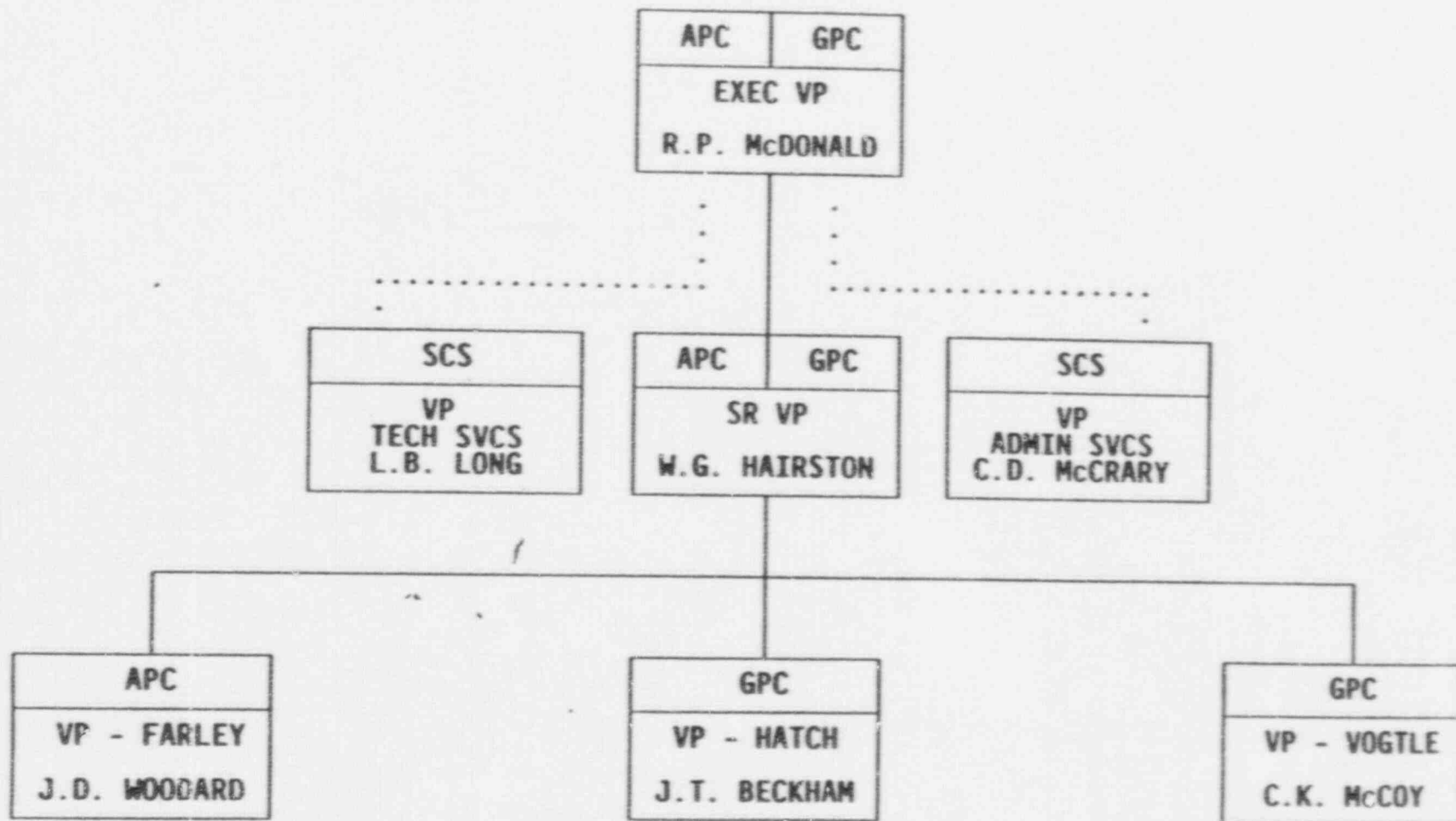
SAFETY REVIEW BOARD

- o Common Georgia Power Board for Hatch and Vogtle
- o Board Members (9)
- o Meetings Semiannually or Quarterly
- o Meeting Minutes
- o Subcommittee

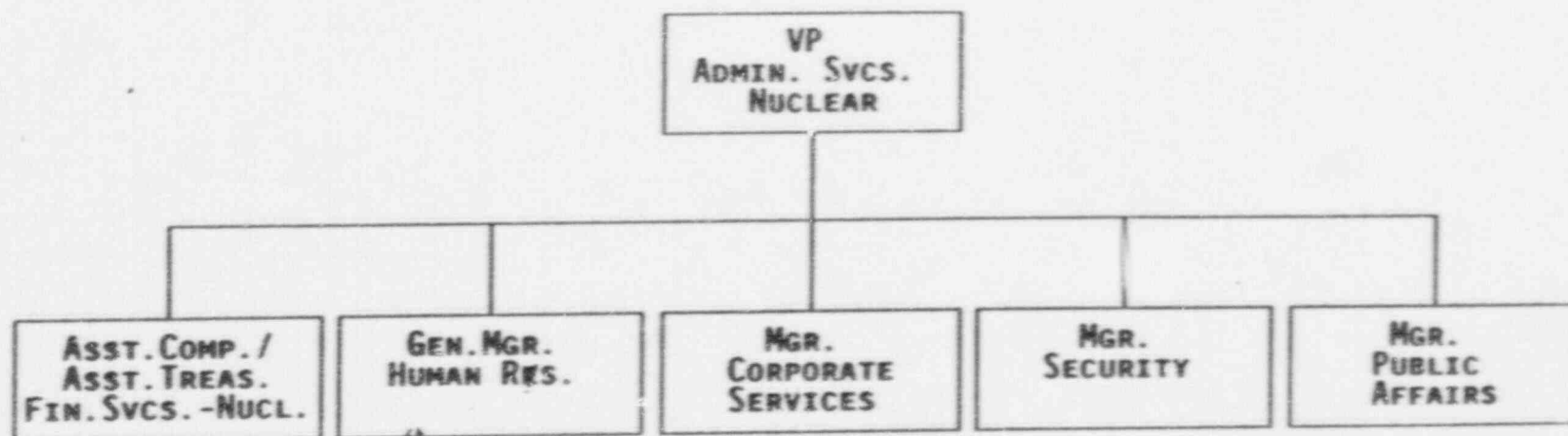
SUBCOMMITTEE

- o Subcommittee Consultants
- o Meetings Once or Twice Monthly
- o Meeting Minutes

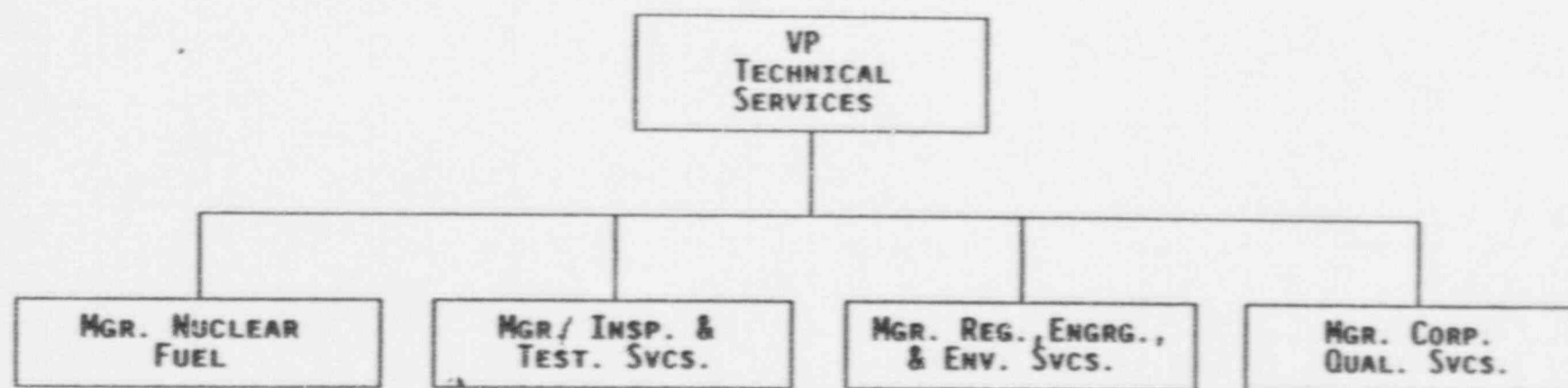
SONOPCO PROJECT ORGANIZATION



ADMINISTRATIVE SERVICES ORGANIZATION

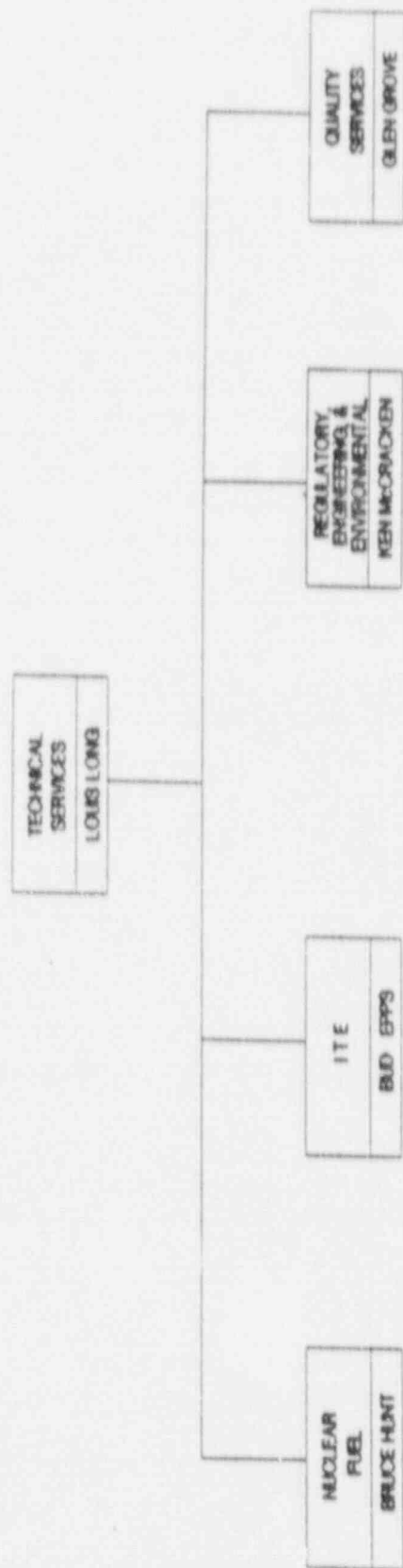


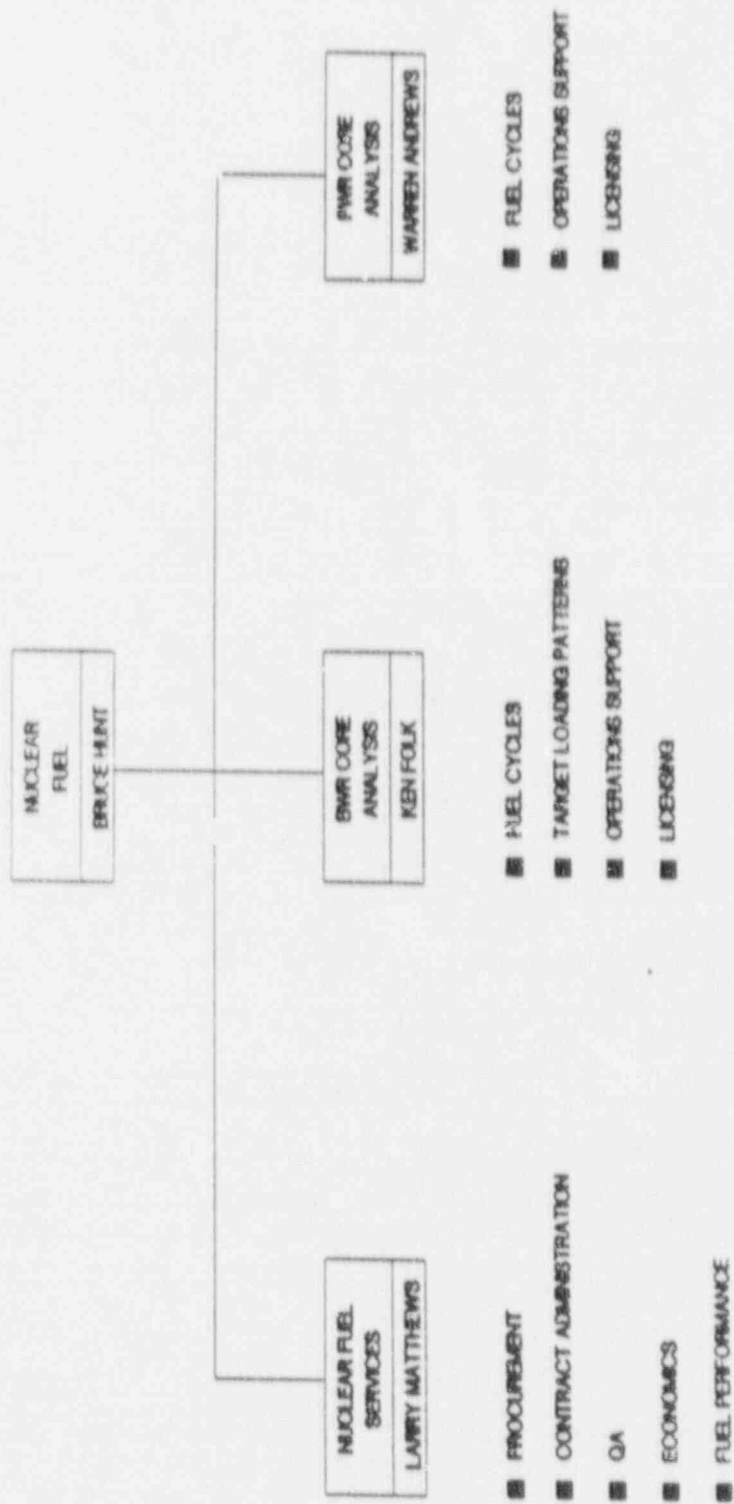
TECHNICAL SERVICES ORGANIZATION



BENEFITS OF CONSOLIDATION

- MANAGEMENT FOCUS ON NUCLEAR OPERATIONS
- NUCLEAR EMPLOYEE MOTIVATION, PRODUCTIVITY
- MORE EFFECTIVE SHARING OF INFORMATION, PERSONNEL
- ELIMINATE DUPLICATION
- MORE EFFECTIVE, COORDINATED PLANNING
- ECONOMIES IN PURCHASING SERVICES, MATERIALS
- ENHANCED NUCLEAR PLANT SAFETY, PERFORMANCE, COST





REGULATORY, ENGINEERING & ENVIRONMENTAL
KEN McCRACKEN



ENVIRONMENTAL SERVICES
STEVE EWALD

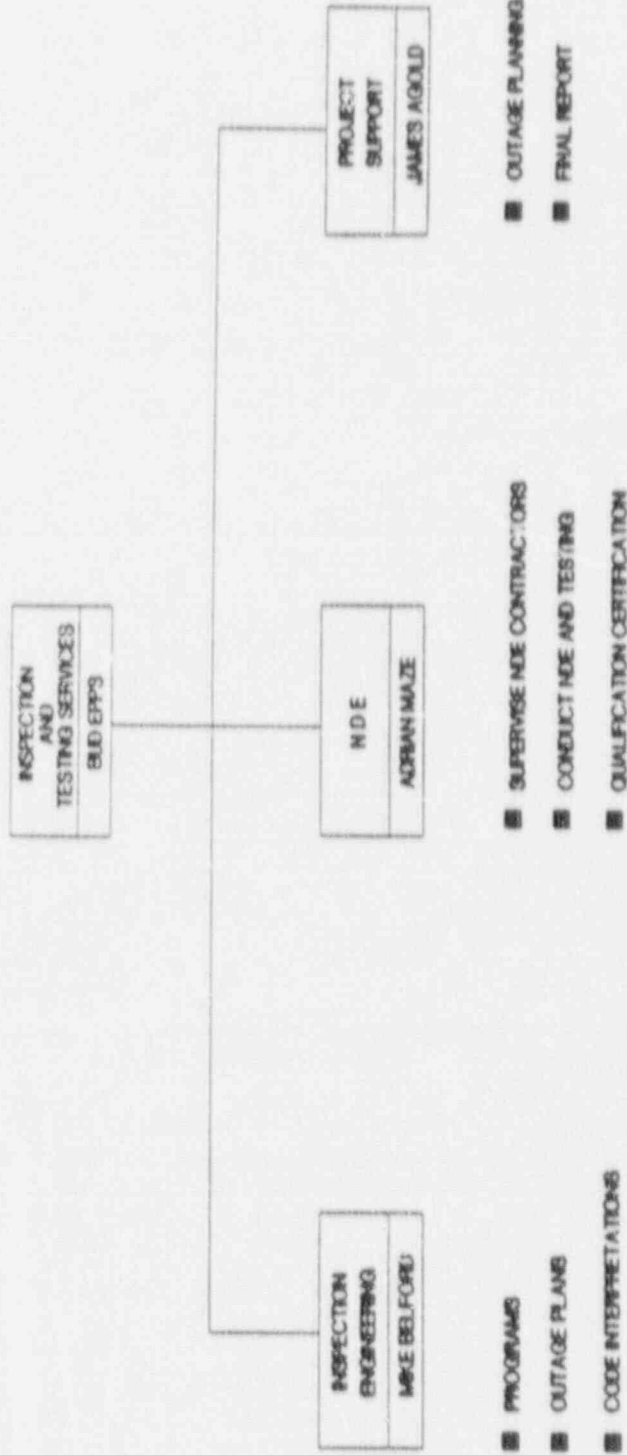
- ENVIRONMENTAL PERMITS
- ENVIRONMENTAL EXPERTISE
(CLEAN WATER, RCRA, TOXIC WASTE)
- CHEMISTRY
- H₂
- EMERGENCY PLANNING

ENGINEERING SERVICES
BILL BURNS

- PART 21 EVALUATIONS
- GENERIC ENGINEERING ISSUES
- SPECIALIZED ENGINEERING SERVICES

LICENSING SERVICES
BEN GEORGE

- PRA
- GENERIC LICENSING ISSUES
- ASSIGNED ISSUES
- PLANT LICENSING SUPPORT



QUALITY
SERVICES
GLEN GROVE



- CIVIL
- SUPPLIER EVALUATION

- TECH SERVICES AND ADMINISTRATIVE AUDITS
- CONTRACTOR SECURITY AUDITS
- SONOPCO QA MANUAL

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May 1, 1989

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U. S. Nuclear Regulatory Commission
ATTN: Document Control Desk
Washington, D. C. 20555

PLANT VOGTLE - UNIT 2
NRC DOCKET 50-425
OPERATING LICENSE WPF-81
NRC HEARING FOR PLANT VOGTLE FULL-POWER LICENSE

Gentlemen:

In reviewing the transcript for the Vogtle Unit 2 NRC Hearing for a Full Power License, we discovered two minor areas where the record needs correcting.

On page 33 while Mr. McDonald was reviewing the hierarchy between the CEO of Georgia Power Company and the Vogtle Plant Manager, he inadvertently left out the Senior Vice President of Nuclear Operations. The organization is as described on figures 13.1.1-1 and 13.1.1-2 of the Vogtle Final Safety Analysis Report.

On page 40 while Mr. McCoy was responding to Commissioner Curtiss' concern on the pressurizer surge line stratification issue, he inadvertently stated that both Vogtle units have been analyzed and both meet the criteria of the ASME Code. In fact, only Unit 2 has been analyzed for this new concern and we are addressing Unit 1 according to the schedule specified in NRC Bulletin 88-11.

Should you have any questions or comments, please contact this office.

Sincerely,

W. G. Hairston, III
W. G. Hairston, III

JAB/gm

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U. S. Nuclear Regulatory Commission
ELY-00488
Page Two

xc: Georgia Power Company

Mr. P. D. Rice
Mr. C. K. McCoy
Mr. G. Bockhold, Jr.
Mr. M. Sheibani
Mr. J. P. Kane
NORMS

U. S. Nuclear Regulatory Commission

Mr. S. D. Ebner, Regional Administrator
Mr. J. B. Hopkins, Licensing Project Manager, NRR
Mr. J. F. Rogge, Senior Resident Inspector, Vogtle

ELV- 00128
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December 29, 1988

U. S. Nuclear Regulatory Commission
ATTN: Document Control Desk
Washington, D. C. 20555

PLANT VOGTLE - UNITS 1, and 2
NRC DOCKET 50-424, 50-425
OPERATING LICENSE NPF-68, CONSTRUCTION PERMIT CPPR-109
FSAR CHAPTER 13 DESCRIPTION

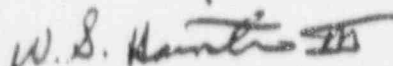
Gentlemen:

During the NRC visit at our Birmingham offices on December 19-21, 1988, you discussed a concern about potential differences between the FSAR Chapter 13 description of our corporate responsibilities and that which we verbally described to you at the meeting. We want to assure you that the information conveyed to you at the meeting is the way we are operating and the way we plan to operate in the future. That is, the Nuclear Support Departments in the corporate office are organized as a staff function to support the plant operation and not as a line function to direct the operation of the plant. However, as shown on FSAR Figures 13.1.1-2 and 13.1.1-3, the Executive Vice President, the Senior Vice President-Nuclear Operations and the Vice President-Nuclear, do provide line management direction for the operation of the Plant.

As you are aware, the application to form the Southern Nuclear Operating Company (SNOPCO) has been submitted to the Security Exchange Commission (SEC) for approval. Once this application has been approved and implemented, we will be submitting an appropriate application to the NRC to amend the licenses for the Vogtle Units. At this time, we will thoroughly review and revise Chapter 13 of the FSAR as appropriate, to resolve any ambiguities that may exist.

Should you have any questions concerning the above, please inquire.

Sincerely,


W. G. Hairston, III

JAB/ljb

c: See next page

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Page Two

c: Georgia Power Company
Mr. P. D. Rice
Mr. C. K. McCoy
Mr. G. Bockhold, Jr.
Mr. J. E. Swartzwelder
GO-NORMS
Vogtle-NORMS

U. S. Nuclear Regulatory Commission

Mr. M. L. Ernst, Acting Regional Administrator
Mr. J. B. Hopkins, Licensing Project Manager, NRR (2 copies)
Mr. J. F. Rogge, Senior Resident Inspector-Operations, Vogtle

STATEMENT: Georgia Power Company is a wholly-owned subsidiary of The Southern Company along with Alabama Power, Mississippi Power, Gulf Power, Savannah Electric, and Southern Company Services. In 1986, at my suggestion, the system undertook a study to determine the feasibility of establishing a nuclear operating company to concentrate the experience of the entire system toward operating the various nuclear power plants. Georgia Power Company has four nuclear power units and Alabama Power Company has two.

I served on Phase I of the study group of the Southern System which recommended that the system form a nuclear operating company referred to as SONOPCO - Southern Nuclear Operating Company. In June 1988, The Southern Company, Georgia and Alabama Power, filed an application with the Securities and Exchange Commission (SEC) for permission to establish SONOPCO. However, on September 6, 1988, Oglethorpe Power Corporation (OPC) filed an intervention with the SEC asking that the SEC defer action on the application of SONOPCO pending resolution of certain issues between OPC and Georgia Power Company. OPC has about a thirty-percent ownership of Plants Hatch and Vogtle - a multi-billion dollar investment in plants that Georgia Power operates.

In spite of the lack of SEC approval for the formation of SONOPCO, on November 1, 1988, all nuclear operations personnel and activities at Georgia Power were transferred to Birmingham, Alabama and the SONOPCO project was formed. Because the SEC had not given its approval to the formation of a new company, the new organization was called the SONOPCO project.

On December 27, 1988, A. W. Dahlberg, President and Chief Executive Officer of Georgia Power Company, created a group at Georgia Power that would provide a link between Georgia Power and SONOPCO to ensure that Georgia Power's oversight role over Nuclear Operations was properly administered. My approved job description requires that I "manage all aspects of the contract with SONOPCO to achieve the safe, dependable, and cost effective operation of our nuclear power plants" as well as other oversight functions. A copy of my position responsibilities is attached as Exhibit "A". Mr. Dahlberg sent a memo out to executive officers, vice presidents, and others naming me the General Manager of the group. A copy of this memo is attached hereto in Exhibit "B".

In my new assignment, I was to monitor and oversee the emergence of SONOPCO and keep Georgia Power management apprised of how well SONOPCO was operating Georgia Power's nuclear plants. I was to assess efficiency, potential problems, performance and otherwise monitor SONOPCO's performance.

During the first quarter of 1989, I became concerned over the question of whom Mr. McDonald reported to. Mr. McDonald withheld support of the SONOPCO project on activities I was assigned by senior executive management. Additionally, when I brought this lack of support and cooperation to the attention of members of senior management, I was told that senior management at Georgia Power could do nothing about it.

In January, 1989, I was advised that Mr. McDonald had provided testimony in a Section 210 case brought by Mr. Fuchs and Mr. Yunker. At that time, I was advised that the testimony I was to provide would contradict statements made by Mr. McDonald. I was told by Georgia Power attorneys that they would advise me on what Mr. McDonald testified to so that I would not contradict Mr. McDonald on that stand. I refused to do so. I believe that Mr. McDonald became aware of this refusal.

On March 30, 1989, during a hearing before the NRC Commissioners regarding the full power license of Vogtle II, the Commission expressed concern at the organizational arrangement for nuclear power at Georgia. They were concerned at the number of layers of management between the CEO and the Plant Manager. At that meeting, Mr. McDonald (Executive Vice President of Georgia Power and Alabama Power and who with Mr. Farley heads the SONOPCO project) told the Commissioners that he reported to Mr. Dahlberg and that Mr. Ken McCoy, Vice President - Vogtle, reported to Mr. McDonald. I know the latter constitutes a material false statement. I believe the former also constitutes a material false statement. A copy of the relevant portion of the transcript is attached hereto as Exhibit "C".

During this period of time, I was also assigned to represent Georgia Power as one of two people on the Subcommittee on Power Generation. This group, consisting of the owners of Georgia's nuclear plants, got together monthly to discuss the nuclear performance, problems and potential problems, and expenditures compared to budget. At many of these meetings and in discussions outside these meetings, the representatives of Oglethorpe Power brought up concerns they had regarding the chain of command at SONOPCO - in particular, who in fact Mr. McDonald reported to. Oglethorpe Power does not believe that Mr. McDonald reports to Mr. Dahlberg but rather to Mr. Farley, Executive Vice President - Nuclear of The Southern Company.

About the end of April, 1989, I was asked by Fred Williams, Vice President of Bulk Power Markets, to write a memo detailing the problems Georgia Power was having with SONOPCO. Mr. Williams said the purpose of the memo was that he was going to Birmingham to meet with some representatives of management to see if he could work out some of the problems. In addition, he said Mr. Dahlberg and Grady Baker, Senior Executive Vice President of Georgia Power, were going to discuss these problems with Mr. Farley to see if they could work out the problems. Mr. Williams said my memo would serve as a basis for these discussions.

I prepared a draft of the memo. I took it to George Head my direct boss. I brought up the questions of who Mr. McDonald reported to as one of the concerns. Mr. Head felt so strongly that this issue needed to be rectified, that he directed me to have his name added to the bottom of the memo and he co-signed it with me. The memo raised the concern that Oglethorpe Power had regarding their belief that Mr. McDonald actually reported to Mr. Farley and not to Mr. Dahlberg, and, as such, GPC was in violation of its license from the NRC. I then personally saved a copy of the memo to Mr. Williams.

After Mr. Williams reviewed the memo, he directed me to destroy all copies of the memo. I told him that I felt this was a serious regulatory concern and if the NRC ever came to the conclusion that I had, they could revoke our operating licenses. I also told him that since this was a regulatory concern, he should not order me to destroy the memo. Mr. Williams said that he understood my concern but said that if the NRC ever questioned the organizational arrangement, Georgia Power would just show them an organization chart. He then said that he was well aware of Oglethorpe's concern and that there was a possibility that they would sue the Company. He said if they did, they could obtain a copy of my memo. And, he said, that memo will prove that Mr. McDonald does not really report to Mr. Dahlberg. He said that my memo would prove Oglethorpe's contentions. He again ordered me to destroy all copies of the memo. I reported this conversation back to Mr. Head. He said I could do as

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Mr. Williams suggested - - I could destroy all copies of the memo. However, he said, I should keep the original, which I did.

After that memo, I got very little or no support from senior management at Georgia Power Company in the performance of my work although significant problems remained between SONOPCO and Georgia Power. I was taken off assignments made by senior management because McDonald wanted me taken off. I was not provided information from SONOPCO which was essential if I were to accomplish the responsibilities assigned to me. I was told by senior management that I needed to live low because McDonald and Farley were out to get my job.

In late August, 1989, Mr. Dan Smith, Oglethorpe's representative on the Subcommittee on Power Generation, called me to express his concern that until Georgia Power and Oglethorpe Power agreed on the formation of SONOPCO, OPC was risking the potential shut down of its nuclear operations if the NRC determined we were operating in violation of our NRC license. He suggested that he and I begin negotiating to see if we could resolve our differences. He expressed to me that he felt the only way to protect both companies was for us to negotiate an arrangement whereby OPC could withdraw their intervention before the NRC. The mechanism for resolving our differences would be a Managing Board Agreement which the two companies had been trying to negotiate for about two years and on which no progress had been made. I asked Mr. Baker if I could proceed with negotiations with Oglethorpe. He said that he did not believe much progress could be made but said for me to go ahead and see what I could accomplish.

Mr. Smith and I made considerable progress and I kept Mr. Baker informed and Fred Williams informed. Within a month and a half, Mr. Smith and I had made significant progress. By the first of November, Mr. Baker had said that Georgia Power could agree to the terms and conditions of the Managing Board Agreement with little modification.

On November 15, Mr. Smith called me and said he wanted to talk to me in person. He sounded very strange. I met him for breakfast the next morning. He told me that Fred Williams, who was not my boss, had met with Mr. Smith's boss, Tom Kilgore. Mr. Williams told Mr. Kilgore that Mr. Smith and I needed to hurry and conclude our negotiations because as soon as the NRC were complete, I was to be removed from my job because Joe Farley and Pat McDonald would not allow anyone at Georgia Power Company to have any nuclear expertise. I was very, very surprised. I had no indication that anyone at Georgia Power had any problems with my work, and I had not had any incident except the one involving the memo that Mr. Williams ordered me to destroy.

Some days after the meeting with Dan Smith, I met with Fred Williams and told him the substance of the conversation. I asked him if it were true. He said it was. He said no one at Georgia Power had any problems with my performance and no one was asking me to leave the Company. He did say that Joe Farley and Pat McDonald were not going to allow anyone at Georgia Power to remain who had nuclear expertise.

On January 25, 1990, I discussed my possible voluntary separation from Georgia Power. Mr. Williams said unless I accepted the Company's offer for voluntary separation, there would be a company reorganization, my job would be eliminated, and I would be fired. Mr. Williams told me I had until February 1 to accept his offer. I did not accept his offer to voluntarily depart. On February 2, 1990, Fred Williams told me that the Company had reorganized and I had sixty days in which to find another job in Georgia Power or I would be terminated. On February 9, I was removed

(4)

from my office to a new, much smaller space. Attached hereto are Polaroid photographs of the two offices.

On February 9, 1990, Mr. Williams's secretary came to me and explained that Mr. Williams wanted to do my performance appraisal and that Mr. Williams wanted my input into my performance. Mr. Kerry Adams was my immediate supervisor in 1990 and should have done my performance appraisal. I provided Mr. Williams with input into my performance appraisal on February 15 in which I questioned why he was doing my performance appraisal. On February 23, I received my performance appraisal. I got the lowest rating I have ever received - a 3 out of a possible 5. I have never received lower than a 4 on an overall evaluation and never lower than a 4 on an individual goal either. Incidentally, Mr. Williams' appraisal of me was dated January 30, 1990.

On February 19, 1990, Mr. Williams called me into his office. He explained that "due to the actions you have taken" which I believe refers to my filing a complaint with the U. S. Labor Department under the "Whistleblower Protection Statute" of the Energy Reorganization Act (ERA), I was losing my executive parking privileges and he told me that I had to turn in my employee badge at the end of the day. Since then, I have have to sign in and out with the security desk in the lobby of the building every day much like a visitor. By Mr. Williams' direction, I am limited to four floors of the 25 floor building, the first, second, third, and nineteenth.

I have read the above and it is true.

Witnessed by:

1 UNITED STATES OF AMERICA
2 BEFORE THE U.S. DEPARTMENT OF LABOR

3
4 MARVIN HOBBY,)
5 Complainant,) CIVIL ACTION
6 vs.)
7 GEORGIA POWER CO.,) FILE NO. 90-ERA-30
8 Respondent.) VOL. IV
9 - - -

10
11 Deposition of MARVIN HOBBY, taken on
12 behalf of the Respondent, pursuant to agreement of
13 counsel, in accordance with the Federal Rules of
14 Civil Procedure, before Penny J. McPherson,
15 Certified Court Reporter and Notary Public, at 127
16 Peachtree Street, Atlanta, Georgia, on the 24th day
17 of August 1990, commencing at the hour of 11:35 a.m.

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19
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21
22
23 BROWN REPORTING, INC.
24 1100 SPRING STREET, SUITE 750
ATLANTA, GEORGIA 30309
25 (404) 876-8979

1 prepared by salary administration in working with
2 me.

3 I'm not sure who actually prepared it.
4 Either I prepared it or I worked with someone who
5 prepared it. It was given to Mr. Head. He told me
6 it was fine. I assumed it was fine and I assume
7 there was a signed copy somewhere. I don't have a
8 signed copy of it.

9 Q. That was going to be my next question
10 whether you have one or not.

11 There is one other area in your statement
12 to the Department of Labor that I wanted to ask you
13 about. That's Exhibit R-1. If you could refer to
14 the first paragraph on page 2.

15 A. Yes, sir.

16 Q. This has to do with a hearing before the
17 NRC regarding the full power license for Plant
18 Vogtle, Unit 2.

19 A. Yes, sir.

20 (Document was marked for identification
21 as Respondent Exhibit R-6.)

22 Q. I've had a document marked as Exhibit R-6
23 which is an excerpt from a transcript of the Nuclear
24 Regulatory Commission proceeding.

25 Let me ask you to look at that and then I

1 want to ask you if that is the matter that you're
2 referring to in the first paragraph on page 2.

3 A. Yes, sir.

4 Q. And I gather that your concern was that
5 there was an incorrect or erroneous or material
6 false statement that was made; is that correct?

7 A. I was concerned that the reporting
8 relationship as specified in this document by
9 Mr. McDonald was not correct.

10 Q. When did you first learn of this
11 statement?

12 A. I don't know. It was sometime in 1989.
13 It was obviously after the hearing. I don't know
14 the exact date.

15 Q. How did you happen to learn of that?

16 A. Oglethorpe Power was concerned about it.

17 Q. In the documents that you produced on
18 Tuesday, there is a full copy of that transcript. I
19 assume that you did get that from Oglethorpe.

20 A. Yes, sir.

21 Q. And from Mr. Dan Smith?

22 A. I think so. I'm not -- let me say I
23 think it was Dan Smith. I'm not absolutely certain.

24 Q. When you received this information, did
25 you undertake to determine whether any effort had

1 been made to correct the statement that you felt was
2 erroneous?

3 (Witness confers with counsel.)

4 A. I'm not sure exactly the time that I got
5 this document, but I do remember that Mr. Smith
6 attended the full power hearing and shortly
7 thereafter or sometime thereafter Mr. Smith
8 discussed with me his concern about several things
9 that were discussed at the full power hearing, and
10 some of the information that Mr. Smith discussed
11 with me and other discussions with him were part of
12 the reason I wrote the April 27th memo.

13 As I mentioned in my previous deposition,
14 Oglethorpe had had some very serious concerns about
15 the reporting relationship of the nuclear group and
16 Georgia Power Company, and the discussions at the
17 NRC hearing and other concerns expressed by
18 Mr. Smith prompted the April 27th memo.

19 Q. Well, as I understood your description of
20 the April 27th memo, though, Mr. Williams asked you
21 for that, right?

22 A. He absolutely did and what I meant to say
23 just then was it prompted my inclusion of the
24 reporting relationship in that memo.

25 Q. Right but the question I'm getting at is

1 a little bit different. What I'm getting at is that
2 you at some point learned from Ogletrope that an
3 incorrect statement had been made.

4 A. Yes.

5 Q. At this hearing before the NRC.

6 A. That's right.

7 Q. And what I'm asking is when you heard
8 that did you then go and report that to anyone at
9 Georgia Power.

10 A. I may have. I don't specifically recall.

11 Q. Well, obviously it was a concern to you
12 that a witness had made a statement which was
13 incorrect, and what I'm getting at is when you found
14 that out, did you then go and try to find out
15 whether the statement had been corrected or whether
16 people were aware that it was incorrect or did you
17 attempt to determine what the company was going to
18 do about it. Do you see what I'm asking?

19 A. I think I understand what you're asking,
20 and as I said, I'm not sure whether I brought it up
21 to Mr. Williams. I don't remember if I did or not.
22 I do not remember if I may have brought it up to an
23 attorney for the company or not. I honestly don't
24 remember.

25 Q. Do you remember whether at the time you

1 heard of this it was your belief that the statement
2 was a material false statement?

3 A. At the time that it was provided to me, I
4 believe it was characterized as possibly being a
5 material false statement.

6 Q. Well, who characterized it as being a
7 material false statement?

8 A. I believe that Mr. Smith indicated that
9 it might be.

10 Q. And when you learned of this, did you
11 feel that as an employee, a manager, at Georgia
12 Power Company you had a responsibility to bring this
13 material false statement to the attention of
14 management so that something could be done about it?

15 A. Had the environment in the company been
16 different, I believe I would have taken action to
17 bring it to the attention of the company.

18 Q. So when you learned of this material
19 false statement or what you believed to be a
20 material false statement, you undertook to do
21 nothing to bring this to the attention of management
22 so that it could be corrected?

23 A. I didn't say that.

24 MR. KOHN: That was a mischaracterization
25 of the testimony.

1 A. That's not what I said.

2 Q. Well, I asked you an earlier question and
3 you said had the atmosphere been different you
4 thought you would have brought this to the attention
5 of management.

6 A. Yes.

7 Q. Well, what was it about the atmosphere
8 that made you feel like you could, in effect, stand
9 mute in the presence of this material false
10 statement?

11 A. Mr. Joiner, I did not say I stood mute.
12 What I said was after discussing this, actually
13 after it was brought to my attention by Oglethorpe I
14 may have -- and I don't specifically recall it -- I
15 may have discussed it with an attorney. I may have
16 discussed it with Mr. Williams but I do not
17 specifically recall doing so.

18 Had the environment in the company been
19 different, my natural inclination would have been to
20 pick up the phone and call Mr. McDonald or call
21 someone at SONOFCO and say I think we have a problem
22 here and I want to call it to your attention. I did
23 not do that.

24 Q. Well, specifically what was it about the
25 environment that kept you from doing what you

1 normally would have done?

2 A. It was my feeling during this time
3 frame -- and this was the April/May time
4 frame -- that had I brought this issue, if I had
5 picked up the phone and called Mr. McDonald, it
6 would have caused some significant problems for me
7 in the company.

8 Q. What kind of problems?

9 A. Well, I don't know. Up to who knows. I
10 had had other experiences with Mr. McDonald which I,
11 to be quite honest, could not understand, some of
12 which are detailed in that April 27th memo.

13 There was -- I felt that the atmosphere
14 was not very conducive to me picking up the phone
15 and calling Georgia Power's nuclear operation group
16 and saying I think I've got a problem.

17 Q. Did you feel any obligation or
18 responsibility to report this material false
19 statement to the NRC?

20 A. I don't know. I don't know. As I
21 mentioned previous in my testimony, I was not sure
22 what legal obligations that I as an employee was
23 under in that regard.

24 Q. Did you do anything to try and find out
25 if you had such a legal obligation?

1 A. As I testified earlier, I did discuss
2 with other people what my obligations were, not on
3 this incident or incidents but overall what was my
4 legal obligation, and I never got a clear
5 understanding of what it was.

6 Q. But you, in fact, did not communicate
7 with the NRC about this statement, correct?

8 A. No, sir.

9 MR. KOHN: Is there a time frame on
10 that?

11 Q. At any time.

12 A. Prior to this case being filed, no.

13 Q. Do you know whether or not this material
14 false statement, incorrect statement, erroneous
15 statement was ever corrected?

16 A. I believe it has been corrected.

17 (Document was marked for identification
18 as Respondent's Exhibit 7.)

19 Q. Mr. Hobby, I've shown you a document
20 which the court reporter has marked as Exhibit R-7.
21 It's a letter dated May 1, 1989 to the Nuclear
22 Regulatory Commission from Mr. W.G. Hairston.

23 A. Yes, sir.

24 Q. Have you ever seen that document before?

25 A. I believe we provided it to you.

1 Q. You did indeed. When did you first
2 become aware of that document?

3 A. During Mr. McDonald's deposition on May
4 the 7th of this year.

5 Q. So that for the period between May 7th of
6 this year going back to whenever you first learned
7 of this incorrect statement, you did not know
8 whether a correction to the NRC transcript or to the
9 testimony had been made; is that correct?

10 A. That's correct.

11 Q. Having seen the document which we marked
12 as Exhibit R-7, Mr. Hobby, do you continue to
13 believe that a material false statement had been
14 made?

15 A. I believe that the letter of May 1st,
16 1989 corrects the transcript before the Nuclear
17 Regulatory Commission.

18 Q. You believe that it does?

19 A. It does correct the explanation that
20 Mr. McDonald gave at the time.

21 Q. Well, have you then changed your belief
22 that a material false statement was made?

23 (Witness confers with counsel.)

24 A. Would you read the question back.

25 (The record was read by the reporter.)

1 A. At the hearing -- what date was it, March
2 30 -- this letter does correct one element of my
3 concern in that regard, Mr. Joiner, but I still have
4 the concern that there were at least three other
5 people in the room when Mr. McDonald made the
6 statement and they did not correct it at that time,
7 and additionally, in describing the organization
8 there is no mention of Mr. Farley. So I still have
9 a concern in that area.

10 Q. So I guess the belief you have is that
11 someone should have interjected themselves during
12 Mr. McDonald's presentation and corrected him on the
13 spot; is that what you believe?

14 A. I believe that the commissioner had
15 expressed concern over how or over the organization
16 and who reported to who, and I believe at that time
17 it would have been appropriate for one of the three
18 people to say I'm sorry if it were an inadvertent
19 error or one of those three people to have reminded
20 Mr. McDonald that he had made an inadvertent error
21 and it would have been corrected then and there.

22 Q. We have discussed, Mr. Hobby, a memo
23 which you sent to Mr. Fred Williams on April 26th of
24 1989.

25 A. Yes, sir.

CONFIDENTIAL

April 27, 1989

Mr. Fred Williams;

Following is a list of problem areas in Nuclear Operations that you requested.

1. Responsibility as Agent: There is no clearly defined person responsible for acting as agent for the Joint Owners. I serve on the Joint Subcommittee for Power Generation (and am currently serving as Chairman) and deal with their Nuclear Operations people probably more than anyone else. However, you are involved, several of your people are involved and others.

It was my understanding when we tried to negotiate a contract between GPC and SONOPCO and amend the contract between GPC and the Joint Owners, that I would act as OPC's (for example) agent, working for George Head, and that all interactions on nuclear matters between GPC and OPC would come through me with the exception of some specific, routine reports that would be provided directly from SONOPCO to all owners. I am prepared to handle that.

Yet, on Friday, April 21, I received a call from John Meier stating that the SONOPCO Project was establishing a Quarterly Review Meeting with GPC's Joint Owners to discuss Nuclear Operations. John asked if that meeting could replace the Joint Committee or Subcommittee. I said no.

On Tuesday, April 25, Dan Smith from OPC called to say they had been contacted by John Meier and OPC wanted to know who was setting up this Quarterly Review Meeting, its purpose, and why I was not included. He said Oglethorpe was confused as to what is going on and who was in charge.

While I know that there are significant differences between GPC and OPC on a number of matters, the relationship between us in nuclear is excellent. If GPC could get a handle on SONOPCO and, if nuclear could be separated from these other issues, I believe Dan Smith and I could work out all of the problems in nuclear.

2. Communications: On January 19, Pat McDonald called to say he was developing an E mail system to connect all Joint Owners -- including GPC. One of its purposes was to provide daily reports to each Joint Owner on the status of our plants. He asked me to contact Roy Barron to work out details. I did.

On Monday, March 13 (I believe that was the date), Roy Barron told me that the system was ready to do a test run and all he needed was to get Pat McDonald's approval. I called Pat to ask for his approval but he was out of town in Florida. I asked his secretary to ask him if it were okay when he called in. She called back on March 15 to say she had been unable to ask him.

I talked with Pat on Tuesday, March 21, and he said the system wasn't ready.

I don't know what happened in Birmingham. I received a call from Tim Marvin raising hell that Art and I had called a Vice President. McDonald called a meeting. I received a call from Dwight Evans who said McDonald was irate and I had been taken off the TAC report. I was later told, though I can't prove it to be true, that the Vice Presidents of Georgia Power on the SONOPCO Project were told they could not talk to me or Art Dobby.

In Mr. Dahlberg's memo of December 27, he stated that the interface at Georgia Power with the Nuclear Operations group in Birmingham would be George Head and me (see Attachment A). The interface we have had with them, except for routine data requests, has been negligible. In fact, it has been prohibited.

Yet, SONOPCO Project personnel are not so inhibited. See memo (Attachment B) from Bob Gilbert dated April 20, 1989. Note that George Head and I were not copied on the memo.

In discussing the establishment of Nuclear Operations Contract Administration, I was told that Mr. Head and I would review and approve the SONOPCO Project budget. However, Grant Mitchell of Corporate and Financial Planning at SONOPCO doesn't agree. See page 3 of memo (Attachment C) from G. Mitchell dated April 20, 1989. Neither George Head or I received a copy but it is in direct conflict with what the President of GPC has stated. It is also in conflict with what SONOPCO agreed with the Joint Owners. I also found that first paragraph on page 1 of that memo interesting. Had Georgia Power personnel sent out these two memos, SONOPCO would have raised hell.

- APR-10-90 MON 23:18 WHISLER POWER PLANT
3. Interfering with Other GPC Functions: When I was first named to this job, we had a meeting in which I was assigned by executive management certain responsibilities.

Since then, Mr. McDonald has objected to several of these assignments and I have been removed from meetings or relieved of responsibilities, not because GPC management agreed, but in order to get cooperation from SONOPCO.

What we need is for SONOPCO to support us and cooperate with us and allow Georgia Power management the right to determine who does what. Our management and other GPC people will be held accountable for our regulatory affairs effort. We need SONOPCO's support and then let us do our jobs. Unfortunately in several examples, Mr. McDonald has interjected himself into directions of other company functions and support from SONOPCO appears to hinge on his getting his way.

4. Staffing: When we established NOCA, I told George Head we needed a manager, secretary, two accountants, and two performance engineers. He agreed to start out with one accountant and one performance engineer and revisit the staffing level as the work load increased. He later added another accountant.

Back in January, I called Ken McCoy to ask if I could talk to Mike Barker about the performance engineer job. Mike had done a similar job for me prior to going to Birmingham and was well qualified. Ken asked if it were a promotion. I said I had not had the job evaluated yet and didn't know. He said if it were a promotion, SONOPCO would not object.

I had a job description done by Personnel and it was determined to be a Level 13 job — one step promotion for Mike Barker. Mr. Head approved the job description at that level.

I told George Hairston about this in the GPC cafeteria later and relayed my conversation with McCoy, but he would not give me permission to talk to Mike Barker. I called the Administration people at SONOPCO and asked what the rules were. They said they were told if it were a promotion, management would give its permission.

After talking with George Head, we posted the job. I selected the best three candidates and they were all from SONOPCO — which is not surprising. Our Personnel department was told the request to interview had been approved all the way up to George Hairston. But, there it stopped. Later, our Personnel department was told Mr. McDonald would not approve the request because he didn't agree that the job level should be a 13! Although GPC Personnel department and a Senior Vice President at GPC had approved the position, Mr. McDonald has held up this request and I have not been allowed to interview these three gentlemen.

I need the expertise the performance engineer would bring and the lack of support from Mr. McDonald is impacting my ability to get the job done.

5. Cooperation: I served on Phase I of the SONOPCO Task Force and was, and am, a real supporter of the Operating Company concept. In our discussions, Bob Buettner, an attorney with Balsh and Bingham and now a Vice President at Alabama, said Mr. Farley was concerned that once this operating company was established, we would wind up with a group of arrogant, technically trained elitists that the operating companies would have no control over. I now respect Mr. Farley's concern more than I did two years ago.

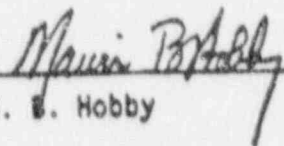
It takes one to operate -- two to cooperate. I know that most people at Georgia Power want to cooperate with SONOPCO and want it to be a success for GPC and the System. But, there are great concerns by many people.

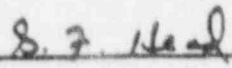
A significant concern that a lot of people have is who does Mr. McDonald work for. I have heard discussions on that at high levels in the Company. It is a very important question because the operating licenses for Hatch and Vogtle are in GPC's name; for Farley, APC. I am not a lawyer or licensing specialist, but I believe both will tell you that it is essential that GPC and APC be in control of these plants. Oglethorpe Power is so concerned that it has formally requested confirmation that Mr. McDonald receives his management direction from and reports to Mr. Dahlberg. If that is not the case, we are in violation of our license and could experience some significant repercussions from the NRC -- including the revocation of the licenses.

Oglethorpe is very concerned about this issue and they feel NRC is concerned. A Region II NRC employee suggested to Oglethorpe that NRC was so concerned that they might seek to put a resident inspector in Birmingham to see what was going on.

In establishing an Operating Company, the System, among other things, sought to open up the opportunity for us to run other utilities' power plants under contract. We should now be operating in that mode -- subject to meeting license conditions. There are some possibilities in the industry now and we ought to be giving serious considerations to how we operate now so that, should we get through the legal hurdles and be given permission to expand outside our service area, we will be ready to aggressively pursue these opportunities. But, I really doubt any utility would be interested in contracting with SONOPCO if their experience with the contractor was going to be similar to Georgia Power's.

Fred, there are other issues relative to SONOPCO, important to the System, that needs to be addressed. I have asked repeatedly for an opportunity to discuss these with senior management. I hope we will get that opportunity soon and can work toward a more cooperative relationship with SONOPCO.


M. B. Hobby


G. F. Head

/blm

RESPONSE TO HOBBY/MOSBAUGH § 2.206 PETITION, SECTION III.3

I. Petitioners' Allegations.

The petitioners assert that GPC, through the SONOPCO Project, submitted known, false statements to the NRC intended to mislead the NRC about the reliability of the Vogtle emergency diesel generators. As basis, the petitioners allege that on April 10, 1990 Mr. Mosbaugh informed the General Manager that the "diesel air quality"¹ statements made in a Confirmation of Action response letter were false and that on April 19, 1990 Georgia Power submitted a Licensee Event Report ("LER") after Mr. Mosbaugh advised the Senior Vice President, a corporate officer located in Birmingham, that the information contained in the LER was incorrect. The petitioners further allege that the Company "intentionally delayed" revising the LER until after a June 8, 1990 presentation to the Commissioner, drafted multiple transmittal letters for the revised LER which contained "false explanations" in an attempt to "cover up" errors in the original LER, and retaliated against Mr. Mosbaugh for identifying the alleged false information submitted to the NRC.

II. GPC Response to Petitioners' Allegations.

A. Diesel Generator Pneumatic System Air Quality.

The petitioners' allegation that the Confirmation of Action response letter, dated April 9, 1990 (the "COAR"), was false and the implication that Mr. Mosbaugh informed the General Manager of the inaccurate statements in the letter prior to its transmittal to the NRC are without merit. First, the COAR was dated April 9, 1990.² Mr. Mosbaugh's memorandum to the Vogtle General Manager which addresses "air quality" (Exhibit 1) is dated April 10,

¹Diesel air quality refers to the dryness of the air in the pneumatic control system of the diesel engines.

²The COAR states, in part, the following:

In addition, the following actions have been or are being implemented to ensure a high state of diesel reliability GPC has reviewed air quality of the D/G air system including dew point control and has concluded that air quality is satisfactory. Initial reports of higher than expected dew points were later attributed to faulty instrumentation. This was confirmed by internal inspection of one air receiver on April 6, 1990, the periodic replacement of the control air filters last done in March, 1990 which showed no indication of corrosion[,] and daily air receiver blowdowns with no significant water discharge.

1990. Thus, Mr. Mosbaugh's alleged notification to the General Manager that the "diesel air quality statements made in the letter were false" would have occurred after the letter was transmitted to the NRC. Second, the memorandum of Mr. Mosbaugh (Exhibit 1) does not mention the COAR nor state that the air quality at that time was not satisfactory. Rather, the memorandum identifies three types of historic problems.

Third, the basis of Mr. Mosbaugh's memo is believed to be a document, consisting of five pages (Exhibit 2), also dated April 10, 1990. This memorandum also discusses historic maintenance of the diesel air dryers and suggests that dew point measurement practices needed to be investigated to ensure reliable results. The memorandum does not, however, conclude that the then current air quality was deficient.

Fourth, the COAR acknowledges initial concern associated with air quality (i.e., "initial reports of higher than expected dew points") and deficient measurement of dew point (i.e., "attributed to faulty instrumentation"). Mr. Mosbaugh, it appears, was focused on historic air quality issues based on maintenance history, and was unaware of GPC efforts relative to better instrumentation and measurement. These efforts included obtaining instrumentation from another plant.

Fifth, the COAR lists some of the activities which form the basis for the conclusion that the air quality was satisfactory (April 6, 1990 internal inspection, replacement of control air filters and daily air receiver blowdowns). In addition, Mr. Mosbaugh apparently was unaware of other technical considerations, including the views of knowledgeable engineers that the air quality of the pneumatic system was satisfactory.

Finally, the NRC Staff, thought to include Mr. Pete Taylor, reviewed the issue of the possible contribution of moisture in the diesel engine's pneumatic control system to the March 20, 1990 event. The NRC Staff, then, is more aware of the verification of adequate diesel engine air quality based on personal review than Mr. Mosbaugh, who bases his conclusion on dated information.

B. Diesel Generator Start Information.

Petitioners' allegation that the April 9, 1990 COAR and a Licensee Event Report ("LER") (90-006) dated April 19, 1990 contained known false statements intended to mislead the NRC about the reliability of the VEGP diesel generators is without merit.

The COAR states, in part, that the "A" Unit 1 diesel generator had been started 18 times, and the "B" diesel generator had been started 19 times and that no failures or problems had

occurred during any of these starts. The LER refers to both diesel generators as "having been started at least 18 times each and no failures or problems have occurred during any of these starts." As can be confirmed in statements in the custody of the NRC's Operational Safety Inspection team which reviewed this matter in August, 1990, unit control logs and shift supervisor logs were the source of the data used in developing the numbers "18" and "19" found in the COAR and the original LER. The numbers originally were included in a transparency developed by Vogtle plant personnel; this transparency was included in handouts at an April 9, 1990 meeting with the NRC in Atlanta, Georgia. The COAR, written the same day as the meeting with NRC representatives in Atlanta, adopted the "18" and "19" numbers. The LER, written later, also was predicated upon the "18" and "19" start count. Statements in the custody of the Operational Safety Inspection team confirm that both documents basically used the information developed for the April 9 transparency.

In addition, successive draft revisions of the LER have been reviewed by GPC. A version of the LER prepared by the site, dated April 17, 1990, identified "several starts" rather than specifying a number of starts (Exhibit 3, p. 6 of draft LER). An attendee at the Plant Review Board stated that a specific number should be used and the next draft version of the LER stated that the number was "more than 20 times" (Exhibit 4, p. 6). The "more than 20 times" phraseology was provided to corporate representatives in Birmingham (Exhibit 5). These representatives, with knowledge of the 18 and 19 numbers used in the transparency on April 9, questioned the "more than 20 times each" language provided by the site. More specifically, Mr. Hairston, the Senior Vice President, requested the corporate LER coordinator to "verify >20 starts." Retained copies of the LER drafts confirm other efforts by corporate representatives to verify other information and assure the accuracy of the LER (Exhibit 6).

Additional diesel generator starts had occurred subsequent to April 9, 1990 (the date of the GPC meeting in Atlanta with NRC representatives), and the final April 19th LER wording stated that each diesel engine had been started "at least 18 times each."³ GPC was aware that NRC inspectors had followed the Company's efforts to troubleshoot and test the operability of the diesel generators and believed that the NRC had all relevant information on the diesel generators' operability and reliability. Nevertheless, either before or concurrent with the

³The wording was reviewed by corporate and site representatives in a telephone conference call late on April 19, 1990. Although Mr. Hairston was not a participant in that call, he had every reason to believe the final draft LER presented to him after the call was accurate and complete.

transmittal of the LER to the NRC, the Senior Vice President instructed Mr. C. Ken McCoy, the Vice President for Vogtle, to call the NRC's Mr. Ken Brockman and to discuss the fact that the number of starts indicated in the LER differed from the number on the April 9 transparency. A phone call from Mr. McCoy was placed to Mr. Brockman on April 19, in the afternoon.

Mr. Mosbaugh and employees who reported to him controlled the development of the original LER. To the extent Mr. Mosbaugh actually had concerns about the substance of this document, he had direct and immediate ability to change the information contained in it. His own actions relative to the LER establish this fact. Indeed, as reflected in the PRB comment review sheet for its meeting No. 90-59, held on April 18, 1990 (Exhibit 4), Mr. Mosbaugh directed three changes to the draft LER, two of which he directed as "mandatory" word changes. He, therefore, had an opportunity to require any other correction. Similarly, on April 19, 1990 in a telephone conversation between the site representatives and Corporate Office representatives, he had the opportunity to suggest corrective language but, apparently, failed to do so. Not until April 30, 1990 does it appear that Mr. Mosbaugh articulated for the benefit of his management that the diesel engine start count data contained in the LER was inaccurate. At that time, he was assigned, in writing, to correct the NRC documentation (Exhibit 7). He, therefore, was tasked with correcting the inaccuracy which his Technical Support group had created by supplying "more than 20 times" wording to the Corporate Office.

In September or October, 1990, in the presence of Mr. Brian Bonser, an NRC Resident Inspector, Mr. John Aufdenkampe (the former Technical Support Manager under Mr. Mosbaugh responsible for LER development in April, 1990), stated his opinion that the LER used the numbers in the transparencies developed for the April 9, 1990 meeting with the NRC in Atlanta and that his group had merely added additional starts from and after April 9 to reach the conclusion that "more than 20" successful starts had occurred during the relevant time frame.

In addition to directing changes in documents as required, on April 30, 1990 the General Manager also verbally notified the NRC Resident Inspector of the erroneous data, as he testified to the Operational Safety Inspection team. Further, Mr. Hairston called Mr. Stewart Ebnetter, the NRC Regional Administrator, on May 14 and May 24, 1990. He believes that in the longer call on May 24 he informed Mr. Ebnetter that the count of successful starts in the LER was in error. He further recalls that he conveyed the then-current "correct" numbers at that time to Mr. Ebnetter and informed him that revisions to the LER would be forthcoming. Mr. McCoy recalls calling the NRC's Mr. Ken Brockman about the same time and informing him of the error; telephone billing reports reflect several telephone calls from

Mr. McCoy to Mr. Brockman on May 24. The petitioners' allegation that an intentional delay in revising the LER until after a June 8, 1990 NRC meeting is founded, then, on the false premise that the revised LER was the mechanism by which the NRC first learned of the inaccuracy of the LER. Such was not the case.

On or about May 9, 1990, Mr. Mosbaugh provided a revised draft of the LER language which addressed diesel generator starts. The revised language proposed by Mr. Mosbaugh (Exhibit 8) conveys the same substantive message as the language in the April 9th COAR and the original April 19th LER. All three state that each engine had been started successfully, and none indicated failures or problems indicative of an unreliable diesel engine. Mr. Mosbaugh's proposed revision, in pertinent part, states "including the under-voltage test each engine has been successfully started eleven times with no start failures." If, as he now alleges, Mr. Mosbaugh truly had concerns related to the original LER, his inaction on April 18 (at the PRB), in the April 19 telephone conference, and his April 30 assignment from his General Manager to provide revised LER language provided him with numerous opportunities to direct revision or to revise the alleged "false statements." This he failed to do.

The allegation that GPC officers would attempt to mislead the NRC with incorrect information is, in a word, absurd. As Appendix B to NUREG-1410 indicates, from March 26, 1990 through April 17, 1990 numerous interviews and meetings were held concerning the event at Vogtle, including transcribed diesel generator meetings between the NRC and GPC. The Incident Investigation Team (IIT) reviewed voluminous plant records, including records associated with historic diesel generator operations and maintenance. Numerous informal discussions concerning diesel operability also occurred, including discussions concerning operability of the diesel generators between the General Manager and the NRC's Mr. Allen Chaffee. Extensive telephone discussions were also held between NRC and GPC after the March 20 event, including 25 calls to IIT representatives in Bethesda between April 6 and May 11, 1990 concerning the diesel generators' sensors. Many of these calls lasted for over an hour and typically involved several IIT team members. Given the widespread and extensive discussions between GPC and NRC representatives at various functional levels, the suggestion that GPC officers or upper level managers, who were aware of these efforts, would knowingly provide false information is ludicrous. The converse is the truth; their staffs were tasked to verify the information provided from the site group which was under Mr. Mosbaugh's direction and control. And, when it became apparent that information provided to the NRC was inaccurate, various GPC representatives informed the NRC of the fact.

Finally, the Petition fails to point out that Mr. Mosbaugh was removed from the PRB on May 11, 1990 as a consequence of the permanent Assistant General Manager - Support reassuming his position after completion of SRO training, not as a consequence of identifying an inaccuracy in the LER or COAR.

C. The Revised LER.

A revision to the original LER to correct the diesel generator start count was contemplated as early as April 30, 1990, as reflected by the General Manager's memo of that date (Exhibit 7). Due to the several sources of inaccuracy, as identified in GPC's August 30, 1990 letter to the NRC, a consensus on the "correct" count was not reached for some time. In addition, examination and testing of diesel engine sensors was being pursued (representatives of the IIT readily can verify the extensive, almost daily discussions with GPC representatives concerning these efforts). A draft of Revision 1 of LER 1-90-6 was approved by the PRB in PRB meeting No. 90-66 on May 8, 1990 and by the Vogtle General Manager on May 14, 1990. Mr. Mosbaugh, as Acting PRB Chairman, signed the approval sheet on this revision draft on or about May 8. Exhibit 9 reflects this approval, as well as the Technical Support Manager's May 4th approval of this draft revision, which was telecopied to the Corporate Office on May 14, 1990.

A comparison of this site-approved draft revision and the prior draft prepared just a few days before (Exhibit 10) reveals changes in diesel generator starts. As stated previously, on May 24 the Senior Vice President called Mr. Stewart Ebnetter, the Region II Administrator. The Senior Vice President recalls that he supplied the Regional Administrator the then-current "correct" numbers which were "14" and "15." This recollection is confirmed by the May 14, 1990 draft of Revision 1. He also recalls informing the Regional Administrator that two revisions to the LER were then contemplated, one to correct the diesel generator start data and the other to document the results of the sensor test program.

The draft revised LER was further modified over time. Exhibit 11 is a June 11, 1990 corporate edition of the revision draft which reflects "15" and "14" starts. Exhibit 12, a site version of the revision updated to include starts through June 11, shows "14" and "11." The Senior Vice President noted about this time that the diesel generator start count data was different than previous data. Irritated at the data variation and without a satisfactory explanation of why the data was different, the Senior Vice President tasked the Safety Analysis and Engineering Review ("SAER") quality assurance group at the plant with the verification of the "correct" numbers for the LER revision.

As of June 11, 1990 the then-current draft revision of the LER identified "14 valid tests of DG1 (sic) with no valid failures" and "11 valid tests of DG1B with one valid failure" (Exhibit 12). On June 14 the Senior Vice President called the Regional Administrator again. The Senior Vice President informed the Regional Administrator that the "count" data had changed once again and was different than the information previously provided to the Regional Administrator on May 24. He also informed him that the SAER group had been assigned to conduct an audit on the numbers. The conversation reflected upper management's commitment to obtain and supply accurate information. The Senior Vice President also instructed that the NRC's Mr. Brockman or Mr. Herdt be contacted and informed about the change in "count" data; Mr. William Shipman, the General Manager - Support did so, either on June 14 or June 15, based upon telephone billing reports.

By June 15, 1990 information related to the testing of the jacket water temperature sensors had been sufficiently developed for inclusion in the revised LER (Exhibit 13).

By June 23, 1990, the Manager of Technical Support, the PRB, and the General Manager at the plant had approved a draft Revision 1 to LER 1-90-6 (Exhibit 14). Concurrently, the SAER group was conducting its comprehensive review of available diesel generator start data. As of June 28, 1990, the SAER group had reviewed diesel generator start data available and prepared a number of spread sheets comparing various data sources. These spread sheets eventually were attached to the group's report (Exhibit 15). Again, this report was developed at the request of the Senior Vice President, who instructed that a copy of the report be provided to the Resident Inspector at Vogtle.

As demonstrated by the foregoing, the delay in submittal of a revised LER was principally a function of assuring an accurate document and providing additional information concerning the temperature sensor testing. Numerous informal notifications to the NRC preceded the formal revision as well as the IIT presentation to the Commission. The various draft revisions unequivocally demonstrate an on-going evolution of LER draft revisions and the significant variation which led, appropriately, to the Senior Vice President's request for independent verification by the SAER group prior to submission of the revised LER.

2. Transmittal Letter for Revision 1 of LER 1-90-006.

Mr. Hairston instructed his staff to prepare a transmittal letter to the NRC for the revised LER which explained the differences in the count numbers between the original and revised LERs. The transmittal letter informs even the most casual reader that the revision was necessary "to correct the LER" and borrows heavily from the SAER report (Exhibit 15). The third sentence of the transmittal letter comes from the "results" section of the SAER report, page 3. The revision's shift to "valid diesel generator tests in accordance with Reg. Guide 1.108 rather than the number of successful starts since the event" is stated clearly. One key phrase is "since the event," which connotes to the knowledgeable reader a shift in the time frame for the counts from (1) after the March 20 event until April 19 (the date of the original LER) to (2) after completion of the test program (as defined in the June 29 letter) through April 19, 1990 and "12" set forth in the transmittal letter) or through June 7, 1990 ("12" and "16" set forth in LER 90-006-1, p. 6 of 8).

The petitioners ascribe nefarious intent to the fact that various drafts of the June 29, 1990 transmittal letter were prepared. The fact that several transmittal letters were prepared merely evidences the difficulty inherent in dealing with the subject matter (i.e., "tests," "valid failures," "valid tests" and "successful starts"). Further, the drafts were just that: preliminary documents which were subject to further verification and approval. None of them were the document forwarded to the NRC. Nonetheless, a review of the drafts in their full text demonstrates the on-going effort of GPC to improve the accuracy of the transmittal letter in spite of the petitioners' selective paraphrasing of their contents on page 12 of their Petition under "Explanation Contained in Draft."

First, the June 28, 1990 draft of 0751 AM Central Time (Exhibit 16) states that "only valid failures were considered in the conclusion that no problems or failures occurred" and that the number of ~~tests~~ was determined by counting tests regardless of whether or not the test constituted a "valid test" under regulatory definition. These would have been inaccurate statements of fact since, as established by interviews of the OSI in August, 1990, "tests" and "valid failures" were not counted by involved personnel.

The June 29, 1990 0855 draft (Exhibit 17) appears identical to the earlier draft of 0751 except that the revised draft appropriately deletes reference to "valid failures" and changes the key word "tests" to "starts": "the number of starts was determined by counting Diesel Generator starts...." These modifications increase the accuracy of the draft by correctly identifying, using a lay term, the things that were, indeed, counted.

The June 29, 1990 0755 (Exhibit 18) draft and 1142 draft (Exhibit 19) of the same date are each longer than the preceding draft, accurately describe the substance of the April 9, 1990 letter and focus on the wording "subsequent to the test program" in the original LER. In both instances, the draft transmittal letter explains that if the report had stated "subsequent to the event," rather than "subsequent to the test program," the LER would have been consistent with the April 9 COAR and the "18" and "19" numbers included in the transparencies provided by GPC to the NRC on April 9. This is a correct statement of fact.

The 1142 draft (Exhibit 19) includes the additional sentence: "The statement made in the LER and in the April 9 letter did not consider troubleshooting problems associated with the restarting of Diesel Generator 1b, which was out of service for maintenance at the time of the event." This, also, is a correct statement -- made with hindsight -- because the SAER report identified "successful" starts associated with non-valid tests where post-maintenance problems were identified (e.g., fuel priming) and these problems were not counted.

With each iteration additional information was added to the prior draft to provide a more complete explanation of the "count" in the original LER and April 9 letter. This is indicative of the Company's attempt to assure accurate and useful information to the NRC Staff -- a revision to the original LER, standing alone, would have resulted in a "correct" count and would have satisfied notification requirements but would not have explained why the revision was appropriate.

The June 29, 1990 1311 draft is essentially the same as the transmittal letter forwarded to the NRC, with one exception. The word "discrepancy" in the last sentence of the first paragraph (Exhibit 20) was modified to "difference" in the final version. This final wording more clearly connotes a contrast between the "count" in the transmittal letter and the "count" in the original LER.

The final LER Rev. 1 transmittal letter, then, draws on statements and conclusions made by the SAER group in its report of June 29, 1990. This makes sense, since the Senior Vice President had commissioned this effort by the group and would execute the transmittal letter. And, as can be observed by reviewing prior drafts and comparing them to the final version of the transmittal letter, the final version not only reconciles the original LER and the April 9 letter with the facts known as of June 29, 1990, but also identifies the causes of the error (e.g., recordkeeping practices and the lack of definition of the time frame of the "count" due to the vagaries associated with the original "test program" wording).

The August 30, 1990 letter (Attachment 11 to GPC's September 28, 1990 response to the Petition) from GPC to the NRC further expounded upon the differences in the "counts." The attachments to the August 30, 1990 letter contain tables which list the starts using more extensive information than used as the basis for the April 9 transparency and letter and designates starts considered "successes" under a definition which is spelled out in the text of the August 30 letter. The letter also acknowledges error on the part of the Vogtle SRO who originally compiled the "counts" in his review of operations logs.

In light of the revised LER, the information supplied to the OSI, the independent review of diesel generator start data conducted by the OSI, the August 30, 1990 letter submitted prior to the Petition, and the further information provided in this response, the lack of merit of the allegation that GPC attempted to mislead the NRC has been demonstrated exhaustively.

Relevant and controlling facts, including interviews conducted by the OSI, the text of draft documents provided in this response, and the informal notification of the "count" error in the original LER were either unknown or not provided by the petitioners. On these bases, each standing alone, the allegation is demonstrated to be without merit.

E. Request for NRC Review of Diesel Generator Performance.

The petitioners, on page 12 of the Petition, request a review of the performance records of the diesel generators. Such a review, according to the Petition, will show unreliability based upon (1) the initiation of three different design changes, (2) additional "failures" after the original LER was submitted to the NRC, and (3) the unreliability of the components, apparently the temperature sensors, which are alleged to have been known to be unreliable for years. The review requested by the petitioners has been fulfilled. First, GPC understands that several NRC representatives have reviewed the performance records of the diesel engines. Mr. Allen Chaffee, Mr. Pete Taylor, and Mr. Milt Hunt are believed to have professional opinions as to the reliability of the diesel engines. Second, while GPC cannot divulge the "three" specific design changes referred to by the petitioners, the NRC Staff is intimately familiar with the performance of and design change associated with the temperature sensors of the emergency diesel generators (see, for example, NRC Staff comments filed January 11, 1991 in ASLBP No. 90-617-03-OLA). Third, revised LER 90-06 and other Special Reports to the NRC subsequent to the original LER have formally notified the NRC of additional problems, including "invalid" and "valid" "failures." Fourth, the petitioners' allegation that the reliability of "the components" was "known to be unreliable for years" is supported by no articulated fact. A documented fact is that the NRC has examined, in the context of potential

enforcement action resulting from the March 20, 1990 event, whether information available to GPC should have been identified as precursors of that event, including the failures of the temperature sensors (see Confirmation of Meeting letter dated August 22, 1990 (at page 2) and October 1, 1990 Enforcement Conference Summary letter from Mr. Luis A. Reyes (NRC) to Mr. W. G. Hairston, III (GPC)). GPC's knowledge of the components' historic reliability, therefore, has already been considered by the NRC Staff. Further review is simply not appropriate on the basis of a bald, conclusory allegation.

F. Alleged Retaliation.

The retaliation alleged by Mr. Mosbaugh is the subject matter of ongoing Department of Labor proceedings, as explained in the Enclosure to this submittal. By letter dated January 10, 1991, GPC provided the NRC with an explanation of the basis for the employment action taken with regard to Mr. Mosbaugh.

The Petition is not the appropriate vehicle for resolution of Mr. Mosbaugh's private cause of action, if any, and the requested relief is inappropriate for this employment-related matter.

III. Conclusion.

Based on the foregoing, the Company concludes that the petitioners' allegations are without merit.

Exhibit 1

George:

4-10-90

The attached review of DG
1A air dryer maintenance
history details 3 types
of problems:

- Dryers out of service
for extended periods
- No regular checks for dewpoint
prior to 6-89 in PMP's
- Dewpoint data that is
questionable in many instances
eg. valves at 32°F
valves out of spec. high
simultaneously on both
dryers
valves the same on both
dryers (3 of 5 times in row)

In addition the spec.
for the dryers is to
produce 35°F dewpoint air.
I & C's procedure has acceptance
criteria of 32°F to 50°F.

I think this information is
sufficient to say that the
dewpoint control and air
quality has not always
been satisfactory.

Allen

00009

E-7

AIR DRYERS FOR 1A DIESEL GENERATOR SUMMARY OF MAINTENANCE HISTORY

FROM 5-10-86 TO 5-2-89, MWO # 1880----- was open TO FIX BOTH DIESEL AIR DRYERS, 1-243-64-001-K01 AND K02. IT IS CERTAIN FROM THE WORK ORDER THAT THE COMPRESSOR FOR DRYER K02 WAS OUT OF SERVICE FOR SEVERAL MONTHS, HOWEVER, IT IS UNKNOWN HOW LONG AIR DRYER K01 WAS OUT OF SERVICE. AN ACCEPTABLE DEW POINT READING WAS NOT OBTAINED (OR DOCUMENTED) FOR K01 UNTIL 5-2-89 (REF. MWO # 18802991). AN ACCEPTABLE DEW POINT READING FOR K02 WAS OBTAINED ON 7-30-89 (REF. MWO # 18902798). NO NOTABLE WORK WAS DONE TO EITHER AIR COMPRESSOR DURING THIS TIME SO IT IS POSSIBLE THAT AN AIR COMPRESSOR WAS IN SERVICE WITHOUT ITS ASSOCIATED AIR DRYER.

FROM 6-28-89, THE DEWPOINT WAS NOT BEING CHECKED REGULARLY UNDER THE PM PROGRAM. AFTER THIS DATE, THOUGH, THE DEW POINT WAS CHECKED REGULARLY ON EACH AIR DRYER AND WAS ACCEPTABLE UNTIL 3-9-90 (MWO # 19000899). ON 3-9-90 AND 3-31-90 (MWO # 19001513), THE DEWPOINT FOR BOTH AIR DRYERS WAS FOUND TO BE HIGH. BECAUSE THE TWO AIR DRYERS ARE SEPARATE AIR SYSTEMS, IT SEEMS

00010

STRANGE THAT THE DEW POINT WOULD BE UNACCEPTABLE
FOR BOTH AT THE SAME TIME WHEN THERE WAS NO
SIGN OF EARLIER TROUBLE FOR EITHER. IT IS POSSIBLE
THAT THE METHOD OF DEW POINT MEASUREMENT NEEDS
INVESTIGATION TO ENSURE RELIABLE RESULTS.

FROM A DESIGN STANDPOINT, THE AIR DRYERS ARE RATED
TO SUPPLY 170 SCFM AIR AT 100 PSIG, 100°F AND
DEW POINT OF 35°F. SINCE THE DESER GEN SYSTEM
ONLY REQUIRES 88 SCFM AIR AT 250 PSIG, THE
35°F DEW POINT SHOULD BE EASILY AND CONSISTENTLY
OBTAINABLE.

Tim Stahl
4/10/90

The starting air & the control air are both
taken from the receiver.

00002

MWO Summary

1240364001 K01

4/6/87 MWO # 18709614 — no pressure available to — no problem noted
blow down condensate or fixed when
comp. run

5/10/88 MWO # 18802991 — air temp high alarm
dewpoint confirmed @ 43.9°F on 5/2/89

10/4/88 MWO # 18806224 — checked dewpoint ⇒ K01 = 17.1°F (?)
K02 = 12.6°F

3/1/89
12/20/88 MWO # 18809080 — checked dewpoint = 27.3°F (?) - K01
K02 dewpoint not checked

2/16/89
2/23/89 MWO # 18900984 — checked dewpoint ⇒ K01 = 22.6°F ?
K02 = 20.1°F ..

6/18/89 MWO # 18902453 — checked dewpoint ⇒ K01 = 48°F
K02 = tagged out

7/30/89 MWO # 18902798 — checked dewpoint ⇒ K01 = 43°F
K02 = 39°F

8/24/89 MWO # 18903214 — checked dewpoint ⇒ K01 = 37°F
K02 = 35°F

9/17/89 MWO # 18903652 — checked dewpoint ⇒ K01 = 44.5°F
K02 = 45°F

10/20/89 MWO # 18904442 — — K01 = 38°F
K02 = 45°F

11/20/89 MWO # 18905207 — — K01 = 40°F
K02 = 47°F

12/19/89 MWO # 18906199 — — K01 = 40°F
K02 = 37°F

00003

1/18/90 mwo# 18906445 - checked dewpoint \Rightarrow K01 = 44°F
K02 = 44°F

2/11/90 mwo# 19000465 - " " \Rightarrow K01 = 37°F
K02 = 37°F

3/9/90 mwo# 19000899 - checked dewpoint \Rightarrow K01 = 61 / 45
K02 = 66 / 45

3/31/90 mwo# 19001513 - ————— K01 = 80°F } WKT
K02 = 60°F } 8863

Col
eps ran comp. on 6-2-88
6-24-89

Col
condensing fan broken - mwo# 18901962 4/26/89

27
1
52

00004

1240364001 C02

note # 18901962 - condensing fan broken

00005

FROM TELECOPY NUMBER (404) 554-
VERIFICATION NUMBER (404) 554-9961 I
EQUIPMENT: OMNIFAX G99

TELECOPY OPERATOR: Belinda Wasden

SUPERVISOR: ELLA JORDAN

DATE: 4-17-90 TIME: _____

TELECOPY TO: JACK STRINGFELLOW
VOGTLE/SONOCO
INVELNESS 40 / BIRMINGHAM, AL

NUMBER OF PAGES ATTACHED: 8 (NOT INCLUDING COVER SHEET)

THIS TELECOPY SENT FROM: Tom Webb

DEPARTMENT: NJAC EXT. NO. 3125

VOGTLE ELECTRIC GENERATING PLANT
NUCLEAR OPERATIONS
ROUTE 2, BOX 1600
WAYNESBORO, GEORGIA 30830

SPECIAL INSTRUCTIONS: _____

A test of the jacket water system temperature transient during engine starts was conducted. The purpose of this test was to determine the actual jacket water temperature at the switch locations with the engine in a normal standby lineup, and then followed by a series of starts without air rolling the engine to replicate the starts of 3-20-90. The test showed that jacket water temperature at the switch location decreased from a standby temperature of 163 degrees F to approximately 156 degrees F and remained steady.

Numerous sensor calibrations (including jacket water temperatures), special pneumatic leak testing, and multiple engine starts and runs were performed under various conditions. Since 3-20-90, DG1A and DG1B have been started several times and no failures or problems have occurred during any of these starts. In addition, an undervoltage start test without air roll was conducted on 4-6-90 and DG1A started and loaded properly.

Based on the above facts, it is concluded that the jacket water high temperature switches were the most probable cause of both trips on 3-20-90.

4. ANALYSIS OF EVENT

The loss of offsite power to Class 1E buss 1BA03 and the failure of DG1A to start and operate successfully, coupled with DG1B and RAT 1B being out of service for maintenance, resulted in Unit 1 being without AC power to both Class 1E busses. With both Class 1E busses deenergized, the RHR System could not perform its required safety function. Based on a noted rate of rise in the RCS temperature of 16 degrees F, measured at the core exit thermocouples over a fifteen minute period, the RCS water would not have been expected to begin boiling until approximately 1 hour and 50 minutes after the beginning of the event.

Restoration of RHR and closure of the containment equipment hatch were completed well within the estimated 1 hour and 50 minutes for the projected onset of boiling in the RCS. A review of information obtained from the Process and Effluent Radiation Monitoring System (PERMS) and grab sample analysis indicated all normal values. As a result of this event, no increase in radioactive releases to either the containment or the environment occurred.

TITLE

LER 1-90-6

Mgr. Engr. Supt. 1 Date

Mgr. HP/Chem

Mgr. Tech. Supt. 1 Date 4/18/90

Mgr. Maint. 1 Date

Mgr. Admin. 1 Date

Mgr. Ops. 1 Date

Mgr. Trng. 1 Date

Mgr. Out./Plan 1 Date

Asst. General Mgr. - Support 1 Date

Asst. General Mgr. - Operations 1 Date

Carolyn C. Tynan
PRB
for PRB Chairman

90-59 4/18/90
Mtg. No.

Please review, sign where appropriate and return to Tom Webb by _____.

If there are any questions, please call Tom at extension 3105.

OK

A Bockhold

4/18/90

TO: JGAulderson

PRB COMMENT REVIEW SHEET

Page 1 of 1

THRU: _____

PRB-90-57

Date 4/18/90

The PRB has reviewed the attached procedure and recommends approval with comments as noted below. Mandatory (M) comments shall be incorporated prior to approval of the procedure. If not incorporated the procedure shall be resubmitted to the board. You have the responsibility to determine whether the Optional (O) comments should be included at this time, saved for later inclusion, or otherwise resolved. This procedure does not constitute an unreviewed safety question.

No.	Section	M/O	PRB Initials	Comments	Resolutions
1	F.2.b.	M	WFK	Reword to 3 times per week — add additional wording to 2.b.	Incorporated ⁴²
2	Root Cause 2) 2 nd para	M	HMH	Include trip setpoint of 200°F	Incorporated ⁷⁰
3	2) 3 rd para F.2.b	M	HMH	Add that the switch was "mechanically reset"	Incorporated ¹⁰⁰
4	F.2.b	O	HMH	Wording on valid failures etc should be in a separate paragraph.	Left as is ¹⁰⁰
5	Page 4	O	MBL	Should state # of starts rather than "several".	Incorporated ¹⁰⁰
6	Section C	M	ALM	Change "and" to "with" the security escort. Change "driving" to "in" a fuel truck.	Incorporated ¹⁰⁰
7	Descrip. of Event	M	ALM	Delete "to the ground"	Incorporated ¹⁰⁰
8	Analysis of Event		ALM	Resolve appropriate temperatures (exit thermocouples & NRC ION)	Incorporated ¹⁰⁰
9	"g 3"	M	GRF	Delete the loads or reword to "available loads"	

Changes to this procedure other than those addressing the board's comments will require resubmittal to the board. Upon resolution of the above comments, the procedure should be forwarded to the General Manager for approval. Upon approval the procedure should be returned to the PRB Secretary for further processing.

Attachment

PRB Chairman W F Kitchens

TO: JCAuldridge

PRB COMMENT REVIEW SHEET

Page 1 of 1

THRU: _____

PRB-90-59Date 4/18/90

The PRB has reviewed the attached procedure and recommends approval with comments as noted below. Mandatory (M) comments shall be incorporated prior to approval of the procedure. If not incorporated the procedure shall be resubmitted to the board. You have the responsibility to determine whether the Optional (O) comments should be included at this time, saved for later inclusion, or otherwise resolved. This procedure does not constitute an unreviewed safety question.

No.	Section	N/O	PRB Initials	Comments	Resolutions
1	F.2.b.	M	WEK	Reword to 3 times per week - add additional wording to 2.b.	Incorporated ³⁴
2	Root Cause 2) 2 nd para	M	HMH	Include trip setpoint of 200°F	Incorporated TM
3	2) 3 rd para F.2.b	M	HMH	Add that the switch was "mechanically reset"	Incorporated TM
4	F.2.b	O	HMH	Working on valid failures, etc should be in a separate paragraph.	Left as is. TM
5	Page 4	O	MBL	Should state # of starts rather than "several".	Incorporated - TM
6	Section C	M	ALM	Change "and" to "with" the security escort. Change "driving" to "in" a fuel truck.	Incorporated - TM
7	Descr. of Event	M	ALM	Delete "to the ground"	Incorporated - TM
8	Analysis of Event		ALM	Resolve appropriate temperatures (exit thermocouples & NRE IEN)	Incorporated TM
9	#3	M	GRF	Delete the loads" or reword to "available loads"	

Changes to this procedure other than those addressing the board's comments will require resubmittal to the board. Upon resolution of the above comments, the procedure should be forwarded to the General Manager for approval. Upon approval the procedure should be returned to the PRB Secretary for further processing.

Attachment:

PRB Chairman W F Kitchens

A test of the jacket water system temperature transient during engine starts was conducted. The purpose of this test was to determine the actual jacket water temperature at the switch locations with the engine in a normal standby lineup, and then followed by a series of starts without air rolling the engine to replicate the starts of 3-20-90. The test showed that jacket water temperature at the switch location decreased from a standby temperature of 163 degrees F to approximately 156 degrees F and remained steady.

Numerous sensor calibrations (including jacket water temperatures), special pneumatic leak testing, and multiple engine starts and runs were performed under various conditions. Since 3-20-90, DG1A and DG1B have been started more than 20 times each and no failures or problems have occurred during any of these starts. In addition, an undervoltage start test without air roll was conducted on 4-6-90 and DG1A started and loaded properly.

Based on the above facts, it is concluded that the jacket water high temperature switches were the most probable cause of both trips on 3-20-90.

4. ANALYSIS OF EVENT

The loss of offsite power to Class 1E buss 18A03 and the failure of DG1A to start and operate successfully, coupled with DG1B and RAT 1B being out of service for maintenance, resulted in Unit 1 being without AC power to both Class 1E busses. With both Class 1E busses deenergized, the RHR System could not perform its required safety function. Based on a noted rate of rise in the RCS temperature of 46 degrees F in 36 minutes, the RCS water would not have been expected to begin boiling until approximately 96 minutes after the beginning of the event. Core exit thermocouples measured a comparable rate of temperature rise.

Restoration of RHR and closure of the containment equipment hatch were completed well within the estimated 96 minutes for the projected onset of boiling in the RCS. A review of information obtained from the Process and Effluent Radiation Monitoring System (PERMS) and grab sample analysis indicated all normal values. As a result of this event, no increase in radioactive releases to either the containment or the environment occurred.

U

FROM TELECOPY NUMBER (404) 554
VERIFICATION NUMBER (404) 554-9961
EQUIPMENT: OMNIFAX 699

Ex 5

TELECOPY OPERATOR: Belinda Wasden

SUPERVISOR: ELLA JORDAN

DATE: 4-18-90 TIME:

TELECOPY TO: JACK STRING FELLOW
VOGTLE / SONOPCO
BIRMINGHAM, INTERNESS 40

NUMBER OF PAGES ATTACHED: 7 (NOT INCLUDING COVER SHEET)

THIS TELECOPY SENT FROM: Tom Webb

DEPARTMENT: NRA L EXT. NO. 3105

VOGTLE ELECTRIC GENERATING PLANT
NUCLEAR OPERATIONS
ROUTE 2, BOX 1600
WAYNESBORO, GEORGIA 30830

SPECIAL INSTRUCTIONS: PRG Approved

A test of the jacket water system temperature transient during engine starts was conducted. The purpose of this test was to determine the actual jacket water temperature at the switch locations with the engine in a normal standby lineup, and then followed by a series of starts without air rolling the engine to replicate the starts of 3-20-90. The test showed that jacket water temperature at the switch location decreased from a standby temperature of 153 degrees F to approximately 155 degrees F and remained steady.

Numerous sensor calibrations (including jacket water temperatures), special pneumatic leak testing, and multiple engine starts and runs were performed under various conditions. Since 3-20-90, DG1A and DG1B have been started more than 20 times each and no failures or problems have occurred during any of these starts. In addition, an undervoltage start test without air roll was conducted on 4-5-90 and DG1A started and loaded properly.

Based on the above facts, it is concluded that the jacket water high temperature switches were the most probable cause of both trips on 3-20-90.

4. ANALYSIS OF EVENT

The loss of offsite power to Class 1E buss 1BA03 and the failure of DG1A to start and operate successfully, coupled with DG1B and KAT 1B being out of service for maintenance, resulted in Unit 1 being without AC power to both Class 1E busses. With both Class 1E busses deenergized, the RHR System could not perform its required safety function. Based on a noted rate of rise in the RCS temperature of 45 degrees F in 36 minutes, the RCS water would not have been expected to begin boiling until approximately 96 minutes after the beginning of the event. Core exit thermocouples measured a comparable rate of temperature rise.

Restoration of RHR and closure of the containment equipment hatch were completed well within the estimated 96 minutes for the projected onset of boiling in the RCS. A review of information obtained from the Process and Effluent Radiation Monitoring System (PERMS) and grab sample analysis indicated all normal values. As a result of this event, no increase in radioactive releases to either the containment or the environment occurred.

-x6.5.7
6

(ENN)

Due to problems with the Emergency Notification Network, the initial notifications were not made in the required 15 minutes.

On 3-20-90, Unit 1 was in a refueling outage and Unit 2 was operating at 100% power. At 0820 CST, the driver of a fuel truck in the switchyard backed into a support for the phase "C" insulator for the Unit 1 Reserve Auxiliary Transformer (RAT) 1A. The insulator and line fell causing a phase to ground fault. Both Unit 1 RAT 1A and Unit 2 RAT 2B High Side and Low Side breakers tripped, causing a loss of offsite power condition (LOSP). Unit 1 Diesel Generator (DG) 1A and Unit 2 DG2B started, but DG1A tripped, causing a loss of residual heat removal (RHR) to the reactor core since the Unit 1 Train B RAT and DG were out of service for maintenance. A Site Area Emergency (SAE) was declared and the site Emergency Plan was implemented. The core heated up to 136 degrees F from 90 degree F before the DG was emergency started at 0856 CST and RHR was restored. At 0915 CST, the SAE was downgraded to an Alert after onsite power was restored.

The direct cause of this series of events was a cognitive personnel error. The truck driver failed to use proper backing procedures and hit a support, causing the phase to ground fault and LOSP. The most probable cause of the DG1A trip was the intermittent actuation of the DG jacket water temperature switches.

Corrective actions include strengthening policies for control of vehicles, extensive testing of the DG, and replacement of suspect DG temperature switches, and improvements in the ENN system.

A. REQUIREMENT FOR REPORT

This event is reportable per: a) 10 CFR 50.73 (a)(2)(iv), because an unplanned Engineered Safety Feature (ESF) actuation occurred when the ESF Actuation System Sequencer started, and b) Technical Specification 4.8.1.1.3, because a valid diesel generator failure occurred. Additionally, this report serves as a summary of the Site Area Emergency event.

B. UNIT STATUS AT TIME OF EVENT

Unit 1 was in Mode 6 (Refueling) at 0% rated thermal power. The reactor had been shut down since 2-23-90 for a 45 day scheduled refueling outage. The reactor core reload had been completed, the initial tensioning of the reactor vessel head studs was complete, and the outage team was awaiting permission from the control room to begin the final tensioning. Reactor Coolant System (RCS) level was being maintained at mid-loop with the Train A Residual Heat Removal (RHR) pump in service for decay heat removal. The temperature of the RCS was being maintained at approximately 90 degrees F.

Due to the refueling outage maintenance activities in progress, some equipment was out of service and several systems were in abnormal configurations. The Train B Diesel Generator (DGLB) was out of service for a required 36 month maintenance inspection. The Train B Reserve Auxiliary Transformer (RAT 1B) had been removed from service for an oil change. The Train B Class 1E 4160 Volt switchgear, 1BA03, was being powered from the Train A RAT 1A through its alternate supply breaker. All non-1E switchgear was being powered from the Unit Auxiliary Transformers (UAT) by backfeeding from the switchyard. All Steam Generator (S/G) nozzle dams had been removed, but only S/G's 1 and 4 had their primary manways secured. Maintenance personnel were in the process of restoring the primary manways on S/G's 2 and 3. RCS level was being maintained at mid-loop for valve repairs and the S/G manway restorations. In addition, the pressurizer manway was removed to provide an RCS vent path.

C. DESCRIPTION OF EVENT

On March 20, 1990, at approximately 0817 CST, a truck driver with a security escort entered the protected area in a fuel truck. Although not a member of the plant operating staff, the driver was a Georgia Power Company employee belonging to a service group used to perform various plant services. The driver checked the welding machine that was in the area and found that it did not need fuel. He returned to the fuel truck and was in the process of backing out of the area when he hit a support holding the phase "C" insulator for RAT 1A. The insulator and line fell causing a phase to ground fault, and the transformer tripped.

At 0820 CST, both Unit 1 RAT 1A and the Unit 2 RAT 2B High Side and Low Side breakers tripped causing a loss of offsite power condition (LOSP) to the Unit 1 Train A Class 1E 4160 volt Bus 1AA02, the Unit 2 Train B Class 1E Bus 2BA03, and the 480 volt busses supplied by 1AA02 and 2BA03. The Unit 1 Train B Class 1E 4160 volt bus 1BA03 also lost power since RAT 1A was feeding both Trains of Class 1E 4160 volt busses. The loss of power caused the associated ESF Actuation System Sequencers to send a start signal to one Unit 1 and one Unit 2 Diesel Generators. DG1A and DG2B started and sequenced the loads to their respective busses. Further description of the Unit 2 response to this event is provided in LER 50-425/1990-002.

One minute and twenty seconds after DG1A started and sequenced the loads to the Class 1E bus, the engine tripped. This again caused an undervoltage (UV) condition to class 1E bus 1AA02. The UV signal is a maintained signal at the sequencer. However, since DG1A was coasting down from the trip, the shutdown logic did not allow the DG fuel racks or starting air solenoids to open and start the engine. This properly caused the engine starting logic to lock up, a condition that existed until the UV signal was reset. For this reason, DG1A did not automatically re-start after it tripped.

After the trip, operators were dispatched to the engine control panel to investigate the cause of the trip. According to the operator, several annunciators were lit. Without fully evaluating the condition, the operator reset the annunciators. During this time, a Shift Supervisor (SS) and a Plant Equipment Operator (PEO) went to the sequencer panel to determine if any problems were present on the 1A sequencer. The SS pushed the UV reset button, then reset the sequencer by deenergizing and energizing the power supply to the sequencer. This caused the DG air start solenoid to energize for another 5 seconds which caused the engine to start. This happened 19 minutes after the DG tripped the first time. The engine started and the sequencer sequenced the available loads as designed. After 1 minute and 10 seconds, the breaker and the engine tripped a second time. It did not automatically re-start due to the starting logic being blocked as described above. By this time, operators, a maintenance foreman and the diesel generator vendor representative were in the DG room. The initial report was that the jacket water pressure trip was the cause of the trip. The maintenance foreman and vendor representative observed that the jacket water pressure at the gauge was about 12-13 PSIG. The trip setpoint is 6 PSIG and the alarm setpoint is 8 PSIG. Also, the control room observed a lube oil sensor malfunction alarm.

At 0820 CST, both Unit 1 RAT 1A and the Unit 2 RAT 2B High Side and Low Side breakers tripped causing a loss of offsite power condition (LOSP) to the Unit 1 Train A Class 1E 4160 volt Bus 1AA02, the Unit 2 Train B Class 1E Bus 2BA03, and the 480 volt busses supplied by 1AA02 and 2BA03. The Unit 1 Train B Class 1E 4160 volt bus 1BA⁰³ also lost power since RAT 1A was feeding both Trains of Class 1E 4160 volt busses. The loss of power caused the associated ESF Actuation System Sequencers to send a start signal to one Unit 1 and one Unit 2 Diesel Generators. DG1A and DG2B started and sequenced the loads to their respective busses. Further description of the Unit 2 response to this event is provided in LER 50-425/191-002.

One minute and twenty seconds after DG1A started and sequenced the loads to the Class 1E bus, the engine tripped. This again caused an undervoltage (UV) condition to class 1E bus 1AA02. The UV signal is a maintained signal at the sequencer. However, since DG1A was coasting down from the trip, the shutdown logic did not allow the DG fuel racks or starting air solenoids to open and start the engine. This properly caused the engine starting logic to lock up, a condition that existed until the UV signal was reset. For this reason, DG1A did not automatically re-start after it tripped.

After the trip, operators were dispatched to the engine control panel to investigate the cause of the trip. According to the operator, several annunciators were lit. Without fully evaluating the condition, the operators reset the annunciators. During this time, a Shift Supervisor (SS) and a Plant Equipment Operator (PEO) went to the sequencer panel to determine if any problems were present on the 1A sequencer. The SS pushed the UV reset button, then reset the sequencer by deenergizing and energizing the power supply to the sequencer. This caused the DG air start solenoid to energize for another 5 seconds which caused the engine to start. This happened 19 minutes after the DG tripped the first time. The engine started and the sequencer sequenced the available loads as designed. After 1 minute and 10 seconds, the breaker and the engine tripped a second time. It did not automatically re-start due to the starting logic being blocked as described above. By this time, operators, a maintenance foreman and the diesel generator vendor representative were in the DG room. The initial report was that the jacket water pressure trip was the cause of the trip. The maintenance foreman and vendor representative observed that the jacket water pressure at the gauge was about 12-13 PSIG. The trip setpoint is 6 PSIG and the alarm setpoint is 8 PSIG. Also, the control room observed a lube oil sensor malfunction alarm.

Was temp & press. checked prior to resetting annunciators?

Fifteen minutes after the second DG1A trip, DG1A was started from the engine control panel using the emergency start breakglass button. The engine started and loads were manually loaded. When the DG is started in the emergency mode, all the trips except four are bypassed. However, all alarms will be annunciated. During the emergency run, no trip alarms were noticed by the personnel either at the control room or at the engine control panel. The only alarms noted by the control room operator assigned for DG operation were lube oil pressure sensor malfunction and fuel oil level high/low alarm.

At 1040 CST, RAT 1B was energized to supply power to 4160 volt bus 1BA03. DG1A supplied power to 4160 volt bus 1AA02 until 1157 CST, at which time bus 1AA02 was tied to RAT 1B.

Timber right

A Site Area Emergency was declared at 0840 CST, due to a loss of all offsite and onsite AC power for more than 15 minutes. The Emergency Director signed the notification form used to inform offsite government agencies of the emergency at 0848 CST and notifications began at 0857 CST. Due to the loss of power, which rendered the primary Emergency Notification Network (ENN) inoperable, and some mis-communication, the initial notification was not received by all agencies until 0935 CST.

The Emergency Director instructed personnel to complete various tasks for restoring containment and RCS integrity. All work was accomplished and maintenance personnel exited containment by 1050 CST.

as The SAE was downgraded to an Alert Emergency at 0915 CST after restoration of core cooling and one train of electrical power. By 1200 CST, plant conditions had stabilized with both trains of electrical power being supplied from offsite sources (RAT 1B). After discussions with the NRC and local government agencies, the emergency was terminated at 1247 CST and all agencies were notified by 1256 CST.

D. CAUSE OF EVENT

Direct Cause:

1. The direct cause of the loss of offsite Class 1E AC power was the fuel truck hitting a pole supporting a 230kV line for RAT 1A. This was a cognitive personnel error on the part of the truck driver. There were no unusual characteristics of the work location that directly contributed to this personnel error.
2. The direct cause of the loss of onsite Class 1E AC power was the failure of the operable DG, DG1A, to start and load the LOSP loads on buss 1AA02.

INSERT →
HERE

3. The direct cause of the failure of the primary ENN system is the control room that it is powered from Unit 1 Class 1E AC power. Therefore, when Unit 1 lost electrical power

INSERT

3. The direct cause of the failure of the primary ENN system in the control room was the loss of electrical power to Unit 1. The primary ENN in the control room is powered for Unit 1 Class 1E AC power. Therefore when Unit 1 lost electrical power, primary ENN in the control room did not work.

Class 1E AC

Fifteen minutes after the second DG1A trip, DG1A was started from the engine control panel using the emergency start breakglass button. The engine started and loads were manually loaded. When the DG is started in the emergency mode, all the trips except four are bypassed. However, all alarms will be annunciated. During the emergency run, no trip alarms were noticed by the personnel either at the control room or at the engine control panel. The only alarms noted by the control room operator assigned for DG operation were lube oil pressure sensor malfunction and fuel oil level high/low alarm.

At 1040 CST, RAT 1B was energized to supply power to 4160 volt bus 1BA03. DG1A supplied power to 4160 volt bus 1AA02 until 1157 CST, at which time bus 1AA02 was tied to RAT 1B.

A Site Area Emergency was declared at 0840 CST, due to a loss of all offsite and onsite AC power for more than 15 minutes. The Emergency Director signed the notification form used to inform offsite government agencies of the emergency at 0848 CST and notifications began at 0857 CST. Due to the loss of power, which rendered the primary Emergency Notification Network (ENN) inoperable, and some mis-communication, the initial notification was not received by all agencies until 0935 CST. ~~Subsequent notifications were made without difficulty.~~

The Emergency Director instructed personnel to complete various tasks for restoring containment and RCS integrity. All work was accomplished and maintenance personnel exited containment by 1050 CST.

The SAE was downgraded to an Alert Emergency at 0915 CST after restoration of core cooling and one train of electrical power. By 1200 CST, plant conditions had stabilized with both trains of electrical power being supplied from offsite sources (RAT 1B). After discussions with the NRC and local government agencies, the emergency was terminated at 1247 CST and all agencies were notified by 1256 CST.

D. CAUSE OF EVENT

Direct Cause:

1. The direct cause of the loss of offsite Class 1E AC power was the fuel truck hitting a pole supporting a 230kV line for RAT 1A. This was a cognitive personnel error on the part of the truck driver. There were no unusual characteristics of the work location that directly contributed to this personnel error.
2. The direct cause of the loss of onsite Class 1E AC power was the failure of the operable DG, DG1A, to start and load the LOSP loads on buss 1AA02.

GPC safety dept. look

A.W. Voyds Elec. Engr. Plant Safety Standards

Root Cause:

1. The truck driver met all current site training and qualification requirements, including holding a Class 2 Georgia driver's license. However, site safety rules, which require a flagman for backing vehicles when viewing is impaired, were violated.
2. The root cause for the failure of DG1A has not been conclusively determined. There is no record of the trips that were annunciated after the first trip because the annunciators were reset before the condition was fully evaluated. Therefore, the cause of the first trip can only be postulated, but it was most likely the same as that which caused the second trip. The second trip occurred at the end of the timed sequence of the group 2 block logic. This logic allows the DG to achieve operating conditions before the trips become active. The block logic timed out and the trip occurred at about 70 seconds. The annunciators observed at the second trip included jacket water high temperature along with other active trips. In conducting an investigation, the trip conditions that were observed on the second DG trip on 3-20-90 could be duplicated by venting 2 out of 3 jacket water temperature sensors, simulating a tripped condition. The simulation duplicated both the annunciators and the 70 sec. trip time. The most likely cause of the DG trips was intermittent actuation of the jacket water temperature switches.

Following the 3-20-90 event, all three jacket water temperature switches, which all have a design setpoint of 200°F, were bench tested. Switch TS-19110 was found to have a setpoint of 197 degrees F, which was approximately 6 degrees below its previous setting. Switch TS-19111 was found to have a setpoint of 199 degrees F, which was approximately the same as the original setting. Switch TS-19112 was found to have a setpoint of 186 degrees F, which was approximately 17 degrees F below the previous setting and was re-adjusted. Switch TS-19112 also had a small leak which was judged to be acceptable to support diagnostic engine tests and was reinstalled. The switches were recalibrated with the manufacturer's assistance to ensure a consistent calibration technique.

During the subsequent test run of the DG on 3-30-90, one of the switches (TS-19111) tripped and would not reset. This appeared to be an intermittent failure because it subsequently mechanically reset. This switch and the leaking switch (TS-19112) were replaced with new switches. All subsequent testing was conducted with no additional problems.

A test of the jacket water system temperature transient during engine starts was conducted. The purpose of this test was to determine the actual jacket water temperature at the switch locations with the engine in a normal standby lineup, and then followed by a series of starts without air, rolling the engine to replicate the starts of 3-20-90. The test showed that jacket water temperature at the switch location decreased from a standby temperature of 163 degrees F to approximately 156 degrees F and remained steady.

verify 720 starts
Numerous sensor calibrations (including jacket water temperatures), special pneumatic leak testing, and multiple engine starts and runs were performed under various conditions. Since 3-20-90, DG1A and DG1B have been started several times (more than twenty times each) and no failures or problems have occurred during any of these starts. In addition, an undervoltage start test without air roll was conducted on 4-6-90 and DG1A started and loaded properly.

Based on the above facts, it is concluded that the jacket water high temperature switches were the most probable cause of both trips on 3-20-90.

E. ANALYSIS OF EVENT

The loss of offsite power to Class 1E bus 1BA03 and the failure of DG1A to start and operate successfully, coupled with DG1B and RAT 1B being out of service for maintenance, resulted in Unit 1 being without AC power to both Class 1E busses. With both Class 1E busses deenergized, the RHR System could not perform its required safety function. Based on a noted rate of rise in the RCS temperature of 46 degrees F in 36 minutes, the RCS water would not have been expected to begin boiling until approximately 1 hour and 36 minutes after the beginning of the event.

Restoration of RHR and closure of the containment equipment hatch were completed well within the estimated 1 hour and 36 minutes for the projected onset of boiling in the RCS. A review of information obtained from the Process and Effluent Radiation Monitoring System (PERMS) and grab sample analysis indicated all normal values. As a result of this event, no increase in radioactive releases to either the containment or the environment occurred.

Additional systems were either available or could have been made available to ensure the continued safe operation of the plant:

1. The maintenance on RAT 1B was completed and the RAT was returned to service approximately 2 hours into the event.
2. Offsite power was available to non-1E equipment through the generator step-up transformers which were being used to "back-feed" the Unit Auxiliary Transformers (UAT) and supply the non-1E busses. Provided that the phase to ground fault was cleared, Class 1E busses 1AA02 and 1BA03 could have been powered by feeding through non-1E bus 1NA01.
3. The Refueling Water Storage Tank could have been used to manually establish gravity feed to the RC to maintain a supply of cooling water to the reactor.

Consequently, neither plant safety nor the health and safety of the public was adversely affected by this event. A more detailed assessment of this event and an assessment of the event had it occurred under more severe circumstances will be performed and included in a supplemental LER.

F. CORRECTIVE ACTIONS

1. A management policy on control and operation of vehicles has been established.
2. Temporary barricades have been erected with signs which direct authorization for control of switchyard traffic to the SS.
3. The Loss of Offsite Power (LOSP) diesel start and trip logic has been modified on Unit 1 so that an automatic "emergency" start will occur upon LOSP. Therefore, non-essential diesel engine trips are blocked upon LOSP. The Unit 2 DG's will be modified by 4-30-90.
4. The DG1A test frequency was increased to three times per week until 4-20-90 when the test frequency will be changed to once every 7 days in accordance with Technical Specification Table 4.8-1. This frequency will be continued until 7 consecutive valid tests are completed with no more than one valid failure in the last 20 valid tests. Including the two valid failures of this event, there have been a total of four valid failures in 69 valid tests of DG1A as of 1157 CST on 3-20-90.

5. The defective DG temperature switches have been replaced. In addition, a ~~defective~~ test program will be ~~initiated~~ ^{initiated at the} ~~initiated~~ to investigate the reliability of ~~these~~ temperature switches under various conditions. This program is ~~designed to aid in~~ ^{designed to aid in} ~~determining~~ the failure mode of the suspect switches.

6. A back-up ENN system powered from the AT&T system, which previously existed and was operational for South Carolina agencies, has been added to Georgia local and state agencies. Shift personnel have been instructed concerning emergency communications systems and their power supplies.
7. Further corrective actions will be addressed in a supplemental LER.

G. ADDITIONAL INFORMATION

1. Failed Components:

Jacket Water High Temperature Switches manufactured by California Controls Company.
Model #A-3500-W3

2. Previous Similar Events:

None

3. Energy Industry Identification System Code:

Reactor Coolant System - AB
Residual Heat Removal System - B
Diesel Generator Lube Oil System - LA
Diesel Generator Starting Air System - LC
Diesel Generator Cooling Water System - LB
Diesel Generator Power Supply System - EK
Safety Injection System - BQ
13.8 kV Power System - EA
1460 volt non-1E power system - EA
1460 volt Class 1E power system - EB
Chemical and Volume Control System - CB
Containment Building - NH
480 volt Class 1E Power System - ED
Engineered Safety Features Actuation System - JE
Radiation Monitoring System - IL

6. A back-up ENN system which previously existed and was operational for South Carolina agencies has been added to Georgia local and state agencies. Shift personnel have been instructed concerning emergency communications systems and their power supplies.

7. Further corrective actions will be addressed in a supplemental LER.

G. ADDITIONAL INFORMATION:

1. Failed Components:

Jacket Water High Temperature Switches manufactured by California Controls Company.
Model #A-3500-W3

2. Previous Similar Events:

None

3. Energy Industry Identification System Code:

Reactor Coolant System - AB
Residual Heat Removal System - B
Diesel Generator Lube Oil System - LA
Diesel Generator Starting Air System - LC
Diesel Generator Cooling Water System - LB
Diesel Generator Power Supply System - EK
Safety Injection System - BQ
13.8 kV Power System - EA
1460 volt non-1E power system - EA
1460 volt Class 1E power system - EB
Chemical and Volume Control System - CB
Containment Building - NH
480 volt Class 1E Power System - ED
Engineered Safety Features Actuation System - JE
Radiation Monitoring System - IL



From: ALLEN MOSBAUGH

To: George Bockhold 4-30-90

I have attached the start data for 1B Diesel Generator since 3-20-90. There are problems with operations logs of starts as noted. I believe that previous statements made to the NRC regarding 1B Diesel starts were incorrect in light of this data. Please advise of what action you want to take.

PACE Allen

4/30

From: G. Bockhold, Jr.

To: ALM/WFK

Have Engineering and Ops (JP Cash) work together to agree with the list, then have Tech Support prepare changes. **PACE** documents as required. George

ALM rewrite

Numerous sensor calibrations (including jacket water temperatures), special pneumatic leak testing, and multiple engine starts and runs were performed under various conditions. In addition, the control systems for both engines were subjected to a comprehensive test program. After completion of the control logic test sequence, an under voltage test was performed. Including the under voltage test each engine has been successfully started eleven times with no start failures.

Exh 8

LER 1-90-6 Rev. 1

Mgr. HP/Chem. _____ Date _____

Mgr. Maint.	Date
-------------	------

Mgr. Ops. _____ Date _____

Mgr. Out./Plan	Date
----------------	------

Asst. General Mgr. - Operations Date

50-66
Mtg. No.

If there are any questions, please call Tor at extension 3103

CK

J. Bookholder

5/14/90

Handwritten signature: *KH*

LICENSEE EVENT REPORT (LER)
TEXT CONTINUATION

APPROVED OMS NO 3180-0104

EXPIRES 6/30/97

ESTIMATED BURDEN PER RESPONSE TO COMPLY WITH THIS
INFORMATION COLLECTION REQUEST: 500 HRS. FORWARD
COMMENTS REGARDING BURDEN ESTIMATES TO THE RECORDS
AND REPORTS MANAGEMENT BRANCH (P&20) U.S. NUCLEAR
REGULATORY COMMISSION WASHINGTON, DC 20546 AND TO
THE PAPERWORK REDUCTION PROJECT (3180-0104) OFFICE
OF MANAGEMENT AND BUDGET, WASHINGTON, DC 20503

CITY NAME (1)

VEGP - UNIT 1

DOCKET NUMBER (2)

0 8 0 0 0 4 2 4

LER NUMBER (5)

PAGE (3)

YEAR SEQUENTIAL NUMBER REVISION NUMBER

9 0 0 0 6 0 0 0 6 OF 0 8

TEXT (if event report is required, use additional NRC Form 388A (2/17))

During the subsequent test run of the DG on 3-30-90, one of the switches (TS-19111) tripped and would not reset. This appeared to be an intermittent failure because it subsequently mechanically reset. This switch and the leaking switch (TS-19112) were replaced with new switches. All subsequent testing was conducted with no additional problems.

A test of the jacket water system temperature transient during engine starts was conducted. The purpose of this test was to determine the actual jacket water temperature at the switch locations with the engine in a normal standby lineup, and then followed by a series of starts without air rolling the engine to replicate the starts of 3-20-90. The test showed that jacket water temperature at the switch location decreased from a standby temperature of 163 degrees F to approximately 156 degrees F and remained steady.

Numerous sensor calibrations (including jacket water temperatures), special pneumatic leak testing, and multiple engine starts and runs were performed under various conditions. ~~After the 3-20-90 event, the control systems of both engines have been subjected to a comprehensive test program. Subsequent to this test program, DG1A and DG1B have been started at least 18 times each and no failures or problems have occurred during any of these starts. In addition, an undervoltage start test without air roll was conducted on 4-6-90 and DG1A started and loaded properly. After completion of the control logic test sequence, an undervoltage test was performed. Including the undervoltage tests, DG1A has been successfully started 15 times and DG1B has been successfully started 14 times as of 5-14-90, with no start failures.~~ In addition,

Based on the above facts, it is concluded that the jacket water high temperature switches were the most probable cause of both trips on 3-20-90.

E. ANALYSIS OF EVENT

The loss of offsite power to Class 1E bus 1BA03 and the failure of DG1A to start and operate successfully, coupled with DG1B and RAT 1B being out of service for maintenance, resulted in Unit 1 being without AC power to both Class 1E busses. With both Class 1E busses deenergized, the RHR System could not perform its required safety function. Based on a noted rate of rise in the RCS temperature of 46 degrees F in 36 minutes, the RCS water would not have been expected to begin boiling until approximately 1 hour and 36 minutes after the beginning of the event.

Restoration of RHR and closure of the containment equipment hatch were completed well within the estimated 1 hour and 36 minutes for the projected onset of boiling in the RCS. A review of information obtained from the Process and Effluent Radiation Monitoring System (PERMS) and grab sample analysis indicated all normal values. As a result of this event, no increase in radioactive releases to either the containment or the environment occurred.

LICENSEE EVENT REPORT (LER)
TEXT CONTINUATION

CITY NAME (1)

DOCKET NUMBER (2)

VEGP - UNIT 1

0 6 0 0 0 4 2 4

TEXT (if more space is required, use additional NRC Form 288A-1 (17))

During the subsequent test run of the DG on 3-30-90, one of the switches (TS-19111) tripped and would not reset. This appeared to be an intermittent failure because it subsequently mechanically reset. This switch and the leaking switch (TS-19112) were replaced with new switches. All subsequent testing was conducted with no additional problems.

A test of the jacket water system temperature transient during engine starts was conducted. The purpose of this test was to determine the actual jacket water temperature at the switch locations with the engine in a normal standby lineup, and then followed by a series of starts without air rolling the engine to replicate the starts of 3-20-90. The test showed that jacket water temperature at the switch location decreased from a standby temperature of 163 degrees F to approximately 156 degrees F and remained steady.

Numerous sensor calibrations (including jacket water temperatures), special pneumatic leak testing, and multiple engine starts and runs were performed under various conditions. *In addition,* ~~After the 3-20-90 event, the control systems of both engines have been subjected to a comprehensive test program. Subsequent to this test program, DG1A and DG1B have been started at least 18 times each and no failures or problems have occurred during any of these starts. In addition, an undervoltage start test without air roll was conducted on 4-6-90 and DG1A started and loaded properly.~~ After completion of the control logic test sequence, an undervoltage test was performed. Including the undervoltage test, each engine has been successfully started eleven times with no start failures.

Based on the above facts, it is concluded that the jacket water high temperature switches were the most probable cause of both trips on 3-20-90.

E. ANALYSIS OF EVENT

The loss of offsite power to Class 1E bus 1BA03 and the failure of DG1A to start and operate successfully, coupled with DG1B and RAT 1B being out of service for maintenance, resulted in Unit 1 being without AC power to both Class 1E busses. With both Class 1E busses deenergized, the RHR System could not perform its required safety function. Based on a noted rate of rise in the RCS temperature of 46 degrees F in 36 minutes, the RCS water would not have been expected to begin boiling until approximately 1 hour and 36 minutes after the beginning of the event.

Restoration of RHR and closure of the containment equipment hatch were completed well within the estimated 1 hour and 36 minutes for the projected onset of boiling in the RCS. A review of information obtained from the Process and Effluent Radiation Monitoring System (PERMS) and grab sample analysis indicated all normal values. As a result of this event, no increase in radioactive releases to either the containment or the environment occurred.

54
Georgia Power Company
333 Piedmont Avenue
Atlanta, Georgia 30308
Telephone 404 526-3195

Mailing Address:
40 Inverness Center Parkway
Post Office Box 1295
Birmingham, Alabama 35201
Telephone 205 858 5581

W. G. Hairston, III
Senior Vice President
Nuclear Operations

Docket No. 50-424

U. S. Nuclear Regulatory Commission
ATTN: Document Control Desk
Washington, D. C. 20555

Gentlemen:

VOGTLE ELECTRIC GENERATING PLANT
LICENSEE EVENT REPORT
LOSS OF OFFSITE POWER LEADS TO SITE AREA EMERGENCY

In accordance with 10 CFR 50.73, Georgia Power Company hereby submits the enclosed revised report related to an event which occurred on March 20, 1990. This revision is necessary to correct the information related to the number of successful Diesel Generator starts subsequent to the comprehensive test program as discussed in the original report and our April 9, 1990 letter (ELV-01516).

Sincerely,

W. G. Hairston, III

WGH, III/NJS/gm

Enclosure: LER 50-424/1990-006-01

cc: Georgia Power Company
Mr. C. K. McCoy
Mr. G. Bockhold, Jr.
Mr. R. M. Odom
Mr. P. D. Rushton
NORMS

U. S. Nuclear Regulatory Commission
Mr. S. D. Ebnetter, Regional Administrator
Mr. T. A. Reed, Licensing Project Manager, NRR
Mr. B. R. Bonser, Senior Resident Inspector, Vogtle

LICENSEE EVENT REPORT (LER)
TEXT CONTINUATION

ESTIMATED BURDEN PER RESPONSE TO COMPLY WITH THIS INFORMATION COLLECTION REQUEST: 60.5 HRS. FORWARD COMMENTS REGARDING BURDEN ESTIMATES TO THE RECORDS AND REPORTS MANAGEMENT BRANCH (P-680), U.S. NUCLEAR REGULATORY COMMISSION, WASHINGTON, DC 20549, AND TO THE PAPERWORK REDUCTION PROJECT (0150-0104), OFFICE OF MANAGEMENT AND BUDGET, WASHINGTON, DC 20503.

FACILITY NAME (1)	DOCKET NUMBER (2)	LER NUMBER (3)	PAGE (3)
VEGP - UNIT 1	0 6 0 0 0 4 2 4	9 0 - 0 0 6 - 0 1 0 6 OF 0 8	

TEXT (if more space is required, use additional NRC Form 2884's) (17)

During the subsequent test run of the DG on 3-30-90, one of the switches (TS-19111) tripped and would not reset. This appeared to be an intermittent failure because it subsequently mechanically reset. This switch and the leaking switch (TS-19112) were replaced with new switches. All subsequent testing was conducted with no additional problems.

A test of the jacket water system temperature transient during engine starts was conducted. The purpose of this test was to determine the actual jacket water temperature at the switch locations with the engine in a normal standby lineup, and then followed by a series of starts without air rolling the engine to replicate the starts of 3-20-90. The test showed that jacket water temperature at the switch location decreased from a standby temperature of 183 degrees F to approximately 156 degrees F and remained steady.

Numerous sensor calibrations (including jacket water temperatures), special pneumatic leak testing, and multiple engine starts and runs were performed under various conditions. In addition, the control systems of both engines were subjected to a comprehensive test program. After completion of the control logic test sequence, an undervoltage test was performed. Including the undervoltage tests, DG1A has been successfully started 15 times and DG1B has been successfully started 14 times as of 5-14-90, with no start failures.

Based on the above facts, it is concluded that the jacket water high temperature switches were the most probable cause of both trips on 3-20-90.

E. ANALYSIS OF EVENT

The loss of offsite power to Class 1E bus 1BA03 and the failure of DG1A to start and operate successfully, coupled with DG1B and RAT 1B being out of service for maintenance, resulted in Unit 1 being without AC power to both Class 1E busses. With both Class 1E busses deenergized, the RHR System could not perform its required safety function. Based on a noted rate of rise in the RCS temperature of 46 degrees F in 36 minutes, the RCS water would not have been expected to begin boiling until approximately 1 hour and 36 minutes after the beginning of the event.

Restoration of RHR and closure of the containment equipment hatch were completed well within the estimated 1 hour and 36 minutes for the projected onset of boiling in the RCS. A review of information obtained from the Process and Effluent Radiation Monitoring System (PERMS) and grab sample analysis indicated all normal values. As a result of this event, no increase in radioactive releases to either the containment or the environment occurred.

LICENSEE EVENT REPORT (LER)
TEXT CONTINUATION

APPROVED DATE NO. 1180714

ASSEMBLY NAME: HI

BOULET NUMBER: 01

VEGP - UNIT 1

0 8 0 0 0 4 1 4

TEXT OF EVENT REPORT IS REQUIRED, AND SHOULD BE SENT TO: PECO 2004 N 17th

During the subsequent test run of the DG switches (TS-1911) tripped and would not reset. This appeared to be an intermittent failure because it subsequently mechanically reset. This switch and the leaking switch (TS-1912) were replaced with new switches. All subsequent testing was conducted with no additional problems.

A test of the jacket water system temperature transient during engine starts was conducted. The purpose of this test was to determine the actual jacket water temperature at the switch locations with the engine in a normal standby lineup, and then followed by a series of starts without air rolling the engine to replicate the starts of 3-20-90. The test showed that jacket water temperature at the switch location decreased from a standby temperature of 163 degrees F to approximately 156 degrees F and remained steady.

Numerous sensor calibrations (including jacket water temperatures), special pneumatic leak testing, and multiple engine starts and runs were performed under various conditions. In addition, the control systems of both engines were subjected to a comprehensive test program. After completion of the control logic test sequence, an undervoltage test was performed. ~~including the undervoltage tests, DG1A has been successfully started 18 times and DG1B has been successfully started 14 times as of 6-14-90, with no start failures.~~

Based on the above facts, it is concluded that the jacket water high temperature switches were the most probable cause of both trips on 3-20-90.

E. ANALYSIS OF EVENT

The loss of offsite power to Class 1E bus 1BA03 and the failure of DG1A to start and operate successfully, coupled with DG1B and RAT 1B being out of service for maintenance, resulted in Unit 1 being without AC power to both Class 1E busses. With both Class 1E busses deenergized, the RCS System could not perform its required safety function. Based on a noted rate of rise in the RCS temperature of 46 degrees F in 36 minutes, the RCS water would not have been expected to begin boiling until approximately 1 hour and 36 minutes after the beginning of the event.

Restoration of RHR and closure of the containment equipment hatch were completed well within the estimated 7 hour and 30 minutes for the projected onset of boiling in the RCS. A review of information obtained from the Process and Effluent Radiation Monitoring System (PERMS) and grab sample analysis indicated all normal values. As a result of this event, no increase in radioactive releases to either the containment or the environment occurred.

From 3-20-90 to 6-11-90, there were 14 valid tests of DG1 with no valid failures. During this same time period, there were 11 valid tests of DG1B with one valid failure, which occurred following installation of new jacket water temperature switches. A report of this failure will be submitted as Technical Specification Special Report #1-90-4.

LOSS OF OFFSITE POWER LEADS TO SITE AREA EMERGENCY

EVENT DATE: 3-20-90

ABSTRACT

On 3-20-90, Unit 1 was in a refueling outage and Unit 2 was operating at 100% power. At 0820 CST, the driver of a fuel truck in the switchyard backed into a support for the phase "C" insulator for the Unit 1 Reserve Auxiliary Transformer (RAT) 1A. The insulator and line fell, causing a phase to ground fault. Both Unit 1 RAT 1A and Unit 2 RAT 2B High Side and Low Side breakers tripped, causing a loss of offsite power condition (LOSP). Unit 1 Diesel Generator (DG) 1A and Unit 2 DG2B started, but DG1A tripped, causing a loss of residual heat removal (RHR) to the reactor core since the Unit 1 Train B RAT and DG were out of service for maintenance. A Site Area Emergency (SAE) was declared and the site Emergency Plan was implemented. The Reactor Coolant System heated up to 135 degrees F from 90 degree F before the DG was emergency started at 0856 CST and RHR was restored. The initial notifications were not made within the required 15 minutes due to the loss of power to the Emergency Notification Network (ENN). At 0915 CST, the SAE was downgraded to an Alert after onsite power was restored.

The direct cause of this series of events was a cognitive personnel error. The truck driver failed to use proper backing procedures and hit a support, causing the phase to ground fault and LOSP. The most probable cause of the DG1A trip was the intermittent actuation of the DG jacket water temperature switches.

Corrective actions include strengthening policies for control of vehicles, extensive testing of the DG and replacement of suspect DG temperature switches, and improvements in the ENN system.

En
13

subsequent testing was conducted with no additional problems.

A test of the jacket water system temperature transient during engine starts was conducted. The purpose of this test was to determine the actual jacket water temperature at the switch locations with the engine in a normal standby lineup, and then followed by a series of starts without air rolling the engine to replicate the starts of 3-20-90. The test showed that jacket water temperature at the switch location decreased from a standby temperature of 163 degrees F to approximately 156 degrees F and remained steady.

Numerous sensor calibrations (including jacket water temperatures), special pneumatic leak testing, and multiple engine starts and runs were performed under various conditions. After the 3-20-90 event, the control systems of both engines were subjected to a comprehensive test program. Additionally, the jacket water high temperature switches were sent to an independent laboratory, which found the switches set at temperatures ranging from 162 degrees F to 195 degrees F rather than the 200 degree F setting that was required. The calibration technique was changed and new switches were calibrated and installed DG1A on 5-23-90. However, another failure occurred (See Technical Specification Special Report 1-90-4.). These switches were also sent to the independent laboratory, which found the settings to be from 164 degrees F to 169 degrees F. Subsequent to this testing, the onsite calibration procedure was again revised to provide a technique that is consistent with the actual operating conditions that the switches experience. Switches were calibrated using this new technique, installed and found to operate within the expected parameters.

Based on the above facts, it is concluded that the jacket water high temperature switches were the most probable cause of both trips on 3-20-90.

E. ANALYSIS OF EVENT

The loss of offsite power to Class 1E bus 18A03 and the failure of DG1A to start and operate successfully, coupled with DG18 and RAT 18 being out of service for maintenance, resulted in Unit 1 being without AC power to both Class 1E busses. With both Class 1E busses deenergized, the RHR System could not perform its required safety function. Based on a noted rate of rise in the RCS temperature of 46 degrees F in 36 minutes, the RCS water would not have been expected to begin boiling until approximately 1 hour and 36 minutes after the beginning of the event. Using more conservative assumptions and methods, but the same actual time of the event, the calculated worst case time to boiling was found to be approximately 1 hour and 11 minutes, and time to core uncovering was found to be approximately 11 hours and 5 minutes. This assumed no gravity feed from the RWST.

TITLE

LER 1-90-6 Rev.1 Rewrite

Mgr. Engr. Supt. / Date

Mgr. HP/Chem. / Date

John L. Phillips 16/19/90
Mgr. Tech. Supt. / Date

Mgr. Maint. / Date

Mgr. Admin. / Date

Mgr. Ops. / Date

Mgr. Trng. / Date

Mgr. Out./Plan / Date

Asst. General Mgr. - Support / Date

Asst. General Mgr. - Operations / Date

W F Kitchens
PRB

90-84 6/21/90
Reg. No.

Please review, sign where appropriate and return to Tom Webb by _____.

If there are any questions, please call Tom at extension 3105.

OK

EV414

Boekhoff
6/23

subsequent testing was conducted with no additional problems.

A test of the jacket water system temperature transient during engine starts was conducted. The purpose of this test was to determine the actual jacket water temperature at the switch locations with the engine in a normal standby lineup, and then followed by a series of starts without air rolling the engine to replicate the starts of 3-20-90. The test showed that jacket water temperature at the switch location decreased from a standby temperature of 163 degrees F to approximately 156 degrees F and remained steady.

Numerous sensor calibrations (including jacket water temperatures), special pneumatic leak testing, and multiple engine starts and runs were performed under various conditions. After the 3-20-90 event, the control systems of both engines were subjected to a comprehensive test program. Additionally, the jacket water high temperature switches were sent to an independent laboratory, which found the switches set at temperatures ranging from 162 degrees F to 195 degrees F rather than the 200 degree F setting that was required. The calibration technique was changed and new switches were calibrated and installed DG1A on 5-23-90. However, another failure occurred (See Technical Specification Special Report 1-90-4.). These switches were also sent to the independent laboratory, which found the settings to be from 164 degrees F to 169 degrees F. Subsequent to this testing, the onsite calibration procedure was again revised to provide a technique that is consistent with the actual operating conditions that the switches experience. Switches were calibrated using this new technique, installed and found to operate within the expected parameters.

Based on the above facts, it is concluded that the jacket water high temperature switches were the most probable cause of both trips on 3-20-90.

E. ANALYSIS OF EVENT

The loss of offsite power to Class 1E bus 18A03 and the failure of DG1A to start and operate successfully, coupled with DG1B and RAT 1B being out of service for maintenance, resulted in Unit 1 being without AC power to both Class 1E busses. With both Class 1E busses deenergized, the RHR System could not perform its required safety function. Based on a noted rate of rise in the RCS temperature of 46 degrees F in 36 minutes, the RCS water would not have been expected to begin boiling until approximately 1 hour and 36 minutes after the beginning of the event. Using more conservative assumptions and methods, but the same actual time of the event, the calculated worst case time to boiling was found to be approximately 1 hour and 11 minutes, and time to core uncovering was found to be approximately 11 hours and 5 minutes. This assumed no gravity feed from the RWST.

June 29, 1990

Memo To: George Bockhold, Jr.
General Manager Nuclear Plant-Vogtle

Subject: Vogtle Electric Generating Plant - Units 1 & 2
Spec' 1 QA Audit of Unit 1 Emergency Diesel Generator Starts -
OFC-90/33

File: X7BG17-P-OP26

Log No: VSAER-90-159

↑
JUL 1990
Received
SAER-Vogtle

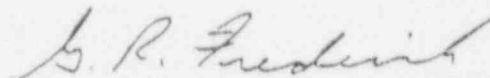
Audit Scope: This narrow-scoped audit was conducted at the request of the Manager Safety Audit and Engineering Review. Its purpose was to investigate the records of the Vogtle Electric Generating Plant Unit 1 Emergency Diesel Generators (EDG's) starts conducted in response to the failure of EDG 1A on March 20, 1990. This audit reviewed test data sheets generated during troubleshooting/maintenance testing and surveillance testing as well as the Unit 1 Shift Supervisor's Log and the Diesel Start Log maintained by the diesel generator system engineer.

Summary of Problems Found:

- o No procedural noncompliances were identified. However, the number of Unit 1A and 1B successful diesel starts (18) identified in License Event Report (LER) 424/90-06 subsequent to completion of the test program was determined to be incorrect. The correct numbers should have been 10 and 12, respectively, using the guidance of the LER.

Evaluation: The Diesel Generator Start Log was found to be substantially behind with regard to entries and diesel start evaluations. Substantial delays were found in processing information on diesel start attempts from the Control Room to the diesel system engineer. When combined, these items prevented having a single source document readily available that reflected diesel starts and valid tests. The current methodology should be reviewed and revised to remove these problems.

Action: None required.



G. R. Frederick
Supervisor - SAER

NCM/GRF/btp

Attachments

xc: R. P. McDonald	W. G. Hairston, III
C. K. McCoy	M. J. Ajluni
W. E. Mundy	NORMS
C. T. Davis	G. A. McCarley
J. G. Aufdenkampe, Jr.	Q. A. File
M. W. Horton	J. E. Swartzwelder

PLANT

Plant Vogtle - Units 1 & 2

ACTIVITY

Special QA Audit of Unit 1 Emergency Diesel Generator Starts

AUDIT NO.

OP26-90/33

DATES AUDITED

June 11 through 23, 1990 (non-continuous)

AUDITORS

N. C. Moseley, Jr., Senior QA Engineer (Audit Team Leader)
G. R. Frederick, Supervisor - SAER

<u>CONTACTS</u>	<u>PRE-AUDIT CONFERENCE</u>	<u>AUDIT</u>	<u>POST-AUDIT CONFERENCE</u>
T. V. Greene		X	
W. F. Kitchens		X	
P. H. Drawdy		X	
M. T. Pearce		X	
D. O. Vickery		X	
S. A. Lockhart		X	
F. P. Sharkey		X	

REFERENCES

<u>PROCEDURE</u>	<u>REVISION</u>	<u>DESCRIPTION</u>
13145-1	21	Diesel Generators
14980-1	19	Diesel Generator Operability Test
55038-C	1	Diesel Start Log

PURPOSE/SCOPE

The purpose of this narrow-scoped audit, conducted at the request of management, was to verify the testing of the Unit 1 Emergency Diesel Generators (EDG). The scope of the audit covered the testing conducted subsequent to the test program performed in response to the failure of EDG 1A to start on March 20, 1990. The audit consisted of reviewing the test data sheets (surveillance and troubleshooting/maintenance), the Shift Supervisor's Log and the Diesel Start Log maintained by the diesel generator engineer. The information obtained from these sources was correlated and compared for consistency.

EVALUATION

The results of this audit indicate that the tracking of Emergency Diesel Generator starts has been effective within the scope of the audited areas. The problems noted appear to be the result of slow processing of the test data sheets.

AUDIT DETAILS

I. Shift Supervisor's Log

A. Requirement

VEGP Procedure 13145-1 requires that all start attempts be logged in the Unit Shift Supervisor's or the Unit Unit Control Logbook and include the following information: Start time, reason for start, and success or failure of the start attempt.

B. Results

The Unit 1 Shift Supervisor's (S/S) Log was reviewed for the time period March 20 through June 12, 1990. All entries that identified the starting (automatic or planned) of either EDG 1A or 1B were noted. The level of detail recorded in the S/S Log book varied. For some EDG starts the start and stop times were logged as well as a notation as to the results (successful, failure, valid, non-valid, tripped, etc.). For other starts, the only notation was that a surveillance test had been authorized or that a surveillance task sheet had been reviewed and determined to be satisfactory. Comparison with the other sources of information (test data sheets and Diesel Start Log) determined that in addition to some entries not being complete as noted above, not all EDG starts had been logged in the S/S Log. (See Attachments A & B for comparison data). As the other sources provided more complete documentation of each EDG test, the Unit Control Log was not reviewed to determine if the referenced requirement had been met. The redundant requirement may need to be reviewed to determine if it serves a useful purpose or is merely a burden on the Control Room staff.

II. Surveillance Testing (14980-1)

A. Requirement

VEGP procedure 14980-1 requires that the pertinent data be entered on "Completion Sheet 1" whenever the procedure is used to demonstrate the operability of the EDG's.

B. Results

Completion sheets from procedure 14980-1 for the subject interval (3/20/90 to 6/12/90) were reviewed in the Document Control Vault on 6/12/90. Additional completion sheets were reviewed on 6/29/90. Some difficulties were encountered in retrieving the data sheets from the vault. Some were filed under various surveillance task numbers (14890-101, -102, ..., -112) and others were filed under just the procedure number (14980-1). The information from these sheets (see Attachments A & B) was taken from the Diesel Generator Start Evaluation and Comments sections.

III. Troubleshooting/Maintenance Testing (13145-1)

A. Requirement

VEGP Procedure 13145-1 requires that pertinent data be entered on "Completion Sheet 1" whenever the procedure is used for testing the EDG's.

B. Results

Completion sheets from 13145-1 for the subject interval (3/20/90 to 6/12/90) were reviewed in the Document Control Vault on 6/12/90. Some difficulties were encountered in retrieving the completion sheets. Seventeen completion sheets, for tests performed on April 6, May 23, and May 24, 1990, could not be retrieved on June 12, 1990. The sheets were, however, retrieved and reviewed on June 29, 1990. The information from these sheets (See Attachments A & B) was taken from the Diesel Generator Start Evaluation and Comments sections. As identified on the Attachments, a complete evaluation of the start was not always indicated (some did not indicate success or failure of the start and others did not indicate a valid or non-valid test).

IV. Diesel Generator Start Log (55038-C)

A. Requirement

VEGP procedure 55038-C requires that the results of all EDG tests performed under procedures 13145-1 and 14980-1 be recorded in the Diesel Start Log.

B. Results

The information recorded in the Diesel Start Log was reviewed and compared with the information obtained from the review of 13145-1 and 14980-1 data sheets (see Attachments A & B for results). The Diesel Start Log was determined to contain entries for all 13145-1 and 14980-1 data sheets that were reviewed for the subject time period. The two entries in the S/S Log (ref. Attachment B) on May 15 and May 23 that do not have corresponding entries in the Diesel Start Log were determined to be log entry errors in the S/S Log based on EDG run hours and the lack of data sheets (13145-1 or 14980-1).

V. Results

- A. The number of successful starts (18) without problems specified in LER 424/90-06, dated April 19, 1990 was determined to be incorrect. Applying the criteria of subsequent to completion of the test program, the first successful start performed using procedure 14980-1, "Diesel Generator Operability Test," was counted. Through April 19, 1990, 10 successful starts were made on the Unit 1A diesel and 12 successful starts were made on the Unit

1B diesel. It should be noted that successful is not meant to imply a "Valid" start using regulatory criteria. Based on evaluations made by the responsible diesel system engineer, 7 valid starts were made on both the 1A and 1B diesel subsequent to completion of the test program and through April 19, 1990. As discussed in the audit details above, entries in the Diesel Generator Diesel Start Log were confirmed during the audit by independent verification using several sources.

No specific cause for the error in the LER number of 18 starts was identified. However, it appears the major problem was that on April 19, 1990, when the LER was prepared, the Diesel Generator Start Log had not been updated. Based on a review of the log, no entries were made in the Unit 1B diesel Log between March 15 and May 2, 1990; no entries were made in the Unit 1A Diesel Log between March 16, 1990, and May 2, 1990. Therefore, no single source document was readily available for determining the results of diesel start attempts following the Site Area Emergency March 20, 1990, and prior to submittal of the LER April 19, 1990. Also, it appears that confusion about the specific point at which the test program was completed exists. Therefore, successful starts made during the test program were counted.

As discussed in the audit details, the data sheets from procedures 13145-1 and 14980-1 are used by the system engineer when completing the start log. Substantial delays were noted in processing these forms. In some cases, 24 days passed from the diesel start attempt until the form was sent to the system engineer (March 31, 1990 to April 24, 1990). Because of the routing delays and the unknown location of the forms during that interim period, an individual attempting to identify diesel starts would not know if a complete set of sheets was accumulated. As noted above, the diesel start log was not up to date when the LER was submitted.

- B. The Unit 1B diesel start log was again updated June 6, 1990, however, through June 28, 1990, no additional entries have been made in the Unit 1A Diesel Generator Start Log. Since the system engineer makes the determination on "Valid" starts, his determination was used to count the valid starts through June 7, 1990 and since completion of the test program. The results were 10 on the Unit 1A diesel and 11 on the 1B diesel. However, the auditors identified several additional successful starts performed in accordance with procedure 14980-1, "Diesel Generator Operability Test." It appears that through June 7, 1990, the Unit 1A diesel will have had 16 valid starts and the 1B diesel will have had 12 valid starts.

VI. Recommendations

The error introduced in the LER appears to be the result of incomplete documentation. It was determined that on the date of the LER submittal, entries in the Diesel Generator Start Log were not up-to-date. Additionally, data forms generated by the Control Room during each start had not been processed.

It also appears that the current methodology of forwarding data forms to the diesel system engineer has several processing delays. Procedure 55038-C, "Diesel Start Log," does not contain specific guidance on timeliness in making entries and thus an up-to-date log does not exist. The system engineer indicated he typically updates the log monthly. During the period of frequent starts monthly updates were inappropriate.

- o The methodology for logging and determining "Valid" diesel starts should be changed or more specific requirements for maintenance of the Diesel Generator Start Log developed.
- o It is also recommended that the need for redundant entries made in the Shift Supervisor's Logs and Unit Control Room Logs be reviewed. Since many entries in the SS log were either incomplete or missing, it provides little benefit as a source document with regard to diesel operations.

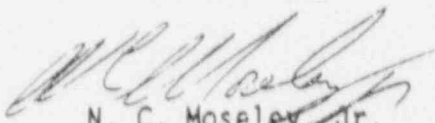
OPEN ITEMS

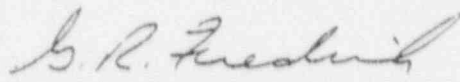
From previous audits: None.

From this audit: None.

POST-AUDIT CONFERENCE

No post-audit conference was held. Individual management personnel were briefed on the results of this audit.


N. C. Moseley, Jr.
Senior QA Engineer


G. R. Frederick
Supervisor - SAER

OP26-90/33

Starts Since 3/20/90

Start No.	Start Date	Start Time	14980-1				13145-1				S/S Log				D/G Log				Comments				
			Success	Valid	Failure	Test	Surv. Tag Start Serial No	Success	Valid	Failure	Test	Start	Success	Valid	Failure	Test	Start No. (1-99)	Valid		N-Valid	Success	Failure	Run Time
	3/20	0820															139					1m	
		0841															140					1m	
		0856															141					4h 3m	
		2119															142					4h 3m	
		2223															143					5m	
		2233															144					21m	
	3/23	0254															145					1h 11m	Manual Trip
		1724															146					0m	
	3/29	1109															147					49m	T-ENG-90-II UV Test
	3/30	1920															148					1h 55m	
		2235															149					6m	
		2254															150					6m	
		2313															151					6m	
		2328															152					6m	
		2343															153					4m	
		2348															154					12m	
	3/31	0012															155					2m	
		0016															156					3m	
		1827															157					10m	
		1846															158					1m	
		1856															159					1m	
		1904															160					2m	
		1921															161					1m	
		1955															162					17m	
		2253															163					27m	UV Test, 3h 27m noted
4/1		0423															164					1h 33m	Photograph of tie-to-grid noted
4/6		1345															165					1m	
		1404															166					1m	
		1420															167					10m	
		2347															168					2h 26m	Return to generator of LC

UV Test, Stop time noted
Afternoon & fire to good noted

Return to operation, ref. LCO

Starts Since 3/20/90

OP26-90/33

[illegible]

Starts Since 3/20/90

0P26-90/33

Page 1 of 2

Start No.	Start Date	Start Time	14980-i			13145-1			S/S Log			D/G Log			Comments	
			Success	Valid	Test	Surv.	Test Start	Valid	Test	Success	Valid	Test	Start No. (1-10)	Valid		Test
	3/21	2149										120			0m	Indagatoe fuel in line after manual.
		2156										121			0m	Ditto
		2202										122			15m	
		2259										123			2m	Manual stop due to alarm's ALB 38, 805, 801, 802, 801
		2314										124			4m	Manual stop due to hi fuel AP
	3/22	0017										125			6m	
		0428										126			1m	
		0715										127			16.8m	Charged on 4/55; T-ENG-90-09; Run time & oil age
		0854										128			6m	T-ENG-90-05
		0921										129			6m	Ditto
		1009										130			6m	
		1105										131			3m	
	3/23	0509										132			16.39m	Trip signal hi lube oil temp
		1730										133			44.59m	
		1744										134			0	Trip on low jacket H ₂ O pressure
	3/24	0048										135			46.36m	
		1649										136			36m	
	3/27	1906										137			11.36m	Emergency start
												138			42m	Run time & oil age
												139			3m	
												140			3m	
		2220										141			6m	
	3/28	0403										142			48m	Run time & oil age; Run UV test
		1351										143			16.32m	
		1356										144			6m	MWD 14903281 FT
	4/4	1632										145			6m	Ditto
	4/5	0030										146			16.12m	
		0307										147			5m	DCP 90-VIN0133-0-1; T-ENG-90-17; ① A.H. orientation
	4/10	0137										148			24.6m	
												149			16.52m	① A.H. orientation

* One entry in s/s log entry continued testing

Starts Since 3/20/90

OP26-90/33

Start No.	Start Date	Start Time	14980-1				13145-1				S/S Log				D/G Log				Run Time	Comments		
			Success	Valid	Failure	Test	Surv. Task start Serial No	Success	Valid	Failure	Test	Start	Tip	Valid	N-Valid	Set	Start No (1-99)	Valid			N-Valid	Test
	4/12	1020	✓	✓							①						150	✓	✓	✓	2h 12m	① Control placed in "local"
	4/16	0000	✓	✓							①						151	✓	✓	✓	2h	① Diff
	4/18	0759	✓								①					✓	152	✓	✓	✓	1h 35m	① Authorization
	4/19	0314									✓						153	✓	✓	✓	31m	① Unpowered auto start OSP 14649-1
	4/29	0955	✓								①					✓	154	✓	✓	✓	2h 4m	① Authorization
	4/29	0909	✓								✓					✓	155	✓	✓	✓	2h 4m	
	5/15										①					✓						① Authorization; S/S Log does not indicate Train A-B
	5/23	1226	✓								✓					✓	156	✓	✓	✓	2m	① Trip signal received
		1310									✓						157	✓	✓	✓	1m	① Diff
		1412									①						158	✓	✓	✓	11m	① Stopped w/ no abnormal indication
		1445									①						159	✓	✓	✓	4m	① Diff
		2118									✓						160	✓	✓	✓	1m	
		2138									✓						161	✓	✓	✓	1m	
		2157									✓						162	✓	✓	✓	2m	
		2206									①											① Normal stop
		2255									✓						163	✓	✓	✓	2m	
	5/24	2337									✓						164	✓	✓	✓	2m	
		1229									✓						165	✓	✓	✓	5m	
		1242									✓						166	✓	✓	✓	4m	
		1253									✓						167	✓	✓	✓	4m	
		1310									✓						168	✓	✓	✓	5m	
		1518									✓						169	✓	✓	✓	3m	
		1530									✓						170	✓	✓	✓	3m	
	5/26	1916	✓														171	✓	✓	✓	1h 54m	
	5/26	2028									✓						172	✓	✓	✓	18m	① P VIN0138 0-1
	6/1	1145	✓								✓						173	✓	✓	✓	2h 3m	
	6/7	0912	✓								✓											

* S/S Log indicates tested per 13045-1

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the Southern electric system

W. G. Hairston, III
Senior Vice President
Nuclear Operations

ELV-01729
0415

Docket No. 50-424

U. S. Nuclear Regulatory Commission
ATTN: Document Control Desk
Washington, D. C. 20555

Gentlemen:

VOGTLE ELECTRIC GENERATING PLANT
LICENSEE EVENT REPORT
LOSS OF OFFSITE POWER LEADS TO SITE AREA EMERGENCY

In accordance with 10 CFR 50.73, Georgia Power Company hereby submits the enclosed revised report related to an event which occurred on March 20, 1990. This revision is necessary to correct the information related to the number of successful Diesel Generator starts subsequent to the comprehensive test program as discussed in the original report and our April 9, 1990 letter (ELV-01516). The previous LER stated that the Diesel Generator had been started at least 18 times without failures or problems. The number of tests was determined by counting Diesel Generator tests regardless of whether or not the test constituted a valid test in accordance with Regulatory Guide 1.103, however, only valid failures were considered in reaching the conclusion that there had been no failures or problems. This revision to the LER reflects the results of valid tests since the March 20, 1990 event.

Sincerely,

W. G. Hairston, III

WGH,III/NJS/gm

Enclosure: LER 50-424/1990-006-01

xc (see next page)

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W. C. Hairston, III
Senior Vice President
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ELV-01729
0415

Docket No. 50-424

U. S. Nuclear Regulatory Commission
ATTN: Document Control Desk
Washington, D. C. 20555

Gentlemen:

VOGTLE ELECTRIC GENERATING PLANT
LICENSEE EVENT REPORT
LOSS OF OFFSITE POWER LEADS TO SITE AREA EMERGENCY

In accordance with 10 CFR 50.73, Georgia Power Company hereby submits the enclosed revised report related to an event which occurred on March 20, 1990. This revision is necessary to correct the information related to the number of successful Diesel Generator starts subsequent to the comprehensive test program as discussed in the original report and our April 9, 1990 letter (ELV-01729). The previous LER stated that the Diesel Generator had been started at least 18 times without failures or problems. The number of starts was determined by counting Diesel Generator starts regardless of whether or not the test constituted a valid test in accordance with Regulatory Guide 1.1011. This revision to the LER reflects the results of valid tests since the March 20, 1990 event.

Sincerely,

W. C. Hairston, III

WCH, III/nbs/gm

Enclosures: LER 50-424/1990-006-01

xc (see next page)

U.S. Nuclear Regulatory Commission
Washington, D.C. 20555
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Mr. G. W. H. H. H.
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ELV-01/29
0468

Docket No. 30-424

U. S. Nuclear Regulatory Commission
ATTN: Document Control Desk
Washington, D. C. 20555

Re: Element

VOGUE ELECTRIC GENERATING PLANT
LICENSEE EVENT REPORT
LOSS OF OFF-SITE POWER LEADS TO SITE AREA EMERGENCY

In accordance with 10 CFR 50.73, Georgia Power Company (GPC) hereby submits the enclosed revised report related to an event which occurred on March 20, 1990. This revision is necessary to clarify the information related to the number of successful diesel generator starts as discussed in the original LER dated April 19, 1990 and our earlier letter (ELV-01516) dated April 9, 1990 and to update the status of corrective actions. The letter of April 9 stated that Diesel Generator 1A had been started 18 times and that Diesel Generator 1B had been started 19 times since March 20, 1990. The LER dated April 19 inadvertently stated "Subsequent to this test program, DG1A and DG1B have been started at least 18 times each and no failures or problems have occurred during any of these starts". The report should have stated "Subsequent to the event" rather than "Subsequent to this test program." With this change the LER is consistent with the letter of April 9 and the presentation made by GPC to the NRC in Atlanta on the same day.

In order to correct the LER and to provide more useful and up to date information the LER has been revised to state the number of valid diesel generator tests in accordance with Regulatory Guide 1.108 rather than the number of "successful" starts since the event. The number of valid tests was established by reviewing diesel generator testing data from March through June 1, 1990.

Sincerely,

G. W. H. H. H.

WGH, III/HNP/gm

ELV-01729
0470

Docket No 50-424

U. S. Nuclear Regulatory Commission
ATTN: Document Control Desk
Washington, D. C. 20555

Gentlemen:

VOGTLE ELECTRIC GENERATING PLANT
LICENSEE EVENT REPORT
LOSS OF OFFSITE POWER LEADS TO SITE AREA EMERGENCY

In accordance with 10 CFR 50.73, Georgia Power Company (GPC) hereby submits the enclosed revised report related to an event which occurred on March 20, 1990. This revision is necessary to clarify the information related to the number of successful diesel generator starts as discussed in the OPC letter dated April 9, 1990 and the LER dated April 19, 1990 and to update the status of corrective actions in the LER. If the criteria for the completion of the test program is stated to be the first successful test in accordance with Vogtle Electric Generating Plant (VEG) procedure 14980-1 "Diesel Generator Operability Test," then there were 10 successful starts of Diesel Generator 1A and 12 successful starts of Diesel Generator 1B between the completion of the test program and the date of April 19, 1990, the date the LER 50-424/1990-06 was submitted to the NRC. The number of successful starts included in the original LER included some of the starts that were part of the test program. The discrepancy is attributed to poor record keeping practices and the definition of the end of the test program.

In order to correct the LER and to provide more useful and up to date information, the LER has been revised to state the number of valid diesel generator tests in accordance with Regulatory Guide 1.108 rather than the number of successful starts since the event. The number of valid tests was established by reviewing diesel generator testing data from March 21 through June 7, 1990.

Sincerely,

W. G. Hairston, III

WGH:111/WHM:jm
Enclosure: 44-50-424/1990-006-m

RESPONSE TO HOBBY/MOJDAUGH PETITION, SECTION III.4

I. Petitioners' Allegations.

Petitioners assert that GPC's Executive Vice President, Mr. R. Patrick McDonald, knowingly submitted false testimony in a Department of Labor ("DOL") proceeding commenced under Section 210 of the Energy Reorganization Act of 1974 ("ERA") by Messrs. Gary Yunker and John Fuchko (hereinafter "Yunker/Fuchko"). Additionally, petitioners assert that Mr. Hobby advised GPC's counsel that Mr. McDonald's proposed testimony was false prior to the DOL hearing and that when so informed, GPC's counsel advised Hobby that his testimony would have to be changed. Petitioners further assert that Mr. Thomas McHenry, a former GPC employee, confirmed Mr. Hobby's assertion that Mr. McDonald's testimony was false based on first hand knowledge. Finally, petitioners assert that Mr. McDonald falsely testified in an attempt to demonstrate that Messrs. Yunker and Fuchko were not improperly kept out of a GPC position that would participate in the SONOPCO Project.

II. GPC Response to Petitioners' Allegations.

The petitioners' allegations are without merit.

The Petition paraphrases Mr. McDonald's testimony in Yunker/Fuchko as stating that the support staffs for Plants Hatch and Vogtle which would participate in the SONOPCO Project were chosen "from the top down." By characterizing the staffing procedure as "from the top down," Mr. McDonald clearly indicated that generally the staffs were selected one tier at a time with the vice presidents being selected initially and the vice presidents then selecting the general managers, who then selected the managers, who then selected the supervisors, etc., and that the selections by the lower and middle level management required the review and approval of the higher levels of management.

It should be noted that, during his deposition, Mr. McDonald did not state that staffing was selected in a lock-step, tiered, "top down" manner without exception. Rather, his first response was to a "general, generic" question concerning how the personnel were generally selected:

Q. I mean, in general, do you know what the process was, the evaluation process?

MR. MILLER: A general generic question?

Q. Yes.

A. The generic question was starting at the top of the organization in each one of those, the persons that head the organizations were selected first. In that case they were Tom Beckham, and Ken McCoy. And then

they together in management teams, and in their individual organizations selected the next tier of management based upon knowledge, training, experience and demonstrated performance in the area required for the new realigned job. And that continued down to each layer; they reviewed, and then the selection was proposed by let's say a middle level manager; reviewed by a higher level manager; and approved by the Vice-President in charge of that project.

McDonald's Yunker/Fuchko Dep. at 43-44 (emphasis supplied). His second response indicated that the selection process he described was the "normal process":

Q. Do you know why my clients weren't offered positions in the nuclear, in the Corporate Security Department? Not in the nuclear, in the Corporate Security Department. I am talking about --

. . . .

A. So you are talking about the Southern Company Services Administrative Department, why they weren't offered jobs?

Q. Right.

A. I know this: That the normal process which I have described to you for the selection of people . . . -- started always at the top. You pick the man in charge, and he is the one responsible for selecting the people who works for him. . . . Because you don't assign people to work for somebody. That is not the practice anywhere within our business. The person who works for somebody selects the people he works for.

Q. So, is what you are saying that because there is no Corporate Security manager that is why?

A. I am saying that that is a logical reason why no one has been selected for any jobs within that department.

McDonald's Yunker/Fuchko Dep. at 61-61.

At the trial, Mr. McDonald did not use the words "generally" or "normally," but described a selection process which is not the lock-step fashion which petitioners ascribe to his testimony without exception. Yunker/Fuchko Trial Tr. at 428-29 (e.g. "the vice president would get with the managers, and the managers would participate in the selection of the supervisors," (emphasis supplied)). Indeed, it is difficult to imagine how, during a complex reorganization of a large enterprise, such a lock-step

approach to personnel selection could be carried out without exception.

With one exception,¹ Mr. Hobby has admitted during his DOL proceeding that he possesses no independent or direct personal knowledge concerning the staffing. Trial Tr. at 98, 227. Mr. Hobby's only source of information, other than his own speculation, is Mr. Tom McHenry, and Mr. McHenry's limited personal knowledge of the staffing process actually supports Mr. McDonald's characterization. Mr. Hobby also acknowledged that the lock-step fashion might well have applied to Messrs. Yunker and Fuchko, and he would not have reason to dispute that characterization. Trial Tr. at 228.

During the Hobby proceeding, Mr. McHenry testified that the personnel selection process for the new organization was conducted in a two-day session by Mr. McDonald, Mr. George Hairston, Mr. Tom Beckham and Mr. Ken McCoy. Trial Tr. at 284. Mr. McHenry claims that these executives selected personnel without any substantial consultation with lower levels of management. Trial Tr. at 287, 300. Mr. McHenry concludes, therefore, that personnel were not selected from the "top down". See McHenry affidavit, Exhibit G to the Petition.

However, Mr. McHenry admitted at trial that his only personal knowledge of the two-day meeting is derived from a two-hour period during which he advised the executives concerning certain candidates. Trial Tr. at 295. Mr. McHenry further acknowledged that, other than his two-hour involvement in the meeting, he did not participate in the actual selection of personnel. See Trial Tr. at 285.

Furthermore, Mr. McHenry's testimony at trial supports Mr. McDonald's statement. First, Mr. McHenry conceded that the executives could have consulted with the appropriate lower levels of management concerning personnel selections either prior to or during the meeting. Trial Tr. at 296-97. Second, Mr. McHenry stated that, during his two-hour exposure to the meeting, the executives contacted Mr. Len Gucwa, the then manager of licensing and engineering for Plant Hatch, concerning the selection of personnel for his organization. Trial Tr. at 287, 297.

¹Mr. Hobby alleged that he knew of some people who "were picked for particular slots, and those people were picked without knowing who their boss was." Trial Tr. at 227. But, Mr. Hobby admitted that he could only point to one specific example of this process. Trial Tr. at 228. Mr. Hobby's statement, at most, only evidences that there were some necessary exceptions to the "top down" approach.

Mr. Hobby never informed GPC's counsel prior to the Yunker/Fuchko hearing that Mr. McDonald's explanation of personnel selection was incorrect. Mr. Hobby alleges that he made such a statement to GPC attorneys during a January 2, 1989 meeting convened to prepare for the Yunker/Fuchko hearing. The GPC attorneys at that meeting were led by Mr. Jay Schaudies and Mr. Don Janney, partners at Troutman, Sanders, Lockerman & Ashmore. The January 2nd meeting commenced with a general session involving about 20-30 GPC employees. Trial Tr. at 718-19, 766. During this general session Mr. McDonald briefly discussed the personnel selection process. Trial Tr. at 736. After the general session, the attorneys divided the employees into two groups, with Mr. McDonald participating in Mr. Schaudies' group and Mr. Hobby participating in Mr. Janney's group. Trial Tr. at 723, 756, 766, 768.

Mr. Schaudies and Mr. Janney have stated that Mr. Hobby did not contradict Mr. McDonald's description of the selection process during either the general session, the breakout session or after such sessions. Trial Tr. at 724, 758, 768, 769, 771. Mr. Schaudies and Mr. Janney have both also stated that they did not tell Mr. Hobby that he would have to change his testimony in the Yunker/Fuchko hearing to coincide with Mr. McDonald's testimony. Trial Tr. at 724, 772.

Finally, it is clear that Mr. McDonald did not improperly exclude Yunker and Fuchko from positions as a result of Yunker and Fuchko raising safety concerns to management. Mr. Hobby testified that he recommended several times that Yunker and Fuchko be terminated and that Mr. McDonald had refused to do so. Trial Tr. at 222-23, 298. Mr. Hobby admitted that Mr. McDonald's persistent refusal to fire Yunker and Fuchko was inconsistent with Yunker's and Fuchko's claim that GPC had retaliated against them. Trial Tr. at 224. Dispositive of this issue are the results of an NRC Office of Investigations ("OI") investigation of the Yunker and Fuchko allegations including the alleged violation of 10 C.F.R. § 50.7 and alleged willful violations of safeguards reporting requirements. The NRC notified GPC on October 16, 1989, that the OI investigation had revealed no substantive evidence of a violation of Section 50.7 and that the allegations of willful violation of safeguards reporting requirements were unsubstantiated. See Exhibit 1.

III. Conclusion.

Based on the foregoing, the Company concludes that the petitioners' allegations are without merit.



UNITED STATES
NUCLEAR REGULATORY COMMISSION
REGION II
101 MARIETTA STREET, N.W.
ATLANTA, GEORGIA 30323

OCT 16 1989

RECEIVED

OCT 18 1989

J.E.J.

Docket Nos. 50-424, 50-425
License Nos. NPF-68, NPF-81
EA 89-37

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

Gentlemen:

SUBJECT: ALLEGED WRONGDOING

On February 13, 1989, you were requested to provide information regarding employment actions relating to two former employees who had filed a complaint with U.S. Department of Labor (DOL) on November 2, 1988, alleging discrimination in violation of 10 CFR 50.7.

Our request for information was based on a letter dated December 2, 1988, from DOL to your legal representative which reported the results of DOL's fact-finding investigation. The DOL investigation concluded that those individuals "were protected employees engaging in a protected activity within the scope of the Energy Reorganization Act of 1974 and that discrimination as defined and prohibited by the statute was a factor in the actions which comprise[d] their complaint." This initial finding was appealed by Georgia Power Company and on January 3, 1989, a hearing was conducted before a DOL Administrative Law Judge. Prior to the conclusion of the appeal hearing, the parties reached a mutually agreeable settlement and the case was subsequently dismissed with prejudice.

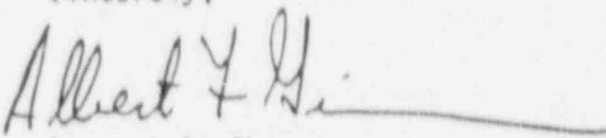
In addition to the alleged violation of 10 CFR 50.7, our concern in this matter also involved whether or not a possible chilling effect resulted which could have discouraged other licensee and contractor employees from reporting safety concerns. In addressing this concern, we have reviewed your March 14, 1989 response to our request, as well as other available information, and conclude that this matter did not have such a chilling effect. Further, the results of an NRC investigation concerning this matter did not reveal any substantive evidence to support a violation of 10 CFR 50.7.

The investigation also addressed allegations that security violations were concealed and disguised to avoid compliance with 10 CFR 73 reportability requirements. Those allegations were not substantiated.

OCT 16 1989

Based on the results of our review, we plan no further action. A copy of the investigation synopsis is enclosed for your information.

Sincerely,

for 
Stewart D. Ebnetter
Regional Administrator

Enclosure:
01 Synopsis

cc w/encl:
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OCT 16 1969

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Gary A. Yunker

John M. Fuchko

State of Georgia

SYNOPSIS

This investigation was requested by the Region II, Office of the Regional Administrator, U.S. Nuclear Regulatory Commission (NRC) to determine whether management and corporate officials of Georgia Power Company (GPC), the licensee, intentionally disregarded regulatory requirements by concealing security and safeguards incident matters and by harassing and intimidating individuals who reported these alleged violations. Specifically, two individuals, who were then Security Department employees in the licensee's Nuclear Operations Division, alleged that the licensee failed to address, review, and resolve nuclear security and safeguards issues and, furthermore, these alleged violations were concealed and disguised so the licensee would not have to comply with 10 CFR 73 reportability requirements. Further, these former employees were reportedly harassed, intimidated, and threatened and were not selected for nuclear security or other desirable employment positions in a newly created organization of the parent company because they reported these nuclear safety concerns to the NRC.

The two alleged were subsequently interviewed separately in November 1988 by the Office of Investigations (OI), assisted by NRC Region II staff officials, to obtain information regarding the alleged reportability violations. Simultaneous with early OI activities, the two alleged were also pursuing the alleged harassment and intimidation behavior by licensee officials in a U.S. Department of Labor (DOL) Wage and Hour Division matter, pursuant to a Section 210, Energy Reorganization Act and 10 CFR 50.7 (Employee Protection) violation. Documentation prepared by the alleged and provided to the NRC and the DOL identified 29 separate incidents of alleged nuclear security and safeguards violations impacting 10 CFR 73 requirements, either at the licensee's Vogtle Electric Generating Plant (VEGP), the Hatch Nuclear Plant (HNP), or at the corporate office. A concurrent NRC Region II staff inspection regarding these allegations, in support of the OI activities, revealed eight security-type violations, but none were deemed to be directly the result of the allegations submitted by the two alleged. Further, none of the nuclear security violations identified during the NRC inspection appeared to inspection officials to have willful, deliberate implications.

The alleged, during their interviews, reiterated their concerns that licensee officials had intentionally failed, since May 1988, to address and resolve their nuclear safety allegations and had, in fact, deliberately concealed issues of this nature to avoid compliance with regulatory requirements. They further expressed their beliefs that licensee officials harassed and intimidated them for reporting nuclear safety concerns and stated that, in their opinion, they were not selected for security or other positions in a newly created nuclear operations organization because they had engaged in protected activity.

Investigation activities regarding the licensee's alleged failure to address, resolve, and report nuclear security and safeguards violations included the interview of licensee officials, employees, and representatives and the review of voluminous licensee audit and quality concerns documents. All interviewees carefully and systematically described licensee practices and activities relating to the review and resolution of allegations reported by the two alleged. Each steadfastly and unequivocally denied that licensee management

officials had failed to address their concerns and each advised candidly that they were not aware of any licensee improprieties or regulatory violations concerning this matter. One interviewee, who claimed intimate professional knowledge of both alleged, reported these two individuals devoted many of their employment hours attempting to portray licensee employees in a negative manner. This interviewee also advised that the two alleged sensationalized issues in which they were involved and personally attacked the character and integrity of those who disagreed with them. Licensee records and reports relating to nuclear and quality concerns strongly support the testimony of interviewees that the concerns of the two alleged were reviewed and resolved appropriately by management personnel.

Inasmuch as the DOL matter involving the two alleged was settled by mutual agreement and dismissed with prejudice prior to a conclusion regarding a 10 CFR 50.7 violation, OI investigative activities were expanded in an attempt to resolve this issue. A review of DOL documents disclosed that the two alleged agreed to a monetary settlement and to the dismissal of any further actions against the licensee regarding this matter. The agreement document, signed by both alleged, states these individuals "have no evidence and know of no evidence" that the licensee intentionally discriminated against them. Interviews, under oath, of numerous former and current licensee officials who associated professionally with the alleged, revealed no substantive evidence of any conduct or behavior by licensee employees that impacts or relates to the 10 CFR 50.7 provision. Contacts with the attorneys for the two alleged also failed to produce any evidence that they were harassed, intimidated, or threatened pursuant to pertinent statutes and regulations.

A review of licensee documentation associated with the reorganization of the licensee's Nuclear Operations Division was conducted. This activity revealed that the alleged were retained as licensee employees in non-nuclear positions and that they were not selected for retention in the new organization because no comparable positions were available.

In conclusion, the investigation revealed that the licensee apparently pursued, with a significant degree of vigor, the nuclear security and safeguards concerns reported by the alleged and addressed and resolved them according to regulatory requirements. Further, the investigation failed to reveal any substantive evidence that the alleged were harassed, intimidated, or threatened by licensee officials for reporting nuclear safety concerns or engaging in protected activities.

GPC RESPONSE TO HOBBS/MOSBAUGH PETITION SECTION III.5

I. Petitioners' Allegation.

Petitioners allege that GPC repeatedly allowed Plant Vogtle to enter Vogtle Technical Specification § 3.0.3 by permitting the A&B train safety related load sequencers to become inoperable on numerous occasions and violated that Technical Specification by failing, within one hour of the load sequencers becoming inoperable, to both shut down the plant and notify the NRC.

II. GPC Response to Petitioners' Allegations.

The petitioners' allegation is without merit.

Assuming the applicability of Vogtle Technical Specification § 3.0.3, that provision does not require GPC to shut down the plant and notify the NRC within one hour of the load sequencers becoming inoperable.¹ Within one hour of a licensee's failure to satisfy a limiting condition for operation ("LCO"), except as may be provided in the action statement requirements of a particular LCO, Technical Specification § 3.0.3 requires a licensee to initiate action to achieve hot standby. In a January 11, 1991 inspection report to GPC, the NRC staff stated that the purpose of the initial one-hour period is to permit the licensee "to prepare for an orderly shutdown before initiating a change in plant operation." Following this preparatory one-hour period, hot standby must be achieved within the subsequent six hours (assuming the LCO condition has not been corrected).

Upon initiating a shutdown to satisfy Technical Specification § 3.0.3, 10 C.F.R. § 50.72(b)(1)(A) further requires a licensee to notify the NRC within one hour of the initiation of the shutdown (i.e., not one hour from failure to meet the LCO).

Therefore, even assuming that the inoperability of the load sequencers triggered Technical Specification § 3.0.3, GPC was not required to respond as asserted by petitioners. GPC was not required to shut down the plant within one hour of the sequencers

¹ Technical Specification § 1.20 defines operability. Under that definition, a sequencer is operable only if the sequencer is capable of performing its specified function(s), and if all necessary attendant instrumentation, controls, electrical power or other auxiliary equipment required for the sequencer to perform its function(s) are also capable of performing their related support function(s).

becoming inoperable as alleged by petitioners; rather, Technical Specification § 3.0.3 required GPC to initiate preparations within one hour to achieve hot standby in six hours. Then, after GPC initiated the shutdown process, Section 50.72(b)(i)(A) required GPC to notify the NRC within one hour following the initiation of the shutdown (i.e., within approximately two hours of the load sequencers becoming inoperable).

The NRC Operational Safety Inspection ("OSI") team reviewed GPC's compliance practice for Technical Specification 3.0.3 during its inspection in August, 1990. The OSI team reviewed the documentation for numerous entries of Plant Vogtle into Technical Specification § 3.0.3 and concluded, in a January 11, 1991 inspection report (Nos. 50-424/90-19 and 50-425/90-19), that GPC's operational practice with respect to Technical Specification § 3.0.3 was a weakness, not a violation. Although GPC satisfied the requirements of Technical Specification § 3.0.3, the OSI team's position was that GPC should initiate greater action sooner within the initial one-hour period and should take actions sooner to achieve hot standby within the subsequent six-hour period. In response to the OSI report, GPC has provided additional guidance to Vogtle operators concerning specific actions to be taken within the initial one-hour period and subsequent six-hour period.

An operational weakness which has been addressed by a licensee is insufficient grounds for issuing a show cause order. Therefore, GPC's past operational performance in its Section 3.0.3 compliance practice does not constitute a valid basis for the relief requested by petitioners.

III. Conclusion.

Based on the foregoing, the Company concludes that petitioners' specific allegation concerning application of Vogtle Technical Specification § 3.0.3 to the load sequencers is without merit. Furthermore, petitioners' general allegation is also without merit based upon the investigation by the OSI team, which found no violations concerning Technical specification § 3.0.3.

RESPONSE TO HOBBY/MOSEAUGH PETITION, SECTIONS III.6(a), and III.6(b)

I. Petitioners' Allegations.

The petitioners allege that GPC "willfully and knowingly" violated Vogtle Technical Specifications and placed the plant in an unanalyzed condition by opening certain valves in order "to speed the outage." The petitioners further allege that the Company again "willfully" violated the Technical Specifications on February 26, 1990 by arguing that administrative control, "hold" clearance tags were sufficient for Technical Specification compliance.

II. GPC Response to Petitioners' Allegations.

The petitioners' allegations are without merit. As briefly explained in GPC's September 28, 1990 preliminary response to the Petition (p. E-1-3 of the Enclosure), these allegations are more appropriately handled by the NRC's routine inspection and enforcement authority, rather than the proceedings requested by the petitioners for several reasons.

First, as the petitioners are aware, prior to the filing of the Petition the allegation of willful violation of Vogtle Technical Specifications was subject to ongoing NRC review. Second, prior to the filing of the Petition, the condition of opening the valves had been analyzed at the request of the Plant Review Board, and the analysis had concluded that the condition does not involve an unreviewed safety question and, in fact, demonstrated that Standard Review Plan acceptance criteria are fulfilled in this condition (Exhibit 1). Third, prior to the filing of the Petition, the NRC had issued Technical Specification changes to expressly authorize such condition.

Thus, the petitioners knew, or should have known, that the allegation was already undergoing NRC review, and, moreover, that the allegation had been adequately addressed by the Company and, therefore, did not constitute a substantial safety issue.

With respect to the adequacy of administrative "hold" tags, the NRC's Inspection Report No. 90-05 and associated Notice of Violation cited a "Severity Level 4" non-compliance for the failure to secure the valves, a level not indicative of a situation which warrants the relief requested by the petitioners. The violation cited was for not mechanically securing the valve in the closed position, notwithstanding that administrative controls of clearance "hold tags" had "secured the valve in position." In order to fulfill the Staff's interpretation, a steel cable through drilled holes in the valve handle was crimped to mechanically secure the subject valve. GPC views the corrective action required to fulfill the Staff's interpretation as indicative of the reasonableness of GPC's prior

interpretation. This historic violation, then, is a world apart from the "willful" violation alleged by petitioners.

III. Conclusion.

Based on the foregoing, the Company concludes that the petitioners' allegations are without merit.



GP-14649

Westinghouse
Electric Corporation

Energy Systems

Nuclear and Advanced
Technology Division

Box 355
Pittsburgh Pennsylvania 15230-0355

November 14, 1989
NS-OPLS-OPL-I-89-553

Mr. C. K. McCoy
Vice President, Nuclear Vogtle Project
Georgia Power Company
P.O. Box 1295
Birmingham, Alabama 35201

VOGTLE ELECTRIC GENERATING PLANT
UNITS 1 AND 2
Boron Dilution Analyses in Modes 5b and 6

Dear Mr. McCoy:

Westinghouse has completed the analyses to support the addition of a non-borated chemical solution to the RCS during shutdown modes with the conservative assumption that the loops are not filled. This procedure results in a dilution of the RCS boron concentration and has been analyzed with respect to the boron dilution transient presented in FSAR 15.4.6. The attached safety evaluation (SECL 89-943) provides the bases for the conclusion that this modification does not involve an unreviewed safety question. Attachment A to the safety evaluation provides the recommended FSAR changes while Attachment B provides the recommended technical specification changes and the accompanying significant hazards evaluation.

Reanalysis of the boron dilution event was necessary since dilution in Modes 5b (cold shutdown, loops not filled) and 6 (refueling) had not been analyzed due to precluding such an event by verifying certain valves to be closed. The results demonstrate that the Standard Review Plan (SRP) acceptance criteria for fifteen minutes in Mode 5b and thirty minutes in Mode 6 for operator action time between the high flux at shutdown alarm and criticality are met.

In Mode 5b, assuming a nominal dilution flow rate of 3.5 gpm results in a calculated operator action time of 100.47 minutes. The maximum acceptable dilution flow rate for Mode 5b is calculated to be 23.1 gpm, which results in an operator action time of 15.22 minutes. For Mode 6, assuming a 3.5 gpm dilution flow rate results in an operator action time of 377.87 minutes and a maximum acceptable flow rate calculated as 44.2 gpm with a resulting 30.54 minutes for operator action.

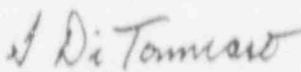
Based upon these results, it is concluded that the chemical addition to the RCS during Modes 5b and 6 as defined above does not violate the licensing basis acceptance criteria for a boron dilution event.

Please take a few minutes to complete and return the attached quality survey form for this product. If you have any questions or comments, please contact the undersigned.

Very truly yours,

WESTINGHOUSE ELECTRIC CORPORATION


J. L. Tain, Manager
Southern Company Projects



S. DiTommaso/
Attachments

cc: C. K. McCoy 1L, 1A
J. A. Bailey 1L, 1A
NORMS (Vogtle Site) 1L, 1A
G. L. Greenwood 1L, 1A
G. Bockhold, Jr. 1L, 1A
P. D. Rushton 1L, 1A
R. Odom 1L, 1A (Vogtle Site)
J. Aufdenkampe 1L, 1A (Vogtle Site)
J. Stringfellow 1L, 1A

SECL 89-943

Customer Reference No(s).

ELV-00930

Westinghouse Reference No(s).

AT-76510

WESTINGHOUSE NUCLEAR SAFETY
SAFETY EVALUATION CHECK LIST

- 1) NUCLEAR PLANT(S) : Youtle Units 1 and 2
- 2) SUBJECT (TITLE): Periodic Opening of CVCS Valves in Modes 5 and 6 for Chemistry Control
- 3) The written safety evaluation of the revised procedure, design change or modification required by 10CFR50.59 (b) has been prepared to the extent required and is attached. If a safety evaluation is not required or is incomplete for any reason, explain on Page 2.
Parts A and B of this Safety Evaluation Check List are to be completed only on the basis of the safety evaluation performed.

CHECK LIST - PART A 10CFR50.59(a)(1)

- (3.1) Yes X No A change to the plant as described in the FSAR?
- (3.2) Yes X No A change to procedures as described in the FSAR?
- (3.3) Yes No X A test or experiment not described in the FSAR?
- (3.4) Yes X No A change to the plant technical specifications?
(See note on Page 2.)

- 4) CHECK LIST - Part B 10CFR50.59(a)(2) (Justification for Part B answers must be included on Page 2.)

- (4.1) Yes No X Will the probability of an accident previously evaluated in the FSAR be increased?
- (4.2) Yes No X Will the consequences of an accident previously evaluated in the FSAR be increased?
- (4.3) Yes No X May the possibility of an accident which is different than any already evaluated in the FSAR be created?
- (4.4) Yes No X Will the probability of a malfunction of equipment important to safety previously evaluated in the FSAR be increased?
- (4.5) Yes No X Will the consequences of a malfunction of equipment important to safety previously evaluated in the FSAR be increased?
- (4.6) Yes No X May the possibility of a malfunction of equipment important to safety different than any already evaluated in the FSAR be created?
- (4.7) Yes No X Will the margin of safety as defined in the bases to any technical specifications be reduced?

NOTES:

If the answers to any of the above questions are unknown, indicate under 5) REMARKS and explain below.

If the answers to any of the above questions in Part A 3.4 or Part B cannot be answered in the negative, based on the written safety evaluation, the change review would require an application for license amendment as required by 10CFR50.59(c) and submitted to the NRC pursuant to 10CFR50.90.

5) REMARKS:

The following summarizes the justification based upon the written safety evaluation¹, for answers given in Part A 3.4 and Part B of this safety evaluation check list:

The proposed modification involves periodic opening of valves 176 and 177 to allow for chemical addition for water chemistry control. The effects of this change are evaluated for boron dilution concerns. FSAR and technical specification changes to implement this change are included.

¹Reference to documents containing written safety evaluation:

FOR FSAR UPDATE

Section: 15.4.6 Pages: All Tables: 15.4.6-1 Figures: -
9.3.4 9.3.4-7

Reason for/Description of Change:

To accurately reflect the use of valves 176 and 177 for periodic opening
which will allow for chemical addition for water chemistry control.

6) SAFETY EVALUATION APPROVAL LADDER:

6.1) Prepared by (Nuclear Safety): Steven M. DiTommaso Date: 11/14/89
 S. M. DiTommaso

6.2) Nuclear Safety Group Manager: R. J. Sterdis Date: 11/14/89
 R. J. Sterdis

Vogtle Units 1 and 2

-- Safety Evaluation in Support of
Periodic Opening of CVCS Valves 176 and 177
for Controlled Chemical Addition in Modes 5b and 6

1.0 BACKGROUND

It is necessary during Modes 5b (loops not filled, cold shutdown) and 6 (refueling) to periodically adjust the RCS chemistry. To accomplish this, Georgia Power is proposing to add chemicals to the RCS via the reactor makeup water storage tank discharge path through the chemical mixing tank. Valves 176 and 177 in the CVCS must be opened in order for this addition path to be used. The extent of the chemical addition is estimated to be for no longer than 30 minutes at a time for a maximum of 10 times throughout the Mode 5b and 6 duration. The maximum flow rate through this line under any condition with the valves open is calculated to be less than 3.5 gpm, which is identified in FSAR 15.4.6.2.1.2 as Initiator 3 for a potential boron dilution path.

The injection of a non-borated solution into the RCS for chemistry control during shutdown modes results in a dilution of the core boron concentration. The current boron dilution analysis for Vogtle is presented in FSAR 15.4.6. Dilution flow paths have been identified for Modes 3, 4, and 5a (loops filled) configurations. The analyses are performed in accordance with NUREG-0800, Standard Review Plan (SRP) 15.4.6, to demonstrate that at least fifteen minutes is available, between the high flux at shutdown alarm and complete loss of shutdown margin (criticality), for operator action time to terminate the dilution flow. Therefore, boron dilution analyses have been performed which verify that the anticipated dilution flow rates will still permit adequate time for operator action in accordance with the acceptance criteria. NRC approval of this analysis is provided in NUREG-1137 Supplement 1, Vogtle Units 1 and 2 Safety Evaluation Report, Section 15.4.6. However, analyses do not exist for dilution flow in Modes 5b or 6. Instead, boron dilution is precluded by verifying that the possible dilution flow paths are closed and secured in position in accordance with Technical Specifications 3/4.4.1.4.2 and 3/4.9.1. In order to verify that chemical addition in Modes 5b and 6 will not violate the acceptance criteria, specific analyses were performed to demonstrate adequate operator action time is available. Note that the acceptance criteria identified in SRP 15.4.6 for Mode 6 boron dilution is thirty minutes for operator action time.

2.0 LICENSING APPROACH AND SCOPE

The purpose of this safety evaluation is to support the FSAR changes and evaluate the proposed change in accordance with the criteria specified in 10CFR 50.59 so that the basis for the conclusion that the chemical addition does not involve an unreviewed safety question is identified. The assumptions and criteria presented above have been used as the bases upon which the Modes 5b and 6 boron dilution analyses were performed. Such a change in plant operating procedures will be reflected in the FSAR as well as the technical specifications. Therefore, Attachment A to this safety evaluation identifies the recommended FSAR changes. As it has been determined that modifications to the technical specifications are required to implement this change, submittal to the NRC for review and approval is required. Attachment B constitutes the significant hazards evaluation in accordance with 10CFR 50.92 and the associated recommended technical specification changes.

During Mode 6, reactivity conditions of the RCS must be maintained at the most restrictive of the two: RCS boron concentration above 2000 ppm or a K_{eff} of 0.95 or less per Technical Specification 3.9.1. Technical Specification 3.1.1.2 controls variable shutdown margin in Mode 5. These boron requirements have not changed as a result of the Modes 5b and 6 boron dilution analyses. Rather, the analyses have been performed such that they adhere to and are in conformance with these existing requirements. Also, the Modes 5b and 6 analyses have assumed the operability of the high flux at shutdown alarm in these modes, with a flux multiplier alarm setpoint of 2.3. This setpoint is defined in Technical Specification Table 4.3-1 Note 9 and is consistent with the Modes 3, 4 and 5a analyses.

The scope of this evaluation will address the effect of the Modes 5b and 6 boron dilution event on each of the disciplines within Westinghouse cognizance as discussed in detail in the following section.

3.0 EVALUATIONS

3.1 Non-LOCA Accident Analyses

The injection of non-borated chemical solution into the RCS for coolant chemistry control results in a dilution of the core boron concentration. A prolonged and unmonitored addition of the non-borated solution can be postulated to eventually result in the complete loss of shutdown margin. The current boron dilution analysis for Vogtle is presented in FSAR Section 15.4.6. Dilution flow paths have been identified for Modes 3, 4, and 5a (loops filled) configurations. The analyses were performed in accordance with NUREG-0800, Standard Review Plan (SRP) 15.4.6, to demonstrate that at least 15 minutes is available, between an alarm and complete loss of shutdown margin, for operator action time to terminate the dilution flow. Per the FSAR, boron dilution in Modes 5b and 6 is currently administratively precluded by verifying that possible dilution flow paths are isolated and the appropriate valves are secured in position in accordance with Technical Specifications 3/4.4.1.4.2 and 3/4.9.1. Therefore, calculation of operator action time in Modes 5b and 6 is not currently required for the FSAR.

Analysis of the boron dilution event for Mode 5b and 6 with a minimum cold drained reactor vessel volume was performed assuming a maximum dilution flow rate of 3.5 gpm to determine the minimum operator action time. This flow rate is the maximum that can be achieved via the proposed flow path under any operating condition. In addition to using the minimum cold drained reactor vessel volume, the active RCS volume was further minimized by making the following assumptions: only one residual heat removal train is in operation, miniflow and bypass lines are considered empty, and no reactor coolant loop volumes are assumed. Note that the analyses also assume the operability of the high flux at shutdown alarm such that the instrumentation reliably annunciates a neutron flux level which is 2.3 times greater than that occurring at the initiation of the boron dilution event.

The results of the analyses demonstrate that for a dilution flow rate of 3.5 gpm or less there is sufficient operator action time available to terminate the flow after the high flux at shutdown alarm. The SRP acceptance criteria of fifteen minutes in Mode 5b and thirty minutes in Mode 6 for minimum operator action time is met and exceeded. No other non-LOCA safety analysis assumptions, methods or results are affected by the proposed procedure.

3.2 Mechanical Equipment Evaluation

The addition of a non-borated solution to the RCS via the chemical mixing tank will be performed in order to adjust water chemistry within the current requirements. Also, since the boron requirements will not change, the proposed change will not involve the creation of a new chemical environment to which the components will be exposed. Therefore, the performance and qualification of mechanical equipment will not be affected as a result of this modification.

3.3 Fluid Systems Performance Evaluation

The two plant fluid systems involved with this change are the reactor makeup water system (RMWS, FSAR 9.2.7) and the chemical and volume control system (CVCS, FSAR 9.3.4).

The function of the RMWS to supply degassed and demineralized water to the RCS is not altered as a result of this modification. Also, the makeup water chemistry specifications are not changed, therefore the performance requirements and capacity of the RMWS will not be challenged or exceeded.

Similarly, the function of the CVCS to control RCS chemistry is not altered. The addition of chemicals to the RCS in Modes 5b and 6 via the RMWS is in accordance with the procedure for addition of chemicals to maintain water quality as already described in FSAR 9.3.4.1.2.2. Therefore, no new system alignments or performance criteria are imposed on the CVCS as a result of this change.

3.4 Instrumentation and Control Evaluation

The Mode 5b and 6 boron dilution analyses assume the operability of the high flux at shutdown alarm in these modes, which receives input from the source range neutron flux monitors. In order to assume the high flux at shutdown alarm, which indicates to the operator that manual action to terminate dilution flow is required, this function must be operable during Modes 5b and 6. Given that the high flux at shutdown alarm function is operable, the performance requirements for the equipment and channels to detect and alarm for an increasing flux condition are not changed for service in these modes. Qualification of the source range detectors remains valid as documented in FSAR Table 3.11.N.1-1. The flux multiplier setpoint for the alarm for all modes is consistent and remains at 2.3.

3.5 LOCA and LOCA-related Accident Evaluation

Chemical addition for water chemistry control in Modes 5b and 6 is not modelled in the LOCA and LOCA-related accidents. Since all applicable technical specifications for RCS boron concentration remain unchanged and will continue to be met by surveillance, there is no adverse effect on the following analyses and the conclusions presented in the FSAR remain bounding for small and large break LOCA, LOCA hydraulic forces, rod ejection mass releases, post-LOCA long term core cooling, steam generator tube rupture and hot leg switchover to prevent boron precipitation.

3.6 Containment Peak Pressure/Temperature Evaluation

Containment analyses are limiting for mass and energy releases as a result of a steam line break or large break LOCA. Due to the fact that there is no effect on steam line break or LOCA mass and energy releases as a result of this change, the conclusions and limiting cases presented in the FSAR remain bounding.

4.0 CONCLUSION

Using the analyses and evaluations presented above, the bases upon which specific responses to the questions presented in Section 4 of the Checklist can be addressed. The addition of a non-borated solution during Modes 5b and 6 does not involve an unreviewed safety question as determined in the following discussion.

1. This chemical addition procedure does not increase the probability of an accident previously evaluated in the FSAR. No new performance requirements or alignments are being imposed on the CVCS or RMWS such that any design criteria will be exceeded. The recommended chemistry guidelines will continue to be adhered to, precluding the creation of an adverse chemical environment which may prematurely affect component performance. This dilution flow path, although administratively

precluded in Modes 5b and 6, was previously considered for Modes 3, 4, 5 and 6 in Chapter 15 of the FSAR. The classification of the boron dilution event continues to be an ANS condition II incident, one of moderate frequency. Other boron dilution flow paths will continue to be precluded by the technical specifications.

2. The consequences of an accident previously evaluated in the FSAR are not increased due to this chemical addition procedure. The results presented in the FSAR for the Modes 3, 4 and 5a dilution events remain valid. Boron dilution as a result of chemical addition in Modes 5b and 6 will not create more severe dose consequences.
3. This chemical addition procedure does not create the possibility of an accident which is different than any already evaluated in the FSAR. Boron dilution configurations in Modes 5b and 6 have been previously considered and evaluated in the FSAR. The conclusion was to keep the flow paths isolated so that no dilution flow was possible. In order to support the chemical addition procedure, an alternative approach, which utilized specific analyses that are bounding for the injection path configuration, was used. The results indicate that the required operator action time is available, given the expected dilution flow rates. Therefore, the Modes 5b and 6 boron dilution analyses meet the Plant Vogtle licensing basis acceptance criteria for this event. Other boron dilution flow paths will continue to be precluded by the technical specifications.
4. This chemical addition procedure will not increase the probability of a malfunction of equipment important to safety. As stated previously, component and system performance will not be adversely affected and no new system alignments are required which will challenge the CVCS and RMWS design bases.
5. The chemical addition procedure will not increase the consequences of a malfunction of equipment important to safety previously evaluated in the FSAR. The chemical addition procedure will not degrade any system performance such that its malfunction will adversely affect another transient. Therefore, no more severe dose consequences will result due to this procedure.
6. The chemical addition procedure will not create the possibility of a malfunction of equipment important to safety different than any already evaluated in the FSAR. All original design and performance criteria continue to be met for the CVCS and RMWS such that there is no new failure mode expected as a result of this procedure. The chemical addition procedure has not introduced a new limiting single failure for these systems.

7. The margin of safety in the plant licensing basis for boron dilution is defined as operator action time between the high flux at shutdown alarm and loss of shutdown margin (criticality). The high flux at shutdown alarm setpoint defined in Technical Specification Table 4.3-1 Note 9 is 2.3. For Mode 5b, the operator action acceptance criteria as defined in SRP 15.4.6 is fifteen minutes and for Mode 6 SRP 15.4.6 defines the acceptance criteria as thirty minutes. The analysis criteria is designed to provide sufficient time for the operator to mitigate the event and prevent the complete loss of shutdown margin. Prevention of the loss of shutdown margin ensures that all ANS Condition II criteria are met. Therefore, the margin of safety is not reduced.

It can therefore be concluded that the addition of a non-borated chemical mixture through the flow paths provided by valves 176 and 177 in the CVCS during Modes 5b and 6 does not involve an unreviewed safety question as defined in 10 CFR 50.59.

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ATTACHMENT A
RECOMMENDED FSAR CHANGES

materials and water chemistry of borated water/stainless steel/zirconium/Inconel systems. In addition, lithium-7 is produced in the core region due to irradiation of the dissolved boron in the coolant.

The concentration of lithium-7 in the RCS is maintained within the range 0.2 to 2.5 ppm as lithium for pH control. (See table 5.2.3-3.) If the concentration exceeds this range, as it may during the early stages of a core cycle, the CVCS demineralizers are employed to remove excess lithium. Since the amount of lithium to be removed is small and its buildup can be readily calculated, the flow through the demineralizers is not required to be full letdown flow. If the concentration of lithium-7 is below the specified limits, lithium hydroxide can be introduced into the RCS via the charging flow. The solution is prepared in the laboratory and poured into the chemical mixing tank. Reactor makeup water is then used to flush the solution to the suction manifold of the charging pumps.

B. Oxygen Control

During plant startup from the cold condition, hydrazine is employed to scavenge oxygen. The hydrazine solution is introduced into the RCS in the manner described above for the pH control agent. Hydrazine is not normally employed except during startup from the cold shutdown state.

refueling and

During normal plant operation, hydrogen dissolved in the reactor coolant is used to control and scavenge oxygen produced by radiolysis of water in the core region. A sufficient partial pressure of hydrogen is maintained in the volume control tank such that the normal operating range of 30-40 cm³ (STP) H₂/kg H₂O is obtained. A pressure control valve maintains a minimum pressure of 15 to 20 psig in the vapor space of the volume control tank. This valve can be adjusted to provide the correct equilibrium hydrogen concentration. Hydrogen is supplied from the hydrogen manifold in the auxiliary gas system.

C. Reactor Coolant Purification

Mixed bed demineralizers are provided in the letdown line to provide cleanup of the letdown flow. The demineralizers remove ionic corrosion products and

15.4.6 CHEMICAL AND VOLUME CONTROL SYSTEM MALFUNCTION THAT RESULTS IN A DECREASE IN THE BORON CONCENTRATION IN THE REACTOR COOLANT

15.4.6.1 Identification of Causes and Accident Description

Reactivity can be added to the core by feeding primary grade water into the reactor coolant system (RCS) via the chemical and volume control system (CVCS). Boron dilution is a manual operation under strict administrative controls with procedures calling for a limit on the rate and duration of dilution. A boric acid blend system is provided to permit the operator to match the boron concentration of reactor coolant makeup water during normal charging to that in the RCS. The CVCS is designed to limit the potential rate of dilution to a value which, after indication through alarms and instrumentation, provides the operator sufficient time to correct the situation in a safe and orderly manner.

The opening of the primary water makeup control valve provides makeup to the RCS which can dilute the reactor coolant. Inadvertent dilution from this source can be readily terminated by closing the control valve. In order for makeup water to be added to the RCS at pressure, at least one charging pump must be running in addition to a reactor makeup water pump. Normally, only one primary grade water supply pump is operating while the other is on standby.

The boric acid from the boric acid tank is blended with primary grade water at the mixing tee, and the composition is determined by the preset flowrates of boric acid and primary grade water on the control board.

Information on the status of the reactor coolant makeup is continuously available to the operator. Lights are provided on the control board to indicate the operating condition of the pumps in the CVCS. Alarms are actuated to warn the operator if boric acid or demineralized water flowrates deviate from preset values as a result of system malfunction.

This event is classified as an American Nuclear Society Condition II incident (an incident of moderate frequency) as defined in subsection 15.0.1.

15.4.6.2 Analysis of Effects and Consequences

15.4.6.2.1 Method of Analysis

To cover all phases of the plant operation, boron dilution during refueling, startup, cold shutdown, hot standby, and power operation are considered in this analysis.

Insert A

15.4.6.2.1.1 Dilution During Refueling. An uncontrolled boron dilution accident cannot occur during refueling. This accident is prevented by administrative controls which isolate the RCS from the potential source of unborated water.

Valves 175, 176, 177, and 183 in the CVCS will be locked closed or isolated by removal of control air or electrical supply during refueling operations. These valves will block the flow paths which could allow unborated makeup water to reach the RCS. Any makeup which is required during refueling will be borated water supplied from the refueling water storage tank by the low head safety injection pumps.

15.4.6.2.1.2 Dilution During Cold Shutdown, Hot Standby, and Hot Shutdown. An analysis was performed to evaluate boron dilution events during cold shutdown, hot shutdown, and hot standby. Failure modes and effects analysis, human error analysis, and event tree analysis were used to identify credible boron dilution initiators and to evaluate the plant response to these events. For the initiators identified, time intervals from alarm to loss of shutdown margin were calculated to determine the length of time available for operator response. These calculations depended on dilution flowrates, boron concentrations, and Reactor Coolant System volumes specific to the event and mode of operation. The technique modeled realistic plant conditions and responses, including both mechanical failure and human errors.

The analysis identified four events which were considered to be the most likely initiators:

1. Demineralizer outlet isolation valve open during resin flushing.
2. Valve 226 open following BTRS demineralizer flushing operation.
3. Failure to secure chemical addition.
4. Boric acid flow control valve (FV-110A) fails closed during make-up.

INSERT A

15.4.6.2.1.1 Dilution During Refueling. A very small amount of unborated chemical solution is allowed to enter the RCS for water chemistry quality control. The dilution flow path is provided by opening CVCS valves 176 and 177. The maximum flow rate possible through this flow path is less than 3.5 gpm which is approximately 3% of the limiting flow rate considered in the analysis for Modes 3, 4 and 5a. Any other chemical makeup solution which is required during refueling will be borated water supplied from the refueling water storage tank by the low head safety injection pumps.

Valves 175 and 183 in the CVCS will be locked closed or isolated by removal of control air or electrical supply during refueling operations. These valves will block additional flow paths which could allow unborated chemical makeup water in excess of 3.5 gpm to reach the RCS.

Initiator 4 was found to be the most limiting event for modes 3, 4, and 5. The parameters used in the calculation of time available for operator response are listed in table 15.4.6-1. Conservative values of boron worth (pcm/ppm), as a function of RCS boron concentration, were assumed in the analysis.

Since the active volumes considered are so small in cold shutdown with the reactor coolant loops drained, it was determined that the same valves locked out in refueling would need to be locked out in cold shutdown when the reactor coolant loops are drained (see paragraph 15.4.6.2.1.1).

15.4.6.2.1.3 Dilution During Full Power Operation, Including Startup.

15.4.6.2.1.3.1 Dilution During Startup. Conditions at startup require the reactor to have available at least 1.30-percent $\Delta k/k$ shutdown margin. The maximum boron concentration required to meet this shutdown margin is conservatively estimated to be 1704 ppm (Unit 1), and 1692 ppm (Unit 2). The following conditions are assumed for an uncontrolled boron dilution during startup:

- A. Dilution flow is assumed to be the combined capacity of the two primary water makeup pumps (approximately 242 gal/min).
- B. A minimum water volume, 9757 ft³ (Unit 1) and 9972 ft³ (Unit 2) in the reactor coolant system is used. This volume corresponds to the active volume of the RCS minus the pressurizer volume.

15.4.6.2.1.3.2 Dilution During Power Operation. During power operation, the plant may be operated two ways, under manual operator control or under automatic Tavg/rod control. While the plant is in manual control, the dilution flow is assumed to be a maximum of 242 gal/min, which is the combined capacity of the two primary water makeup pumps. While in automatic control, the dilution flow is limited by the maximum letdown flow (approximately 125 gal/min).

Conditions at power operation require the reactor to have available at least 1.30-percent $\Delta k/k$ shutdown margin. The maximum boron concentration required to meet this shutdown margin is very conservatively estimated to be 1366 ppm (Unit 1) and 1704 ppm (Unit 2).

INSERT B

In Mode 5b (mid-loop operation), Initiator 3 was also considered to allow the addition of small amounts of unborated chemical solution into the RCS for water chemistry control. The maximum flow rate possible through this flow path is approximately 3% of that associated with the limiting flow path for Modes 3, 4 and 5a.

A minimum water volume of 9972.3 ft³ in the RCS is used. This volume corresponds to the active volume of the RCS minus the pressurizer volume.

15.4.6.2.2 Results

The calculated sequence of events is shown in table 15.4.1-1.

15.4.6.2.2.1 Dilution During Refueling. ^{Insert C} Dilution during refueling cannot occur due to administrative controls. (See paragraph 15.4.6.2.1.1).

15.4.6.2.2.2 Dilution During Cold Shutdown. For dilution during cold shutdown, the Technical Specifications provide the required shutdown margin as a function of RCS boron concentration. The specified shutdown margin ensures that the operator has 15 min from the time of the high flux at shutdown alarm to the total loss of shutdown margin. ^{Insert D}

15.4.6.2.2.3 Dilution During Hot Standby and Hot Shutdown. For dilution during hot standby and hot shutdown, the Technical Specifications provide the required shutdown margin as a function of RCS boron concentration. The specified shutdown margin ensures that the operator has 15 min from the time of the high flux at shutdown alarm to the total loss of shutdown margin.

15.4.6.2.2.4 Dilution During Startup. In the event of an unplanned approach to criticality or dilution during power escalation while in the startup mode, the operator is alerted to an unplanned dilution by a reactor trip at the power range neutron flux high, low setpoint. After reactor trip there is at least 19.0 min (Unit 1), and 17.25 min (Unit 2) for operator action prior to loss of shutdown margin.

15.4.6.2.2.5 Dilution During Power Operation. During full-power operation with the reactor in manual control, the operator is alerted to an uncontrolled dilution by an overtemperature ΔT reactor trip. At least 16.9 min (Unit 1), and 16.5 min (Unit 2) are available from the trip for operator action prior to loss of shutdown margin.

INSERT C

Since the maximum flow rate associated with the available dilution flow path in Mode 6 is very small, the total time from initiation of event to the eventual complete loss of shutdown margin is significantly large compared to the minimum required operator action time. Therefore, a considerable amount of time is available for the operator to initiate and terminate procedures for RCS water chemistry adjustments before potential loss of shutdown becomes a concern. Additionally, assuming the availability of one HFAS set at 2.3 times background it is shown that the Technical Specification shutdown margin requirement for Mode 6 is sufficient to ensure that the operator has 30 minutes from the time of alarm to terminate the dilution before shutdown margin is lost.

INSERT D

due to Initiator 4 which is the limiting case for Mode 5a. The same condition as specified for Mode 6 in paragraph 15.4.6.2.2.1 applies for Mode 5b due to Initiator 3.

During full-power operation with the reactor in automatic control, the operator is alerted to an uncontrolled reactivity insertion by the rod insertion limit alarms. At least 36.8 min are available for operator action from the low-low rod insertion limit alarm until a loss of shutdown margin occurs.

15.4.6.3 Conclusions

The results presented above show that adequate time is available for the operator to manually terminate the source of dilution flow. Following termination of the dilution flow, the operator can initiate reboration to recover the shutdown margin.

VEGF-FSAR-15

TABLE 15.4.6-1

PARAMETERS (Q)

Dilution Flowrates:

<u>Initiator</u>	<u>Flowrate (gal/min)</u>
1	63
2	100
3	3.5
4	110

Volumes:

<u>Mode</u>	<u>Volume (ft³)</u>	<u>Volume (gal)</u>
3, 4	9972	74593
5a (filled)	5239	39188
5b (drained)*	3460	25880
6 (drained)	3460	25880

* Drained refers to the reactor vessel coolant level at the mid-plane of the nozzles.

a. See appendix 15B for reload cycles.

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ATTACHMENT B
SIGNIFICANT HAZARDS EVALUATION
AND
RECOMMENDED TECHNICAL SPECIFICATION CHANGES

VOGTLE ELECTRIC GENERATING PLANT
NRC DOCKETS 50-424, 50-425
OPERATING LICENSES NPF-68, NPF-81
REVISION TO TECHNICAL SPECIFICATIONS
MODES 5B AND 6 BORON DILUTION

10 CFR 50.92 EVALUATION

Pursuant to 10 CFR 50.92, each application for amendment to an operating license must be reviewed to determine if the proposed change involves a significant hazards consideration. The amendment, as defined below, describing a non-borated chemical addition activity during Modes 5b and 6, has been reviewed and deemed not to involve significant hazards considerations. The basis for this determination follows.

Background

In order to provide for the capability to make non-borated chemical additions to the RCS during Modes 5b (loops not filled) and 6 (refueling) for proper water chemistry control, it was necessary to perform boron dilution analyses for the specific dilution path to be utilized in these modes. The injection of non-borated water into the RCS for chemistry control during shutdown modes results in a dilution of the RCS boron concentration. The current boron dilution analysis for Vogtle is presented in FSAR 15.4.6. Dilution flow paths during shutdown have been identified for Modes 3, 4, and 5a (loops filled) configurations. The analyses are performed in accordance with NUREG-0800, Standard Review Plan (SRP), Section 15.4.6 to demonstrate that at least fifteen minutes is available, between the high flux at shutdown alarm and complete loss of shutdown margin (criticality), for operator action time to terminate the dilution flow. Therefore, boron dilution analyses have been performed which verify that the anticipated dilution flow rates will still permit adequate time for operator action in accordance with the acceptance criteria. However, analyses do not exist for dilution flow in Modes 5b or 6. Instead, boron dilution is precluded by verifying that the possible dilution flow paths are closed and secured in position in accordance with Technical Specifications 3/4.4.1.4.2 and 3/4.9.1. In order to verify that chemical addition in Modes 5b and 6 will not violate the acceptance criteria, specific analyses were performed to demonstrate adequate operator action time is available. Note that the acceptance criteria identified in SRP 15.4.6 for Mode 6 boron dilution is 30 minutes for operator action time.

Analysis

A review of the accident analyses in the Vogtle FSAR has determined that the only transient which is affected by this chemical addition procedure is the boron dilution event. Since all applicable technical specifications for RCS boron concentrations will continue to be met by surveillance and the recommended RCS chemistry will not be changed, there is no adverse effect on any other accident analyses or system or component performance.

During Mode 6, reactivity conditions of the RCS must be maintained at the most restrictive of the two: RCS boron concentration above 2000 ppm or a K_{eff} of 0.95 or less per Technical Specification 3.9.1. Technical Specification 3.1.1.2 controls variable shutdown margin in Mode 5. These boron requirements have not changed as a result of the Modes 5b and 6 boron dilution analyses. Rather, the analyses have been performed such that they adhere to and are in conformance with these existing requirements. Also, the Modes 5b and 6 analyses have assumed the operability of the high flux at shutdown alarm in these modes, with a flux multiplier alarm setpoint of 2.3. This setpoint is defined in Technical Specification Table 4.3-1 Note 9 and is consistent with the Modes 3, 4 and 5a analyses.

The injection of unborated chemical solution into the RCS for coolant chemistry control results in a dilution of the core boron concentration. A prolonged and unmonitored addition of the unborated solution can be postulated to eventually result in the complete loss of shutdown margin. The current boron dilution analysis for Vogtle is presented in FSAR Section 15.4.6. Dilution flow paths have been identified for Modes 3, 4, and 5a (loops filled) configurations. The analyses were performed in accordance with NUREG-0800, Standard Review Plan (SRP) 15.4.6, to demonstrate that at least fifteen minutes is available, between an alarm and complete loss of shutdown margin, for operator action time to terminate the dilution flow. Per the FSAR, boron dilution in Modes 5b and 6 is currently administratively precluded by verifying that possible dilution flow paths are isolated and the appropriate valves are secured in position in accordance with Technical Specifications 3/4.4.1.4.2 and 3/4/.9.1. Therefore, calculation of operator action time in Modes 5b and 6 is not currently required for the FSAR.

Analysis of the boron dilution event for Mode 5b and 6 with a minimum cold drained reactor vessel volume was performed assuming a maximum dilution flow rate of 3.5 gpm to determine the minimum operator action time. This flow rate is the maximum that can be achieved via the proposed flow path under any operating condition. In addition to using the minimum cold drained reactor vessel volume, the active RCS volume was further minimized by making the following assumptions: only one residual heat removal train is in operation, miniflow and bypass lines are considered empty, and no

reactor coolant loop volumes are assumed. The analyses also assume the operability of the high flux at shutdown alarm such that the instrumentation annunciates a neutron flux level which is 2.3 times greater than that occurring at the initiation of the boron dilution event.

The results of the analysis demonstrate that for a dilution flow rate of 3.5 gpm or less there is sufficient operator action time available to terminate the flow after the high flux at shutdown alarm. The SRP acceptance criteria of fifteen minutes in Mode 5b and thirty minutes in Mode 6 for minimum operator action time is met and exceeded. No other non-LOCA safety analysis assumptions, methods or results are affected by the proposed procedure.

Results

Based on the information presented above, the following conclusions can be reached with respect to 10 CFR 50.92.

1. This chemical addition procedure does not increase the probability of an accident previously evaluated in the FSAR. No new performance requirements or alignments are being imposed on the CVCS or RMWS such that any design criteria will be exceeded. The recommended chemistry guidelines will continue to be adhered to, precluding the creation of an adverse chemical environment which may prematurely affect component performance. This dilution flow path, although administratively precluded in Modes 5b and 6, was previously considered for Modes 3, 4, 5 and 6 in Chapter 15 of the FSAR. The classification of the boron dilution event continues to be an ANS condition II incident, one of moderate frequency. Other boron dilution flow paths will continue to be precluded by the technical specifications.
2. The consequences of an accident previously evaluated in the FSAR are not increased due to this chemical addition procedure. The results presented in the FSAR for the Modes 3, 4 and 5a dilution events remain valid. Boron dilution as a result of chemical addition in Modes 5b and 6 will not create more severe dose consequences.
3. This chemical addition procedure does not create the possibility of an accident which is different than any already evaluated in the FSAR. Boron dilution configurations in Modes 5b and 6 have been previously considered and evaluated in the FSAR. The conclusion was to keep the flow paths isolated so that no dilution flow was possible. In order to support the chemical addition procedure, an alternative approach, which utilized specific analyses that are bounding for the injection path configuration, was used. The results indicate that the required operator action time is available given the expected dilution flow rates. Therefore, the Modes 5b and 6 boron dilution analyses meet the Plant Vogtle licensing basis acceptance criteria for this event. Other boron dilution flow paths will continue to be precluded by the technical specifications.

4. The margin of safety in the plant licensing basis for boron dilution is defined as operator action time between the high flux at shutdown alarm and loss of shutdown margin (criticality). The high flux at shutdown alarm setpoint defined in Technical Specification Table 4.3-1 Note 9 is 2.3. For Mode 5b, the operator action acceptance criteria as defined in SRP 15.4.6 is fifteen minutes and for Mode 6 SRP 15.4.6 defines the acceptance criteria as thirty minutes. The analysis criteria is designed to provide sufficient time for the operator to mitigate the event and prevent the complete loss of shutdown margin. Prevention of the loss of shutdown margin ensures that all ANS Condition II criteria are met. Therefore, the margin of safety is not reduced.

Conclusion

Based upon the preceding analysis, it has been determined that the proposed change to the technical specifications does not involve a significant increase in the probability or consequences of an accident previously evaluated, create the possibility of a new or different kind of accident from any accident previously evaluated or involve a significant reduction in a margin of safety. Therefore, it is concluded that the proposed changes meet the requirements of 10 CFR 50.92 (c) and do not involve a significant hazards consideration.

REACTOR COOLANT SYSTEM

COLD SHUTDOWN - LOOPS NOT FILLED

LIMITING CONDITION FOR OPERATION

3.4.1.4.2 Two residual heat removal (RHR) trains shall be OPERABLE* and at least one RHR train shall be in operation.** Reactor Makeup Water Storage Tank (RMWST) discharge valves (1208-U4-175, 1208-U4-176, 1208-U4-177, and 1208-U4-183) shall be closed and secured in position. (#)

APPLICABILITY: MODE 5 with reactor coolant loops not filled.

ACTION:

- a. With less than the above required RHR trains OPERABLE, immediately initiate corrective action to return the required RHR trains to OPERABLE status as soon as possible.
- b. With no RHR train in operation, suspend all operations involving a reduction in boron concentration of the Reactor Coolant System and immediately initiate corrective action to return the required RHR train to operation. (#)
- c. With the Reactor Makeup Water Storage Tank (RMWST) discharge valves (1208-U4-175, 1208-U4-176, 1208-U4-177, and 1208-U4-183) not closed and secured in position, immediately close and secure in position the RMWST discharge valves. (#)

SURVEILLANCE REQUIREMENTS

4.4.1.4.2.1 At least one RHR train shall be determined to be in operation and circulating reactor coolant at least once per 12 hours. (#)

4.4.1.4.2.2 Valves 1208-U4-175, 1208-U4-176, 1208-U4-177, and 1208-U4-183 shall be verified closed and secured in position by mechanical stops at least once per 31 days.

*One RHR train may be inoperable for up to 2 hours for surveillance testing provided the other RHR train is OPERABLE and in operation.

**The RHR pump may be deenergized for up to 1 hour provided: (1) no operations are permitted that would cause dilution of the Reactor Coolant System boron concentration, and (2) core outlet temperature is maintained at least 10°F below saturation temperature.

RMWST discharge valves 1208-U4-176 and 1208-U4-177 may be open under administrative control provided the Reactor Coolant System is in compliance with the SHUTDOWN MARGIN requirements of Specification 3.1.1.2 and the high flux at shutdown alarm is OPERABLE with a setpoint of 2.30 times background in accordance with Note 9 of Table 4.3-1.

3/4.9 REFUELING OPERATIONS

3/4.9.1 BORON CONCENTRATION

LIMITING CONDITION FOR OPERATION

3.9.1 The boron concentration of all filled portions of the Reactor Coolant System and the refueling canal shall be maintained uniform and sufficient to ensure that the more restrictive of the following reactivity conditions are met:

- a. A K_{eff} of 0.95 or less, or
- b. A boron concentration of greater than or equal to 2000 ppm.

Additionally, valves 1208-U4-175, 1208-U4-177, 1208-U4-183, and 1208-U4-176 shall be closed and secured in position.

APPLICABILITY: MODE 6.

ACTION:

- a. With the requirements of a. and b. above not satisfied, immediately suspend all operations involving CORE ALTERATIONS or positive reactivity changes and initiate and continue boration at greater than or equal to 30 gpm of a solution containing greater than or equal to 7000 ppm boron or its equivalent until K_{eff} is reduced to less than or equal to 0.95 or the boron concentration is restored to greater than or equal to 2000 ppm, whichever is the more restrictive.
- b. With valves 1208-U4-175, 1208-U4-177, 1208-U4-183, and 1208-U4-176 not closed and secured in position, immediately close and secure in position.

SURVEILLANCE REQUIREMENTS

4.9.1.1 The boron concentration of the Reactor Coolant System and the refueling canal shall be determined by chemical analysis at least once per 72 hours.

4.9.1.2 Valves 1208-U4-175, 1208-U4-177, 1208-U4-183, and 1208-U4-176 shall be verified closed and secured in position by mechanical stops at least once per 31 days.

RMWST discharge valves 1208-U4-176 and 1208-U4-177 may be open under administrative control provided the Reactor Coolant System is in compliance with the requirements of Specification 3.9.1 and the high flux at shutdown alarm is OPERABLE with a setpoint of 2.30 times background. For the purpose of this specification, the high flux at shutdown alarm will be demonstrated operable pursuant to Specification 4.9.2.

3/4.4 REACTOR COOLANT SYSTEM

BASES

3/4.4.1 REACTOR COOLANT LOOPS AND COOLANT CIRCULATION

The plant is designed to operate with all reactor coolant loops in operation and maintain DNBR above 1.30 during all normal operations and anticipated transients. In MODES 1 and 2 with one reactor coolant loop not in operation this specification requires that the plant be in at least HOT STANDBY within 6 hours.

In MODE 3, two reactor coolant loops provide sufficient heat removal capability for removing core decay heat even in the event of a bank withdrawal accident; however, a single reactor coolant loop provides sufficient heat removal capacity if a bank withdrawal accident can be prevented, i.e., by opening the Reactor Trip System breakers.

In MODE 4, and in MODE 5 with reactor coolant loops filled, a single reactor coolant loop or RHR train provides sufficient heat removal capability for removing decay heat; but single failure considerations require that at least two trains/loops (either RHR or RCS) be OPERABLE.

In MODE 5 with reactor coolant loops not filled, a single RHR train provides sufficient heat removal capability for removing decay heat; but single failure considerations, and the unavailability of the steam generators as a heat removing component, require that at least two RHR trains be OPERABLE. The locking closed of the required valves in Mode 5 (with the loops not filled) precludes the possibility of uncontrolled boron dilution of the filled portion of the Reactor Coolant System. This action prevents flow to the RCS of unborated water by closing flowpaths from sources of unborated water. These limitations are consistent with the initial conditions assumed for the boron dilution accident in the safety analysis.

The operation of one reactor coolant pump (RCP) or one RHR pump provides adequate flow to ensure mixing, prevent stratification and produce gradual reactivity changes during boron concentration reductions in the Reactor Coolant System. The reactivity change rate associated with boron reduction will, therefore, be within the capability of operator recognition and control.

The restrictions on starting an RCP with one or more RCS cold legs less than or equal to 350°F are provided to prevent RCS pressure transients, caused by energy additions from the Secondary Coolant System, which could exceed the limits of Appendix G to 10 CFR Part 50. The RCS will be protected against overpressure transients and will not exceed the limits of Appendix G by restricting starting of the RCPs to when the secondary water temperature of each steam generator is less than 50°F above each of the RCS cold leg temperatures.

except valves 176 and 177 for short periods of time to maintain chemistry control

3/4.9 REFUELING OPERATIONS

BASES

3/4.9.1 BORON CONCENTRATION

The limitations on reactivity conditions during REFUELING ensure that: (1) the reactor will remain subcritical during CORE ALTERATIONS, and (2) a uniform boron concentration is maintained for reactivity control in the water volume having direct access to the reactor vessel. The locking closed of the required valves during refueling operations precludes the possibility of uncontrolled boron dilution of the filled portions of the Reactor Coolant System. This action prevents flow to the RCS of unborated water by closing flowpaths from sources of unborated water. These limitations are consistent with the initial conditions assumed for the Boron Dilution Accident in the safety analysis. The Boron concentration value of 2000 ppm or greater ensures a K_{eff} of 0.95 or less and includes a conservative allowance for calculation uncertainties of 100 ppm of boron.

3/4.9.2 INSTRUMENTATION

The OPERABILITY of the Source Range Neutron Flux Monitors ensures that redundant monitoring capability is available to detect changes in the reactivity condition of the core.

3/4.9.3 DECAY TIME

The minimum requirement for reactor subcriticality prior to movement of irradiated fuel assemblies in the reactor vessel ensures that sufficient time has elapsed to allow the radioactive decay of the short-lived fission products. This decay time is consistent with the assumptions used in the safety analyses.

3/4.9.4 CONTAINMENT BUILDING PENETRATIONS

The requirements on containment building penetration closure and OPERABILITY ensure that a release of radioactive material within containment will be restricted from leakage to the environment. The OPERABILITY and closure restrictions are sufficient to restrict radioactive material release from a fuel element rupture based upon the lack of containment pressurization potential while in the REFUELING MODE.

3/4.9.5 COMMUNICATIONS

The requirement for communications capability ensures that refueling station personnel can be promptly informed of significant changes in the facility status or core reactivity conditions during CORE ALTERATIONS.

except valve 176 and 177 for short periods of time to maintain chemistry control

RESPONSE TO HOBBY/MOSBAUGH PETITION, SECTION III.6(c)

I. Petitioners' Allegations.

Petitioners assert that on January 20, 1989 procedural errors were made in the calculation of the Vogtle Unit 1 shutdown margin and that (1) the reactor coolant system boron concentration was dangerously low, (2) the error was discovered by pure luck, (3) immediate boration was ordered to avoid an inadvertent criticality, (4) senior plant management held a private meeting to discuss the seriousness of the event, (5) no deficiency card was written or critique conducted, (6) no review was conducted to assure compliance with the technical specifications, and (7) no report was made to the NRC.

II. GPC Response to Petitioners' Allegations.

Petitioners are correct in that a procedural error in the calculation of the shutdown margin did occur and that no deficiency card was written. However, petitioners' remaining allegations are without merit.

On the afternoon of January 19, 1989, a VEGP Unit 1 shutdown from full power was begun to allow repair of a leaking socket weld on the pressurizer loop seal safety relief valve drain. This condition constituted a "Notification of Unusual Event" category pursuant to the VEGP Emergency Plan. The reactor was shutdown at 5:35 p.m.¹ and cooldown of the Reactor Coolant System ("RCS") was begun at 6:35 p.m., pursuant to Procedure 12006-C, "Unit Cooldown to Cold Shutdown," revision 10 (attached as Exhibit 1).

At 7:08 p.m., a note was added to the Shift Supervisor's Log stating that the shutdown margin (hereinafter "SDM") for the then-current conditions was complete and satisfactory per Procedure 14005-1. See Exhibit 2. The basis for that note was a SDM calculation performed pursuant to the requirements of Sections A4.1.1.g and B4.1.5 of Procedure 12006-C to (1) calculate the SDM for the then "current" Hot Standby (Mode 3) conditions, and (2) begin boration of the RCS to the concentration necessary to ensure adequate SDM for the "projected" Cold Shutdown (Mode 5) conditions. See Exhibit 1 at pp. 7 and 11.

The calculation was performed by an extra shift supervisor on duty, and signed by him at 7:13 p.m. See Exhibit 3 at p. 5. That shift supervisor completed a single calculation to satisfy

¹All times identified herein are Central Time, unless otherwise noted, for ease of reference to the Unit 1 Control Room logs.

the two requirements of Procedure 12006-C referred to above by enveloping the two sets of conditions with the Cold Shutdown conditions alone. However, he completed "Data Sheet 2" of Procedure 14005-1 when he should have completed "Data Sheet 4" since the "projected" temperature for Cold Shutdown (200°F) was less than 557°F. See Exhibit 3 at pp. 5 and 7. The shift supervisor stated that the cause of this error was the reference to both "current" and "projected" conditions on Data Sheet 2. The SDM calculation error resulted in a Calculated SDM of 6.6% delta K/K versus a Required SDM of 2.58% delta K/K without taking credit for any "Xenon Worth" of the core.² See Exhibit 3 at p. 5. That calculation indicated to the operators that further boron addition to the RCS was unnecessary in order to enter the Cold Shutdown condition.³

On January 20, 1989 at 6:04 a.m., the Unit Shift Supervisor Relief Checklist noted that "reactor engineer required input to shutdown margin". See Exhibit 4. This entry apparently indicates that the off-going Unit Shift Supervisor was identifying to the on-coming Unit Shift Supervisor that the reactor engineer would need to provide input necessary in order to perform the SDM calculation on Data Sheet 4 of Procedure 14005-1. An SDM calculation was to be performed that morning pursuant to Procedure 14000-1, "Operations Shift and Daily Surveillance Logs," Revision 17. See Exhibit 5.

The reactor engineer that morning was in the control room about 9:00-9:30 a.m. performing his normal duties when he observed that the RCS boron concentration appeared to be low. He brought this to the attention of the operations personnel on-shift.⁴ As a result of the reactor engineer's observation, at

²As in the case of boron, the presence of Xenon provides additional shutdown margin, referred to as "Xenon Worth." Therefore, conservatism is built into the calculation when no credit is taken for Xenon Worth even though Xenon is, in actuality, present in the core.

³The use of Data Sheet 2 rather than Data Sheet 4 overestimated the SDM for the Cold Shutdown condition. If Data Sheet 4 had been used, and no credit was taken for the projected Xenon Worth of the core, the calculation would have indicated that additional boron should be added to the RCS.

⁴Even if the reactor engineer had not raised a question about the RCS boron concentration, the SDM calculation required by Procedure 14000-1 would have verified adequate SDM and revealed the SDM miscalculation on January 19, 1989.

9:30 a.m., the cooldown was temporarily suspended at 186°F until the SDM calculation problem was resolved and by 9:51 a.m. a 50 gallon boration was completed. See Exhibit 6.

At 10:22 a.m., the reactor engineer completed a SDM calculation assuming an RCS temperature of 68°F and 0 pcm Xenon Worth. See Exhibit 7. That calculation showed that 1800 ppm boron concentration was necessary to obtain an SDM of 4.015% delta K/K versus a Required SDM of 3.47% delta K/K without taking credit for any Xenon Worth. In order to achieve 1800 ppm boron concentration, it would have been necessary to inject 4,060 gallons of boron. Further boration was then initiated and, by 11:44 a.m., 1,000 gallons of boron had been added to the RCS and the cooldown was restarted. See Exhibit 6. The Unit 1 Control Log also noted that "total boration will be 4060 gallons for cold shutdown" and "shutdown margin calculation was resolved, shutdown margin was met, 4.0% delta K/K." See Exhibit 6 entry between 1:08 and 1:27p.m.

The reactor engineer and the Unit Shift Supervisor have stated that compliance with VEGP Technical Specification Section 3.1.1.2 (the "SDM Tech. Spec.") was verified shortly after 10:22 a.m. SDM calculation was completed by simply taking credit for the actual Xenon Worth of the core (about 3800 pcm or 3.8% delta K/K). It was obvious that during the entire cooldown period, Xenon Worth, which increases for the first eight hours after shutdown, was by far more than sufficient to ensure compliance with the SDM Tech. Spec., even though RCS boron concentration was estimated to be as low as 1333 ppm⁵ during the cooldown period. Furthermore, in addition to the 10:22 a.m. calculation, the reactor engineer completed a separate calculation, which he did not document, to verify that the SDM Tech. Spec. had been met.

From and after 10:22 a.m., the unit operators maintained adequate SDM by borating the RCS in excess of the boration necessary to offset reductions in SDM resulting from the radioactive decay of Xenon. This ensured compliance with the SDM Tech. Spec. and avoided unnecessary boration to the 1800 ppm boron concentration calculated by the reactor engineer, who assumed no Xenon Worth of the core.⁶

⁵Although the calculation performed at 7:13 p.m. on January 19 by the shift supervisor was based on a boron concentration estimate of 1333 ppm, the actual concentration at the time was 1370 ppm based on actual chemistry samples taken before and after the calculation was performed.

⁶Unnecessary boration is undesirable because it creates unnecessary liquid radwaste which must be processed.

At the end of that shift, an entry was made at 1:25 p.m. on the Operations Supervisor Relief Checklist to "Continue Boration to Satisfy SDM." See Exhibit 8. By 1:55 p.m., RCS boron concentration had reached 1687 ppm based on information extracted from the Unit 1 Chemistry Logs.

At 1:38 p.m., in order to document and correct the error in the SDM calculation procedure performed by the shift supervisor at 7:13 p.m. the night before, an On-Shift Operations Supervisor, acting as the Superintendent of Operations, completed Data Sheet 4 in that same procedure using the RCS Hot Standby conditions of 557°F⁷, 1333 ppm boron concentration, and 3611 pcm Xenon Worth and determined the Calculated SDM to be 4.185% delta K/K versus the Required SDM of 1.92% delta K/K. See Exhibit 3 at p. 7. The acting Superintendent of Operations also added a note in the comment section of that procedure which reads: "DATA SHEET 2 COMPLETED IN ERROR. THE APPROPRIATE DATA SHEET (#4) WAS COMPLETED. ADEQUATE SDM (ACCEPTANCE CRITERIA) VERIFIED." See Exhibit 3 at p. 3.

As corrective action to preclude a recurrence of the SDM calculation error, on or about January 20, 1989, the acting Superintendent of Operations requested the reactor engineer to revise Procedure 14005-1. Numerous changes were made to simplify, consolidate and clarify the data sheets. The revised procedure is attached as Exhibit 9. In addition, on February 2, 1989 the reactor engineer conducted informational training of reactor engineers concerning the procedure changes.

As stated above, the unit was in compliance with the SDM Tech. Spec. at all times. As there was not a condition prohibited by the VEGP Technical Specifications, no notification of the NRC was required pursuant to 10 C.F.R. § 50.73(a)(2)(i)(B). Nevertheless, on January 20, 1989, the very day of the incident, the NRC Resident Inspector was informed.

Operations Department personnel have stated that no DC was written because (1) no VEGP Technical Specification violation occurred, (2) a corrected SDM calculation was completed within the required frequency, and (3) the reactor engineer had undertaken to correct Procedure 14005-1.

At no time during the cooldown was the unit close to an inadvertent criticality. This is clearly illustrated when

⁷Although the RCS temperature at the time recorded on the data sheet (1913 hours) was between 510°F and 525°F, it was appropriate to use 557°F since that was the temperature when the reactor entered the Hot Standby condition, the point at which an SDM calculation is required by Procedure 12006-C, Section A4.1.1.g.

graphically comparing the actual SDM to the Required SDM for the 24 hour period beginning with shutdown of the reactor at 5:35 p.m. on January 19, 1989. See Exhibit 10.

The "private plant management meeting" to which the petitioners refer was apparently a brief discussion between Mr. Tom Greene and Mr. Mosbaugh when Mr. Mosbaugh "dropped by" Mr. Greene's office sometime shortly after January 20, 1989. Mr. Greene stated that Mr. Mosbaugh simply informed him of the incident. Mr. Greene does not remember any discussion of whether the incident could have caused a shutdown of Unit 1 or affected the licensing of Unit 2.

III. Conclusion.

Based on the foregoing, the Company concludes that the petitioners' allegations are partly correct in that an error in the calculation of the shutdown margin did occur and a deficiency card was not prepared. However, the remainder of the petitioners' allegations are without merit.

There was clearly no health or safety issue caused by the calculational error and the Company took corrective action in a timely manner to prevent recurrence. No violation of NRC regulations occurred, the plant was never close to an inadvertent criticality and the incident was discussed promptly with the NRC Resident Inspector.

Approval <i>W F Kiteles</i> <i>for G. Brinkhoff</i>	Vogt Electric Generating Plant NUCLEAR OPERATIONS	Procedure No. 12006-C
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WORKING COPY

UNIT NO. 1

UNIT COOLDOWN TO COLD SHUTDOWN

MANUAL SET
NO. 12

1.0 PURPOSE

This procedure provides instructions for maintaining hot standby following reactor trip, maintaining hot standby following reactor shutdown, taking the unit from hot standby to cold shutdown. Instructions are provided for maintaining conditions stable at points between.

2.0 PRECAUTIONS AND LIMITATIONS

2.1 PRECAUTIONS

- 2.1.1 If this procedure is terminated prior to completion, the Unit Shift Supervisor (USS) should note the reason for the termination in the comments section.
- 2.1.2 The Reactor Coolant System (RCS) pressure and temperature shall be maintained within the operating region of Figure 1.
- 2.1.3 Do not add positive reactivity by more than one controlled method at a time while the reactor is subcritical.
- 2.1.4 Whenever RCS temperature is above 160°F, at least one RCP should be in operation. Preferably Pump 4 to ensure best spray capability.
- 2.1.5 ^① The hydrogen concentration in the RCS must be reduced to less than 5cc/kg prior to opening any RCS component.
or use Ops standing order 1-20-89 for pressurizer rxn
- 2.1.6 The boron concentration in the pressurizer should not be different from the RCS by more than 50 ppm. Pressurizer Backup Heaters may be energized as necessary to equalize the boron concentration.
- 2.1.7 The Control Rod Drive Mechanism (CRDM) Cooling System shall be operating when RCS temperature is greater than or equal to 350°F or when any CRDM is energized.

RECORD COPY

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- 2.1.8 During cooldown, all Main Steam Isolation Valves (MSIVs) should be open or atmospheric reliefs balanced to allow uniform cooldown of all Reactor Coolant System (RCS) loops and Steam Generators (SGs). Steam dump is the preferred method of heat removal.
- 2.1.9 The Residual Heat Removal (RHR) Pump Suction Line should not be isolated from the RCS unless there is a steam bubble in the Pressurizer.
- 2.1.10 One Reactor Coolant Pump (RCP) should be running anytime RCS temperature is changed by more than 10°F in one hour.
- ✓ 2.1.11 Spray flow into the Pressurizer should not be initiated if the temperature difference between the Pressurizer steam space and the spray fluid exceeds 125°F. ✓
- 2.1.12 Before auxiliary spray is initiated with a temperature difference between the pressurizer steam space and the spray fluid exceeding 320°F, notify the USS.
(Technical Specification 5.7.1)
- 2.1.13 While in Hot Standby, feeding Steam Generators should be continuous to minimize thermal stresses on the Feedwater Nozzle.
- 2.1.14 Vacuum should be maintained on the Main Turbine following unit shutdown until the Turbine coasts down to approximately 66% rated speed (1200 rpm) unless an emergency dictates rapid coastdown of the Turbine Rotor.
- 2.1.15 The Main Turbine should be kept on Turning Gear until metal casing temperatures have returned to ambient. Bearing lube oil circulation must also be maintained.
- 2.1.16 During periods of operation with the RCS level below the Reactor Vessel Flange elevation (194 feet elevation), ongoing work activities should be closely scrutinized and any work activity limited that has the potential for reducing RCS inventory.

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2.2	LIMITATIONS				
2.2.1	The RCS pressure and temperature shall not exceed 425 psig and 350°F when open to the RHR system.				
2.2.2	While in Modes 3 and 4, shutdown margin shall be greater than or equal to the limit specified in Technical Specification 3.1.1.2, Figure 3.1-1.				
2.2.3	While in Mode 5, shutdown margin shall be greater than or equal to the limit specified in Technical Specification 3.1.1.2, Figure 3.1-2.				
2.2.4	While in Mode 3, at least two RCS loops shall be in operation with the Reactor Trip Breakers closed and at least one in operation with the Reactor Trip Breakers open. (Technical Specifications 3.4.1.2)				
2.2.5	While in Mode 4, at least two RCS loops and/or RHR trains shall be operable and at least one of the RCS loops and/or RHR trains shall be in operation. (Technical Specifications 3.4.1.3)				
2.2.6	While in Mode 5 with the RCS loops filled, at least one RHR train shall be operable and in operation and either one additional RHR train operable or the secondary side water level of at least two steam generators shall be greater than 17% wide range. (Technical Specification 3.4.1.4.1)				
2.2.7	While in Mode 5 with the RCS loops not filled, at least two RHR trains shall be operable and at least one RHR train shall be in operation. (Technical Specification 3.4.1.4.2)				
2.2.8	While in Modes 4, 5, and 6 with the Reactor Vessel Head on, at least one of the following cold overpressure protection systems shall be operable:				
	<ul style="list-style-type: none"> a. Two PORVs with lift settings which do not exceed the limits established in Figure 1, b. Two RHR suction Relief Valves each with a setpoint of 450 psig $\pm 3\%$, or c. The RCS depressurized with an RCS vent capable of relieving at least 670 gpm water flow at 470 psig. (Technical Specification 3.4.9.3) 				
2.2.9	While in Modes 5 and 6, at least one Charging Pump in the required boron injection flow path shall be operable. (Technical Specification 3.1.2.3)				

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2.2.10	The primary to secondary pressure differential shall not exceed 1600 psid or a secondary to primary pressure differential of 670 psid during unit operations or leak tests.		
2.2.11	The maximum cooldown of the RCS shall be limited to 100°F in any one hour period. (Technical Specification 3.4.9.1)		
2.2.12	The maximum cooldown of the pressurizer shall be limited to 200°F in any one hour period. (Technical Specification 3.4.9.2)		
2.2.13	The maximum temperature differential between auxiliary spray water and pressurizer steam space is 625°F. (Technical Specification 3.4.9.2)		
2.2.14	The temperature of both the primary and secondary coolant in the Steam Generators shall be greater than 70°F when the pressure of either coolant in the Steam Generator is greater than 200 psig. (Technical Specification 3.7.2)		
2.2.15	While in Modes 3, 4 and 5, both channels of Source Range Nuclear Instrumentation shall be operable. (Technical Specifications Table 3.3-1, 6.B)		
2.2.16	While in Modes 3, 4, and 5 at least one channel Source Range Nuclear Instrumentation should be selected to Recorder NR-45 and the CONTROL ROOM HI FLUX LEVEL AT SHUTDOWN alarm operable.		
2.2.17	While in Modes 5 and 6, with the RCS level below Reactor Vessel Flange elevation (194 feet elevation), the RWST will be operable with a minimum volume of 70,832 gallons (5% of instrument span) of water at a boron concentration between 2000 and 2200 ppm.		
3.0	<u>INITIAL CONDITIONS</u>		
3.1	The reactor is shut down either following normal shutdown or reactor trip with Shutdown Rods either withdrawn or inserted.		
3.2	RCS temperature is stabilized at no load Tavg under control of the steam dumps in Steam Pressure mode or by operation of the Steam Generator Atmospheric Relief Valves.		
3.3	RCS pressure is stable at normal operating pressure.		

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- 3.4 At least one RCP is operating.
- 3.5 Pressurizer level is at approximately or returning to the program level with either the Positive Displacement (PD) Pump or a Centrifugal Charging Pump (CCP) operating to supply normal charging and RCP seal injection flow.
- 3.6 SG levels are at 45% to 55% NR level with Auxiliary Feedwater (AFW) operating.
- 3.7 The main Turbine is tripped and either coasting down or on the Turning Gear.
- 4.0 INSTRUCTIONS

NOTES

- a. This procedure is divided into sections which permit either cooldown or maintaining stable conditions within a specified mode. Section E may be performed concurrently with Sections A,B,C,D.
- b. Asterisk (*) steps beside INITIAL steps indicates steps that generate additional documents.
- c. This procedure is written using Train A designations. Train B component designations are shown in parenthesis.

The sections of this procedure are:

- A. Hot Standby Following Reactor Shutdown or Trip.
- B. Cooldown to not less than 350°F.
- C. Cooldown to not less than 205°F.
- D. Cooldown to Cold Shutdown (less than 200°F).
- E. Secondary Plant Shutdown.

SECTION A: Hot Standby Following Reactor Shutdown or Trip

A4.1 OPERATING IN HOT STANDBY FOLLOWING REACTOR SHUTDOWN OR TRIP:

INITIALS

A4.1.1 If this procedure has been entered from a reactor trip, then perform the following:

a. INITIATE 10006-C, "Reactor Trip Review",

E *

b. If entering this procedure from SI termination, then perform 11886, "Recovery From EOP Actuation",

MA

c. If required, INITIATE STARTUP of the Auxiliary Boiler per 13760-C, "Auxiliary Steam Boiler System",

E

NOTIFY Chemistry Department,

d. If applicable, ENSURE that TDAFW Pump has been stopped per 13610, "Auxiliary Feedwater System" and returned to STANDBY per 13610, Checklist 2,

MA *

e. BYPASS the ATWAS Mitigation System Actuation Circuitry (AMSAC) by performing the following:

(1) At the AMSAC Cabinet, PLACE the System Bypass Switch to the BYPASS position,

MA

(2) At the AMSAC Cabinet, VERIFY the Channel/System Bypass Light illuminates,

↓

(3) VERIFY Annunciator AMSAC TROUBLE (ALB 05 E04) illuminated.

↓

INITIALS

f. When Source Range channels indication stabilize PLACE CONTROL ROOM HI FLUX LEVEL AT SHUTDOWN alarm in operation by performing the following:

- (1) NOTIFY I&C and RESET the HI FLUX AT SHUTDOWN alarm setpoint per 24695 and 24696, "N.I. System Source Range Channel Calibration",
- (2) ENABLE THE HI FLUX AT SHUTDOWN alarm by placing the HIGH FLUX AT SHUTDOWN NORMAL/BLOCK switches to the NORMAL,
- (3) VERIFY annunciator SOURCE RNG HI SHUTDOWN FLUX ALARM BLOCKED ALB-10 B01 resets,
- (4) SELECT bot' channels of Source Range indication on Recorder NR-45,

ANNOTATE chart to reflect channels selected,

g. CALCULATE SHUTDOWN MARGIN per 14005, "Shutdown Margin Calculations",

h. If necessary, BORATE the RCS per 13009, "CVCS Reactor Makeup Control System",

i. SHUT DOWN the CVCS BTRS System by performing the following:

- (1) PLACE the CVCS BTRS SELECTOR Switch HS-10351 in the OFF position,
- (2) CLOSE the BTRS Demineralizer Flow Control HV-0387 to the FULLY CLOSED position,

INITIALS

- j. DIRECT Chemistry to sample the RCS hydrogen, gas activity concentrations and PERFORM an RCS Iodine sample analysis per the required frequencies of Technical Specifications Table 4.4-4,

STG

Person Contacted Robert Thompson Date 1-19-84 Time 1743

- k. MAXIMIZE CVCS letdown purification flow rate per 13006, "Chemical And Volume Control System Startup And Normal Operation",

E

1-19-84 1743
Date Time

- l. MONITOR Main Turbine coastdown,
(1) ENSURE that the Turning Gear Motor Control Handswitch is in AUTO/PULL-TO-LOCK position,
(2) When Turbine Rotor reaches zero speed, VERIFY all Lift Pumps, Turning Gear Oil Pumps ON and Turning Gear engagement.

E

E

- m. STOP both Heater Drain Pumps,
n. STOP all but one Condensate Pump.
o. REDUCE in-service Condensate Demineralizer Powdex Vessels as applicable per 13616, "Condensate Filter Demineralizer System",

E

E

- p. PLACE the Condensate and Feedwater System on Long cycle recirc per 13615, "Condensate And Feedwater Systems",

E

- q. NOTIFY Chemistry to initiate placing condensate and feedwater into proper chemical wet layup,

E

- r. If necessary, SHUT DOWN all but one Circulating Water Pump,

MA

INITIALS

s. If necessary, SHUT DOWN all but one River Makeup Pump and RECORD time in the Unit Control Log Book,

E

t. ENSURE SG Blowdown Isolation Valves 1-HV-7603A(B, C, D) open.

NA

A4.1.2

If No-Load Tavg cannot be maintained due to excessive steam demand, REDUCE steam demand by performing the following:

a. ENSURE MSR Heating Steam Supply Valves HS-6015 and HS-6030 closed,

E

b. TRANSFER the Auxiliary Steam System steam supply to the Auxiliary Boiler per 13761, "Auxiliary Steam System",

CO

c. TRANSFER the Turbine Steam Seal supply to the Auxiliary Steam Supply per 13825, "Turbine Steam Seal System",

E

d. TRANSFER the SJAЕ steam supply to the Auxiliary Steam Supply per 13620, "Condenser Air Ejection System",

NA

e. If Main Generator is to be shut down for more than two days, then to prevent overheating relay 360A, OPEN links TBR 28, 29 and 30, located in Protective Relay Panel Bay 4, per 00306-C, "Temporary Jumper And Lifted Wire Control",

DD

f. If the Generator Regulator Panel (1028-P5-GRC) is to be de-energized for maintenance, then OPEN links TBR 56 and 57 and TBS 4 and 5 located in Protective Relay Panel Bay 4, per 00306-C, "Temporary Jumper and Lifted Wire Control". This will prevent tripping Lockout Relays 386 G9 and 386 G10 which trip Generator Output Breakers.

NA

g. At the Main Transformer Control Cabinets, de-energize the Transformer Oil Pumps and Fans per 13800, "Main Turbine Operation" Sub-subsection 4.3.1.

E

INITIALS

A4.1.3 At the USS's discretion, DISABLE the MFPT trip circuitry to AFWAS by removing and tagging the following fuses:

a. TRAIN A

Auxiliary Relay Panel - Fuse Block
(Inhibits MFPT trip signal to initiate AFWAS),

UNIT 1

UNIT 2

1NCPAR-2-FU-4 2NCPAR-2-FU-4

JTG
R.P.
IV

b. TRAIN B

Auxiliary Relay Panel - Fuse Block
(Inhibits MFPT trip signal to initiate AFWAS),

UNIT 1

UNIT 2

1NCPAR-4-FU-1 2NCPAR-4-FU-1

JTG
R.P.
IV

A4.1.4 Either OPERATE unit systems as necessary to maintain the unit at Hot Standby, or PROCEED to either Section B to initiate unit cooldown or 12003-C, "Reactor Startup" to return to power.

END OF SECTION A

SECTION B: Cooldown to not less than 350° F

NOTE

This section directs cooldown to 375°F or any point between without crossing the boundary for Mode 4 at 350°F.

B4.1 PREPARATION FOR UNIT COOLDOWN

INITIALS

B4.1.1 If required to cooldown secondary systems, then INITIATE Section E of this procedure.

B4.1.2 If Condenser vacuum is being maintained, then INITIATE placing a steam blanket on the MSR's per 13800, "Main Turbine Operation".

NA

B4.1.3 INITIATE pressurizer and RCS boron equalization by energizing Pressurizer Backup Heaters.

E

B4.1.4 MAXIMIZE CVCS letdown purification flowrate.

1-19-84 / 1823
date/time

E

B4.1.5 INITIATE Borating the RCS to the cold shutdown boron concentration per 13009, "CVCS Reactor Makeup Control System".

E

If applicable, PERFORM 14835, "Boric Acid Injection Check Valve Cold Shutdown Inservice Test" during the boration.

NA *

B4.1.6 DIRECT Chemistry to sample the RCS and Pressurizer boron concentration.

E

B4.1.7 If withdrawn, INSERT all Shutdown Banks to the fully inserted position.

NA

B4.1.8 OPEN the Reactor Trip breakers.

E

INITIALS

B4.1.9 If not currently in progress, INITIATE RCS gaseous activity degas by performing the following:

- a. ENSURE that the Pressurizer Steam Space Sample line is in operation by verifying that the PRZR STM SAMPLE IRC/ORC Valves HV-3513/HV-3514 are open,
- b. NOTIFY Chemistry to adjust the pressurizer steam space sample flow rate to maximum,
- c. While maintaining hydrogen cover gas, DEGAS the RCS by raising VCT gas purge flow rate to the Gaseous Waste Processing System to approximately 1.2 scfm using HIC-1094, as limited by the Hydrogen Recombiners.

E

E

E

B4.1.10 When notified by Chemistry that the RCS gaseous activity has been reduced to an acceptable level, TRANSFER VCT cover gas to Nitrogen and INITIATE RCS Hydrogen degas per 13007, "VCT Gas Control And RCS Chemical Addition".

E

NOTE

Prior to opening the RCS to containment the hydrogen concentration shall be less than 5 cc/kg.

B4.1.11 START both Containment Pre-access Filter Units using CTS PREACCESS FLTR UNIT-1/2 FAN HS-2620/2621.

1-1989 1524
date/time

E

B4.1.12 If it is planned to cool down to Cold Shutdown, and if not performed in the previous three months, COMPLETE 14748. "AFW Check Valve Shutdown Inservice Test".

NA *

INITIALS

B4.2 RCS COOLDOWN TO 375°F

B4.2.1 COMMENCE RCS/Pressurizer pressure and temperature trending at 30 minute intervals using Data Sheet 1 and ERF computer. (Technical Specification 4.4.9.1)

Data taking and plotting may be suspended during holds in the cooldown if the duration is expected to exceed one hour.

NOTE

It is recommended that the RCS temperature be maintained between 75° F and 125° F less than pressurizer temperature. (See Figure 1.)

B4.2.2 COMMENCE the cooldown to 375°F and 540 psig at a recommended rate of approximately 50°F per hour by performing the following:

- a. REDUCE the number of operating RCPs to two per 13003, "Reactor Coolant Pump Operation",

Pumps 4 and 1 are the preferred running pumps,

- b. INITIATE Pressurizer cooldown and depressurization by slowly opening the Pressurizer Spray Valves,

If necessary, selectively DE-ENERGIZE Pressurizer Back-up Heaters by placing Control Switches to PULL-TO-LOCK,

CAUTION

RCS temperature and pressure shall be maintained within the acceptable operating region of Figure 1.

- c. Slowly ADJUST the Steam Dump Controller setpoint or if applicable the Atmospheric Relief Valves to initiate RCS cooldown.

INITIALS

B4.2.3

At approximately 2185 psig, OBSERVE PRZR PORV BLOCK VALVES HV-8000A and HV-8000B auto close.

CE

NOTE

Depending on the rate of RCS cooldown and depressurization, Step B4.2.5 may occur before Step B4.2.4.

B4.2.4

At approximately 550°F RCS temperature PERFORM the following:

- a. VERIFY status light LO LO TAVG TRAIN A STEAM DUMP INTL P12 illuminated,
- b. BYPASS the LO LO TAVG interlock by momentarily placing the Train A and B Steam Dump Interlock Selector Switches to the BYPASS INTERLOCK position,

CE

If operating on Steam Dumps, then VERIFY Steam Dump Cooldown Valves FV-0507A, B and C are open by observing ZLB-2 on QMCB,

CECE

CAUTION

If the RCS is allowed to pressurize above P11 and SG pressure is below 585 psig, Safety Injection and Steam Line Isolation will occur.

B4.2.5

At approximately 1970 psig, manually BLOCK Pressurizer Pressure and Steam Line Pressure Safety Injection and Steam Line Pressure Steam Line Isolation signals by performing the following:

- a. It is planned to cool down for refueling, then PERFORM 14710, "Remote Shutdown Panel Transfer Switch And Control Circuit 18 Month Surveillance Test" Data Sheets 3A and 3B in lieu of the following substeps,
- b. VERIFY Block Permissive Status light PRZR LC PRESS SI BLOCK PERM P11 illuminates,

NACE

INITIALS

c. BLOCK the Low Pressurizer Pressure Safety Injection signal using PRZR PRESS SI BLOCK/RESET A and B handswitches HS-40012 and 40013,

E

d. OBSERVE Status Lights PRZR TRAIN A/B SI BLOCKED illuminated,

E

e. BLOCK the Low Steam Line Pressure Safety Injection signal using LOW STM PRESS SI/SLI BLOCK RESET handswitches HS-40068 and 40069,

E

f. OBSERVE Status Lights STMLINE ISO TRAIN A/B SI BLOCKED illuminated.

E

B4.2.6 CHECK that Pressurizer level is between 20% and 40%.

E

B4.2.7 As RCS pressure lowers, OPEN additional Letdown Orifice Isolation Valves and ADJUST PIC-131 setpoint to maintain desired letdown flowrate.

B4.2.8 During RCS depressurization, MAINTAIN all RCP seal injection flow rates between 8 and 13 gpm by adjusting the Charging Header Flow Controller HC-0182.

B4.2.9 At approximately 950 psig, ISOLATE ECCS Accumulators by performing the following:

a. REMOVE TAG, UNLOCK and CLOSE the Accumulator Discharge Isolation Valve 480V MCC Breakers:

	<u>UNIT 1</u>	<u>UNIT 2</u>
ACCUM-1	1ABE-19	2ABE-19
ACCUM-2	1BBC-19	2BBC-19
ACCUM-3	1ABC-19	2ABC-19
ACCUM-4	1BBE-19	2BBE-19

E

E

E

E

INITIALS

b. CLOSE the Accumulator Isolation Valves,

ACCUM-1 HV-8808A,

ACCUM-2 HV-8808B,

ACCUM-3 HV-8808C,

ACCUM-4 HV-8808D.

c. VERIFY annunciators ACCUM TANK
1(2,3,4) ISO VLV 8808A(B,C,D)
NOT FULLY OPEN in alarm.
ALB06-A05,B05,C05,D05,

d. OPEN, LOCK and TAG the Accumulator
Discharge Isolation Valves 480V MCC
Breakers,

*E-2 LINES OPEN

	<u>UNIT 1</u>	<u>UNIT 2</u>
ACCUM-1	1ABE-19	2ABE-19
ACCUM-2	1BBC-19	2BBC-19
ACCUM-3	1ABC-19	2ABC-19
ACCUM-4	1BBE-19	2BBE-19

B4.2.10 When steam pressure falls too less
than 550 psig, at the USS's discretion
the Steam Generators may be supplied
by the running Condensate Pump per
Section E4.2 of this procedure.

INITIALS

B4.2.11 Either OPERATE unit systems as necessary to maintain RCS within the following parameter values or PROCEED to either Section C to continue the cooldown or 12002-C, "Unit Heatup to Normal Operating Temperature and Pressure" to commence a heatup.

RCS temperature	375°F ±10°F
RCS pressure	540 psig ±25 psig
Pressurizer level	at program level

END OF SECTION B

SECTION C: Cooldown to not less than 205°F

NOTE

This section directs cooldown to 225°F or any point between without crossing the boundary for Mode 5.

C4.1 PREPARATION FOR CONTINUING UNIT COOLDOWN.

INITIALS

- C4.1.1 If required to cooldown secondary systems and break condenser vacuum, then INITIATE SECTION E of this procedure.

CAUTION

Maintain pressurizer cold calibration level greater than 17%.

- C4.1.2 If it is planned to cool down to cold shutdown, then ALLOW pressurizer level to rise during the cooldown to not greater than 80% cold calibrate.

- C4.1.3 COMMENCE RCS/Pressurizer pressure and temperature trending at 30 minutes intervals using Data Sheet 1 and ERF computer. (Technical Specification 4.4.9.1)

Plotting may be suspended during holds in the cooldown if the duration is expected to exceed one hour.

INITIALS

C4.2 RCS COOLDOWN TO 225°F.

NOTE

It is recommended that the RCS temperature be maintained between 75°F and 125°F less than pressurizer temperature. (See Figure 1.)

C4.2.1 COMMENCE the cooldown to 225°F and 250 psig at a recommended rate of approximately 50°F per hour by performing the following:

- a. CONTINUE the pressurizer cooldown and depressurization by slowly opening the Pressurizer Spray Valves, CA

If necessary, selectively DE-ENERGIZE Pressurizer Backup Heaters by placing Control Switches to PULL-TO-LOCK,

CAUTION

RCS temperature and pressure shall be maintained within the acceptable operating region of Figure 1.

- b. Slowly ADJUST the Steam Dump Controller Setpoint or if applicable the Atmospheric Relief Valves to initiate RCS cooldown. CA

C4.2.2 If it is planned to cool down for refueling, then prior to reaching 350°F, REQUEST confirmation from Engineering/Maintenance that actions have been taken to preclude Reactor Vessel Seismic Tie Rod Binding. CA

C4.2.3 Prior to reaching 350°F, NOTIFY Chemistry to isolate PERMS CVCS Letdown Monitor RE-48000. CA
Tony Cancer

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INITIALS

C4.2.4 Prior to reaching 350°F, PLACE the Cold Overpressure Protection System (COPS) in operation by performing the following:

- a. If not performed in the previous three months, PERFORM 14860, "PORV Cold Shutdown Inservice Test",
- b. ARM the A and B COPS by placing the PRZR PORV BLOCK VLV COLD OVERPRESSURE CNTL handswitches HS-8000G and 8000H to the ARM position,
- c. VERIFY the following annunciators alarmed upon arming COMS:

A COLD OP ACTU VLV HV-8000A NOT FULL OPEN (ALB12 E06),

B COLD OP ACTU VLV HV-8000B NOT FULL OPEN (ALB12 F06),
- d. ENSURE PRZR PORVs PV-455A and 1-PV-456A are closed and the handswitches in AUTO,
- e. ENSURE OPEN PRZR PORV BLOCK Valves HV-8000A and 8000B,

NOTE

Step f satisfies Technical Specification surveillance 4.4.9.3.1.c

- f. VERIFY the following annunciators reset:

A COLD OP ACTU VLV HV-8000A NOT FULL OPEN (ALB12 E06),

B COLD OP ACTU VLV HV-8000B NOT FULL OPEN (ALB12 F06).

C4.2.5 At 350°F, LOG time and date of entry into Mode 4 in the Unit Control Log Book.

1/30/89 0054
date/time

1 14860 not performed, second time to J.E. Swartzmiller entered LCO 1-89-040 for 14860 plan-SD per Tech. 1-

INITIALS

C4.2.6

Within 4 hours after entering Mode 4 and prior to reaching 325°F PERFORM the following:

- a. RACK OUT and TAG both safety Injection Pump Breakers,

UNIT 1UNIT 2

SI PMP-A 1AA02-16 2AA02-16

SI PMP-B 1BA03-17 2BA03-17

NOTE

AFWAS should be defeated to the SG Blowdown Valves, Sample Valves and MDAFW Pump Discharge Valves to accommodate MFP activities and/or SG draining/filling operations without resulting in impacting those activities.

- b. At the USS's discretion, REMOVE and TAG the following fuses:

- (1) Train A

Auxiliary Relay Panel -
Fuse Block (Allows full
use of SG Blowdown valves),

UNIT 1UNIT 2

1ACPAR6-FU-2 2ACPAR6-FU-2

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INITIALS

(2) Train 8

Auxiliary Relay Panel -
Fuse Block (Allows full
use of SG Blowdown valves),

UNIT 1UNIT 2

1BCPAR7-FU-6 2BCPAR7-FU-6

c. PLACE standby MDAFW Pumps handswitch
in PULL-TO-LOCK.

d. If the TDAFW Pump is not being
utilized, CLOSE HV-5122, 5125, 5127
and 5120.

IV

INITIALS

C4.2.7 When the RCS pressure is less than 365 psig, and RCS temperature is less than 340°F, PLACE at least one RHR Train in operation per 13011, "Residual Heat Removal System".

- a. OPERATE RHR HX Outlet Valves HV-0606(0607) and Bypass Valves FV-0618(0619) to control RCS temperature as necessary and RHR flow at a minimum total flow of 3000 gpm,
- b. If applicable, PERFORM 14896, "ECCS Check Valve Cold Shutdown Inservice Test",
- c. ENSURE RHR Suction Isolation surveillance is initiated each shift per 14000, "Shift And Daily Surveillance Logs".

CAUTION

While in Mode 5 with the Reactor Coolant Loops filled, with 1 RHR Train inoperable, the secondary side water level of at least two Steam Generators shall be greater than 17% WR.

C4.2.8 If desired, REDUCE the number of operating RCPs to one per 13003, "Reactor Coolant Pump Operation".

Pump 4 is the preferred running pump to ensure best spray capability.

C4.2.9 When SG pressure falls to 25 psig INITIATE adding Nitrogen to the SG's per 13601, "Steam Generator And Main Steam System Operation" with regulators set at 2 to 5 psig.

C4.2.10 If it is intended to perform maintenance on the RAT's during the outage, then NOTIFY Maintenance to initiate work towards backfeeding through the Main Transformer and UAT's.

INITIALS

C4.2.11 Either OPERATE unit systems as necessary to maintain RCS within the following parameter values or PROCEED to either Section D to continue the cooldown or 12001-C, "Unit Heatup to Hot Shutdown" to commence a heatup.

CAUTION

Ensure running RCP seal differential pressure is maintained greater than 200 psid.

RCS temperature	225 F $\pm 10^{\circ}\text{F}$
RCS pressure	250 psig ± 25 psig

END OF SECTION C

SECTION D: Cooldown to Cold Shutdown
(less than 200°F).

NOTE

This section directs cooldown to Mode 5 and maintains temperature between 130°F and 80°F.

D4.1 PREPARATION FOR CONTINUING UNIT COOLDOWN

INITIALS

D4.1.1 If required to cool down secondary systems and break condenser vacuum, then INITIATE Section E of this procedure.

D4.1.2 COMMENCE RCS/Pressurizer pressure and temperature trending at 30 minute intervals using Data Sheet 1 and ERF Computer. (Technical Specification 4.4.9.1)

Plotting may be suspended during holds in the cooldown if the duration is expected to exceed one hour.

D4.1.3 ENSURE RHR letdown is in operation with flow rate greater than or equal to 75 gpm. LCF

D4.2 RCS COOLDOWN TO BETWEEN 130°F and 80°F

D4.2.1 COMMENCE the cooldown at a recommended rate of approximately 50°F per hour by performing the following:

- a. Slowly ADJUST the RHR Outlet Valves HV-0606(0607) to reduce RCS temperature, LCF

CAUTION

Ensure running RCP seal differential pressure is maintained greater than 200 psid.

- b. MAINTAIN Pressurizer pressure at 250 psig, ± 25 psig, by selective use of Pressurizer Backup Heaters. LCF

INITIALS

D4.2.2 At 200°F, LOG time and date of entry
into Mode 5 in the Unit Control Log Book.
0820 1-20-84
time/date

ECR

D4.2.3 RACK OUT and TAG the Containment Spray
pump breakers.

UNIT 1UNIT 2

CS PMP A 1AA02-14 2AA02-14

CS PMP B 1BA03-14 2BA03-14

ECR
ECR

D4.2.4 As directed by the USS, PLACE the
Containment Pre-access Purge System
in operation per 13125, "Containment
Purge System".

EC*

D4.2.5 To facilitate personnel ingress and
egress, during cold shutdown, NOTIFY
Maintenance to bypass the Containment
Personnel Lock Interlock System.

If desired the Containment Equipment
Hatch Missile Shield may be moved at
this time.

D4.2.6 NOTIFY Work Planning Group to schedule
and initiate mode dependent Fire
Protection Surveillances.

EC

D4.2.7 When the RCS temperature is less than
140°F, PERFORM the following:

- a. If withdrawn, INSERT all Shutdown
Banks to the fully inserted position,
- b. OPEN the Reactor Trip Breakers,
- c. STOP the CRDM Cooling Fans using
the following handswitches:

EC
EC

CRDM UNIT - FAN 1 HS-12273A,
CRDM UNIT - FAN 2 HS-12274A,
CRDM UNIT - FAN 3 HS-12275A,
CRDM UNIT - FAN 4 HS-12276A.

EC

- d. If it is intended to remain in cold
shutdown for greater than 4 days, then
PLACE the SG's in wet layup per 13601,
"Steam Generator and Main Steam System
Operation".

EC

INITIALS

NOTE

The RCP(s) shall be run for one or more hours after reaching the desired RCS temperature plateau to enhance SG and RCS temperature equalization.

CE

D4.2.8

When RCS temperature is less than 110°F, the remaining RCPs may be stopped per 13003, "Reactor Coolant Pump Operation".

CE

D4.2.9

If it is desired to collapse the pressurizer bubble and cooldown the pressurizer, then PERFORM the following:

- a. ENSURE all CVCS Letdown Orifices are in operation,

CE

CAUTION

Expect rapid pressurizer pressure rise with charging flow greater than letdown flow at the point of going solid. Be prepared to reduce charging flow or raise letdown flow to prevent extreme pressure fluctuations.

- b. RAISE pressurizer level by raising charging flow rate and/or lowering RHR letdown flow rate,
- c. When the pressurizer is solid as indicated by rising RCS pressure or if PIC-131 is in AUTO rising letdown flow rate, then PERFORM the following:
- (1) BALANCE charging and letdown flow rates using HV-0128 and/or PIC-131 to maintain RCS pressure at 250 psig \pm 25 psig,

CECE

INITIALS

NOTE

Charging flow may remain greater than letdown flow as a result of coolant contraction during the cooldown.

- (2) Charging/RHR letdown flow rate should be adjusted so that RHR letdown purification flow is maintained greater than or equal to 75 gpm,
- (3) OPEN Pressurizer Auxiliary Spray valve HV-8145.
- (a) INITIATE AUX SPRAY/PRZR DELTA-T surveillance per 14915, "Special Conditions Surveillance Logs", (Technical Specification 4.4.9.2), *
- (b) If pressurizer auxiliary spray water delta-T exceeds 320°F, then LOG the spray valve operation in the Unit Control Log and NOTIFY Engineering to log the cycle per 50040-C, "Component Cyclic or Transient Limits", *
- (4) CLOSE the open Charging Isolation Valve HV-8146 or HV-8147,
- (5) Continue CHARGING through the pressurizer auxiliary spray line until pressurizer steam space temperature is less than 190°F.

D4.2.10 MAINTAIN RCS temperature between 130°F and 80°F using RHR HX Outlet Valves HV-0606(0607).

NOTIFY Engineering to log the unit cooldown per 50040-C, "Component Cyclic or Transient Limits". *

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INITIALS

CAUTION

Ensure all RCP's are shutdown.

D4.2.11 If it is desired to depressurize the RCS, then PERFORM the following:

- a. INITIATE Lowering RCS pressure to atmospheric (50 psig as indicated on PI-408, 418, 428 or 438) using letdown pressure control PIC-131,
- b. When RCS pressure reaches 100 psig (150 psig as indicated on PI-408, 418, 428, 438), CLOSE all RCP Seal Leakoff Isolation valves HV-8141A, B, C, D,
- c. ENSURE PRT nitrogen pressure is maintained greater than 0.5 psig.

NOTE

SI Pmp Cold Leg Isolation Valves are closed to preclude inadvertent draining of RWST to the RCS while the RCS is depressurized and partially drained.

D4.2.12 ISOLATE the Safety Injection Cold legs by performing the following:

- a. CLOSE SI PMP-A TO COLD LEG ISO VLV HV-8821A,
- b. CLOSE SI PMP-B TO COLD LEG ISO VLV HV-8821B,
- c. OPEN and TAG the following SI Cold Leg Isolation Valves MCC breakers:

	<u>UNIT 1</u>	<u>UNIT 2</u>	
(1) SI PMP-A TO COLD LEG ISO VLV HV-8821A,	1ABD-15	2ABD-15	<u> </u>
(2) SI PMP-B TO COLD LEG ISO VLV HV-8821B.	1BBD-15	2BBD-15	<u> </u>

INITIALS

CAUTION

Prior to opening the RCS to the containment atmosphere, the RCS hydrogen concentration shall be less than 5 cc/kg.

D4.2.13 When required, INITIATE RCS draining by performing the following:

a. If it is intended to drain down to perform maintenance on Reactor Head, SG's or RCP seals, then the following RCS level controls should be placed into effect:

- (1) If it is intended to operate at one foot above mid-nozzle level, the preferred RHR configuration is one train operating with a flow of 3000 gpm,
- (2) If it is intended to operate at one foot above mid-nozzle level, a minimum of two incore thermocouples should be available during periods where the Reactor Head is installed,
- (3) I&C should be notified to install temporary remote RCS level monitoring in the Control Room,
- (4) Tygon tube watch is required any time the RCS level is being changed while the RCS level is below 17% (approximately 207 feet elevation) pressurizer level,
- (5) Periodic comparison checks should be made every 4 hours between the Control Room Temporary RCS Level Monitors and the Tygon tube,
- (6) The Control Room Monitors should agree within 2 percent of scale with the Tygon tube,

NIA

NIA

NIA

NIA

NIA

INITIALS

- (7) Two out of three Level Monitors must agree before draining RCS below the top of the hot leg (188 feet 3 inches),
- (8) If neither Control Room RCS Level Monitor is available, then a continuous Tygon tube watch should be established while RCS level is below 17% pressurizer level, NIA
- (9) While operating with Steam Generator Nozzle Dams installed, ENSURE one Safety Injection Pump is capable of being racked in and operated if needed,
- (10) While level is in the region of the hot legs, TREND RHR Pump parameters on ERF for early detection of possible RHR Pump degradation due to vortexing,
- (11) Minimum RCS level is one foot above mid-nozzle (188 feet 0 inches elevation) except for Steam Generator burping during initial drain down. For effective SG tube draining, RCS level should be lowered to 187 feet 6 inches. Upon completion of SG burping, RAISE RCS level to 188 feet - 0 inches and MAINTAIN at this level thereafter, NIA
- (12) INITIATE draining the RCS per 13005, "Reactor Coolant System Draining".

INITIALS

D4.2.14 If it is intended to drain the RCS to less than 25% cold calibrate pressurizer level, then prior to reaching 25% ISOLATE potential dilution flow paths by performing the following:

a. CLOSE, LOCK and TAG the following valves:

(1) UNIT 1: CVCS ISOLATION
RMW TO BA BLEND,
1-1208-U4-175

NIA

UNIT 2: CVCS ISOLATION
RMW TO BA BLEND,
2-1208-U4-175

NIA

(2) UNIT 1: CVCS ISOLATION
RMW TO CVCS,
1-1208-U4-177

NIA

UNIT 2: CVCS ISOLATION
RMW TO CVCS,
2-1208-U4-177

NIA

b. ENSURE CLOSED, LOCKED and TAGGED the following valves:

(1) UNIT 1: CVCS OUTLET CHEM
MIXING TK,
1-1208-U4-181

NIA

UNIT 2: CVCS OUTLET CHEM
MIXING TK,
2-1208-U4-181

NIA

(2) UNIT 1: CVCS SUPPLY RMW
TO CHEM MIXING TK,
1-1208-U4-176

NIA

UNIT 2: CVCS SUPPLY RMW
TO CHEM MIXING TK,
2-1208-U4-176

NIA

INITIALS

(3) UNIT 1: CVCS FLUSH RMW
TO TRN A EMERG
BORATION,
1-1208-U4-183

NIA

UNIT 2: CVCS FLUSH RMW
TO TRN A EMERG
BORATION,
2-1208-U4-183

NIA

(4) UNIT 1: RMWST TO BTRS ISO,
1-1208-U6-226

NIA

UNIT 2: RMWST TO BTRS ISO,
2-1208-U6-226

NIA

c. When necessary, makeup to the VCT by performing the following:

(1) OPEN RWST TO CCP A & B SUCTION
Valves LV-0112D and LV-0112E,

(2) CLOSE VCT OUTLET ISOLATIONS,
LV-0112B and LV-0112C,

(3) ENSURE Letdown to VCT or Hold-up
Tank Valve LV-0112A is in the
VCT position,

(4) When VCT level has been returned
to normal, OPEN LV-0112B and
LV-0112C then CLOSE LV-0112D
and LV-0112E.

D4.2.15 OPERATE unit systems as necessary to
maintain the above conditions.

a. If required to break condenser
vacuum, then PROCEED to Section
E,

b. If it is intended to proceed to
Mode 6, then GO to 12007-C,
"Refueling Entry",

c. If it is intended to commence unit
heat up, then GO to 12001-C, "Unit
Heatup to Hot Shutdown".

END OF SECTION D

SECTION E. Secondary Plant Shutdown

NOTE

This section directs secondary plant activities during unit shutdown and can be used in conjunction with primary system cooldown operations.

The subsections of this section are:

E4.1 Transfer From Steam Dumps to Atmospheric Relief valves.

E4.2 Feeding Steam Generators With Condensate Pump.

E4.3 Breaking Condenser Vacuum.

E4.4 Secondary Systems activities.

E4.1 TRANSFER FROM STEAM DUMPS TO ATMOSPHERIC RELIEF VALVES

INITIALS

E4.1.1 TRANSFER to the SG Atmospheric Relief Valves by performing the following:

- a. Slowly OPEN each atmospheric relief while verifying a reduced steam dump demand signal on UI-507,
- b. VERIFY that the Steam Dump Control Valves close if PIC-507 is in AUTO or if operating in MANUAL, slowly CLOSE the Steam Dump Control Valves while opening each atmospheric relief,
- c. When all Steam Dump Control Valves are closed, ENSURE PIC-507 is in MANUAL,
- d. BALANCE the positions of each atmospheric relief while maintaining Tavg as desired.

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		INITIALS
E4.2	FEEDING STEAM GENERATORS WITH CONDENSATE PUMP	
E4.2.1	At the USS's discretion, INITIATE feeding Steam Generators with the running Condensate Pump by performing the following:	
a.	VERIFY SG pressure is less than 550 psig,	<u> L.P. </u>
b.	VERIFY that lube oil pressure to the reset MFP and MFP Turbine Bearings is 10 to 12 psig by local indications,	<u> </u>
c.	OPEN the reset MFP Discharge Valve by placing the Control Switch in OPEN-PULL-TO-LOCK at the Main Control Panel QMCB:	<u> </u>
	SGFP A HS-5208,	
	SGFP B HS-5209.	
d.	If not previously performed, RESET both trains of Feedwater Isolation:	
	(1) HS-40049 for Train A,	<u> </u>
	(2) HS-40050 for Train B.	<u> </u>
e.	OPEN all BFIV's,	<u> </u>
f.	CONTINUE maintaining desired SG level utilizing the RV's.	<u> </u>

INITIALS

E4.3 BREAKING CONDENSER VACUUM

E4.3.1 If necessary, TRANSFER the Auxiliary Steam System steam supply to the Auxiliary Boiler per 13761, "Auxiliary Steam System".

EA

E4.3.2 TRANSFER the Turbine Steam Seal supply to the Auxiliary Steam Supply per 13825, "Turbine Steam Seal System".

EA

E4.3.3 TRANSFER the SJAE steam supply to the Auxiliary Steam Supply per 13620, "Condenser Air Ejection System".

EA

E4.3.4 CLOSE the MSIVs and Bypasses.

EA

C A U T I O N

Breaking condenser vacuum will result in a MFPT Low Vac Trip. If AFWAS has not been defeated, then both MFPTs tripped will result in a AFWAS initiation.

E4.3.5 PLACE the standby MDAFW Pump(s) Handswitches in PULL-TO-LOCK.

EA

E4.3.6 BREAK condenser vacuum and SHUT DOWN the Steam Jet Air Ejectors and the Condenser Vacuum Pumps per 13620, "Condenser Air Ejection System".

E4.3.7 PERFORM the following to reset the AFWAS signal:

a. RESET the AFWAS by resetting one MFPT Low Vacuum Trip by momentarily placing the MFPT-A(B) VAC TRIP BYPASS Handswitch to RESET position and MFPT A(B) TRIP RESET HS-3169 (3170) to the RESET position.

EA

b. If running a MDAFW Pump, then THROTTLE the AFW Flow Control Valves to the pre-initiation flow rate.

EA

① VACUUM PUMPS RUNNING

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		INITIALS	
	c. If applicable, ENSURE the SG Blowdown Isolation Valves HV-7603A(B,C,D) open.	<u>NA</u>	
E4.3.8	After the condenser pressure reaches atmospheric, SHUT DOWN the Turbine Steam Seal System per 13825, "Turbine Steam Seal System".	<u>NA</u>	
E4.3.9	MAINTAIN the main Turbine and MFPTs on Turning Gear per 13800, "Main Turbine Operation" and 13615, "Condensate and Feedwater Systems".		
E4.4	SECONDARY SYSTEM ACTIVITIES		
E4.4.1	If condensate and feedwater cleanup is not anticipated, then when condensate and feedwater metal temperatures are less than 200°F, SHUT DOWN the Condensate and Feedwater System per 13615, Condensate And Feedwater Systems".	<u>NA</u>	
E4.4.2	NOTIFY Chemistry and SHUT DOWN the Condensate Filter Demineralizer System per 13616, "Condensate Filter Demineralizer System".	<u>NA</u>	
E4.4.3	If the secondary outage is planned to exceed 10 days, then PERFORM the following:		
	a. When condensate and feedwater metal temperature is between 90°F and 200°F, COORDINATE with Chemistry and PLACE the Feedwater Heaters in wet layup,	<u>NA</u>	
	b. When Turbine metal temperatures reach ambient, REMOVE Turbine from Turning Gear per 13800, "Main Turbine Operation",	<u>NA</u>	
	c. During the unit outage, once a week, PLACE the Turbine on Turning Gear for 4 to 6 hours.		

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	<u>INITIALS</u>
E4.4.4 If required, PLACE a steam blanket on the MSRs per 13800, "Main Turbine Operation".	<u>NIA</u>
E4.4.5 If required, for Condenser Waterbox or Circulating Water System maintenance, SHUT DOWN the Circulating Water System per 13724, "Circulating Water System".	<u>NIA</u>
If required for maintenance or inspection, then INITIATE draining of the Condenser Waterboxes per 13724, "Circulating Water System".	<u>NIA</u>
E4.4.6 If main generator maintenance or inspection is planned, then INITIATE purging the main generator per 13810, "Generator Gas System".	<u>NIA</u>
If hydrogen atmosphere is to be maintained, then MINIMIZE usage during the outage by reducing hydrogen pressure to not less than 5 psig.	
E4.4.7 SHUT DOWN the Isophase Bus Duct Cooling System by performing the following:	
a. At 480V AC SWGR NB03, OPEN Isophase Bus Duct Heater Breaker	<u>NIA</u>
UNIT 1: 1NB03-16,	
UNIT 2: 2NB03-16.	<u>NIA</u>
b. At local Panel PLCB, STOP the running fan using HS-16550 for Fan No. 1 and/or HS-16551 for Fan No. 2.	
Completed	<div style="display: flex; justify-content: space-between;"> <div style="width: 60%;"> <u>NIA</u> Signature </div> <div style="width: 35%;"> 1/24/89 1108 Date/Time </div> </div>
Reviewed	<div style="display: flex; justify-content: space-between;"> <div style="width: 60%;"> <u>NIA</u> Signature </div> <div style="width: 35%;"> 1/24/89 1108 Date/Time </div> </div>
Comments	<hr/> <hr/> <hr/> <hr/> <hr/>

5.0 REFERENCES

5.1 PROCEDURES

- 5.1.1 10006-C, "Reactor Trip Review"
- 5.1.2 12001-C, "Unit Heatup To Hot Shutdown"
- 5.1.3 12002-C, "Unit Heatup To Normal Operating Temperature And Pressure"
- 5.1.4 12003-C, "Reactor Startup"
- 5.1.5 13003, "Reactor Coolant Pump Operation"
- 5.1.6 13005, "Reactor Coolant System Draining"
- 5.1.7 13006, "Chemical And Volume Control System Startup And Normal Operation"
- 5.1.8 13007, "VCT Gas Control And RCS Chemical Addition"
- 5.1.9 13009, "CVCS Reactor Makeup Control System"
- 5.1.10 13010, "Boron Thermal Regeneration System"
- 5.1.11 13011, "Residual Heat Removal System"
- 5.1.12 13120, "Containment Building Cooling Systems"
- 5.1.13 13125, "Containment Purge System"
- 5.1.14 13601, "Steam Generator And Main Steam System Operation"
- 5.1.15 13605, "Steam Generator Blowdown Processing System"
- 5.1.16 13610, "Auxiliary Feedwater System"
- 5.1.17 13615, "Condensate And Feedwater Systems"
- 5.1.18 13616, "Condensate Filter Demineralizer System"
- 5.1.19 13617, "Feedwater Heater Extraction, Vent And Drain System"
- 5.1.20 13620, "Condenser Air Ejection System"
- 5.1.21 13724, "Circulating Water System"

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5.1.22	13760,	"Auxiliary Steam Boiler System"
5.1.23	13761,	"Auxiliary Steam System"
5.1.24	13800,	"Main Turbine Operation"
5.1.25	13810,	"Generator Gas System"
5.1.26	13825,	"Turbine Steam Seal System"
5.1.27	14000,	"Operations Shift and Daily Surveillance Logs"
5.1.28	14005,	"Shutdown Margin Calculations"
5.1.29	14748,	"AFW Check Valve Cold Shutdown Inservice Test"
5.1.30	14915,	"Special Conditions Surveillance Logs"
5.1.31	24695,	"N.I. System Source Range Channel Calibration"
5.1.32	24696,	"N.I. System Source Range Channel Calibration"

END OF PROCEDURE TEXT

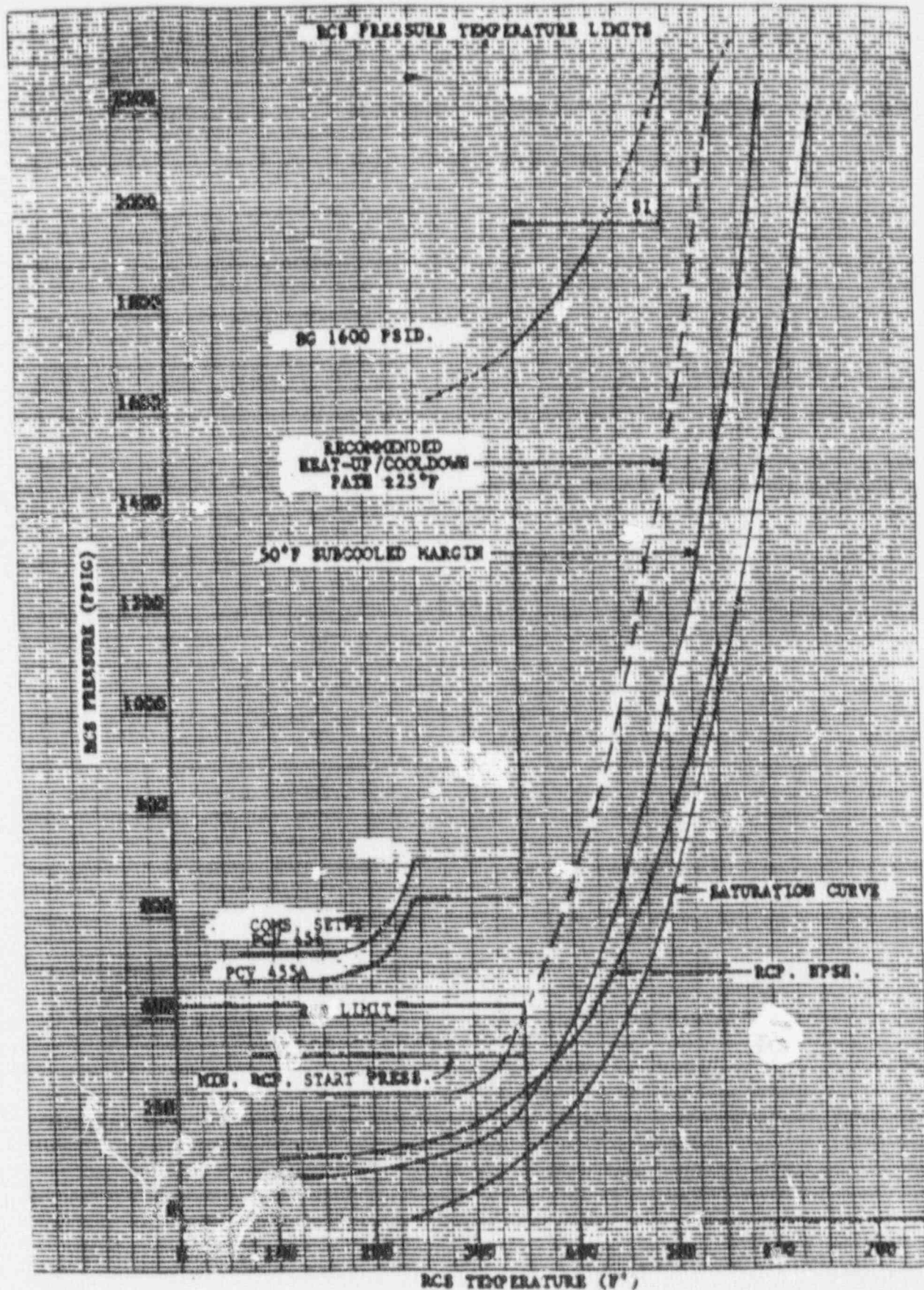


FIGURE 1 - RCS PRESSURE TEMPERATURE LIMITS

Date _____

11/9/89

0441

0452

০২০৩

0532 Relieved by UTB to DNY case

0532 Days Shift on; T/H/Kelita

Plant Status: 99.8% FP
1150 MWe, 175 MWhr out
ARV 3010 Tagged out, ESF Ch
Outage in Progress.

INFORMATION ONLY

Enure C + 1 - Avail. Frater for Knott and Parker for Door Seals LLPT

Date 1/19/89

0535 Containment Airlark Exit by Kneag and Parker
0600 I&C Para. Airlark Down Seals LLRT 24909-C Complete & Sat.
0754 Authorized 28911-104 Weekly Surr on Train D Batteries.
0800 Authorized Performance of OSP 14420-1 SSPS Operability Test, Train A.
0824 SSPS Train A in Test for Performance of 14420-1.
0835 OSP 14001-1 Temperature Records Reviewed Complete & Sat for Day Shift.
0842 BYA Closed for Performance of 14420-1.
0916 Containment Entry by Bone, Coleman & Whittington for Survey of P&R Safety Valve Loop Seal Drain Lines Temperature detectors tagged in storage.
0930 Train D Battery Surr 28911-104 Complete & Sat
0940 OSP 14000-1 Complete & Sat for Day Shift.
0941 Bone, Coleman, Whittington exited Containment.
0949 Containment entry by Coleman & Whittington for air sample.
0954 Containment exit by Coleman & Whittington.
0956 Authorized 28912-102 Quarterly Surr on Train C Batteries.
1002 BYA Opened & Packed Out; SSPS Train A in operate.
1021 OSP 14420-1 SSPS Operability Test Train A Reviewed Complete & Sat.
1226 _____ JTG _____
1226 _____ WTK _____
1250 Train C Battery Surr 28912-102 Complete & Sat.
1254 _____ & _____
1301 Containment Entry by Hayes, Bone, Jayne, Campbell, & Colley for further investigation of P&R Safety Valve Temp. Incores tagged in storage.
1324 Relieved by CIR Ladd, JAT Polite.
1324 EVE. SHIFT ON. 1-19-89
1721 NO FURTHER ENTRIES THIS PAGE.

FOR INFORMATION ONLY

Georgia Power Company
Vogtle Electric Generating Plant
Unit 1 Shift Supervisor Log

No 04168

Time

Date 1-19-84

1324 EVE. SHIFT ON

PLANT CONDITIONS

SHIFT COMPLEMENT (UNIT #1)	DATE: 1-19-84	99% RTP
NSOS EDD RO SALTER FIRE TEAM		1150 G-MWC
UNIT SS LADD BOP MAITHEW LEADER CASER		C _B = 1270 JPM
SUPPORT SS CASER ABO MAHONEY CRAIG		REV 3010 O.O.S
STA FUNCTION LADD OAO POST POST		ESP CH "A" O.O.S
SHIFT CLERK BURTON TBO MAHONEY MAHONEY		
RWD AEB CRAIG OBO CHAYLE BRAY		
AWK SALON		
OTHERS: HENRY , BRAK , JINTYRE , BISHOP		

FOR INFORMATION ONLY

1324 AUTH. "A" SEQ. ACOT PER 24613-1.

1334 HAYES, BONE, JAYNE, ~~ST~~ CAMPBELL, CURLEY EXIT CNMT.

1345 PRESSURE BOUNDARY LEAKAGE CONFIRMED. (LEAKING AT WELD ON LOOP SEAL FOR 1PV-80108 (CODE SAFETY "B"). ENTER LCO 1-89-034 FOR RCS LEAKAGE. ENTER 12004-C STEP 4.2. ENTER N.U.E.

1355 GEORGIA/BURKE COUNTY NOTIFICATIONS COMPLETE.

LE1345 N.U.E. AT 1345 DUE TO SHUTDOWN DUE TO RCS P.B. LEAKAGE.

1356 SOUTH CAROLINA NOTIFICATIONS COMPLETE.

1416 13514-C, EHB POST ACCIDENT EHM. SYSTEM OPS. TEST COMPLETE & SAT.

1430 LOAD DECREASE TO HOT STANDBY STARTED PER 12004-C.

1452 SEQ "A" ACOT COMPLETE & SAT. PER 24613-1.

1458 14000-1 COMPLETE & SAT. FOR MODE 1, 2, 3, 4
FOR EVENING SHIFT.

1516 19001-1 COMPLETE & SAT (ALL MODES) FOR EVENING SHIFT.

1542 AUTH. "B" SEQ. ACOT PER 24614-1.

1600 EXCEEDED 15% POWER DECREASE IN 1 HOUR. WAYNE CARTER, CHEM. FOREMAN, NOTIFIED TO TAKE REQUIRE SAMPLES.

1645 ENTER LCO 1-89-035 ON INLET + OUTLET H₂ MONITORS
ARE INOP FOR UNIT 1 H₂ RECOMBINER

1735 TURBINE MANUALLY TRIPPED, RX. MANUALLY TRIPPED,
ENTERED 19000-C. ENTER 189-37 LCO ON INI-32

1737 ENTERED 19001-C.


Time

Date 1-19-89

1740 ENTER 12006-C SECT. A
1830 INITIATING PLACING CONDENSATE IN LONG CYCLE RECIRC.
1901 14423-1 COMPT. & SAT ON IN-32.
1908 SDM FOR PRESENT CONDITIONS COMPLETE/SAT. PER 14005-
1910 EXIT LCO 1-89-37 ON INI-32
LE 1815 ENTER LCO 1-89-36I ON AFW ACTIVATION.
LE 1918 SDM FOR COLD S/D CONDITIONS COMPLETE/SAT PER 14005
LE 1835 ENTER 12006-C SECT. B, INITIATE COOLDOWN TO COLD
S/D.
2031 ALLRED, SELKINGER, JUNTUNEN, FOREHAND, & PRICE ENTER
CNMT. TNCORE NT'S IN STORAGE
2055 ENTER LCO 1-89-038I ON ACCUMULATORS ISOLATED
LE 1827 ACOT ON SEQ "B" COMPLETE & SAT PER 24614-1.
2122 EMT
2123 END
2127
2136 C. LADD RELIEVED BY D. VINEYARD
2137 Night Shift on 2nd shift

SHIFT COMPLEMENT (UNIT #1)		DATE: 1/19/89
OSOS	Carter RO Lewis	FIRE TEAM
UNIT SS	Vineyard BOP Thompson	LEADER T. Carter
SUPPORT SS	Theriot ABO N. Vix	Wood
STA FUNCTION	Carter OAO Swell	N. Vix
SHIFT CLERK	Miles TBO Wood	Swell
RWO	Theriot CBO Miles	Lewis
	Gardner	
OTHERS: Graham, Lewis		FOR INFORMATION ONLY

LE 2128 D. Carter assumed the role of ED
2347 Allred, Selkinger, Juntunen, Forehand & Price
Exited Containment.
2336 Entered Sect C of 12006-C
2338 Entered LCO 1-89-040 on COPS for Mode 4
entry to continue with Action statement of Re-
testable TS
2341 Armed COPS A & B Train
2400 End of Day, No further Entries this page.

Approve: <i>H. K. Smith</i> Date: 10/14/88	Vogtle Electric Generating Plant NUCLEAR OPERATIONS Unit <u>1</u>	NUKMIS  Georgia Power	Procedure No. 14005-1 Revision No. 4 Page No. 1 of 8
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WORKING COPY

SHUTDOWN MARGIN CALCULATIONS

MANUAL SET
NO. 12

1.0 PURPOSE

- 1.1 The purpose of this procedure is to provide methods for determining SHUTDOWN MARGIN to verify it is greater than the limits of Technical Specifications 4.1.1.1.1 or 4.1.1.2 as applicable.
- 1.2 Verification of SHUTDOWN MARGIN is required:
- a. When in Modes 1, 2, 3, 4 or 5 within one hour after detection of an inoperable Control Rod and each 12 hours thereafter while the Control Rod is inoperable.
 - b. Prior to initial operation above 5% Rated Thermal Power after each fuel loading.
 - c. When in Modes 3, 4, or 5 at least once per 24 hours.
- 1.3 This procedure also provides instructions for determining the Keff of the reactor in its present state or predicting its value at future plant conditions.

2.0 APPLICABILITY

This procedure is applicable in Operational Modes 1, 2, 3, 4, 5 and 6.

3.0 PRECAUTIONS AND LIMITATIONS

- 3.1 Xenon Worth provided by reference curves assumes equilibrium conditions prior to shutdown. If plant was in a transient condition, obtain Xenon Worth from plant computer or calculate Xenon Power using the form provided by PTDB TAB 1.4.3.
- 3.2 If boration or dilution evolutions are or have been occurring, care shall be taken to ensure representative RCS boron samples are used for chemical analysis.
- 3.3 No credit is taken for Samarium reactivity since the negative reactivity introduced by Samarium 149 buildup is offset by an equal positive reactivity introduced by the buildup of Plutonium 239.

PROCEDURE NO.	REVISION	PAGE NO.
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4.0 PREREQUISITES AND INITIAL CONDITIONS

NONE

5.0 - INSTRUCTIONS

Complete the appropriate Data Sheet(s) corresponding to plant conditions.

6.0 ACCEPTANCE CRITERIA

6.1 Modes 1 and 2 - CALCULATED SHUTDOWN MARGIN shall be greater than or equal to 1.3% delta K/K.

6.2 Modes 3, 4 and 5 - CALCULATED SHUTDOWN MARGIN shall be greater than or equal to REQUIRED Shutdown Margin specified by Technical Specification 3.1.1.2 Figures 3.1-1 or 3.1-2.

6.3 Mode 6 - CALCULATED Keff shall be less than or equal to 0.95.

7.0 EVALUATION AND REVIEW

7.1 Results obtained through performance of this procedure meet ACCEPTANCE CRITERIA of Section 6.0.

(☒) YES [] NO

7.1.1 If NO was checked, immediately INITIATE and CONTINUE boration at greater than or equal to 30 gpm of a solution containing greater than or equal to 7000 ppm boron or equivalent until the required Shutdown Margin is restored and NOTIFY the Unit Shift Supervisor (USS).

7.1.2 Comments (include any abnormal conditions and corrective actions taken): DATA SHEET 2 COMPLETED
IN ERROR. THE APPROPRIATE DATA SHEET (# 4) WAS
COMPLETED. ADEQUATE SDM (ACCEPTANCE CRITERIA)
VERIFIED. J. R. Doherty 1-20-89 1339

USS notified of Test Completion and Results

	<u>UW</u>	<u>1/19/89</u>	<u>1116</u>
	Initial	Date	Time
Test Completed By:	<u>UW</u>	<u>1/19/89</u>	<u>1116</u>
	Signature	Date	Time
Supervisory Review:	<u>[Signature]</u>	<u>1-19-89</u>	<u>1118</u>
	Signature	Date	Time

8.0 REFERENCES

- 8.1 Technical Specification 3.1.1.1, 3.1.1.2 and 3.9.1
- 8.2 Plant Technical Data Book

END OF PROCEDURE TEXT

Sheet 1 of 1

DATA SHEET 1

SHUTDOWN MARGIN CALCULATION-REACTOR CRITICAL

DATE - TIME

CURRENT CONDITIONS		REACTIVITY BALANCE	
1A	REACTOR POWER <u> </u> %	1B	POWER DEFECT + <u> </u> PCM (PTDB TAB 1.1)
2A	BORON CONCENTRATION <u> </u> PPM	2B	CURRENT ROD WORTH + <u> </u> PCM (PTDB TAB 1.5.1)
3A	ROD POSITION <u> </u> STEPS	3B	ASSUMED STUCK ROD WORTH + <u> </u> PCM (value in 4A)
	<u> </u> BANK	4B	ACTUAL STUCK ROD WORTH <u> </u> PCM (4A times 5A)
4A	MOST REACTIVE ROD WORTH <u> </u> PCM (PTDB TAB 1.5.2)	5B	TOTAL ROD WORTH (HZP) <u> </u> PCM (PTDB TAB 1.5.2)
5A	NUMBER OF STUCK RODS <u> </u>	1C	SUM 1B thru 5B () <u> </u> PCM

VERIFY 1C IS A NEGATIVE NUMBER INITIAL

CALCULATED SHUTDOWN MARGIN
(Divide absolute value of 1C by 1000)

 $\Delta K/K$

REQUIRED SHUTDOWN MARGIN
(Tech Spec 3.1.1.1)

1.3 $\Delta K/K$

COMPLETED BY

SIGNATURE

DATE

TIME

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Sheet 1 of 1

DATA SHEET 2

SHUTDOWN MARGIN CALCULATION-REACTOR SUBCRITICAL USING PREVIOUS CRITICAL DATA
CURRENT/PROJECTED CONDITION - $T_{avg} \geq 557^{\circ}F$

DATE 11/19/89 TIME 1830
 DATE 11/19/89 TIME 1735 OF LAST SHUTDOWN

MODE 3
 PUMPS 4

CONDITIONS PRIOR TO SHUTDOWN		REACTIVITY BALANCE	
1A	REACTOR POWER <u>20</u> %	1B	POWER DEFECT (PTDB TAB 1.1) + <u>300</u> PCM
2A	BORON CONCENTRATION <u>1333</u> PPM	2B	BORON WORTH (PTDB TAB 1.3.1) + <u>11702</u> PCM
3A	XENON POWER (1A IF EQUILIBRIUM) <u>100</u> %	3B	XENON WORTH (PTDB TAB 1.4.2) + <u>2752</u> PCM
4A	ROD POSITION <u>178</u> STEPS <u>D</u> BANK	4B	ROD WORTH (PTDB TAB 1.5.1) + <u>100</u> PCM
CURRENT/PROJECTED CONDITIONS			
5A	T_{avg} <u>200</u> DEG F	1C	SUM 1B thru 4B + <u>14852</u> PCM
6A	BORON CONCENTRATION <u>1333</u> PPM	2C	ISO TEMP DEFECT (PTDB TAB 1.2) + <u>N/A</u> PCM
7A	NUMBER OF HOURS FROM LAST SHUTDOWN <u>1</u>	3C	BORON WORTH (PTDB TAB 1.3.1) - <u>16068</u> PCM
8A	MOST REACTIVE ROD WORTH (PTDB TAB 1.5.2) <u>890</u> PCM	4C	XENON WORTH (PTDB TAB 1.4.1) - <u>0</u> PCM
9A	NUMBER OF STUCK RODS <u>0</u>	5C	TOTAL ROD WORTH (PTDB TAB 1.5.2) - <u>6307</u> PCM
		6C	ASSUMED STUCK ROD WORTH + <u>890</u> PCM (value is 8A)
		7C	ACTUAL STUCK ROD WORTH + <u>0</u> PCM (8A times 9A)
VERIFY 1D IS A NEGATIVE NUMBER <u>aw</u> INITIAL		1D	SUM 1C thru 7C (-) <u>6630</u> PCM

CALCULATED SHUTDOWN MARGIN
(Divide absolute value of 1D by 1000)

REQUIRED SHUTDOWN MARGIN
(Tech Spec 3.1.1.2 Fig 3.1-1 or 3.1-2)

COMPLETED BY W. W. [Signature]

6.6 $\Delta K/K$ *SEE COMMENTS

2.58 $\Delta K/K$

SIGNATURE 11/19/89 DATE 11913 TIME

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Sheet 1 of 1

DATA SHEET 3

Keff CALCULATION USING PREVIOUS CRITICAL DATA
CURRENT/PROJECTED CONDITIONS - Tavg $\geq 557^{\circ}\text{F}$

DATE _____ TIME _____
DATE _____ TIME _____ OF LAST SHUTDOWN

CONDITIONS PRIOR TO SHUTDOWN		REACTIVITY BALANCE	
1A	REACTOR POWER _____ %	1B	POWER DEFECT (PTDB TAB 1.1) + _____ PCM
2A	BORON CONCENTRATION _____ PPM	2B	BORON WORTH (PTDB TAB 1.3.1) + _____ PCM
3A	XENON POWER (1A IF EQUILIBRIUM) _____ %	3B	XENON WORTH (PTDB TAB 1.4.2) + _____ PCM
4A	ROD POSITION _____ STEPS _____ BANK	4B	ROD WORTH (PTDB TAB 1.5.1) + _____ PCM
CURRENT/PROJECTED CONDITIONS			
6A	Tavg _____ DEG F	1C	SUM 1B thru 4B + _____ PCM
7A	BORON CONCENTRATION _____ PPM	2C	ISO TEMP DEFECT (PTDB TAB 1.2) + N/A PCM
8A	NUMBER OF HOURS FROM LAST SHUTDOWN _____	3C	BORON WORTH (PTDB TAB 1.3.1) - _____ PCM
9A	ROD POSITION _____ STEPS _____ BANK	4C	XENON WORTH (PTDB TAB 1.4.1) - _____ PCM
		5C	ROD WORTH (PTDB TAB 1.5.1) - _____ PCM
VERIFY 1D IS A NEGATIVE NUMBER _____ INITIAL _____		1D	SUM 1C thru 5C () _____ PCM
		2D	DIVIDE 1D by 100000 _____

$$K_{eff} = \frac{1}{1 - (\text{value in 2D})} = \frac{1}{1 + ()} = \frac{1}{1 + ()}$$

COMPLETED BY _____
SIGNATURE / DATE / TIME

DATA SHEET 4

SHUTDOWN MARGIN, Keff CALCULATION
USING CRITICAL BORON

DATE 1-19-89

TIME 1713

MODE 3
PUMPS 4

CURRENT PROJECT CONDITIONS		REACTIVITY BALANCE	
1A	RCS TEMPERATURE <u>557</u> DEG F		
2A	RCS BORON CONCENTRATION <u>1333</u> PPM	1B	RCS BORON WORTH (PTDB TAB 1.3.1) <u>- 11749</u> PCM
3A	CRITICAL BORON CONCENTRATION (PTDB TAB 1.3.2) <u>1263</u> PPM	2B	CRITICAL BORON WORTH (PTDB TAB 1.3.1) <u>+ 11175</u> PCM
4A	XENON POWER (Rx POWER AT TRIP IF EQUILIBRIUM) <u>90</u> %	3B	XENON WORTH (PTDB TAB 1.4.1) <u>- 3611</u> PCM
5A	NUMBER OF STUCK RODS <u>0</u>		
6A	WORTH OF MOST REACTIVE ROD (PTDB TAB 1.5.2) <u>890</u> PCM	4B	ACTUAL STUCK ROD WORTH (5A times 6A) <u>+ 0</u> PCM
VERIFY 1C IS A NEGATIVE NUMBER <u>920</u> <div style="text-align: right;">INITIAL</div>		1C	SUM 1B thru 4B (-) <u>4185</u> PCM
		2C	DIVIDE 1C by 100000 <u>- NA</u>

CALCULATED SHUTDOWN MARGIN -4185 Idelta K/K
(Divide absolute value of 1C by 1000)

REQUIRED SHUTDOWN MARGIN -1.72 Idelta K/K
(Tech Spec 3.1.1.2 FIG 3.1-1 or 3.1-2)

$$K_{eff} = \frac{1}{1 - (\text{value in 2C})} = \frac{1}{1 + ()} = \underline{NA}$$

REQUIRED Keff
(Tech Spec 3.9.1 Mode 6 only) ≤ 0.95

COMPLETED BY J. Allen Dobb / 1-20-89 / 11338
 SIGNATURE DATE TIME

Sheet 1 of 1

DATA SHEET 5

Keff CALCULATION USING CRITICAL BORON
PROJECTED CONDITIONS Tavg ≥ 557°F

DATE _____ TIME _____ MODE _____

CURRENT/PROJECTED CONDITIONS			REACTIVITY BALANCE		
1A	RCS TEMPERATURE _____	DEG F			
2A	RCS BORON CONCENTRATION _____	PPM	1B	RCS BORON WORTH (PTDB TAB 1.3.1) _____	PCM
3A	CRITICAL BORON CONCENTRATION (PTDB TAB 1.3.2) _____	PPM	2B	CRITICAL BORON WORTH (PTDB TAB 1.3.1) _____	PCM
4A	XENON POWER (Rx POWER AT TRIP) IF EQUILIBRIUM) _____	%	3B	XENON WORTH (PTDB TAB 1.4.1) _____	PCM
			4B	TOTAL ROD WORTH (PTDB TAB 1.5.2) _____	PCM
5A	ROD POSITION _____	STEPS	5B	ACTUAL ROD WORTH (PTDB TAB 1.5.1) _____	PCM
		BANK			
6A	WORTH OF MOST REACTIVE ROD (PTDB TAB 1.5.2) _____	PCM	6B	STUCK ROD WORTH ASSUMED IN 2B (value in 6A) _____	PCM
			1C	SUM 1B thru 6B () _____	PCM
			2C	DIVIDE 1C by 100000 _____	

VERIFY 1C IS A NEGATIVE NUMBER _____
INITIAL _____

$$K_{eff} = \frac{1}{1 - (\text{value in 2C})} = \frac{1}{1 + ()} = \underline{\hspace{2cm}}$$

COMPLETED BY _____
SIGNATURE / DATE / TIME

NOTE: If rods are in non-sequential position for test purposes, modify the above data as follows

1. Describe rod configuration in 5A.
2. Enter worth of withdrawn rods in 4B.
3. Enter zero in 5B.

APPROVAL

W. Burnett

110

10-24-88

Vogtle Electric Generating Plant
NUCLEAR OPERATIONS

Unit COMMON



Georgia Power

Procedure No.
11871-C

Revision No.
6

Page No.
1 of 1

UNIT SHIFT SUPERVISOR RELIEF CHECKLIST

MANU. NO. 12

Date 1-20-89 Unit 1 Mode 4 Rx Power 150 (X-A-CPS)

Tavg 255 °F (591°F) RCS Press 300 psig (2220psig) (Mode 1)

OFF-GOING SS D Vineyard SHIFT Night

ON-COMING SS D Heile SHIFT Day

[] Off Normal Conditions/Major Equipment Outage Status

NOTE 12006-C S-act C. Need H. Out SDalern done on
32. Reactor Eng. needs input to SDH. Eng. needs to look
at Currier, PSI-8012 clean up loop Seal/leg to
13571. Fire pump. SFP Clearance for TS. Aux boiler
supplying Aux steam. boundary. 4 Ton ESF chiller

[] Special Conditions Surveillance Log [] Shift Manning HOWARD

[] Tech Spec Surveillance In Progress Status

[] Night Order Book

[] Valve Orders

[] Tech Spec Surveillance Testing Overdue Report MIKE BINDER

[] Standing Orders

[] LCO Status Log

[] Daily Work Schedule

[] Switching Orders/ Tagging in Progress

[] Waste Management Status

[] Unit Control Log

[] Lifted Wires And Jumpers In Progress

[] Beeper Turned Over

[] Temporary Mode in Progress

[] Received SS Key Ring

[] Vital Area Master Key

REMARKS: Have ILC check IFC-6184. Turn off C pump. Try to get some
on balance system to purge UCT after cleanup LCU on
Recombine Temp Mod on way to Field. The dechamber
biator

ON-COMING SS

DCM
Initials

11-20-89
Date

10604
Time

OFF-GOING SS

DM
Initials

11/20/89
Date

10604
Time


OSOS REVIEW

SEF
Initials

11-20-89
Date

1358
Time

INFORMATION ONLY

APPROVAL <i>W F Kitek</i>	Vogtle Electric Generating Plant NUCLEAR OPERATIONS	NORMS  Georgia Power	Procedure No 14000-1
Date 11/22/88	Unit <u>1</u>		Revision No 17
			Page No 1 of 23

OPERATIONS SHIFT AND DAILY SURVEILLANCE LOGS

MANUAL SET
NO. 2

1.0 PURPOSE

The purpose of this procedure is to provide instruction and logs for the performance of the daily and shift surveillances required by Technical Specifications as listed on the data sheets.

2.0 APPLICABILITY

All modes

3.0 PRECAUTIONS AND LIMITATIONS

3.1 Out of tolerance data shall be circled in red and reported to the Unit Shift Supervisor (USS).

3.2 Authority and responsibility for declaring equipment inoperable lies with the USS.

4.0 PREREQUISITES AND INITIAL CONDITIONS

NONE

5.0 INSTRUCTIONS

5.1 This procedure should be started within 2 hours of the beginning of each shift.

NOTE

WORKING COPY

If a mode change to a higher plant status is anticipated, the Data Sheet applicable to the anticipated mode must ALSO be completed prior to entry into that mode. Data Sheet 4 is applicable in all modes.

5.2 If an "initial" is required to be recorded in the indication column, the notation (INIT) will appear in the parameter column. If a numeric value is required to be recorded, a notation such as (*P), indicating the variable's units of measurement, will appear in the parameter column.

5.3

COMPLETE the data sheets applicable to the current plant mode using one of the methods given below to verify each parameter condition, component or system specified by

a. Verification of a Measured Parameter.

RECORD the measured parameter in the "Indication" column and CONFIRM that it is within the limits specified.

b. Verification of a Specified Condition.

OBSERVE the component, instrument or system listed and INDICATE if the condition specified in the "Limit(s)" column is satisfied by initialing in the "Indication" column.

c. Channel Check

OBSERVE the instrument response and RECORD the measured parameter or INITIAL the indication column as required by Subsection 5.2 above. The operability of instrument channels which have indication available shall be verified by one or more of the following

- (1) Comparing readings on channels which monitor the same variable recognizing any differences in the actual process variable between sensor locations (for example, compare Power Channel 1 with redundant Power Channels 2 and 3.
- (2) Comparing readings between channels which monitor the same variable and bear a known relationship to one another (for example, ~~comparing intermediate range and source range~~ neutron monitoring during startup or shutdown when both channels indicate on scale).
- (3) Comparing readings between channels which monitor different variables and bear a known relationship to one another (for example, at a given power level the primary coolant outlet temperature is a certain value).

5.4

If a surveillance on the applicable data sheet is not required due to mode or plant conditions ENTER N/A in the "Indication" column.

5.5

If any limit or condition is not satisfied, immediately NOTIFY the USS. If the USS determines a component or system to be inoperable, INITIATE action as required.

6.0 ACCEPTANCE CRITERIA

Each parameter or condition was determined to be satisfactory with respect to the specified limits.

7.0 EVALUATION AND REVIEW

7.1 TEST PURPOSE

☒ Surveillance

☐ Other (explain) _____

7.2 Results obtained through performance of this procedure meet ACCEPTANCE CRITERIA of Section 6.0.

☒ YES ☐ NO

7.2.1 If NO was checked, notify the USS.

7.2.2 Comments (include any abnormal conditions and corrective actions taken):

None

USS notified of Test Completion and Results

Test Completed By:

CDS
Initials

11-20-89 1445
Date Time

CDS
Signature

11-20-89 1445
Date Time

Supervisory Review:

[Signature]
Signature

11-20-89 12050
Date Time

8.0 REFERENCES

Unit 1 Technical Specifications

END OF PROCEDURE TEXT

DATA SHEET 1
MODE 1 & 2
SHIFT & DAILY SURVEILLANCES

MODE _____
DATE _____

METHOD OF VERIFICATION	TECH SPEC SURV REQ	PARAMETER	INSTRUMENT	TIME PERIOD			LIMITS TOLERANCE	LCD/PAGE
				NIGHT	DAY	EVENING		
Containment pressure shall be maintained within limits Verify pressure	4.3.1.4	Containment pressure (psig)	IPI-0933				2 -0.3 psig	3.3.1.4
			IPI-0937				and	
	4.3.2.1		IPI-0934				≤ 1.8 psig	
			IPI-0936				and	
ESFAS instrumentation shall be operable	4.3.2.1						Channel Check	
Channel check							Total 3	3.3.2(A13)
Accident monitoring instrument shall be operable	4.3.3.6						Minimum 24	3.3.2(A17)
Channel check							Total 4	3.3.2(A17)
							Minimum 3	3.3.3.6
							Total 4	(A33)
							Minimum 1	
NOTE: PI's on QPCS have positive range only.								
		Computer (psig)	29871					
Each accumulator shall be operable Verify water level, nitrogen pressure and Disruptor valve position	4.3.1.1.a.1	Accumulator nitrogen pressure (psig)	1 IPI-0960a				2 417 psig and ≤ 478 psig	3.3.1
			IPI-0961a					
			2 IPI-0962a					
			IPI-0963a					
			3 IPI-0964a					
			IPI-0965a					
			4 IPI-0966a					
			IPI-0967a					
			ILT-0950					
			ILT-0951					
	4.3.1.1.b.1	Accumulator water level (I)	2 ILT-0952				2 342 and ≤ 642	3.3.1
			ILT-0953					
			3 ILT-0954					
			ILT-0955					
			ILT-0956					
			ILT-0957					
	4.3.1.1.b.2	Valve position (INT)	IES-8808A				Open	3.3.1
			IES-8808B					
			IES-8808C					
			IES-8808D					

COMPLETED BY:

USS REVIEW:

NIGHT

DAY

EVENING

NIGHT

DAY

EVENING

DATA SHEET 1
MODE 1 & 2
SHIFT & DAILY SURVEILLANCES

MODE
DATE

TEST VERIFICATION	TECH SPEC SUB REQ	PARAMETER	INSTRUMENT	INDICATING			LIMITS/ TOLERANCE	LCO/PROC
				NIGHT	DAY	EVENING		
Two ECCS flow pumps shall be operable Verify valves positioned and power removed	4.3.2.4	Valve Status (UNIT)	1KS-8804				Open and Power Removed	3.3.2
			1KS-8813				Open and Power Removed	
			1KS-8813				Open and Power Removed	
			1KS-8802A				Closed and Power Removed	
			1KS-8802B				Closed and Power Removed	
			1KS-8840				Closed and Power Removed	
			1KS-8809A				Open and Power Removed	
			1KS-8809B				Open and Power Removed	
			Verify power removed by associated lockout switch light extinguished					
ECCS instrumentation shall be operable Channel check	4.3.3.1	ECCS level (E)	ILI-0990A				Channel Check	3.3.2(A17)
			ILI-0991A				Total 4 Minimum 3	
			ILI-0992A				Total 4 Minimum 1	
			ILI-0993A				Total 4 Minimum 1	
Accident or Emergency Instrumentation shall be operable Channel check								
4.3.3.4								
Channel check								
3.3.3.6 (A25)								

N/A

COMPLETED BY:

USS REVIEW:

NIGHT

DAY

EVENING

NIGHT

DAY

EVENING

DATA SHEET 1
MODE 1 & 2
SHIFT & DAILY SURVEILLANCES

Sheet 3 of 10

MODE _____
DATE _____

TEST / VERIFICATION	TECH SPEC SURV REQ	PARAMETER	INSTRUMENT	SCHEDULE			TOLERANCE	LCO/PROC
				NIGHT	DAY	EVENING		
Reactor Trip Initiation (Init) be operable Channel Check	4.3.1.1	Calorimetric Power (Init)	0		DAILY	0	0	
		4.3.1.1.1 "Power Large Calorimetric Channel Calibration" to be completed by approximately 2 00 hours.						
		Power range SI's (X)	1WI-0041B				within 12% of calorimetric and Channel Check Total 4 Minimum 3	TBL 4.3-1 (N1) 14030-1 (2.132) 3.3.1(A2)
			1WI-0042B					
			1WI-0043B					
			1WI-0044B					
		QPR Alarm (Init)	0				Operable	Refer to 14913-1
		Verify QPR Monitor/Alarm operable and not in						
		Intermediate range SI's (< 7-10) (comp)	1WI-0033B				Channel Check Total 2 Minimum 2 (Mode 1) Minimum 1 (Mode 2)	3.3.1(A3)
			1WI-0034B					
Source Range SI's (< 7-8) (count)	1WI-0031B				Channel Check Total 2 Minimum 1	3.3.1(A4)		
	1WI-0032B							
Over Temperature SI's (X)	1TD1-0411C				Channel Check Total 6 Minimum 3	3.3.1(A6)		
	1TD1-0412C							
	1TD1-0413C							
	1TD1-0414C							
Over Power SI's (X)	1TD1-0411B				Channel Check Total 4 Minimum 3			
	1TD1-0412B							
	1TD1-0413B							
	1TD1-0414B							
DBS parameters shall be maintained within limits Verify Temp	4.2.3.1 (Mode 1 only) 4.3.2.1	DBS Temp (°F)	1TI-0417			5391°F Channel Check Total 4 Minimum 3	3.2.3 (Mode 1) 3.3.2(A20)	
			1TI-0417					
			1TI-0417					
			1TI-0417					
With the reactor critical and Temp < 5391°F, proceed to 14913-1, "Special Conditions Surveillance Logs" and monitor Temp once per 30 minutes.								

With the reactor critical and Temp < 5391°F, proceed to 14913-1, "Special
Conditions Surveillance Logs" and monitor Temp once per 30 minutes.

COMPLETED BY: _____
USS REVIEW: _____
NIGHT DAY EVENING
NIGHT DAY EVENING

Sheet 4 of 10

DATA SHEET 1
MODE 1 & 2
SHIFT & DAILY SURVEILLANCESMODE
DATE

DESCRIPTION	REF. SPEC 1.1.1.1.1	PARAMETER	INSTRUMENT	SURVEILLANCE			TOLERANCE	LCO/PROX
				NIGHT	DAY	EVENING		
Pressure shall be operable Verify local	4.4.3.1	Pressure	ILI-0460A				5 psi	3.4.3
Reactor trip instrumentation shall be operable Channel check	4.3.1.1 (Mode 1 & 2)	Pressure (X)	ILI-0459A				and Channel Check	
Accident monitoring instrumentation shall be operable Channel check	4.3.3.6		ILI-0461				Total 3 Minimum 2	3.3.1(A4) (Mode 1)
Reactor trip instrumentation shall be operable Channel check	4.3.1.1	Pressure (psi)	IP1-0435A				Total 3 Minimum 2	3.3.3.6 (A30)
ESFAS instrumentation shall be operable Channel check	4.3.2.1		IP1-0436				Total 3 Minimum 2	3.3.1(A4) 3.3.2(A10)
All reactor coolant loops shall be operable Verify flow	4.4.1.1	Reactor coolant flow (X)	IP1-0414				≥ 2224 psi	3.2.5 (Mode 1)
Reactor trip instrumentation shall be operable Channel check	4.3.1.1 (Mode 1 & 2)		IP1-0415				and Channel Check	
DNS Parameters shall be within limits Monitor for flow degradation	4.2.5.1 (Mode 1 only)		IP1-0416				Total 3 Minimum 2	3.3.1(A4) (Mode 1)
		Reactor coolant flow (X)	IP1-0417				Loop in Operation and Channel Check	3.4.1.1
			IP1-0423				Total 3 Minimum 2	3.3.1(A4) (Mode 1)
		Reactor coolant flow (X)	IP1-0424				Loop in Operation and Channel Check	3.4.1.1
			IP1-0434				Total 3 Minimum 2	3.3.1(A4) (Mode 1)
		Reactor coolant flow (X)	IP1-0435				Loop in Operation and Channel Check	3.4.1.1
			IP1-0436				Total 3 Minimum 2	3.3.1(A4) (Mode 1)
		Reactor coolant flow (X)	IP1-0444				Loop in Operation and Channel Check	3.4.1.1
			IP1-0445				Total 3 Minimum 2	3.3.1(A4) (Mode 1)
			IP1-0446					3.2.5 (Mode 1)

COMPLETED BY:

USS REVIEW:

NIGHT

DAY

EVENING

NIGHT

DAY

EVENING

DATA SHEET 1
MODE 1 & 2
SHIFT & DAILY SURVEILLANCES

MODE
DATE

TEST OF VERIFICATION	TECH SPEC SUBV REQ	PARAMETER	INSTRUMENT	INDICATION			LIMITS/ TOLERANCE	LCO/PROC
				START	DAY	ENDING		
Flare gun alarm shall be 2 1/2 sec	4.1.1.1.1.1	CBA demand (Steps)	Bank step counter	1			≥ RIL	
Verify Control Bank Insertion			CBA R6					
Central bank insertion shall be limited	4.1.3.6 (Note 1)	Control rod position (Steps)	CBA R10				All CBA Rods ≥ RIL (Rn Critical)	3.1.1.1 3.1.3.6 3.1.3.1
Verify Control Bank Insertion			CBA P6				and within 112 steps of CBA demand	3.1.3.2 18003-C 14913-1
All rods shall be operable and positioned within 112 steps of bank step counter	4.1.3.1.1 (Note 2)	CBA demand (Steps)	Bank step counter	1			≥ RIL	
Compare Rod position Indication with bank step counter demand			CBA R6					
Rod position indication and demand position indication shall be operable	4.1.3.2 (Note 2)	Control rod position (Steps)	CBA R10				All CBA Rods ≥ RIL (Rn critical)	3.1.1.1 3.1.3.6 3.1.3.1
Compare Rod position Indication with bank step counter demand			CBA P6				and within 112 steps of CBA demand	3.1.3.2 18003-C 14913-1
			CBA R4					
			CBA P14					
			CBA P10					
			CBA P2					
		CBC demand (Steps)	Bank step counter	1			≥ RIL	
			CBC R2					
		Control rod position (Steps)	CBC R6				All CBC Rods ≥ RIL (Rn Critical)	3.1.1.1 3.1.3.6 3.1.3.1
			CBC R10				and within 112 steps of CBC demand	3.1.3.2 18003-C 14913-1
			CBC P6					
			CBC P8					
			CBC P10					
			CBC R10					
			CBC R6					
		CBD demand (Steps)	Bank step counter	1			≥ RIL	
			CBD R4					
		Control rod position (Steps)	CBD R12				All CBD Rods ≥ RIL (Rn Critical)	3.1.1.1 3.1.3.6 3.1.3.1
			CBD R12				and within 112 steps of CBD demand	3.1.3.2 18003-C 14913-1
			CBD R4					
			CBD R8					

NOTE 1: If RIL Monitor is inoperable, go to 14913-1.

NOTE 2: If Rod Deviation Monitor is inoperable, go to 14913-1.

COMPLETED BY:

USS REVIEW:

NIGHT

DAY

EVENING

NIGHT

DAY

EVENING

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VEGP

14000-1

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Sheet 6 of 10

DATA SHEET 1
MODE 1 & 2
SHIFT & DAILY SURVEILLANCES

MODE
DATE

MODE OF VERIFICATION	VIEW SPEC SURV REQ	PARAMETER	INSTRUMENT	INDICATION			TOLERANCE	ACC/PROD
				NIGHT	DAY	EVENING		
At 15.00h code shall be withdrawn	4.1.3.3	18A demand (Steps)	Bank stop counter				≥ 128	
End position indication and demand position indication shall be operable	4.1.3.2 (Note 2)	Shutdown End Position (Steps)	18A 02 18A 012 18A H16 18A P6 18A 34 18A 014 18A P12 18A M2				All 18A Rods Fully withdrawn and within 112 steps of 18A demand	3.1.3.1 3.1.3.2 3.1.3.3 18003-C 14915-1
Indication with bank stop counter demand		18B demand (Steps)	Bank stop counter				≥ 128	
		Shutdown ROD position (Steps)	18B 03 18B 09 18B J13 18B 07 18B 07 18B 013 18B 09 18B J3				All 18B Rods Fully withdrawn and within 112 steps of 18B demand	3.1.3.1 3.1.3.2 3.1.3.3 18003-C 14915-1
		18C demand (Steps)	Bank stop counter				≥ 128	
		Shutdown ROD position (Steps)	18C 02 18C 011 18C L13 18C 05				All 18C Rods Fully withdrawn and within 112 steps of 18C demand	3.1.3.1 3.1.3.2 3.1.3.3 18003-C 14915-1
		18D demand (Steps)	Bank stop counter				≥ 128	
		Shutdown ROD position (Steps)	18D 03 18D 013 18D W11 18D L3				All 18D Rods Fully withdrawn and within 112 steps of 18D demand	3.1.3.1 3.1.3.2 3.1.3.3 18003-C 14915-1
		18E demand (Steps)	Bank stop counter				≥ 128	
		Shutdown ROD position (Steps)	18E 04 18E D0 18E 012 18E H0				All 18E Rods Fully withdrawn and within 112 steps of 18E demand	3.1.3.1 3.1.3.2 3.1.3.3 18003-C 14915-1

COMPLETED BY:

USS REVIEW:

NIGHT

DAY

EVENING

NIGHT

DAY

EVENING

NOTE: If End Position Monitor is inoperable, go to 14915-1

DATA SHEET 1
 MODE 1 & 2
 SHIFT & DAILY SURVEILLANCES

Sheet 7 of 10
 MODE _____
 DATE _____

FUNCTION OF INSTRUMENTATION	TECH SPEC USER REQ	PARAMETER	INSTRUMENT	INDICATION			LIMITS MIN/MAX	LCD PROC
				NIGHT	DAY	EVENING		
Reactor trip instrumentation shall be operable Channel check	4.3.1.1	SG 1 Level (I)	ILI-0518				Channel Check Total 4 Minimum 3	3.3.1(A6) 3.3.2(A20)
			ILI-0519					
			ILI-0517					
			ILI-0531				Total 4 Minimum 1	3.3.3.6 (A33)
ESFAS instrumentation shall be operable Channel check	4.3.2.1	SG 2 Level (I)	ILI-0528				Channel Check Total 4 Minimum 3	3.3.1(A6) 3.3.2(A20)
			ILI-0529					
			ILI-0527				Total 4 Minimum 3	3.3.2(A20)
			ILI-0532				Total 4 Minimum 1	3.3.3.6 (A33)
Accident monitoring instrumentation shall be operable Channel check	4.3.3.6	SG 3 Level (I)	ILI-0538				Channel Check Total 4 Minimum 3	3.3.1(A6) 3.3.2(A20)
			ILI-0539					
			ILI-0537				Total 4 Minimum 3	3.3.2(A20)
			ILI-0535				Total 4 Minimum 1	3.3.3.6 (A33)
		SG 4 Level (I)	ILI-0548				Channel Check Total 4 Minimum 3	3.3.1(A6) 3.3.2(A20)
			ILI-0549					
			ILI-0547				Total 4 Minimum 3	3.3.2(A20)
			ILI-0556				Total 4 Minimum 1	3.3.3.6 (A33)
ESFAS instrumentation shall be operable Channel check	4.3.2.1	Loop 1 steam line pressure (psig)	IP1-0514A				Channel Check Total 3 Minimum 2	3.3.2(A15)
			IP1-0514B					
Accident monitoring instrumentation shall be operable Channel check	4.3.3.6	Loop 2 steam line pressure (psig)	IP1-0515A				Total 3 Minimum 1	3.3.3.6 (A30)
			IP1-0515B					
		Loop 3 steam line pressure (psig)	IP1-0516A				Channel Check Total 3 Minimum 2	3.3.2(A15)
			IP1-0516B					
			IP1-0516A				Total 3 Minimum 1	3.3.3.6 (A30)
		Loop 4 steam line pressure (psig)	IP1-0514A				Channel Check Total 3 Minimum 2	3.3.2(A15)
			IP1-0514B					
			IP1-0514A				Total 3 Minimum 1	3.3.3.6 (A30)
Condensate storage tank shall be operable Verify Level	4.7.1.3.1	Condensate storage level (I)	ILI-3101				Total 3 Minimum 1	3.3.3.6 (A30)
	4.7.1.3.2		ILI-3104				> 458	3.7.1.3
Verify the condensate storage tank which is the supply source for auxiliary feedwater: If V-4001 use ILI-3101 If V-4002 use ILI-3104								

Verify the condensate storage tank which is the supply source for auxiliary feedwater: If V-4001 use ILI-3101
 If V-4002 use ILI-3104

COMPLETED BY: _____
 USS REVIEW: _____

NIGHT	DAY	EVENING
NIGHT	DAY	EVENING

PROCEDURE NO
VEGP

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DATA SHEET 1
MODE 1 & 2
SHIFT & DAILY SURVEILLANCESMODE
DATE

TEST OR VERIFICATION	TEST SPEC SUB REQ	PARAMETER	INSTRUMENT	INDICATION			TOLERANCE	LCO PROB	
				NIGHT	DAY	EVENING			
All leakage shall be within limits Verify Containment Activity Containment normal pumps and reactor cavity sump levels	4.4.6.2.1.a	Particulate (INIT)	IRZ-2542A				Alarm absent	3.4.6.2 14903-1	
		Gaseous (INIT)	IRZ-2542C				Alarm absent		
	4.4.6.2.1.b	South sump (I)	ILR-7777 Red				Rate of change of level constant or decreasing	3.4.6.2 14903-1	
		North sump (I)	ILR-7777 Blue						
		Ex cav sump (I)	ILR-7777 Black						
HVAC Instrumentation shall be operable Channel check	4.3.3.1	Cont Vent Particulate (INIT)	IRZ-2543A				Total 390 Minimum 2	3.3.2(A18)	
		Cont Vent Radio Gas (INIT)	IRZ-2543C						
		Cont Vent Radio Iodine (INIT)	IRZ-2543B						
		Cont Rad Lo Range (INIT)	IRZ-0004						
		Cont Rad Hi Range (INIT)	IRZ-0005						
Radiation monitoring instrumentation shall be operable Channel check	4.3.3.1	*Containment Ventilation Radiation (IRZ-2545) is created as one channel and is considered OPERABLE if the particulate (IRZ-2543A) and iodine monitors (IRZ-2543B) are OPERABLE or the noble gas monitor (IRZ-2543C) is OPERABLE.						Total 3 Minimum 1	3.3.3.4 (A33)
		Cont Rad Hi Range (INIT)	IRZ-0006						
		Cont Rad Hi Range (INIT)	IRZ-0006						
		Cont Rad Hi Range (INIT)	IRZ-0006						
		Cont Rad Hi Range (INIT)	IRZ-0006						
Accident monitoring instrumentation shall be operable Channel check	4.3.3.6	*Indicating normally. All status and alarm lights extinguished.						Total 3 Minimum 1	3.3.3.4 (A33)
		Cont Rad Hi Range (INIT)	IRZ-0006						
		Cont Rad Hi Range (INIT)	IRZ-0006						
		Cont Rad Hi Range (INIT)	IRZ-0006						
		Cont Rad Hi Range (INIT)	IRZ-0006						
Containment hydrogen monitors shall be operable Channel check	4.3.3.6	Hydrogen Monitor Status (INIT)	Local Panel 1-1513-P3-824				Power Available. Low Temp Light Extinguished Total 3 Minimum 1	3.3.3.6 (A33)	
			Local Panel 1-1513-P3-824						
			Local Panel 1-1513-P3-824						
			Local Panel 1-1513-P3-824						
			Local Panel 1-1513-P3-824						
Accident monitoring instrumentation shall be operable Channel check	4.3.3.6	Hydrogen Monitor Status (INIT)	IAI2979				Indicators on scale Total - 3 Minimum 1	3.3.3.6 (A33)	
			IAI2980						
			IAI2980						
			IAI2980						
			IAI2980						
Two independent chlorine detection systems shall be operable Channel check	4.3.3.7	Chlorine Monitor Status (INIT)	IAI212110				Warn, alarm and fault lights extinguished. Indicator on scale. Active Light ON	3.3.3.7	
			IAI212112						
			IAI212112						
			IAI212112						
			IAI212112						
Two independent Control Room emergency filtration system shall be operable Verify Control Room temp	4.7.6.6	Control Room Temp (°F)	Local Indicator				< 85°F	3.7.6	
			Local Indicator						
			Local Indicator						
			Local Indicator						
			Local Indicator						

COMPLETED BY:

USS REVIEW:

NIGHT

NIGHT

DAY

DAY

EVENING

EVENING

DATA SHEET 1
MODE 1 & 2
SHIFT & DAILY SURVEILLANCES

Sheet 9 of 10

MODE
DATE

DESCRIPTION	VERIFICATION	TEST SPEC BY REQ	PARAMETER	INSTRUMENT	TEST DATE	TEST RESULT	TEST TOLERANCE	LCO/PROC
The PWT shall be operable Verify temperature		4.1.2.4.9 4.3.4.9	SWEE Temperature (°F)	ITIS-1098C		254°F	±10°F	3.1.2.4
The ultimate heat sink shall be operable Verify water temperature and level		4.7.3.4	Temperature (°F)	PROTEUS Point T26014 OR ITJB-1690 Point 20 PROTEUS Point T26020 OR ITJB-1691 Point 20		590°F	±10°F	3.7.3
			Level (%)	ILI-1406 ILI-1607		≥ 73%		
* If PROTEUS Point and Recorder Point are not available, temperature reading must be obtained locally using hand-held test equipment. Record instrument information below: INSTRUMENT ID NO. CAL DATE DATE								
Reactor coolant system leakage shall be within limits Monitor reactor head flange leakoff system temp		4.4.6.2.1.0	Temperature (°F)	ITI-0401		≤ CMPT +20° Ambient		3.4.6.3 (4903-1)
Reactor coolant system leakage shall be within limits Inventory balance		4.4.6.2.1.4	RCS Leakrate (GPM)	Perform (4903-1) as Specified Days		≤ 10 GPM Identified ≤ 1 GPM Unidentified		3.4.6.2 (4903-1)
* RCS leakrate by RCS Inventory balance required by Technical Specification 4.4.6.2.1.4 is a 72 hour frequency surveillance. (4903-1). "RCS Leakage Calculation (Inventory balance)" may be performed on Sunday, Tuesday and Friday only.								
Containment air temperature shall not exceed 120°F Verify average air temperature		4.6.1.3	Temperature (°F)	EXF CMPT Lapels T7301 EXF CMPT Lapels T7302 EXF CMPT Lapels T7303 EXF CMPT Lapels AVG T7301		NA		
Metereological monitoring instrumentation shall be operable Channel check		4.3.3.4	Wind speed 10M (MPH) Wind speed 60M (MPH) Wind direct 10M (Degrees) Wind direct 60M (Degrees) Dir. Temp. 60-10M (Deg F)	EXF RPT Data 05-6170 EXF RPT Data 05-6130 EXF RPT Data 07-6171 EXF RPT Data 07-6131 EXF RPT Data 07-6174		≤ 120° On scale and consistent with conditions		3.3.3.4
Data may be obtained from PROTEUS. Substrate 1000 from EXF Point ID Number for PROTEUS Point ID Number.								

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DATA SHEET 1
MODE 1 & 2
SHIFT & DAILY SURVEILLANCES

MODE _____
DATE _____

TEST VERIFICATION	TECH SPEC SYN REQ	PARAMETER	INSTRUMENT	INDICATION DAILY	TOLERANCE	LCO/PDC
Radiative gaseous effluent monitoring instrumentation shall be operable <u>Channel check</u>	4.3.3.10 During gaseous waste processing system operation	Hydrogen Monitor HARC-1104 (INIT)	Local Panel 1-1902- P3-CMB		Power available. Indicator on scale.	3.3.3.10 (A30)
		Inlet Oxygen Monitor OALC-1112 (INIT)			Power available. Indicator on scale.	3.3.3.10 (A49)
		Outlet Oxygen Monitor OALC-1119 (INIT)			Power available. Indicator on scale.	3.3.3.10 (A49)
		Hydrogen Monitor HARC-1104 (INIT)			Power available. Indicator on scale.	3.3.3.10 (A30)
		Inlet Oxygen Monitor OALC-1112 (INIT)			Power available. Indicator on scale.	3.3.3.10 (A49)
		Outlet Oxygen Monitor OALC-1119 (INIT)			Power available. Indicator on scale.	3.3.3.10 (A49)
		If 2 and/or 3 Monitor fails, notify Chemistry Supervisor and note time.				
The loose part detection system shall be operable <u>Channel check</u>	NA	DCDCS background noise (INIT)	CH 750		Background noise is present on each channel	NA
			CH 751			
			CH 752			
			CH 753			
			CH 754			
			CH 755			
			CH 756			
			CH 757			
			CH 758			
			CH 759			
			CH 760			
			CH 761			
			If the presence of a loose part is suspected, Activate the Data Acquisition System and NOTIFY Engineering for further evaluation. If any channel is found inoperable, initiate maintenance and notify Engineering.			

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DATA SHEET 2
MODE 3 & 4
SHIFT & DAILY SURVEILLANCES

Sheet 1 of 7

MODE 4
 DATE 1-30-87

TEST OF VERIFICATION	TEST SPEC SUB REQ	PARAMETER	INSTRUMENT	INDICATION			LIMITS TOLERANCE	LCO/PROC			
				NIGHT	DAY	EVENING					
Containment pressure shall be maintained within limits Verify pressure ELPAS instrumentation shall be operable Channel check Accident monitoring instrumentation shall be operable Channel check	4.3.1.4	Containment pressure (psig)	IP1-0935	.5	0	NA	2 -0.3 psig and 5 1.8 psig and Channel Check Total 3 Minimum 20 Total 4 Minimum 3 Total 4 Minimum 1	3.3.1.4 3.3.2(A13) 3.3.2(A17) 3.3.3.6 (A33) (Mode 3)			
	IP1-0937		.5	0							
	IP1-0934		0	0							
	IP1-0936		.5	0							
	IP1-0945		.6	5							
	NOTE: IP1-0937 or IP1-0945 cannot be used to satisfy minimum channels.										
	NOTE: P1's on QMCs have positive range only.										
		Computer (psig)	P9671	.54	6						
	Each accumulator shall be operable Verify water level, nitrogen pressure and discharge valve position	4.3.1.1.a.1 (Mode 3 >1000 psig)	Accumulator nitrogen pressure (psig)	1 IP1-0940A	635	625		2 417 psig and 5 478 psig	3.3.1		
				IP1-0941A	630	625					
2 IP1-0942A				635	630						
IP1-0943A				635	630						
3 IP1-0944A				635	630						
IP1-0945A				630	625						
Accumulator water level (ft)			1 IL1-0930	51	50		2 342 and 5 442				
			IL1-0931	53	52						
			2 IL1-0932	54	53						
			IL1-0933	50	53						
			3 IL1-0934	53	54						
			IL1-0935	540	545						
Valve position (INIT)			4 IL1-0936	540	545						
			IL1-0937	56	51						
			4.3.1.1.a.2 (Mode 3 >1000 psig)	Valve position (INIT)	IES-8806A	FW	NA			Open	3.3.1
					IES-8808B	FW	NA				
					IES-8808C	FW	NA				
					IES-8808B	FW	NA	V			

Values start point in Mode 4 & 5 only

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DATA SHEET 2
MODE 3 & 4
SHIFT & DAILY SURVEILLANCES

MODE 4
DATE 11/11/87

TEST / VERIFICATION	TEST SPEC / SUB REC	PARAMETER	INSTRUMENT	NIGHT	DAY	EVENING	LIMIT / TOL. / RANGE	UO. PROC.	
Two ECCS flow paths shall be operable > 150°F Verify Valve positioned and power removed	4.3.2.6 (Mode 3 only)	Valve Status (INIT)	INS-8804	INIT	OFF	NA	Open and Power Removed	3.3.2 (Mode 3)	
			INS-8805	INIT			Open and Power Removed		
			INS-8812	INIT			Open and Power Removed		
One ECCS flow path shall be operable < 150°F Verify Valve positioned and power removed	4.3.3.1 (Mode 4 only)		INS-8801A	INIT			Closed and Power Removed		3.3.3.1 (Mode 4)
			INS-8801B	INIT	V		Closed and Power Removed		
			INS-8840A	INIT	V		Closed and Power Removed		
			INS-8809A	INIT	V		Open and Power Removed		
		INS-8809B	INIT	V		Open and Power Removed			
Verify power removed by associated lockout switch light extinguished and switch in lockout position. In Mode 4, verify at least one flow path via these valves.									
EFPAS Instrumentation shall be operable Channel check	4.3.2.1	EFP Level (I)	ILI-0990A	95	94		Channel Check	3.3.2(A17) 3.3.3.6 (A33) (Mode 3)	
			ILI-0991A	94	95		Total 4		
Accident monitoring instrumentation shall be operable Channel check	4.3.3.6		ILI-0992A	95	95		Minimum 3		
			ILI-0993A	95	95		Total 4 Minimum 1		
A cold overpressure protection system shall be operable Verify RER suction valve position	4.4.9.3.2 If RER suction relief valves are used for overpressure protection (Mode 4 only)	RER Suction Valve Position (INIT)	IRV-8701A	INIT	V		OPEN	3.4.9.2	
			IRV-8701B	INIT	V				
			IRV-8702A	INIT	V				
			IRV-8702B	INIT	V				
A cold overpressure protection system shall be operable Verify RCS vent path	4.4.9.3.2 If PORV's or RER suction relief valves are not used for overpressure protection (Mode 4 only)	Vent Path (INIT)		N/A	NA		NA	3.4.9.2	
			Identify vent path being used. Vent path may be verified from the "Locked Valve Control Log" if vent is provided by a locked open valve. The RCS is depressurized with a vent capable of relieving 470 gpm water flow at 470 psia.						
Emergency trip instrumentation shall be operable Channel check	4.3.1.1	Source range FI's (Counts)	IRI-0031B	200	100		Channel Check	3.3.1(A3)	
			IRI-0032B	150	100		Total 2 Minimum 1		
EFPAS Instrumentation shall be operable Channel check	4.3.2.1 (Mode 3 only)	Pressurizer pressure (psig)	IRI-0435A	N/A	NA		Channel Check	3.3.2(A20) (Mode 3)	
			IRI-0436						Total 4
Accident monitoring instrumentation shall be operable Channel check	4.3.3.6 (Mode 3 only)		IRI-0437						Minimum 3
			IRI-0438						
Pressurizer shall be operable Verify level	4.4.2.1 (Mode 3 only)	Pressurizer level (I)	ILI-0460A				SVI and Channel Check	3.4.2 3.3.3.6 (A30) (Mode 3)	
			ILI-0439A						Total 3
			ILI-0461	V	V	V			Minimum 1

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DATA SHEET 2

MODE 3 & 4

SHIFT & DAILY SURVEILLANCES

MODE 4
DATE 1-20-81

TESTIFICATION	TECH SPEC SUB REQ	PARAMETER	INSTRUMENT	TESTIFICATION			UNIT(S) TOLERANCE	LTO PROC	
				NIGHT	DAY	EVENING			
<u>SFAS instrumentation shall be operable</u> <u>Channel Check</u> <u>Accident monitoring instrumentation shall be operable</u> <u>Channel check</u>	4.3.2.1 (Mode 3 only)	Loop 1 steam line pressure (psig)	IPI-0314A	NA	NA	NA	Channel Check Total 3 Minimum 2 Total 3 Minimum 1	3.3.2(A15) (Mode 3) 3.3.3.6 (A30) (Mode 3)	
			IPI-0316A						
			IPI-0315A						
	4.3.3.6 (Mode 3 only)	Loop 2 steam line pressure (psig)	IPI-0324A	✓				Channel Check Total 3 Minimum 2 Total 3 Minimum 1	3.3.2(A15) (Mode 3) 3.3.3.6 (A30) (Mode 3)
			IPI-0326A	✓					
			IPI-0325A	✓					
		Loop 3 steam line pressure (psig)	IPI-0334A	✓				Channel Check Total 3 Minimum 2 Total 3 Minimum 1	3.3.2(A15) (Mode 3) 3.3.3.6 (A30) (Mode 3)
			IPI-0336A						
			IPI-0335A						
		Loop 4 steam line pressure (psig)	IPI-0344A					Channel Check Total 3 Minimum 2 Total 3 Minimum 1	3.3.2(A15) (Mode 3) 3.3.3.6 (A30) (Mode 3)
			IPI-0346A						
			IPI-0343A						
<u>Condensate storage tank shall be operable</u> <u>Verify level</u>	4.7.1.3.1 4.7.1.3.2 (Mode 3 only)	Condensate storage tank level (%)	ILI-3101				≥ 64%	3.7.1.3	
			ILI-3104	✓	✓	✓			
	Verify the condensate storage tank which is the supply source for auxiliary feedwater: If 9-4001 use ILI-3101 If 9-4002 use ILI-3104								

DATA & ANALYSIS

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DATA SHEET 2
MODE 3 & 4
SHIFT & DAILY SURVEILLANCES

MODE 4
DATE 1-20-87

DESCRIPTION OF VERIFICATION	REQ SPEC SURV REQ	PARAMETER	INSTRUMENT	NIGHT	DAY	EVENING	TEST/TOL TOLERANCE	LCD
Required reactor coolant loops shall be operable with required loop(s) in operation		Steam generator level (S)	ILI-0301	80	85	MA		
			ILI-0302	80	85			
			ILI-0303	81	85			
			ILI-0304	81	85			
4.4.1.2.2		Reactor Coolant Pump (1,2,3,4)	Enter Loops Operable	1, 3, 4	2, 3, 4			3.4.1 (Mode)
4.4.1.2.3 (Mode 3 only)			Enter Loops Shutting	1, 4	4			
4.4.1.3.2		RHR Pumps (A,B)	Enter Trains Operable	1, 2	1, 2			3.4.1 (Mode)
4.4.1.3.3 (Mode 4 only)			Enter Trains Shutting	A	A			
<p>Mode 3 (Trip Breakers closed) - At least 2 steam generators operable with level ≥ 175 wide range and 2 associated reactor coolant loops operable and circulating coolant to the operable steam generators.</p> <p>Mode 3 (Trip Breakers open) - At least 2 steam generators operable with level ≥ 175 wide range and 2 associated reactor coolant loops operable with 1 loop circulating coolant to an operable steam generator.</p> <p>Mode 4 At least 2 operable loops/trains each consisting of a steam generator with level ≥ 175 wide range and its associated reactor coolant loop or an RHR train with 1 loop/train circulating coolant</p>								
ESFAS instrumentation shall be operable	4.3.2.1 (Mode 3 only)	SG 1 Level (S)	ILI-0318	N/A	NA		Channel Check	
Channel check			ILI-0319				Total 4	3.3.2 (Mode)
			ILI-0317				Minimum 3	
Accident monitoring instrumentation shall be operable	4.3.3.6 (Mode 3 only)		ILI-0321				Total 4	3.3.3 (AJS)
Channel check			ILI-0322				Minimum 1	(Mode)
		SG 2 Level (S)	ILI-0326				Channel Check	
			ILI-0327				Total 4	3.3.2 (Mode)
			ILI-0327				Minimum 3	
			ILI-0328				Total 4	3.3.3 (AJS)
			ILI-0328				Minimum 1	(Mode)
		SG 3 Level (S)	ILI-0330				Channel Check	
			ILI-0331				Total 4	3.3.2 (Mode)
			ILI-0332				Minimum 3	
			ILI-0333				Total 4	3.3.3 (AJS)
			ILI-0333				Minimum 1	(Mode)
		SG 4 Level (S)	ILI-0348				Channel Check	
			ILI-0349				Total 4	3.3.2 (A)
			ILI-0349				Minimum 3	(Mode)
			ILI-0349				Total 4	3.3.3 (AJS)
			ILI-0354				Minimum 1	(Mode)

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DATA SHEET 2 MODE 3 & 4 SHIFT & DAILY SURVEILLANCES

MODE 4
DATE 1-20-87

METHOD OF VERIFICATION	TEST REQ	SUBV REQ	PARAMETER	INSTRUMENT	NIGHT	DAY	EVENING	LIMITS TOLERANCE	LCO/PROC
BCI leakage shall be within limits Verify Containment activity containment normal pump and reactor cavity pump levels	4.4.6.2.1.0	4.4.6.2.1.0	Particulate (INIT)	IRE-2562A	✓	NA	NA	Alarm Absent	3.4.6.2
			Gaseous (INIT)	IRE-2562C	✓			Alarm Absent	
			South sump (T)	IRE-7777	23			Rate of change of level constant or decreasing	
			North sump (T)	IRE-7777	23				
ES/AS Instrumentation shall be operable Channel check	4.3.2.1		Cont Vent Particulate (INIT)	IRE-2563A	✓			Total 300 Minimum 1	3.3.2 (A18)
			Cont Vent Radio Gas (INIT)	IRE-2563C	✓				
			Cont Vent Radio (INIT)	IRE-2563B	✓				
			Cont Rad Le Range (INIT)	IRE-0000	✓				
Radiation monitoring Instrumentation shall be operable Channel check	4.3.3.1		Containment Ventilation Radiation (RE-1567) is treated as one channel and is considered OPERABLE if the particulate (IRE-2563A) and radio monitors (IRE-2563B) are OPERABLE or the radio gas monitor (IRE-2563C) is OPERABLE.						
			Cont Rad El Range (INIT)	IRE-0000	✓			Total 2 Minimum 1	3.3.3.6 (A33) (Mode 3)
Accident monitoring Instrumentation shall be operable Channel check	4.3.3.6		Indicating normally. All status and alarm lights extinguished.						
			Chlorine Monitor Status (INIT)	LATIS12110	NA	NA		Active Light Off. Warn, alarm and fault lights extinguished. Indicator on scale	3.3.3.7
Two independent chlorine detection systems shall be operable Channel check	4.3.3.7		N/A if 520 lbs of chlorine gas on site.						
			Control Room Temperature (°F)	Local Indicator	74	75	NA	≤ 85°F	3.7.6
Two independent Control Room emergency filtration systems shall be operable Verify Control Room temp	4.7.6.6								

- ① LCO 1-88-938I written
- ② LCO 1-88-963I written
- ③ LCO 1-84-025I written
- ④ N/A, 220 lbs Cl₂ on site

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COMPLETED BY:	NIGHT	DAY	EVENING
USS REVIEW:	NIGHT	DAY	EVENING

Sheet 6 of 7

DATA SHEET 2
MODE 3 & 4
SHIFT & DAILY SURVEILLANCESMODE
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MODE OF VERIFICATION	TECH SPEC SURV REQ	PARAMETER	INSTRUMENT	INDICATION DAILY	TYPICAL TOLERANCE	LOG. PROC
The RWST shall be operable Early temperature	4.1.2.6.6 4.5.4.6	ENVST temperature (°F)	IT18-10980		± 54°F ± 116°F	3.1.2.4 3.3.4
The ultimate heat sink shall be operable Early waste temperature and level	4.7.3.4	as Temperature (°F) — (1) Level (L)	PROTEUS Point T16019 OR IT/8-1690 Point 20 PROTEUS Point T16020 OR IT/8-1691 Point 20 IL1-1606 IL1-1607		± 90°F ≥ 73%	3.7.3
* If PROTEUS Point and Recorder Point are not available, temperature reading must be obtained locally using hand-held test equipment. Record instrument information below: INSTRUMENT ID NO. CAL DATE DATE						
Reactor coolant system leakage shall be within limits Reactor head flange leakoff system	4.4.6.2.1.6	Temperature (°F) 1: 2:	IT1-0401		± Ambient ± 20°F	3.4.6.1 14903-1
Reactor coolant system leakage shall be within limits Inventory balance	4.4.6.2.1.6	RCS Leakrate (GPM) Perforo 14903-1 on Specified Days			≤ 10 GPM Identified ≤ 1 GPM Unidentified	3.4.6.2 14903-1
RCS leakrate by RCS inventory balance required by Technical Specification 4.4.6.2.1.6 is a 72 hour frequency surveillance. 14903-1, "RCS Leakage Calculation (Inventory balance)" may be performed on Sunday, Tuesday and Friday only.						
Containment air temperature shall not exceed 120°F Verify average air temperature	4.6.1.5	Temperature (°F) 1: 2: 3: 4: 5: AVG 077501	ELF CMST IMPVTS T7501 ELF CMST IMPVTS T7502 ELF CMST IMPVTS T7503 ELF CMST IMPVTS AVG 077501		CP7	
Micrological monitoring instrumentation shall be operable Channel check	4.3.3.4	Wind speed 10M (MPH) Wind speed 60M (MPH) Wind direct 10M (MPH) Wind direct 60M (MPH) Dir. Temp. 60-10M (°F)	ELF WST Data US-6170 ELF WST Data US-6430 ELF WST Data UT-6171 ELF WST Data UT-6431 ELF WST Data UT-6174		≤ 120° On scale and consistent with conditions	3.4.1.3 3.3.3.4
Data may be obtained from PROTEUS. Subtract 5000 from ELF Point 15 Number.						

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DATA SHEET 3 MODE 5 & 6 SHIFT & DAILY SURVEILLANCES

MODE 5
DATE 1-20-89

SCOPE OF VERIFICATION	TECH SPEC SUBV REQ	PARAMETER	INSTRUMENT	NOTATION			LIMIT(S) TOLERANCE	LCO/PROC
				WEEK	DAY	EVENING		
A cold overpressure protection system shall be operable Verify BSR section valve position	4.4.8.3.2 With reactor head on if BSR section relief valves are used for overpressure protection	BSR Section Valve Position (LIMIT)	BSV-8701A BSV-8701B BSV-8702A BSV-8702B	NA NA NA NA	OK OK OK OK	CDS CDS CDS CDS	OPEN	3.4.8.3
A cold overpressure protection system shall be operable Verify BCS vent path	4.4.8.3.3 With Rn Head on and/or prior to setting head if PORT's or BCS section relief valves are not used for overpressure protection	Vent Path (LIMIT)	0	Y	NA	NA	00	3.4.8.3
<p>Identify vent path being used. NA</p> <p>Vent path may be verified from the "Locked Valve Control Log" if vent is provided by a locked open valve.</p> <p>The BCS is depressurized with a vent capable of relieving 670 gpm water flow at 570 psig.</p>								
Reactor trip instrumentation (source range) shall be operable Change check	4.3.1.1 (Mode 5) 4.3.2 (Mode 6)	Source range RT's (Counts)	RT-0031B RT-0032B	NA	100 100	100 80	Channel Check Total 2 Minimum 2	3.3.1(A3) (Mode 5) 3.9.3 (Mode 6)
At least 1 RHR train shall be in operation and the required BCS trains or the required SC's operable Verify BCS instrumentation and on SC levels	4.4.1.4.1.1 4.4.1.4.1.2 (Mode 5) Loops filled 4.4.1.4.2.1 (Mode 5) Loops not filled 4.9.8.1 (Mode 6 & 23) above flange 4.9.8.2 (Mode 6 & 23) above flange	RHR Trains (A,B) RHR Flow (GPM) RHR Flow (GPM) Steam Generator Level (I)	Enter Trains Operable FTC-0418A FTC-0419A ILI-0501 ILI-0502 ILI-0503 ILI-0504	NA F NA Y	A,B 3700 0 85 85 85 85	A,B 3700 0 85 86 86 86	000	3.4.1.4.1 3.4.1.4.2 3.9.8.1 3.9.8.2
<p>Mode 5, loops filled - At least 1 RHR train in operation and either 1 additional RHR train operable or 2 SC's operable with Level ≥ 175</p> <p>Mode 5, loops not filled - At least 2 RHR trains operable with 1 train in operation</p> <p>Mode 6, ≥ 23 ft above flange - At least 1 RHR train operating with ≥ 3000 gpm flow</p> <p>Mode 6, < 23 ft above flange - At least 1 RHR train operable with 1 train in operation with ≥ 3000 gpm flow</p>								

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PROCEDURE NO VEGP		14000-1		REVISION 17		PAGE NO 22 of 23		
DATA SHEET 3 MODE 5 & 6 SHIFT & DAILY SURVEILLANCES						Sheet 2 of 3 MODE 5 DATE 1-20-85		
TEST METHOD OF VERIFICATION	TECH SPEC SURV REQ	PARAMETER	INSTRUMENT	SHIFT	DAY	EVENTS	UNIT(S) TOLERANCE	LCO/PROC
Steam generator pressures/ temperature limitations Monitor RCS and SG temperature	4.7.2	SG Temperature (°F)	ITI-1175 ITI-1176 ITI-1177 ITI-1178	NA NA NA NA	NA NA NA NA	231 213 196 233	270°F	3.7.2 14915-1
		Note: If blowdown is not in service or if's are not available, use a contact pyrometer to measure this temperature.						
		RCS Temperature (°F)	ITI-0413B ITI-0413B ITI-0413B ITI-0443B	NA NA NA NA	NA NA NA NA	150 155 155 160		
Direct communications between control room and refueling machine shall be maintained Verify communications by phone check	4.9.3 (During core alterations)	Line of communi- cation (UNIT)	Plant phone radio or other direct com- munications system	NA	NA	NA	A line of direct communication to be available	3.9.3
ESPAS instrumentation shall be operable Channel check Radiation monitoring instrumentation shall be operable Channel check	4.3.2.1 4.3.3.1 Mode 6 during movement of irradiated fuel or movement of leads over irradiated fuel in containment	Contain Vent Particulate (UNIT) Cont Vent Radio Gas (UNIT) Cont Vent Iodine (UNIT) Cont Rad Lo Range (UNIT) Cont Rad Hi Range (UNIT)	IRE-2345A IRE-2345C IRE-2345B IRE-0003 IRE-0003	NA NA NA NA NA	NA NA NA NA NA	140 140 140 100 100	Indicating normally. All status and alarm lights extinguished. Total 300 Minimum 2	3.3.2(A)(6)
		Containment Ventilation Radiation (IRE-2345) is treated as one channel and is considered OPERABLE if the particulate (IRE-2345A) and iodine (IRE-2345B) monitors are OPERABLE or the noble gas monitor (IRE-2345C) is OPERABLE.						
Two independent chlorine detection systems shall be operable Channel check	4.3.3.7	Chlorine Monitor Status (UNIT)	LATIS12110 LATIS12112	NA	NA	NA	Active light ON. Warn, alarm and fault lights extinguished. Indicator on scale.	3.3.3.7
		During movement of irradiated fuel or movement of leads over irradiated fuel.						
		N/A if ≤ 20 lbs of chlorine gas on site.						
Two Independent Control Room emergency filtration systems shall be operable Verify Control Room temp	4.7.6.6 (During movement of irradiated fuel or movement of leads over irradiated fuel)	Control Room Temp- erature (°F)	Local Indicator	NA	NA	NA	58°F	3.7.6

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DATA SHEET 3
MODE 5 & 6
SHIFT & DAILY SURVEILLANCESMODE 5
DATE 11-20-89

TEST OR VERIFICATION	TECH SPEC ENV REQ	PARAMETER	INSTRUMENT	INDICATION DAILY	UNIT/TEST TOLERANCE	LED/PROG
The shift shall be operable Verify temperature	4.1.2.3.5 (with SVET the rotated water source)	Temperature (°F)	RTS-10580	7.1	2.5°F	3.1.2.3
Barometrical monitoring instrumentation shall be operable Channel check	4.3.3.6	Wind speed (MPH) Wind speed (MPH) Wind direction (Degrees) Wind (MPH) Wind (Degrees) W/T, temp. 40-100 (Deg F)	ELF MET Data US-6170 US-6430 ELF MET Data UT-6171 ELF MET Data UT-6431 ELF MET Data UT-6174	8.6 14.4 253.1 269 -1.2	On scale and responding as expected for existing conditions	3.3.3.6
An overpressure protection system shall be operable Verify P&ID isolation valve position	4.4.9.3.1.6 (with Rn head on and P&ID's used for overpressure protection)	Valve Position (L/R)	LES-80004 LES-80008	NA NA	Open	3.4.9.3
At least 23 feet of water shall be maintained over Rn flange Verify level	4.9.10.10 4.9.10.200	Level (ft)	Local	NA	≥ 23' above flange	3.9.10.1 3.9.10.2
Shutdown margin shall be ≥ limit specified by TS 3.1.1.2 Fig 3.1-2 Calculate	4.1.1.2.6 (Mode 5 only)	Shutdown margin (β & $\Delta\beta$)	Calculate using 14003-1	4.015	≥ Limit specified by TS 3.1.1.2 Fig 3.1-2	3.1.1.2
Boron concentration shall be within limits Chemical analysis	4.9.1.1 (Mode 6 only)	Boron Conc (ppm) Diff N	Obtain from Chem and calculate using 14003-1	NA N	The more restrictive of: Borne ≥ 2000 ppm or Diff 5.99	3.9.1
Radioactive gaseous effluent monitoring instrumentation shall be operable Channel check	4.3.3.10 Dut Lag gaseous waste processing system operation	Hydrogen Monitor GARC-1104 (LIFT) Oxygen Monitor GARC-1112 (LIFT) Oxygen Monitor GARC-1119 (LIFT) Hydrogen Monitor GARC-1104 (LIFT) Oxygen Monitor GARC-1112 (LIFT) Oxygen Monitor GARC-1119 (LIFT)	Local Panel 1-1902- P3-CNC	189-843 005 1889152 006	Power available indicator on scale Power available indicator on scale Power available indicator on scale Power available indicator on scale	3.3.3.10 (A30) 3.3.3.10 (A49) 3.3.3.10 (A49) 3.3.3.10 (A30) 3.3.3.10 (A49) 3.3.3.10 (A49)

COMPLETED BY: SA. J. H.USS REVIEW: SA. J. H.

Time

Date

1-20-89

0001 New Day RCS Coldown Continue
0010 RCP's 2+3 Stepping
0034 MODE 4 ENTRY
0130 RHR Pump A Started 0130
0258 RHR Boron Conc. 1412 Tony Carter
0310 RHR Turin A Forward Flow
0345 DSP 14228-1 - Ops MONTHLY SURV. Log complete + SAT.
0400 Turbine steam seals placed on dnx. steam per SOP. 13825-1
0415 WMT #9 → River start
0425 Back Flush of SEM Inj Filter No. 5 Complete
and #5 Returned to Service
0430 ————— PCH —————
0450 ARV HV 3000 Manually Isol.
0452 SG level channel LI 548 Removed from service
0453 ————— → WMT
0504 ————— ins —————
0513 NSCW X-FER Pump B Start
0518 WMT #9 to River Concluded.
0540 NSCW X-FER Pump B Stop
0551 ————— X —————
LC 0520 RHR 1120 ppm RCS 1396 ppm P2A: 1339 ppm
RCS: H₂ 31.4 cc/kg VCT: 90 cc/kg-H₂
0556 ————— JWC —————
0612 ————— WTK —————
0614 Night Shift 3: Relieved by J. L. L. L.
Key shift on J. L. L. L. J. L. L. L. BOP
Plant status: unit in mode 5 all rods fully inserted.
RCS pressure @ 250 psig RCS Temp @ 235°F. RHR A in
service @ 250 gpm. Both SG pumps tagged out per UOP
128 vdr. partially opened. P2D 184 running.
0724 Condenser vacuum breaker valves open
0729 Main turbine steam seals off
0820 Entered mode 5
0821 all mains are shut
0826 RCP #1 oil lift pump started
0829 RCP #1 stopped
0849 MDAFWB placed in PTL
0857 RCP #1 oil lift pump off
0907 WMT #10 → river start

Friday

00. 130-89

0930

could use Imperial, suspended @ 186°F to provide 50m calculation

10951	harvested 50 gal
-------	------------------

1144 After adding 1000 gal brine, resulting in 4060 gal. Total
brine will be 4060 gal for cold solution

1250

576

1251	RIIR pump B OK
------	----------------

1258

LF 1030 14001-1 complete & sat.

1308	50A
------	-----

IE 114 SDM calculation resolved: SDM was met - 4.0 % O/k

1327 $U_2 \Rightarrow VCT$ established

1338	— 65
------	------

1345 ————— *sh*

1355 Day shift off relieved by C Salter — Jokin

1355 Evening Shift on Rd C. Salter Bob K Smith

162°F 225 ppm 1687 ppm brown "A" RHE in service → 1st down

1445	1400 complete for evening shift
------	---------------------------------

1500 opened to 88098, to place "B" LTR in service 2377 ppm known per chemistry

1544 Stopped RCP → 4

1676 Commenced WMT #10 → river.

1641	CRDM FANS #1 + #2 STOPPED.
------	----------------------------

1693 OPENED 12V-455A PER S. ORDER 1-89-02. RESHUT DORV

1658 Capt Mini-Purge placed in service. Chemistry, Robert Thompson, notified.

1700 55PS Train A+B played in Test.

1724 Secured WMT #10

1945	RCS Area	1715 pm
------	----------	---------

2106

506

2108

ENT

31110

210
211

1000

218 Eugene shift off T Thompson remains C Sate

2150 Night Shift On - T. Thengwa - Unit 1 R2. Chongwa


S. Dyer - Unit 1 B.O.P. Operators

D. Vineyard - Unit 1 Shift Operator

Mode S 100 cps RCS μ sec 2.20 μ sec RCS μ sec -120°F

2235 Using aux. spray to cool down pressurized vapor space

2359 End of day - last entry

Approve: <i>Henrich</i> Date: 10/14/88	Vogt Electric Generating Plant NUCLEAR OPERATIONS Unit <u>1</u>	NORMS  Georgia Power	Procedure No. 14005-1 Revision No. 4 Page No. 1 of 8
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WORKING COPY

SHUTDOWN MARGIN CALCULATIONS **MANUAL SET**
NO. 12

1.0 PURPOSE

1.1 The purpose of this procedure is to provide methods for determining SHUTDOWN MARGIN to verify it is greater than the limits of Technical Specifications 4.1.1.1.1 or 4.1.1.2 as applicable.

1.2 Verification of SHUTDOWN MARGIN is required:

- a. When in Modes 1, 2, 3, 4 or 5 within one hour after detection of an inoperable Control Rod and each 12 hours thereafter while the Control Rod is inoperable.
- b. Prior to initial operation above 5% Rated Thermal Power after each fuel loading.
- c. When in Modes 3, 4, or 5 at least once per 24 hours.

1.3 This procedure also provides instructions for determining the Keff of the reactor in its present state or predicting its value at future plant conditions.

2.0 APPLICABILITY

This procedure is applicable in Operational Modes 1, 2, 3, 4, 5 and 6.

3.0 PRECAUTIONS AND LIMITATIONS

3.1 Xenon Worth provided by reference curves assumes equilibrium conditions prior to shutdown. If plant was in a transient condition, obtain Xenon Worth from plant computer or calculate Xenon Power using the form provided by PTDB TAB 1.4.3.

3.2 If boration or dilution evolutions are or have been occurring, care shall be taken to ensure representative RCS boron samples are used for chemical analysis.

3.3 No credit is taken for Samarium reactivity since the negative reactivity introduced by Samarium 149 buildup is offset by an equal positive reactivity introduced by the buildup of Plutonium 239.

PROCEDURE NO	REVISION	PAGE NO
VEGP 14005-1	4	2 of 8

4.0 PREREQUISITES AND INITIAL CONDITIONS

NONE

5.0 INSTRUCTIONS

Complete the appropriate Data Sheet(s) corresponding to plant conditions.

6.0 ACCEPTANCE CRITERIA

- 6.1 Modes 1 and 2 - CALCULATED SHUTDOWN MARGIN shall be greater than or equal to 1.3% delta K/K.
- 6.2 Modes 3, 4 and 5 - CALCULATED SHUTDOWN MARGIN shall be greater than or equal to REQUIRED Shutdown Margin specified by Technical Specification 3.1.1.2 Figures 3.1-1 or 3.1-2.
- 6.3 Mode 6 - CALCULATED Keff shall be less than or equal to 0.95.

7.0 EVALUATION AND REVIEW

7.1 Results obtained through performance of this procedure meet ACCEPTANCE CRITERIA of Section 6.0.

[X] YES [] NO

7.1.1 If NO was checked, immediately INITIATE and CONTINUE boration at greater than or equal to 30 gpm of a solution containing greater than or equal to 7000 ppm boron or equivalent until the required Shutdown Margin is restored and NOTIFY the Unit Shift Supervisor (USS).

7.1.2 Comments (include any abnormal conditions and corrective actions taken):

USS notified of Test Completion and Results

 11-20-89 11:24
Initial Date Time

Test Completed By:

 11-20-89 11:24
Signature Date Time

Supervisory Review:

 11-20-89 11:24
Signature Date Time

8.0 REFERENCES

8.1 Technical Specification 3.1.1.1, 3.1.1.2 and 3.9.1

8.2 Plant Technical Data Book

END OF PROCEDURE TEXT

Sheet 1 of 1

DATA SHEET 1

SHUTDOWN MARGIN CALCULATION-REACTOR CRITICAL

DATE _____ TIME _____

CURRENT CONDITIONS			REACTIVITY BALANCE		
1A	REACTOR POWER	_____ %	1B	POWER DEFECT (PTDB TAB 1.1)	+ _____ PCM
2A	BORON CONCENTRATION	_____ PPM	2B	CURRENT ROD WORTH (PTDB TAB 1.5.1)	+ _____ PCM
3A	ROD POSITION	_____ STEPS	3B	ASSUMED STUCK ROD WORTH	+ _____ PCM
		_____ BANK		(value in 4A)	
4A	MOST REACTIVE ROD WORTH (PTDB TAB 1.5.2)	_____ PCM	4B	ACTUAL STUCK ROD WORTH	+ _____ PCM
5A	NUMBER OF STUCK RODS	_____		(4A times 5A)	
			5B	TOTAL ROD WORTH (HZZP)	- _____ PCM
				(PTDB TAB 1.5.2)	
			1C	SUM 1B thru 5B ()	_____ PCM

VERIFY 1C IS A NEGATIVE NUMBER _____
INITIAL

CALCULATED SHUTDOWN MARGIN
(Divide absolute value of 1C by 1000)

_____ $\Delta K/K$

REQUIRED SHUTDOWN MARGIN
(Tech Spec 3.1.1.1)

_____ 1.3 $\Delta K/K$

COMPLETED BY

SIGNATURE

DATE

TIME

Sheet 1 of 1

DATA SHEET 2

SHUTDOWN MARGIN CALCULATION-REACTOR SUBCRITICAL USING PREVIOUS CRITICAL DATA
CURRENT/PROJECTED CONDITION - $T_{avg} \geq 557^{\circ}\text{F}$

DATE _____ TIME _____ OF LAST SHUTDOWN MODE _____
PUMPS _____

CONDITIONS PRIOR TO SHUTDOWN		REACTIVITY BALANCE	
1A	REACTOR POWER _____ %	1B	POWER DEFECT (PTDB TAB 1.1) + _____ PCM
2A	BORON CONCENTRATION _____ PPM	2B	BORON WORTH (PTDB TAB 1.3.1) + _____ PCM
3A	XENON POWER (1A IF EQUILIBRIUM) _____ %	3B	XENON WORTH (PTDB TAB 1.4.2) + _____ PCM
4A	ROD POSITION _____ STEPS _____ BANK	4B	ROD WORTH (PTDB TAB 1.5.1) + _____ PCM
CURRENT/PROJECTED CONDITIONS			
5A	T_{avg} _____ DEG F	1C	SUM 1B thru 4B + _____ PCM
6A	BORON CONCENTRATION _____ PPM	2C	ISO TEMP DEFECT (PTDB TAB 1.2) + N/A PCM
7A	NUMBER OF HOURS FROM LAST SHUTDOWN _____	3C	BORON WORTH (PTDB TAB 1.3.1) - _____ PCM
8A	MOST REACTIVE ROD WORTH (PTDB TAB 1.5.2) _____ PCM	4C	XENON WORTH (PTDB TAB 1.4.1) - _____ PCM
9A	NUMBER OF STUCK RODS _____	5C	TOTAL ROD WORTH (PTDB TAB 1.5.2) - _____ PCM
		6C	ASSUMED STUCK ROD WORTH + _____ PCM (value in 8A)
		7C	ACTUAL STUCK ROD WORTH + _____ PCM (8A times 9A)
VERIFY 1D IS A NEGATIVE NUMBER _____ INITIAL		1D	SUM 1C thru 7C () _____ PCM

CALCULATED SHUTDOWN MARGIN
(Divide absolute value of 1D by 1000)

_____ Δ K/K

REQUIRED SHUTDOWN MARGIN
(Tech Spec 3.1.1.2 Fig 3.1-1 or 3.1-2)

_____ Δ K/K

COMPLETED BY _____
SIGNATURE / DATE / TIME

Sheet 1 of 1

DATA SHEET 3

K_{eff} CALCULATION USING PREVIOUS CRITICAL DATA
CURRENT/PROJECTED CONDITIONS - T_{avg} ≥ 557°F

DATE _____ TIME _____
DATE _____ TIME _____ OF LAST SHUTDOWN

CONDITIONS PRIOR TO SHUTDOWN		REACTIVITY BALANCE	
1A	REACTOR POWER _____ %	1B	POWER DEFECT (PTDB TAB 1.1) + _____ PCM
2A	BORON CONCENTRATION _____ PPM	2B	BORON WORTH (PTDB TAB 1.3.1) + _____ PCM
3A	XENON POWER (1A IF EQUILIBRIUM) _____ %	3B	XENON WORTH (PTDB TAB 1.4.2) + _____ PCM
4A	ROD POSITION _____ STEPS _____ BANK	4B	ROD WORTH (PTDB TAB 1.5.1) + _____ PCM
CURRENT/PROJECTED CONDITIONS			
6A	T _{avg} _____ DEG F	1C	SUM 1B thru 4B + _____ PCM
7A	BORON CONCENTRATION _____ PPM	2C	ISO TEMP DEFECT (PTDB TAB 1.2) + N/A PCM
8A	NUMBER OF HOURS FROM LAST SHUTDOWN _____	3C	BORON WORTH (PTDB TAB 1.3.1) - _____ PCM
9A	ROD POSITION _____ STEPS _____ BANK	4C	XENON WORTH (PTDB TAB 1.4.1) - _____ PCM
		5C	ROD WORTH (PTDB TAB 1.5.1) - _____ PCM
VERIFY 1D IS A NEGATIVE NUMBER		1D	SUM 1C thru 5C () _____ PCM
INITIAL _____		2D	DIVIDE 1D by 100000 = _____

$$K_{eff} = \frac{1}{1 - (\text{value in 2D})} = \frac{1}{1 + ()} = \underline{\hspace{2cm}}$$

COMPLETED BY _____
SIGNATURE / DATE / TIME

Sheet 1 of 1

DATA SHEET 4

SHUTDOWN MARGIN, Keff CALCULATION USING CRITICAL BORON

DATE 11-20-89

TIME 1020

MODE 5
PUMPS AT

CURRENT/PROJECT CONDITIONS		REACTIVITY BALANCE	
1A	RCS TEMPERATURE <u>68</u> DEG F		
2A	RCS BORON CONCENTRATION <u>1800</u> PPM	1B	RCS BORON WORTH (PTDB TAB 1.3.1) <u>-72049</u> PCM
3A	CRITICAL BORON CONCENTRATION <u>1430</u> PPM <u>1430</u> <u>2100</u> <u>1700</u>	2B	CRITICAL BORON WORTH (PTDB TAB 1.3.1) <u>+18084</u> PCM <u>+18084</u> <u>18084</u> <u>18084</u>
4A	XENON POWER (Rx POWER AT TRIP IF EQUILIBRIUM) <u>1/4</u> %	3B	XENON WORTH (PTDB TAB 1.4.1) <u>-0</u> PCM
5A	NUMBER OF STUCK RODS <u>0</u>		
6A	WORTH OF MOST REACTIVE ROD (PTDB TAB 1.5.2) <u>800</u> PCM	4B	ACTUAL STUCK ROD WORTH (5A times 6A) <u>+0</u> PCM
VERIFY 1C IS A NEGATIVE NUMBER <u>initial</u> <div style="text-align: right;">INITIAL</div>		1C	SUM 1B thru 4B (-) <u>4015</u> PCM
		2C	DIVIDE 1C by 100000 <u>-0.04015</u>

CALCULATED SHUTDOWN MARGIN +4.015 %delta K/K
(Divide absolute value of 1C by 1000)

REQUIRED SHUTDOWN MARGIN +3.47 %delta K/K
(Tech Spec 3.1.1.2 FIG 3.1-1 or 3.1-2)

$$K_{eff} = \frac{1}{1 - (\text{value in 2C})} = \frac{1}{1 + (0.04015)} = \underline{0.96}$$

REQUIRED Keff
(Tech Spec 3.9.1 Mode 6 only) ≤ 0.95

COMPLETED BY [Signature] 11-20-89 1023
SIGNATURE DATE TIME

DATA SHEET 5

Keff CALCULATION USING CRITICAL BORON
PROJECTED CONDITIONS Tavg ≥ 557°F

DATE _____ TIME _____ MODE _____


CURRENT/PROJECTED CONDITIONS			REACTIVITY BALANCE		
1A	RCS TEMPERATURE _____ DEG F				
2A	RCS BORON CONCENTRATION _____ PPM		1B	RCS BORON WORTH (PTDB TAB 1.3.1)	- _____ PCM
3A	CRITICAL BORON CONCENTRATION (PTDB TAB 1.3.2) _____ PPM		2B	CRITICAL BORON WORTH (PTDB TAB 1.3.1)	+ _____ PCM
4A	XENON POWER (Rx POWER AT TRIP IF EQUILIBRIUM) _____ %		3B	XENON WORTH (PTDB TAB 1.4.1)	- _____ PCM
			4B	TOTAL ROD WORTH (PTDB TAB 1.5.2)	+ _____ PCM
5A	ROD POSITION _____ STEPS _____ BANK		5B	ACTUAL ROD WORTH (PTDB TAB 1.5.1)	- _____ PCM
6A	WORTH OF MOST REACTIVE ROD (PTDB TAB 1.5.2) _____ PCM		6B	STUCK ROD WORTH ASSUMED IN 2B (value in 6A)	- _____ PCM
VERIFY 1C IS A NEGATIVE NUMBER _____ INITIAL _____			1C	SUM 1B thru 6B	() _____ PCM
			2C	DIVIDE 1C by 100000	- _____

$$K_{eff} = \frac{1}{1 - (\text{value in 2C})} = \frac{1}{1 + (\text{value in 2C})} = \text{_____}$$

COMPLETED BY _____
SIGNATURE / DATE / TIME

NOTE: If rods are in non-sequential position for test purposes, modify the above data as follows

1. Describe rod configuration in 5A.
2. Enter worth of withdrawn rods in 4B.
3. Enter zero in 5B.

APPROVAL <i>WBR</i> Date <u>5-16-88</u>	Vogtle Electric Generating Plant NUCLEAR OPERATIONS Unit <u>COMMON</u>	 Georgia Power	Procedure No. 11870-C Revision No. 7 Page No. 1 of 1
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OPERATIONS SUPERVISOR RELIEF CHECKLIST

MANUAL SET NO. 12

Date 1-20-89 Unit 1 Mode 5 Power Rx 100 (I-A-78)
 Tavg 169 °R (591°F) RCS Press 250 psig (2224psig) (Mode 1)

OFF-GOING OSOS W. DUNN SHIFT DAY
 ON-COMING OSOS J. HOPKINS SHIFT EVENING

☒ Unit 2 Status

VACUUM REESTABLISHED
LINEUPS IN PROGRESS
SUPV. TO BE PERFORMED

☒ Special Watches Required (Location And Type)

AUX BOLLER

☒ Special Conditions Surveillance Log

Off Normal Conditions/Minor Equipment Outage Status

LT-548 & LT-524 (46 C/L) OOS, PV-300 Failure w/ Full Limit
A-22F CHILLER OUTAGE IN PROGRESS

☒ Tech Spec Surveillance In Progress Status

☒ Tech Spec Surveillance Testing Overdue Report

☒ LCO Status Log

☒ Shift Manning

☒ Switching Orders/ Tagging In Progress

☒ Lifted Wires And Jumpers In Progress

☒ Temporary Mode In Progress

☒ Night Order Book

☒ Shift Briefing Book

☒ Standing Orders

☒ Daily Work Schedule

☒ Waste Management Status

☒ Unit Control Log

☒ Caution Tag Log

☒ Record Of Pulled Annunciator Cards

☒ Buzzer Turned Over

☒ Received OSOS Key Ring and 3 VA Masters

REMARKS: ADJ. TO START KT PHASE FOR RCS DETASTING
H. RUCK AT SHUTTER AND SET ON BOTH SENSORS RANGES.
CONTINUE OPERATION TO SATISFY SDM.
NEW INSTALLATION FOR NEW STANDING ORDER IN PROGRESS.

ON-COMING OSOS W. DUNN 11-20-88 11324
 Initials Date Time

OFF-GOING OSOS W. DUNN 11-20-88 11325
 Initials Date Time

REVIEWED BY J. HOPKINS 11-23-88
 Operations Dept Date

FOR INFORMATION 0

Approval <i>[Signature]</i>	Vogtle Electric Generating Plant NUCLEAR OPERATIONS	Procedure No. 14005-1
Date 3-26-89	Unit <u>1</u>	Revision No. 5
	Georgia Power	Page No. 1 of 8

FOR INFORMATION ONLY

SHUTDOWN MARGIN CALCULATIONS

VOID

1.0 PURPOSE

1.1 The purpose of this procedure is to provide methods for determining SHUTDOWN MARGIN to verify it is greater than the limits of Technical Specifications 4.1.1.1.1 or 4.1.1.2 as applicable.

1.2 Verification of SHUTDOWN MARGIN is required:

- When in Modes 1, 2, 3, 4 or 5 within one hour after detection of an inoperable Control Rod and each 12 hours thereafter while the Control Rod is inoperable.
- Prior to initial operation above 5% Rated Thermal Power after each fuel loading.
- When in Modes 3, 4, or 5 at least once per 24 hours.

1.3 This procedure also provides instructions for determining the Keff of the reactor in its present state or predicting its value at future plant conditions.

2.0 APPLICABILITY

This procedure is applicable in Operational Modes 1, 2, 3, 4, 5 and 6.

3.0 PRECAUTIONS AND LIMITATIONS

3.1 Xenon worth provided by reference curves assumes equilibrium conditions prior to shutdown. In order to account for non-equilibrium conditions, the parameter Xenon power is used on the data sheets. If the Xenon power for an equilibrium condition is desired, the Reactor power should be used; otherwise, Data Sheet 4 must be used. For the purposes of this procedure, equilibrium may be considered as operation within $\pm 5\%$ of a power level for 36 hours.

3.2 If boration or dilution is or has been occurring, ensure representative Reactor Coolant System (RCS) boron samples are used for analysis.

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3.3 If credit is taken for the presence of Xenon, ensure that its decay prior to the next scheduled calculation is accounted for.

3.4 The Power Block Penalty (term 4B on Data Sheet 2) is a Westinghouse recommendation. It is to account for inaccuracies in the computer code used to produce non-equilibrium Xenon. If the plant was shut down from equilibrium conditions or if no credit is taken for Xenon worth, (term 3B on Data Sheet 2) then enter 0 pcm for the Power Block Penalty; otherwise, enter 600 pcm.

3.5 Data Sheet 2 requires the use of the Critical Boron Table which assumes ARI (minus the most reactive rod). Data Sheet 2, therefore, can NOT be used to calculate Keff in Mode 3 with the shutdown banks withdrawn. For Keff calculations performed for a condition other than ARI, Data Sheet 3 must be used.

3.6 Data Sheet 3 requires the use of the Rod Worth Tables which assume Tavg greater than or equal to 557°F. Data Sheet 3, therefore, can NOT be used to calculate Keff below HZP.

3.7 When looking up rod worths, if Xenon power is less than 30%, use the HZP, NoXe worths; otherwise, use the HFP, EqXe worths.

4.0 PREREQUISITES AND INITIAL CONDITIONS

NONE

5.0 INSTRUCTIONS

5.1 To calculate the Shutdown Margin for Mode 1 or 2, USE Data sheet 1.

5.2 To calculate the Shutdown Margin for Mode 3, 4, or 5, USE Data Sheet 2.

5.3 To calculate the ARI Keff for Mode 3, 4, 5, or 6, USE Data Sheet 2.

5.4 To calculate Keff with control banks only inserted at 557°F, USE Data Sheet 3.

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6.0 ACCEPTANCE CRITERIA

- 6.1 Modes 1 and 2 - CALCULATED SHUTDOWN MARGIN shall be greater than or equal to 1.31 delta K/K.
- 6.2 Modes 3, 4 and 5 - CALCULATED SHUTDOWN MARGIN shall be greater than or equal to REQUIRED Shutdown Margin specified by Technical Specification 3.1.1.2 Figures 3.1-1 or 3.1-2.
- 6.3 Mode 6 - CALCULATED Keff shall be less than or equal to 0.95.

7.0 EVALUATION AND REVIEW

- 7.1 Results obtained through performance of this procedure meet ACCEPTANCE CRITERIA of Section 6.0.

[] YES [] NO

- 7.1.1 If NO was checked, immediately INITIATE and CONTINUE boration at greater than or equal to 30 gpm of a solution containing greater than or equal to 7000 ppm boron or equivalent until the required Shutdown Margin is restored and NOTIFY the Unit Shift Supervisor (USS).

- 7.1.2 Comments (include any abnormal conditions and corrective actions taken):

USS notified of Test Completion and Results

Initial / Date / Time

Test Completed By:

Signature / Date / Time

Supervisory Review:

Signature / Date / Time

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- 8.0 REFERENCES
- 8.1 Technical Specification 3.1.1.1, 3.1.1.2 and 3.9.1
- 8.2 Plant Technical Data Book
- 8.3 Westinghouse Letter - Xenon Worth Predictions
88GP-G-0071, Dated Oct. 12, 1988

END OF PROCEDURE TEXT

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14005-1

REVISION

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Sheet 1 of 1

DATA SHEET 1

SHUTDOWN MARGIN

Modes 1 and 2

CURRENT CONDITIONS		REACTIVITY BALANCE	
1A	REACTOR POWER _____ %	1B	POWER DEFECT + _____ PCM (PTDB-1 TAB 1.1)
2A	XENON POWER _____ %	2B	CURRENT ROD WORTH + _____ PCM (SEE STEP 3.7) (PTDB-1 TAB 1.5.1)
3A	RCS BORON _____ PPM	3B	WORTH OF MOST REACTIVE ROD + _____ PCM (PTDB-1 TAB 1.5.2)
4A	CYCLE BURNUP _____ MWD/MTU	4B	ACTUAL STUCK ROD WORTH + _____ PCM (6A TIMES 3B)
5A	ROD POSITION _____ ON _____ BANK STEPS	5B	A.I. ROD WORTH - _____ PCM (SEE STEP 3.7) (PTDB-1 TAB 1.5.2)
6A	ACTUAL NUMBER OF STUCK RODS _____	1C	SUM 1B THRU 5B () _____ PCM

CALCULATED SHUTDOWN MARGIN = $\frac{1C}{-1000}$ = () %

REQUIRED SHUTDOWN MARGIN:
(Tech Spec 3.1.1.1)

1.3 %

COMPLETED BY:

SIGNATURE

DATE

TIME

PROCEDURE NO.

VZGP

14003-1

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Sheet 1 of 1

DATA SHEET 2

SHUTDOWN MARGIN - Modes 3, 4 and 5
And ARI Keff - Modes 3, 4, 5 and 6

Mode _____

Number of Pumps Running _____

CURRENT/PROJECTED CONDITIONS (circle one)		REACTIVITY BALANCE	
1A	RCS TEMP _____ °F	1B	ARI BORON WORTH - _____ PCM (PTDB-1 TAB 1.3.1)
2A	RCS BORON _____ PPM	2B	CRITICAL BORON WORTH + _____ PCM (PTDB-1 TAB 1.3.1)
3A	CYCLE BURNUP _____ MWD/MTU	3B	XENON WORTH 6A HRS AFTER SHUTDOWN FROM 5A - _____ PCM (SEE STEP 3.3) (PTDB-1 TAB 1.4.1)
4A	CRITICAL BORON (SEE STEP 3.5) (PTDB-1 TAB 1.3.2) _____ PPM	4B	POWER BLOCK PENALTY + _____ PCM (SEE STEP 3.4)
5A	XENON POWER AT SHUTDOWN _____ %	5B	ACTUAL STUCK ROD WORTH + _____ PCM (7A TIMES 8A)
6A	LENGTH OF SHUTDOWN _____ HRS	1C	SUM 1B THRU 5B () _____ PCM
7A	WORTH OF MOST REACTIVE ROD (PTDB-1 TAB 1.5.2) _____ PCM		
8A	ACTUAL NUMBER OF STUCK RODS _____		

$$\text{CALCULATED SHUTDOWN MARGIN} = \frac{1C}{-1000} = () \%$$

REQUIRED SHUTDOWN MARGIN: $\geq +$ _____ % (N/A for Mode 6)

(Tech Spec 3.1.1.2, Fig 3.1-1 or 3.1-2)

2C DIVIDE 1C BY 100,000 () _____ PCM

$$\text{CALCULATED Keff} = \frac{1C}{1-2C} = () \%$$

REQUIRED Keff: _____ (≤ 0.99 FOR MODE 3, 4, OR 5; ≤ 0.95 FOR MODE 6)

COMPLETED BY: _____

SIGNATURE

DATE

TIME

PROCEDURE NO.	REVISION	PAGE NO.
VEGP 14005-1	5	7 of 8

Sheet 1 of 1

DATA SHEET 3

K_{eff} - CONTROL BANKS ONLY INSERTED

Date _____ And Time _____ Of Shutdown

CONDITIONS PRIOR TO SHUTDOWN		REACTIVITY BALANCE	
1A	REACTOR POWER _____ °F	1B	POWER DEFECT + _____ PCM (PTDB-1 TAB 1.1)
2A	XENON POWER _____ %	2B	ARO BORON WORTH + _____ PCM (PTDB-1 TAB 1.3.1)
3A	RCS BORON _____ PPM	3B	XENON WORTH 0 HRS AFTER TRIP FROM 2A + _____ PCM (PTDB-1 TAB 1.4.1)
4A	CYCLE BURNUP _____ MWD/MTU	4B	ROD WORTH + _____ PCM (SEE STEP 3.7) (PTDB-1 TAB 1.5.1)
5A	ROD POSITION _____ ON _____ BANK STEPS		
CURRENT/PROJECTED CONDITIONS (Circle one)		1C	SUM 1B THRU 4B () _____ PCM
6A	RCS TEMPERATURE _____ 557 °F (SEE STEP 3.6)	2C	ARI BORON WORTH - _____ PCM (PTDB-1 TAB 1.3.1)
7A	RCS BORON _____ PPM	3C	XENON WORTH 8A HRS AFTER SHUTDOWN FROM 2A - _____ PCM (SEE STEP 3.3) (PTDB-1 TAB 1.4.1)
8A	LENGTH OF SHUTDOWN _____ HRS	4C	ROD WORTH - _____ PCM MZP NoXe (PTDB-1 TAB 1.5.1)
9A	ROD POSITION _____ 0 ON _____ A STEPS BANK	1D	SUM 1C THRU 4C () _____ PCM
		2D	DIVIDE 1C BY 100,000 () _____ PCM

CALCULATED K_{eff} = $\frac{1}{1-2D}$ = _____

REQUIRED K_{eff} : ≤ 0.99

COMPLETED BY: _____
SIGNATURE / DATE / TIME

PROCEDURE NO. VECP	14005-1	REVISION 5	PAGE NO. 8 of 8
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Sheet 1 of 1

DATA SHEET 4

XENON POWER WORKSHEET

HOURS PRIOR TO SHUTDOWN	AVERAGE POWER 1	MULTIPLIER	PRODUCT
0 TO 1		X6	
1 TO 2		X5	
2 TO 3		X5	
3 TO 4		X5	
4 TO 5		X4	
5 TO 6		X4	
6 TO 7		X4	
7 TO 8		X4	
8 TO 9		X4	
9 TO 10		X3	
10 TO 11		X3	
11 TO 12		X3	
12 TO 13		X3	
13 TO 14		X3	
14 TO 15		X3	
15 TO 16		X3	
16 TO 17		X2	
17 TO 18		X2	
18 TO 19		X2	
19 TO 20		X2	
20 TO 21		X2	
21 TO 22		X2	
22 TO 23		X2	
23 TO 24		X2	
24 TO 25		X2	
25 TO 26		X1	
26 TO 27		X1	
27 TO 28		X1	
28 TO 29		X1	
29 TO 30		X1	
30 TO 31		X1	
31 TO 32		X1	
32 TO 33		X1	
33 TO 34		X1	
34 TO 35		X1	
35 TO 36		X1	

TOTAL

XENON POWER = TOTAL / 91 =

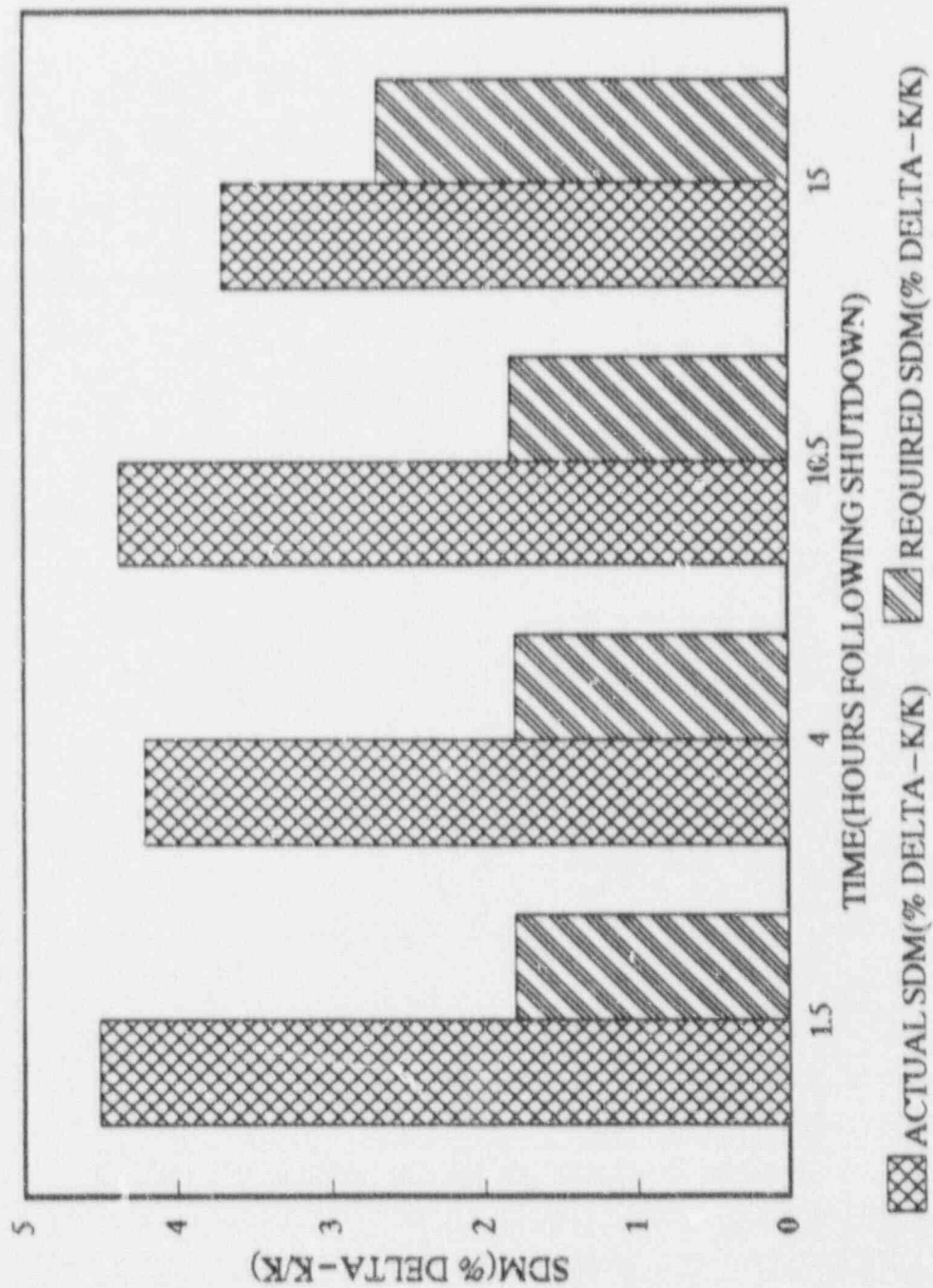
Completed By:

Signature / Time / Date

Reviewed By:

Signature / Time / Date

SHUTDOWN MARGIN FOLLOWING SHUTDOWN ON 1/19/89



RESPONSE TO HOBBY/MOSBAUGH § 2.206 PETITION, SECTION III. 6(d)

I. Petitioners' Allegation.

The petitioners' allege that, on March 22, 1990, GPC employees were told to "take" License Event Reports ("LERs") to keep the plant running. There is no indication of who, where or how the alleged communication arose.

II. GPC Response to Petitioners' Allegation.

GPC observes that the date of the alleged incident was two days after a Site Area Emergency on March 20, 1990 at the Vogtle Electric Generating Plant. The NRC Resident Inspectors' presence on the Vogtle site was enhanced by dispatch of an Augmented Inspection Team (See NUREG 1410, Appendix A, page A-1). The suggestion that during this time employees with authority would order entrance into a Limited Condition of Operation and fail to meet the associated Action Statement or otherwise place the plant in a condition requiring an LER under 10 CFR § 50.73 is incredible. GPC suspects that the petitioners purposefully chose to vaguely phrase this item; in other instances more detailed information is provided, such as the identity of the actors. GPC also notes that no allegation is made that the alleged incident resulted in a situation or condition which required an LER, but, rather, the allegation is that the situation or condition was "knowingly concealed."

As the Director observed in his October 23, 1990 letter, the allegation is "cause for concern." Consequently, consistent with the Company's practice of pursuing potential or alleged concerns, various licensed personnel on shift for either Vogtle unit on March 22, 1990 were interviewed and shift documents reviewed independently by a licensed operator. No off-normal evolutions were observed or identified and no LERs for the shifts were noted. Operators categorically denied that they, as licensed personnel with independent obligations for public health and safety, would "take" an LER. The Operational Safety Inspection Team¹ observed the professionalism of the Vogtle operators (Inspection Report 50-424/90-19, dated January 2, 1991, at pages 22-23), as have Resident Inspectors (Inspection Report 50-424/91-02, dated March 13, 1991, at page 2).

¹The team is thought to have identified a statement made which used phraseology similar to "taking LERs", but was materially different than an instruction attributable to Operations Department personnel. The statement could not be perceived as an instruction because a subordinate made the statement to his supervisor.

III. Conclusion.

The Company concludes that any statement which remotely resembles the one alleged would not have been an instruction, as implied by the petitioners.

RESPONSE TO HOBBY/MOSBAUGH PETITION, SECTIONS III.6(e)(i),
III.6(e)(ii), and III.6(e)(iii)

I. Petitioners' Allegation.

Petitioners allege that Georgia Power knowingly concealed three different technical violations of Technical Specifications: (1) the failure to perform surveillance tests on the containment isolation valves, (2) the change in plant mode while required equipment was not operable, and (3) the failure to enter a Technical Specification Limiting Condition of Operation and associated Action Statement when a Residual Heat Removal ("RHR") pump became inoperable.

II. GPC Response to Petitioners' Allegation.

The petitioners' allegation is without merit. Although the first two technical violations did occur, these events were reported to the NRC as required. The third alleged technical violation did not occur and, therefore, no report to the NRC was required.

The allegations that the first two events were concealed are simply wrong. The Company formally reported both of these technical violations to the NRC in a timely manner as required by regulatory requirements (Exhibit 1 and Exhibit 2).

Petitioners' allegation that the third event should have been reported formally to the NRC is based on the premise that the RHR pump "should have been declared inoperable." GPC disagrees with this premise. As explained to the Operational Safety Inspection team in August, 1990, GPC employees with technical expertise and knowledge concluded that the RHR pump was "operable" with its existing level of vibration. As defined in Vogtle Technical Specifications, a component is "operable" when it is capable of performing its specified functions and when all necessary attendant components are also capable of performing their related support functions. A follow-up Westinghouse analysis confirmed the correctness of the GPC employees' operability determination.

III. Conclusion.

Based on the foregoing, the Company concludes that the petitioners' allegation is without merit.

Georgia Power Company
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Atlanta, Georgia 30308
Telephone 404 526 3195

Mailing Address
40 Inland Center Parkway
Post Office Box 1295
Birmingham, Alabama 35201
Telephone 205 868 5551

March 27, 1990

the subject of this letter is

W. G. Hairston, III
Senior Vice President
Nuclear Operations

ELV-01459
0307

Docket No. 50-425

U. S. Nuclear Regulatory Commission
ATTN: Document Control Desk
Washington, D. C. 20555

Gentlemen:

VOGTLE ELECTRIC GENERATING PLANT
LICENSEE EVENT REPORT
MISLEADING TASK SHEET LEADS TO INADEQUATE
TECHNICAL SPECIFICATION SURVEILLANCES

In accordance with 10 CFR 50.73, Georgia Power Company hereby submits the enclosed report related to an event discovered on February 28, 1990.

Sincerely,


W. G. Hairston, III

WGH,III/NJS/gm

Enclosure: LER 50-425/1990-01 ✓

xc: Georgia Power Company
Mr. C. K. McCoy
Mr. G. Bockhold, Jr.
Mr. R. M. Odom
Mr. P. D. Rushton
NORMS

U. S. Nuclear Regulatory Commission
Mr. S. D. Ebnetter, Regional Administrator
Mr. T. A. Reed, Licensing Project Manager, NRR
Mr. R. F. Aiello, Senior Resident Inspector, Vogtle

LICENSEE EVENT REPORT (LER)

APPROVED OMB NO. 3150-0104
EXPIRES 8-31-98

CITY NAME (1) VOGTLE ELECTRIC GENERATING PLANT - UNIT 2										DOCKET NUMBER (2) 0 5 0 0 0 4 2 5				PAGE (3) 1 OF 04		
TITLE (4) MISLEADING TASK SHEET LEADS TO INADEQUATE TECHNICAL SPECIFICATION SURVEILLANCES																
EVENT DATE (5)			LER NUMBER (6)				REPORT DATE (7)			OTHER FACILITIES INVOLVED (8)						
MONTH	DAY	YEAR	YEAR	SEQUENTIAL NUMBER	REVISION NUMBER	MONTH	DAY	YEAR	FACILITY NAMES				DOCKET NUMBERS			
01	03	90	90	001	00	03	27	90					0 5 0 0 0			
OPERATING MODE (9) 1			THIS REPORT IS SUBMITTED PURSUANT TO THE REQUIREMENTS OF 10 CFR 5. (Check one or more of the following) (11)													
POWER LEVEL (10) 1.00			20.402(b)				20.406(a)				50.73(a)(2)(i)				73.71(b)	
			20.406(a)(1)(i)				50.36(a)(1)				50.73(a)(2)(iv)				73.71(a)	
			20.406(a)(1)(ii)				50.36(a)(2)				50.73(a)(2)(v)				OTHER (Specify in Abstract below and in Text NRC Form 308A)	
			20.406(a)(1)(iii)				50.73(a)(2)(ii)				50.73(a)(2)(iv)(A)					
			20.406(a)(1)(iv)				50.73(a)(2)(iii)				50.73(a)(2)(iv)(B)					
			20.406(a)(1)(v)				50.73(a)(2)(iii)				50.73(a)(2)(iv)					
LICENSEE CONTACT FOR THIS LER (12)																
NAME R. M. ODOM, NUCLEAR SAFETY AND COMPLIANCE										TELEPHONE NUMBER AREA CODE 4 0 4 8 2 6 - 3 2 0 1						
COMPLETE ONE LINE FOR EACH COMPONENT FAILURE DESCRIBED IN THIS REPORT (13)																
CAUSE	SYSTEM	COMPONENT	MANUFACTURER	REPORTABLE TO NRC		CAUSE	SYSTEM	COMPONENT	MANUFACTURER	REPORTABLE TO NRC						
SUPPLEMENTAL REPORT EXPECTED (14)										EXPECTED SUBMISSION DATE (15)		MONTH	DAY	YEAR		
YES () NO (X)																

ABSTRACT (Limit to 1400 spaces - i.e., approximately fifteen single space typewritten lines) (16)

On 1-3-90, a surveillance to verify containment integrity was completed and reviewed. The surveillance verified that valves 21204U4293 and 21204U4324 were closed and secured. Subsequently, on 2-1-90, the surveillance was repeated and valves 21204U4293 and 21204U4324 were again verified to be closed and secured.

On 2-28-90, the surveillance was again performed. During the review by the Shift Supervisor (SS), he noted that for the previous month's surveillance, only 2 of the 41 valves and flanges listed in the associated procedure were addressed. He initiated an investigation which determined that all 41 line items should have been verified on 1-3-90 and 2-1-90 as required by Technical Specification (TS) 4.6.1.1.a. This specification requires that containment penetrations which are not closed by automatic isolation valves be verified closed and secured at least once per 31 days. Therefore, the surveillances performed on 1-3-90 and 2-1-90 failed to meet the requirements of TS 4.6.1.1.a.

The principal reason for the missed surveillances was the format of the Surveillance Task Sheets (STS's) which resulted in cognitive personnel errors on behalf of the personnel involved since they were led to believe that only two valves were required to be surveilled. By 4-8-90, STS's will be revised to either list all components to be surveilled or none at all, unless special conditions exist which would make a partial listing appropriate.

LICENSEE EVENT REPORT (LER) TEXT CONTINUATION

U.S. NUCLEAR REGULATORY COMMISSION

APPROVED OMB NO. 3150-0104
EXPIRES 8/31/88

FACILITY NAME (1) VEGP - UNIT 2	DOCKET NUMBER (2) 0 5 0 0 0 4 2 5 9 0	LER NUMBER (8)			PAGE (3)		
		YEAR	SEQUENTIAL NUMBER	REVISION NUMBER			
		0 0 1	0 0 1	0 0 0	2	OF	0 4

TEXT (If more space is required, use additional NRC Form 363A's) (17)

A. REQUIREMENT FOR REPORT

This report is required per 10 CFR 50.73 (a)(2)(i) because the unit operated in violation of Technical Specification (TS) requirements for surveillance testing.

B. UNIT STATUS AT TIME OF EVENTS

At the time of the events on 1-3-90 and on 2-1-90, Unit 2 was operating in Mode 1 at 100% rated thermal power. There was no inoperable equipment which contributed to the occurrence of these events.

C. DESCRIPTION OF EVENTS

On 1-3-90, a surveillance to verify containment integrity was completed and reviewed. The surveillance verified that valves 21204U4293 and 21204U4324 were closed and secured. Subsequently, on 2-1-90, the surveillance was repeated and again verified that valves 21204U4293 and 21204U4324 were closed and secured. At this time, the Shift Supervisor (SS) noted on the Surveillance Task Sheet (STS) that the surveillance was "performed satisfactory" for the two valves listed.

On 2-28-90, the surveillance was again performed. During the review by the Shift Supervisor (SS), he noted that, for the previous month's surveillance, only 2 of the 41 valves and flanges listed in procedure 14475-2, "Containment Integrity Verification - Valves Outside Containment," were addressed. He initiated an investigation which determined that all 41 line items should have been verified on 1-3-90 and 2-1-90 as required by Technical Specification Section 4.6.1.1.a which states:

"Primary CONTAINMENT INTEGRITY shall be demonstrated at least once per 31 days by verifying that all penetrations not capable of being closed by OPERABLE containment automatic isolation valves and required to be closed during accident conditions are closed by valves, blind flanges, or deactivated automatic valves secured in their positions,..."

Therefore, the surveillance performed on 1-3-90 and 2-1-90 failed to meet the requirements of TS 4.6.1.1.a.

The review by the SS found that while the STS referenced procedure 14475-2 for use in task completion, it listed only the two aforementioned valves due to space constraints.

LICENSEE EVENT REPORT (LER) TEXT CONTINUATION

U.S. NUCLEAR REGULATORY COMMISSION

APPROVED OMB NO. 3150-0104

EXPIRES 8/31/88

FACILITY NAME (1) VEGP - UNIT 2	DOCKET NUMBER (2) 0 5 0 0 0 4 2 5 9 0 - 0 0 1 - 0 0 0 3 OF 0 4	LER NUMBER (5)			PAGE (3)		
		YEAR	SEQUENTIAL NUMBER	REVISION NUMBER			

TEXT (If more space is required, use additional NRC Form 306A's) (17)

D. CAUSES OF EVENT

The principal reason for the missed surveillances was the format of the STS which led the personnel involved to believe that only two valves were required to be surveilled. The root cause for this formatting error was an inadequate technical review of a revision to the STS.

A contributing cause was cognitive personnel error on the part of the SS's reviewing the surveillance results on 1-3-90 and 2-1-90. They failed to adequately review the scope of the surveillance to ensure compliance with Technical Specification requirements. The personnel involved believed that the STS's, which listed only two valves, limited the scope of the surveillance to those two valves. This error was not the result of any unusual characteristics of the work location.

E. ANALYSIS OF EVENT

The valves in question were verified to be locked closed when inspected on 2-28-90. A review of Maintenance Work Orders and the Locked Valve Log determined that none of the flanges in question were removed nor were the valves in question manipulated. Finally, during the period of time involved there was no event which challenged containment integrity. Based on these considerations, these events had no adverse impact on plant safety or the health and safety of the public.

F. CORRECTIVE ACTIONS

1. The valves in question were verified to be locked closed when inspected on 2-28-90.
2. By 4-8-90, STS's will either list all components to be surveilled or none at all, unless special conditions exist which would make a partial listing appropriate.
3. The personnel involved have been counseled regarding the importance of attention to detail in review of surveillance procedures.
4. Licensed operator requalification training will be amended by 6-30-90 to include this report.
5. Administrative controls for technical reviews of revisions to STS's will be strengthened by 5-1-90.

LICENSEE EVENT REPORT (LER) TEXT CONTINUATION

FACILITY NAME (1): VEGP - UNIT 2	DOCKET NUMBER (2): 0 5 0 0 0 4 2 5	LER NUMBER (5):			PAGE (3):		
		YEAR	SEQUENTIAL NUMBER	REVISION NUMBER			
		9 0	0 0 1	0 0	0 4	OF	0 4

TEXT: If more space is required, use additional NRC Form 388A's. (17)

6. In the interim, until all corrective actions have been completed, direction has been given via a night order to the Unit SS's to review the scope of STS's to ensure compliance with Technical Specification requirements.

G. ADDITIONAL INFORMATION

1. Failed Components:

None.

2. Previous Similar Events:

LER 50-425/1989-026, dated 10-2-89.

LER 50-424/1988-012, dated 5-12-88.

The corrective actions for these LERs' addressed partially completed surveillances but the cause of the events was different than that of the events on 1-3-90 and 2-1-90.

3. Energy Industry Identification System Code:

Containment Isolation System - JM

Georgia Power Company
333 Piedmont Avenue
Atlanta, Georgia 30308
Telephone 404 526-3195

Mailing Address:
40 Inverness Center Parkway
Post Office Box 1298
Birmingham, Alabama 35201
Telephone 205 568-5581

March 23, 1990

THE SECRETARY

W. G. Hairston, III
Senior Vice President
Nuclear Operations

ELV-01458
0304

Docket No. 50-424

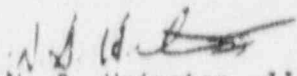
U. S. Nuclear Regulatory Commission
ATTN: Document Control Desk
Washington, D. C. 20555

Gentlemen:

VOGTLE ELECTRIC GENERATING PLANT
LICENSEE EVENT REPORT
FAILURE TO COMPLY WITH TECHNICAL SPECIFICATION 3.0.4
OCCURS ON ENTRY INTO MODE 6

In accordance with 10 CFR 50.73, Georgia Power Company hereby submits the enclosed report related to an event which occurred on March 1, 1990.

Sincerely,


W. G. Hairston, III

WGH,III/NJS/gm

Enclosure: LER 50-424/1990-04

xc: Georgia Power Company
Mr. C. K. McCoy
Mr. G. Bockhold, Jr.
Mr. R. M. Odom
Mr. P. D. Rushton
NORMS

U. S. Nuclear Regulatory Commission
Mr. S. D. Ebnetter, Regional Administrator
Mr. T. A. Reed, Licensing Project Manager, NRR
Mr. R. F. Aiello, Senior Resident Inspector, Vogtle

LICENSEE EVENT REPORT (LER)

FACILITY NAME (1): VOGTLE ELECTRIC GENERATING PLANT - UNIT 1										DOCKET NUMBER (2): 0150101041214				PAGE (3): 1 OF 3		
TITLE (4): FAILURE TO COMPLY WITH TECHNICAL SPECIFICATION 3.0.4 OCCURS ON ENTRY INTO MODE 6																
EVENT DATE (5):			LER NUMBER (6):				REPORT DATE (7):			OTHER FACILITIES INVOLVED (8):						
MONTH	DAY	YEAR	YEAR	SEQUENTIAL NUMBER	REVISION NUMBER	MONTH	DAY	YEAR	FACILITY NAME(S)				DOCKET NUMBER(S):			
03	01	1990	90	004	00	03	23	1990					01501010			
OPERATING MODE (9): 6			THIS REPORT IS SUBMITTED PURSUANT TO THE REQUIREMENTS OF 10 CFR 50.61 (Check one or more of the following) (11):													
POWER LEVEL (10): 10			20.402(a)				20.406(a)				50.73(a)(2)(iv)				73.71(b)	
			20.406(a)(1)(i)				50.36(a)(1)				50.73(a)(2)(iv)				73.71(c)	
			20.406(a)(1)(ii)				50.36(a)(2)				50.73(a)(2)(iv)				OTHER (Specify in Abstract below and in Text NRC Form 200A)	
			20.406(a)(1)(iii)				50.75(a)(2)(i)				50.73(a)(2)(iv)(A)					
			20.406(a)(1)(iv)				50.73(a)(2)(ii)				50.73(a)(2)(iv)(B)					
			20.406(a)(1)(v)				50.73(a)(2)(iii)				50.73(a)(2)(i)					
LICENSEE CONTACT FOR THIS LER (12):																
NAME: R.M. ODOM, NUCLEAR SAFETY AND COMPLIANCE										TELEPHONE NUMBER: 4044826-13201						
COMPLETE ONE LINE FOR EACH COMPONENT FAILURE DESCRIBED IN THIS REPORT (13):																
CAUSE	SYSTEM	COMPONENT	MANUFACTURER	REPORTABLE TO NRC	CAUSE				SYSTEM	COMPONENT	MANUFACTURER	REPORTABLE TO NRC				
SUPPLEMENTAL REPORT EXPECTED (14):												EXPECTED SUBMISSION DATE (15):		MONTH	DAY	YEAR
YES () NO (X)																

ABSTRACT (Limit to 1400 spaces - approximately fifteen single space typewritten lines) (16)

On 3-1-90, at 0133 CST, a failure to comply with Technical Specification (TS) 3.0.4 occurred when Unit 1 entered Mode 6 (Refueling) from Mode 5 (Cold Shutdown). Prior to entering Mode 6, a Limiting Condition for Operation (LCO) had been initiated for Source Range Channel 1N31 to allow performance of an 18 month channel calibration. Although this LCO remained in effect, the Shift Superintendent signed off on the applicable procedure to indicate he had reviewed the LCO Book for impact on entering Mode 6 and that approval was granted to change status from Mode 5 to Mode 6. After entry into Mode 6, the Shift Superintendent recognized that TS 3.9.2 requires two Source Range Monitors to be operable in Mode 6 and that a failure to comply with TS 3.0.4 had occurred. No immediate action was required since the action requirements of TS 3.9.2 were satisfied.

The root cause for this event is considered to be cognitive personnel error by the Shift Superintendent. The Shift Superintendent has been counseled and a copy of this LER will be placed in the Operations Required Reading Book.

LICENSEE EVENT REPORT (LER) TEXT CONTINUATION

FACILITY NAME (1) VEGP - UNIT 1	DOCKET NUMBER (2) 05000424	LER NUMBER (6)			PAGE (3)		
		YEAR	SEQUENTIAL NUMBER	REVISION NUMBER			
		90	004	000	2	OF	3

TEXT (If more space is required, use additional NRC Form 388A (1/7))

A. REQUIREMENT FOR REPORT

This report is required per 10 CFR 50.73(a)(2)(i) because of a failure to comply with Technical Specification (TS) 3.0.4.

B. UNIT STATUS AT TIME OF EVENT

Unit 1 had begun its second refueling outage. This event occurred when Unit 1 entered Mode 6 (Refueling) from Mode 5 (Cold Shutdown). Reactor coolant temperature and pressure were approximately 110 degrees Fahrenheit and 0 psig respectively. Additionally, the Reactor Coolant System was drained to midloop and nozzle dams had been installed.

C. DESCRIPTION OF EVENT

On 2-28-90, a Limiting Condition for Operation (LCO) was entered to allow performance of an 18 month surveillance in accordance with procedure 24695-1, "Nuclear Instrumentation System (NIS) Source Range Channel 1N31 Channel Calibration". Entry of the LCO for Source Range Channel 1N31 was appropriately recorded in the LCO Book and in the Unit 1 Shift Supervisor Log.

On 3-1-90, procedure 12007-C, "Refueling Entry (Mode 5 to Mode 6)," was being performed in preparation for entry into Mode 6. Items (4) and (5) of step 4.3.1.c were completed by the Shift Superintendent and initialed off. Step 4.3.1.c reads: "REVIEW the following for impact on entering Mode 6: (1) Jumper and Lifted Wire Log, (2) Temporary Modification Log, (3) Equipment Clearance Log, (4) LCO Book, (5) Outstanding Work Orders." At 0014 CST, the Shift Superintendent signed off on procedure 12007-C to indicate approval to change status from Mode 5 to Mode 6. At 0133 CST, Mode 6 was entered when Reactor Vessel Head stud detensioning commenced.

Several hours later, the Shift Superintendent was briefing the Operations Manager on plant status and it was recognized that a failure to comply with TS 3.0.4 had occurred on the entry into Mode 6. At the time of the mode change, the LCO for Source Range Channel 1N31 was still in effect and the channel was still in "test" for performance of surveillance procedure 24695-1. Technical Specification 3.9.2 requires two Source Range Neutron Flux Monitors to be operable in Mode 6. Therefore, the requirements of TS 3.0.4, which state in part "Entry into an OPERATIONAL MODE or other specified condition shall not be made unless the conditions for the Limiting Condition for Operation are met without reliance on provisions contained in the ACTION requirements," had not been fully met. The action requirements of TS 3.9.2 state that with one Source Range Neutron Flux Monitor inoperable or not operating, to immediately suspend all operations involving core alterations or positive reactivity changes. These action requirements were met and no immediate corrective action was required.

LICENSEE EVENT REPORT (LER) TEXT CONTINUATION

U.S. NUCLEAR REGULATORY COMMISSION

APPROVED OMB NO. 3150-0104

EXPIRES 8/31/96

FACILITY NAME (1) VEGP - UNIT 1	DOCKET NUMBER (2) 0500042490	LER NUMBER (6)			PAGE (3)		
		YEAR	SEQUENTIAL NUMBER	REVISION NUMBER			
		90	004	00	03	OF	03

TEXT (If more space is required, use additional NRC Form 365A's) (17)

D. CAUSE OF EVENT

The root cause for this event is considered to be cognitive personnel error on the part of the Shift Superintendent. In reviewing the LCO Book and signing off on procedure 12007-C, the Shift Superintendent should have recognized the LCO for Source Range Channel 1N31 as being a mode change restraint. There were no unusual characteristics of the work location that contributed to the occurrence of this event.

E. ANALYSIS OF EVENT

The action requirements of TS 3.9.2 state that with one Source Range Neutron Flux Monitor inoperable or not operating, to immediately suspend all operations involving core alterations or positive reactivity changes. These action requirements were complied with. By 1120 CST on 3-1-90, surveillance procedure 24695-1 had been completed and the LCO for Source Range Channel 1N31 was exited at that time. Since the action requirements of TS 3.9.2 were complied with, there was no adverse effect on plant safety or on the health and safety of the public.

F. CORRECTIVE ACTIONS

1. The involved Shift Superintendent has been counseled regarding his failure to recognize the LCO for Source Range Channel 1N31 as a mode change restraint.
2. A copy of this LER will be placed in the Operations Required Reading Book to reemphasize the need to be aware of mode change restraints.

G. ADDITIONAL INFORMATION

1. Failed Component Identification

None.

2. Previous Similar Events

A failure to fully comply with TS 3.0.4 previously occurred for Unit 1 on 10-28-87 (reference LER 424/87-061), when the Unit changed status from Mode 4 (Hot Shutdown) to Mode 3 (Hot Standby) with certain required equipment having not been verified as operable prior to completing the mode change. However, the root causes for these two events differ slightly in that the earlier event resulted from a failure to implement "Information Only LCO's".

3. Energy Industry Identification System Codes

Incore/Excore Monitoring System - IG

RESPONSE TO HOBBY/MOSBAUGH § 2.206 PETITION, SECTION III.7

I. Petitioners' Allegations.

Petitioners allege in broad and general terms that GPC knowingly concealed safeguards problems and failed to comply with mandatory reporting requirements. The petitioners further allege that during an Enforcement Conference with the NRC, the Vice President of Vogtle "made false statements" and that GPC management "prevented" the Vogtle site Security Manager from making a "red phone" notification to the NRC on July 23, 1990.

II. GPC's Response to Petitioners' Allegations.

The Company has identified several instances involving the failure to appropriately control safeguards information which apparently give rise to alleged concealment of safeguards problems. These events have been reported to the NRC. The allegation that the Vice President made a "false statement" at an Enforcement Conference on May 22, 1990 in Atlanta apparently is based on an incorrect assumption. Consequently, these allegations are without merit.

A. Alleged Concealment of Safeguards Problems; Willful Refusal to Report.

The Company's letter to Chairman Carr from Mr. R. P. McDonald dated September 28, 1990 at page E-1-4, provides a partial response to this allegation. The Petition does not provide sufficient specificity to identify the "problems" allegedly not reported. At the time of its September 28, 1990 response, GPC identified several "problems" which had been reported: (1) safeguards information identified in archived records in the Corporate Office, identified in both GPC's response to Notice of Violation 90-11, p. 3 and LER 90-03S-01, pp. 3 and 4, (2) a November 29, 1989 compromise of safeguards information control, identified, similarly, in the response to the NOV 90-11 and LER 90-03S-01, pp. 4, 5 and 6, and (3) a single document found in 12 boxes of archived security records, an incident which would be added to the security quarterly event log (LER 90-03S-01, pp. 6 and 7).¹ Security Report 4243-90, maintained at the Vogtle site, addresses this third event.

With respect to the first event, GPC Corporate Office representatives did maintain that the documents were not of sufficient safeguards significance to require "red phone"

¹LER 90-03S-01 is attached hereto as Exhibit 1.

notification under 10 C.F.R. § 73.71.² In order to resolve the issue, the Corporate Office express mailed the documents to the site Security Manager, which he received on July 20, 1990.³ As reflected in Security Report 4159-90, Enclosure 4, which is maintained at the plant, the Security Manager evaluated the documents on July 23, 1990 with his staff. During that review, the Security Manager concluded that one of the documents was sufficiently significant to warrant a "red phone" notification to NRC. See, generally, Security Report 4159-90.

During the morning of July 23rd, the Security Manager telephoned the licensing engineer in Birmingham who had identified the potential safeguards information beginning in mid-June, 1990 and informed her of his opinion that red phone notification to the NRC should have been made upon her discovery of the documents. The licensing engineer questioned this conclusion and advised the Security Manager to discuss the matter with his management.⁴ The licensing engineer also informed the Security Manager that she was looking into another incident, which occurred in November, 1989 when a safeguards container was left open and unattended at the offices of Southern Company Services, Inc. ("SCSI").⁵

²The NRC Staff has recognized that many events do not need to be reported promptly and has issued further guidance to licensees (Generic Letter 91-03, dated March 6, 1991). Examples of events which do not need to be reported by "red phone" include:

Compromise (including loss or theft) of safeguards information that could not significantly assist an individual in gaining unauthorized or undetected access to a facility, or would not significantly assist an individual in an act of radiological sabotage or theft of SNM.

³Two of the documents were inadvertently omitted and the "NORMS" document control numbers were provided to the Security Manager in lieu of mailing the documents.

⁴In a June 28, 1990 "bi-monthly" meeting between GPC and NRC representatives, the GPC Vogtle Manager of Licensing informed NRC representatives (Messrs. Brian Bonser and Tim Reed) that old documents which appeared to be safeguards information had been identified.

⁵The incident was identified by a GPC Safety and Engineering Analysis ("SAER") representative conducting a safeguards information control audit and resulted from verbal statements made by SCSI employees. See Exhibit 1, pp. 4-6.

In a subsequent conversation on July 23, 1990, corporate and site representatives concluded that a red phone notification should be made for the November, 1989 event,⁶ and decided to include the discovery of potential safeguards information in archived files in mid-June with the red phone notification for the event. GPC Corporate Office representatives wrote up the event notification worksheet (VEGP Procedure 91002-C, p. 11 of 14) and transmitted it to the site for actual telephonic transmission to the NRC. The "red phone" report was made at 1613 hours on July 23rd.⁷ Security Report 4243-90, located at the site, also addresses the classification of the documents obtained by the licensing engineer.

As the foregoing demonstrates, GPC has reported several safeguards information incidents. Both events which were the subject matter of the July 23, 1990 "red phone" notification were historic incidents (November, 1989 and mid-June, 1990). A determination of safeguards significance of the June, 1990 event was subject to differing professional views. Notwithstanding these differing opinions, the events were reported; the events were not concealed, and the Security Manager was not prevented from reporting them.

B. Alleged False Statement at the May 22, 1990 Enforcement Conference.

At the NRC Enforcement Conference on May 22, 1990 at the NRC's Region II offices in Atlanta, Georgia, Mr. Ken McCoy, the Vice President responsible for Vogtle, stated that GPC had identified the various locations of security storage containers in Birmingham, Alabama with Vogtle-related safeguards information. He identified two specific locations: Document Control and Engineering. The Vogtle Manager of Licensing informed the Vice President that a further location, the Engineering Publications Department, also had a security storage container. Mr. McCoy, in turn, expressly told the NRC representatives at the Enforcement Conference that his manager had corrected him and that an additional container was located in the Engineering Publications area. There was no discussion of the Corporate Security Group also having a security storage container.

As stated previously, the allegations of the Petition lack sufficient specificity for the Director to grant the requested

⁶The follow-up LER is contained in Revision 1 to LER 90-03S (Exhibit 1).

⁷The follow-up LER is contained in Revision 1 to LER 90-03S (Exhibit 1).

relief. With respect to this particular allegation, GPC can only surmise that the identification, on or about August 29, 1990 by Vogtle corporate representatives, of a security storage container used by the Corporate Security Group, including storage of Vogtle-related safeguards information, is viewed by Mr. Mosbaugh as demonstrating that the Vice President's prior statements at the Enforcement Conference were false. If such is the case, Mr. Mosbaugh is simply wrong. Corporate Document Control records indicate that no Vogtle-related safeguards information was issued to members of the Corporate Security Group until after the May 22, 1990 Enforcement Conference. Consequently, the knowledge of Mr. Mosbaugh obtained by listening to a conversation on August 29, 1990 does not establish falsity of a May 22, 1990 statement. As with many of the allegations contained in the Petition, the petitioners have extrapolated well beyond their personal knowledge.

The safeguards allegations raised by the petitioners are a good example of issues which are being appropriately addressed by the NRC's routine inspection and enforcement authority and do not rise to the level of substantial health or safety issues. Also, the requested relief is inappropriate for safeguards issues.

III. Conclusion.

Based on the foregoing, the Company concludes that the petitioners' allegations are without merit.

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August 22, 1990

the southern electric system

W. G. Hairston, III
Senior Vice President
Nuclear Operations

ELV-02022
0552

Docket No. 50-424
50-425

U. S. Nuclear Regulatory Commission
ATTN: Document Control Desk
Washington, D. C. 20555

Gentlemen:

VOGTLE ELECTRIC GENERATING PLANT
LICENSEE EVENT REPORT
APPARENT PERSONNEL ERROR LEADS TO
UNSECURED SAFEGUARDS INFORMATION

In accordance with 10 CFR 73.71, Georgia Power Company hereby submits the enclosed revised report for an event which occurred on April 25, 1990.

This revision is submitted to report the results of corrective action taken to avoid future safeguards information control incidences and to report two events which occurred prior to the original reported event, but were not discovered until the corrective action for the April 25, 1990, event was initiated.

Sincerely,


W. G. Hairston, III

WGH,III/AFS/gm

Enclosure: LER 50-424/1990-03S-1

xc: Georgia Power Company
Mr. C. K. McCoy
Mr. G. Bockhold, Jr.
Mr. R. M. Odom
Mr. P. D. Rushton
NORMS

U. S. Nuclear Regulatory Commission
Mr. S. D. Ebnetter, Regional Administrator
Mr. T. A. Reed, Licensing Project Manager, NRR
Mr. B. R. Bonser, Senior Resident Inspector, Vogtle

LICENSEE EVENT REPORT (LER)

ESTIMATED BURDEN PER RESPONSE TO COMPLY WITH THIS INFORMATION COLLECTION REQUEST: 500 HRS. FORWARD COMMENTS REGARDING BURDEN ESTIMATE TO THE RECORDS AND REPORTS MANAGEMENT BRANCH (P-530), U.S. NUCLEAR REGULATORY COMMISSION, WASHINGTON, DC 20555, AND TO THE PAPERWORK REDUCTION PROJECT (3150-0104), OFFICE OF MANAGEMENT AND BUDGET, WASHINGTON, DC 20503.

FACILITY NAME (1)
VOGTLE ELECTRIC GENERATING PLANT - UNIT 1DOCKET NUMBER (2)
0 5 0 0 0 4 2 4 1 OF 0 7TITLE (4)
APPARENT PERSONNEL ERROR LEADS TO UNSECURED SAFEGUARDS INFORMATION

EVENT DATE (6)			LER NUMBER (8)			REPORT DATE (7)			OTHER FACILITIES INVOLVED (9)		
MONTH	DAY	YEAR	YEAR	SEQUENTIAL NUMBER	REVISION NUMBER	MONTH	DAY	YEAR	FACILITY NAMES		DOCKET NUMBER (5)
04	25	90	90	03	01	08	22	90	VEGP - UNIT 2		0 5 0 0 0 4 2 5
											0 5 0 0 0

OPERATING MODE (10)		THIS REPORT IS SUBMITTED PURSUANT TO THE REQUIREMENTS OF 10 CFR 5. (Check one or more of the following) (11)												
POWER LEVEL (10)	8.3	20.402(b)				20.406(a)				50.73(a)(2)(iv)				<input checked="" type="checkbox"/> 73.71(b)
		20.403(a)(1)(ii)				50.35(a)(1)				50.73(a)(2)(iv)				<input type="checkbox"/> 73.71(a)
		20.406(a)(1)(ii)				50.36(a)(2)				50.73(a)(2)(iv)				<input checked="" type="checkbox"/> OTHER (Specify in Abstract below and in Text, NRC Form 366A)
		20.406(a)(1)(iii)				50.73(a)(2)(i)				50.73(a)(2)(viii)(A)				10 CFR 73 APPENDIX G
		20.406(a)(1)(iv)				50.73(a)(2)(ii)				50.73(a)(2)(viii)(B)				
		20.406(a)(1)(v)				50.73(a)(2)(iii)				50.73(a)(2)(i)				

LICENSEE CONTACT FOR THIS LER (12)
NAME: R. M. ODOM, NUCLEAR SAFETY AND COMPLIANCE
TELEPHONE NUMBER: 404 826-3201
AREA CODE: 404

COMPLETE ONE LINE FOR EACH COMPONENT FAILURE DESCRIBED IN THIS REPORT (13)										
CAUSE	SYSTEM	COMPONENT	MANUFACTURER	REPORTABLE TO NRC	CAUSE	SYSTEM	COMPONENT	MANUFACTURER	REPORTABLE TO NRC	

SUPPLEMENTAL REPORT EXPECTED (14)
YES (If yes, complete EXPECTED SUBMISSION DATE) ☐ NO ☒
EXPECTED SUBMISSION DATE (15)
MONTH: DAY: YEAR:

ABSTRACT (Limit to 1400 spaces, i.e., approximately fifteen single space typewritten lines) (16)

On 4-25-90, at 0530 CDT, an engineering supervisor observed an unsecured and unattended safeguards cabinet in the Engineering Support Department office area. This represented a vulnerability in a safeguards system which could have allowed undetected or unauthorized access to a protected or vital area. Security was notified at 0535 CDT and an inventory was conducted which found no materials missing.

An investigation found that a security engineer was the last person known to have entered the cabinet. Although the engineer feels that he locked the safe prior to his departure from the plant on the afternoon of 4-24-90, he cannot be certain. Furthermore, the only other persons at the plant who knew the lock combination stated they had not accessed the cabinet since the previous week. Therefore, the apparent cause of this event is cognitive personnel error on the part of the engineer in not ensuring the cabinet was secured prior to his leaving it unattended. The engineer has been counseled regarding the importance of controlling safeguards documents.

LICENSEE EVENT REPORT (LER)
TEXT CONTINUATION

ESTIMATED BURDEN PER RESPONSE TO COMPLY WITH THIS INFORMATION COLLECTION REQUEST 500 HRS. FORWARD COMMENTS TO: RECORDS MANAGEMENT BRANCH (F-330) U.S. NUCLEAR REGULATORY COMMISSION WASHINGTON, DC 20555 AND TO THE PAPERWORK REDUCTION PROJECT (3150-0104) OFFICE OF MANAGEMENT AND BUDGET WASHINGTON, DC 20503

FACILITY NAME (1)	DOC. NUMBER (2)	LER NUMBER (6)			PAGE (3)	
		YEAR	SEQUENTIAL NUMBER	REVISION NUMBER		
VEGP - UNIT 1	0 5 0 0 0 4 2 4 9 0	0	3 5	0 1	0 2	OF 0 7

TEXT (if more space is required, use additional NRC Form 308A's) (17)

A. REQUIREMENT FOR REPORT

This report is required per 10 CFR 73.71 (b)(1) and 10 CFR 73 Appendix G, as a supplement to a one hour telephone notification. Safeguards information being left unsecured and unattended represents a vulnerability in a safeguards system that could have allowed undetected or unauthorized access to a vital or protected area.

B. UNIT STATUS AT TIME OF EVENT

At the time of the discovery of this event, Unit 1 was in Mode 1 (power operation) at 83% rated thermal power (RTP). Unit 2 was in Mode 1 at 100% RTP. There was no inoperable equipment which contributed to the occurrence of this event.

C. DESCRIPTION OF EVENT

On 4-25-90, at 130 CDT, an engineering supervisor observed an unsecured and unattended safeguards cabinet in the Engineering Support Department office area. Security was notified at 0535 CDT and an inventory was conducted which confirmed no materials were missing. During the inventory, miscellaneous safeguards documents, design change packages, design lists and an outdated copy of the Physical Security Plan were found in the cabinet. The Shift Superintendent was advised and the NRC Operations Center was notified of this event at 0632 CDT.

D. CAUSE OF EVENT

An investigation found that a Georgia Power Company security engineer was the last person known to have entered the cabinet. The engineer was thoroughly knowledgeable of requirements for securing safeguards documents and had recently viewed training on safeguards documents handling. Although the engineer feels that he locked the safe prior to his departure from the plant on the afternoon of 4-24-90, he cannot be certain. Furthermore, the only other people at the plant who knew the lock combination stated they had not accessed the cabinet since the previous week. Therefore, the apparent cause of the event is cognitive personnel error on the part of the engineer in not ensuring the cabinet was secured prior to his leaving it unattended. There were no other unusual characteristics of the work location which contributed to the occurrence of this event.

E. ANALYSIS OF EVENT

The unsecured safeguards cabinet was located inside the Protected Area and in the general area of the duty engineer's office. The duty engineer reported no unusual activity in this area during his shift which ended at approximately 0200 CDT on 4-25-90.

LICENSEE EVENT REPORT (LER)
TEXT CONTINUATION

ESTIMATED BURDEN PER RESPONSE TO COMPLY WITH THIS INFORMATION COLLECTION REQUEST 500 HRS. FORWARD COMMENTS REGARDING BURDEN ESTIMATE TO THE RECORDS AND REPORT MANAGEMENT BRANCH (P-630), U.S. NUCLEAR REGULATORY COMMISSION, WASHINGTON, DC 20555 AND TO THE PAPERWORK REDUCTION PROJECT (3150-0104), OFFICE OF MANAGEMENT AND BUDGET, WASHINGTON, DC 20503.

ACTIVITY NAME (1)	DOCKET NUMBER (2)	LER NUMBER (6)			PAGE (3)	
		YEAR	SEQUENTIAL NUMBER	REVISION NUMBER		
VEGP - UNIT 1	0 5 0 0 0 4 2 4	9 0	0 3 5	0 1	0 3	OF 0 7

TEXT (If space is required, use additional NRC Form 205A's) (17)

This information, combined with the undisturbed and fully accounted for nature of the cabinet's contents, provides a degree of confidence that no information was obtained which would allow an unauthorized or undetected entry to a protected or vital area. Furthermore, the security system is designed with alarms and tamper controls which would make unauthorized or undetected access, based on the information available from the cabinet's contents, highly unlikely. Due to these considerations, there was no adverse impact on plant safety or the health and safety of the public as a result of this event.

F. CORRECTIVE ACTIONS

1. The engineer has been counseled regarding the importance of controlling safeguards documents.
2. All safeguards documents found in the cabinet were inventoried, accounted for and returned to Document Control.
3. The practice of allowing individual work groups to utilize their own safeguards cabinets (except those in the custody of the Security and Quality Assurance departments) has been discontinued and safeguards documents relocated to a central area in Document Control.
4. The feasibility of establishing a safeguards document reading room was evaluated, and the idea will not be pursued at this time.
5. Individually addressed letters were sent out requiring a refamiliarization with safeguards document control procedures and a certification in writing by employees of a search and return of any safeguards documents found at home or in working files which were uncontrolled.

This search by VEGP site and Corporate Office personnel resulted in individuals returning four marked safeguards documents and some unmarked security documents to Document Control for their proper classification and disposition. These documents consisted of portions of sections of the draft Security Plan, draft Licensee Event Reports, an outdated Security Diesel Generator Loading Calculation, interim boundary requirements memo, Security System component vendor data, generic barrier design criteria, Security System design and construction meeting minutes, acceptance tests, and operational deficiency data.

EXPIRES: 4/30/92

LICENSEE EVENT REPORT (LER)
TEXT CONTINUATION

ESTIMATED BURDEN PER RESPONSE TO COMPLY WITH THIS INFORMATION COLLECTION REQUEST: 500 HRS. FORWARD COMMENTS REGARDING BURDEN ESTIMATE TO THE RECORDS AND REPORTS MANAGEMENT BRANCH (P-630), U.S. NUCLEAR REGULATORY COMMISSION, WASHINGTON, DC 20555, AND TO THE PAPERWORK REDUCTION PROJECT (3150-0104), OFFICE OF MANAGEMENT AND BUDGET, WASHINGTON, DC 20503.

CILITY NAME (1) VEGP - UNIT 1	DOCKET NUMBER (2) 0 5 0 0 0 4 2 4	LER NUMBER (6)			PAGE (3)	
		YEAR 9 0	SEQUENTIAL NUMBER 0 3 5	REVIEW NUMBER 0 1 0	4 OF 0 7	

TEXT (If reports submitted in response to, and are submitted under, NRC Form 385A (6-89))

From a review of the subject documents returned, four 1982 documents were identified as being marked safeguards information and had been uncontrolled and unsecured in the Corporate Office Engineering and Licensing file room. Of these four marked safeguards documents, only one memo titled, "Security Officer Response Time and Probability of Interception," was deemed significant. The other documents were determined to be outdated, or inaccurate with respect to the current security system configuration.

Ten other documents not marked as safeguards information were reviewed for their proper classification and three documents were given the safeguards classification. These three unmarked security documents, which were later classified, consisted of two portions of sections of the draft Security Plan and, mean time between failure and mean time to repair data for Security system components. Although these early 1980's documents were classified safeguards, they were not deemed to be of significance in assisting a person in an act of radiological sabotage or theft of SNM, but could reduce the total effectiveness of the safeguards system below that committed to in our Physical Security and Contingency Plan. Therefore, the discovery of these newly classified documents will be added to the quarterly security event log.

6. The VEGP Safety Audit and Engineering Review (SAER) Department was instructed by management to place special emphasis on safeguards information control in their annual audits.

As a result of this increased emphasis, a recent SAER annual audit conducted from July 16-20, 1990, of Southern Company Services (SCS) Inc., one of the Architect/Engineer Design Organizations utilized by the licensee, discovered possible programmatic problems with safeguards information control and reportability. The audit revealed inventory log problems and an unsecured safeguards information container incident lasting approximately 25 to 50 minutes on November 29, 1989, which had not been reported to the licensee for reportability due to a lack of procedural guidance.

LICENSEE EVENT REPORT (LER)
TEXT CONTINUATION

ESTIMATED BURDEN PER RESPONSE TO COMPLY WITH THIS INFORMATION COLLECTION REQUEST: 500 HRS. FORWARD COMMENTS REGARDING BURDEN ESTIMATE TO THE RECORDS AND REPORTS MANAGEMENT BRANCH (F-830) U.S. NUCLEAR REGULATORY COMMISSION, WASHINGTON, DC 20555 AND TO THE PAPERWORK REDUCTION PROJECT (3150-0104), OFFICE OF MANAGEMENT AND BUDGET, WASHINGTON, DC 20503.

ACTIVITY NAME (1)	DOCKET NUMBER (2)	LER NUMBER (5)			PAGE (3)		
		YEAR	SEQUENTIAL NUMBER	REVISION NUMBER			
VEGP - UNIT 1	0 5 0 0 0 4 2 4 9 0	—	0 3 5	—	0 1	0 5	OF 0

TEXT (If more space is required, use additional NRC Form 305A's) (17)

The audit results were officially reported to the VEGP Corporate Manager of Licensing on Monday, July 23, 1990, and the unsecured safeguards container event, to the best of the individual's involvement and memories, was described as follows. On November 29, 1989 an engineer placed some working documents in a safeguards container and locked it shortly after regular working hours ended. However, approximately 35 minutes later an engineering supervisor and designer found the container closed but not locked. In accordance with their procedure, the SCS Project Manager was immediately notified. After a brief surveillance of the container and its contents to ensure no obvious vandalism or theft had occurred the container was secured and a note placed on the container with instructions that no one was to access the contents before an audit could be performed the next morning. The following morning a meeting was held with SCS employees involved in safeguards information work to stress the importance of proper safeguards information control and to investigate the unsecured container incident. After the meeting the combination of the safeguards container lock was immediately changed and the contents audited. The results of the audit found no discrepancies. The results of the investigation by Southern Company Services, Inc. on November 30, 1989 concluded the following:

- o The maximum time the safe could have been left open and unattended was approximately 25 to 50 minutes.
- o The audit concluded the safeguards documents logged into the container (three full size mylar drawings), were not missing. Other items in the container which were not logged were historical or current security work in progress and not considered to be safeguards information.
- o The location of the safeguards information container was within a records file room with only one access point and this room is located in a controlled access building where there were Vogtle project employees working overtime during the incident.
- o No strangers or non-Vogtle project employees were seen near the file room or even on that floor during the time in question.

LICENSEE EVENT REPORT (LER)
TEXT CONTINUATION

ESTIMATED BURDEN PER RESPONSE TO COMPLY WITH THIS INFORMATION COLLECTION REQUEST: 500 HRS. FORWARD COMMENTS REGARDING BURDEN ESTIMATE TO THE RECORDS AND REPORTS MANAGEMENT BRANCH (P-630), U.S. NUCLEAR REGULATORY COMMISSION, WASHINGTON, DC 20555, AND TO THE PAPERWORK REDUCTION PROJECT (3150-0104), OFFICE OF MANAGEMENT AND BUDGET, WASHINGTON, DC 20503.

FACILITY NAME (1)	DOCKET NUMBER (2)	LER NUMBER (5)			PAGE (3)	
		YEAR	SEQUENTIAL NUMBER	REVISION NUMBER		
VEGP - UNIT 1	0 5 0 0 0 4 2 4 9 0	—	0 3 5	—	0 1 0 6	OF 0 7

TEXT (if more space is required, use additional NRC Form 385A's) (17)

- o Because of the short time frame the safeguards container could have been open and unattended, there is a high degree of confidence that no one could have removed the mylar drawings, carried them to another part of the building, made copies and returned the originals to the container without being detected by one of the employees still working on the floor at the time in question.

The Security Manager was advised of the results for corrective actions 5 and 6 (four uncontrolled and unsecured marked safeguards documents in the Corporate office and unsecured safeguards container at Southern Company Services on November 29, 1989) and the Shift Superintendent notified the NRC Operations Center at 1513 CDT on 7-23-90.

Because of the results from the initial corrective action and recent audit findings, the following actions were also taken to help prevent recurrence of other safeguards information control incidences.

1. Offsite organizations have enhanced safeguards documents control procedures to include the following:
 - o Personnel access to safeguards information containers has been limited to a small number of necessary individuals.
 - o The contents of safeguards information containers have been inventoried and logs maintained of future access.
 - o Security/Safeguards Information Coordinators have been assigned to be responsible for safeguards information container logs.
 - o Procedures have been incorporated to assure that "in-progress" security design change request working packages are properly controlled.
2. Archived security records have been reviewed and properly dispositioned.

Twelve boxes identified as potentially containing security-related archived files dating from 1978 to the present have been reviewed. Only one page in a single document containing a CCTV camera and environmental enclosure vendor wiring diagram has been identified as needing classification. This document has been properly controlled and secured since its classification. This uncontrolled and unsecured document incident will be added to the security quarterly event log since it was

LICENSEE EVENT REPORT (LER)
TEXT CONTINUATION

ESTIMATED BURDEN PER RESPONSE TO COMPLY WITH THIS INFORMATION COLLECTION REQUEST: 500 HRS. FORWARD COMMENTS REGARDING BURDEN ESTIMATE TO THE RECORDS AND REPORTS MANAGEMENT BRANCH (P4301) U.S. NUCLEAR REGULATORY COMMISSION WASHINGTON, DC 20555 AND TO THE PAPERWORK REDUCTION PROJECT (3150-0104) OFFICE OF MANAGEMENT AND BUDGET, WASHINGTON, DC 20503.

FACILITY NAME (1) VEGP - UNIT 1	DOCKET NUMBER (2) 0 5 0 0 0 4 2 4	LER NUMBER (6)			PAGE (3)	
		YEAR 9 0	SEQUENTIAL NUMBER 0 3 5	PREVIOUS NUMBER 0 1	0 7	OF 0

TEXT (If more space is required, use additional NRC Form 388A-1 (17))

determined this document could not significantly assist a person in an act of radiological sabotage or theft of SNM, but could reduce the total effectiveness of the safeguards system below that committed to in our Physical Security and Contingency Plan.

The review of archived security records is complete and no other documents marked as safeguards information were discovered uncontrolled since the four documents reported to the NRC on July 23, 1990.

3. The number of offsite safeguards container locations has been reduced from eight to four by consolidating documents and eliminating the need for containers in Architect/Engineer Design offices in Atlanta, Los Angeles, and two locations in Birmingham.

Further corrective action in progress and scheduled to be completed by September 1, 1990, will require offsite organizations to add procedural guidelines to report any suspected compromise of safeguards information to the Corporate Office VEGP Manager of Licensing for reportability determination.

G. ADDITIONAL INFORMATION

1. Failed Components:

None

2. Previous Similar Events:

LER 50-424/1988-05S, dated 9-6-88.

Corrective actions from the 1988 event, although sufficient for that event, were not adequate to prevent the event that occurred on 4-25-90.

3. Energy Industry Identification System Code:

Security System - IA

GPC RESPONSE TO HOBBY/MOSBAUGH PETITION, SECTION III.8

I. Petitioners' Allegations.

The petitioners assert that the Vogtle radioactive waste filter system (the "FAVA" system) was installed and operated in violation of NRC Regulatory Guide 1.143, was removed from service, and, when the FAVA system was returned to service in 1990, the Vogtle General Manager intimidated members of the Plant Review Board to approve the system even though its safety evaluations were inadequate.

II. GPC Response to Petitioners' Allegations.

This allegation was evaluated by the NRC during the OSI inspection at Vogtle.

In 1988, a temporary radwaste processing system, procured from FAVA, was installed in the Vogtle Alternate Radwaste Building ("ARB").

In March, 1989, a Georgia Power Quality Assurance audit report (OPO²-89/15) identified the FAVA system as neither manufactured nor procured in accordance with the applicable quality requirements. As a result, the FAVA system was removed from service that month.

Following the completion of two safety evaluations, one in November, 1989 and the other in February, 1990, and notification to the NRC on March 15, 1990,¹ the FAVA system was returned to service as a temporary system with the approval of the General Manager following the recommendation of the Vogtle Plant Review Board ("PRB") by a vote of 5 to 1.²

The basis on which this issue can be disposed of is the fact that the temporary FAVA system was taken out of service at Vogtle in August, 1990. Presently, a new microfiltration system manufactured by a different vendor is in service which the NRC inspected in January-February, 1991. For this latter system, the NRC concluded that the Company's safety evaluation and other documentation was satisfactory. See NRC Inspection Report Nos. 50-424/91-02 and 50-425/91-02, dated March 13, 1991, at p. 11. Therefore, no health or safety issue exists.

¹Additionally, following the submission by Mr. Mosbaugh of a quality concern (No. 90V0015) with respect to the FAVA system, Ron Aiello of the NRC reviewed the complete Quality Concern Program file No. 90V0015 on March 8, 1990.

²Mr. Mosbaugh was the lone dissenter.

The potential for a wall spray down of the ARB from the rupture of a rubber hose (outside of the FAVA system enclosure) in the ARB was adequately addressed during initial plant licensing as documented in the NRC SER Supplements 3, 4 and 8.

As part of the evaluation of Quality Concern No. 90V0015, the PRB members who voted for the FAVA system were interviewed to determine whether they felt intimidated by Mr. Bockhold, the then-Vogtle General Manager. One PRB member expressed some "hesitancy of being true and candid" because of the General Manager's presence at the PRB meeting during which the FAVA system was addressed. As a result, the General Manager addressed all PRB members and reinforced the importance of their independence in voting. Follow-up interviews of 25 out of 27 PRB members and their alternates were later conducted (2 were unavailable) and confidentiality was afforded. No evidence of persuasion due to the presence, intimidation or coercion by the General Manager was found based on those interviews. Moreover, the PRB serves as an advisor to the General Manager and the PRB's "approval" was not required prior to placing the system in service (see FSAR § 13.4.1).

III. Conclusion.

The petitioners' allegations do not raise any substantial health or safety issue. When the system was returned to service in 1990, its safety evaluations were adequate and its use was recommended by the PRB. The PRB recommendation of the FAVA system was not coerced by the plant General Manager. Furthermore, the FAVA system has been replaced with a new system.

Based on the foregoing, the Company respectfully submits that the NRC's normal inspection and enforcement procedure is the appropriate mechanism to address this historical issue rather than granting the relief requested by the petitioners.

RESPONSE TO HOBBY/MOSBAUGH S 2.206 PETITION, SECTION III.9

I. Petitioners' Allegations.

The petitioners allege that GPC encourages "non-conservative and questionable compliance practices," by praising managers for taking risks, not taking adverse employment action for "non-conservative and questionable compliance practices," refusing to critically investigate events or practices which result in Licensee Event Reports ("LERs"), and retaliating against managers for raising regulatory concerns to management.

II. GPC Response to Petitioners' Allegations.

This allegation has no associated, alleged facts. It consists of no more than broad, unfounded assertions.

With respect to the alleged encouragement of "non-conservative and questionable compliance practices" by inappropriate praising of managers and lack of adverse employment action, GPC has developed and enforces Vogtle site work rules which emphasize the employees' primary obligations to perform quality work and to report substandard or poor quality work or unsafe practices to supervisors, the Vogtle Quality Concern Program or to the NRC. These rules are provided to new employees as part of orientation (see Exhibit 1, p. 17 of VEGP Procedure 00015-C under "Acknowledgement"). Further, clear plant work policies establish the Company's legitimate expectations of compliance with all applicable regulations (Exhibit 1, August 31, 1989 "General Work Policies"). Employees are advised, also, of the specific means available for raising concerns, including anonymous concerns, to the Quality Concern Program or notification to on-site or off-site NRC representatives. Thus, GPC encourages its employees to comply with regulatory requirements, identify substandard conditions and, should the employee desire, raise concerns to third parties, including the NRC.

With respect to the allegation that GPC does not critically investigate "events or practices which result in LERs," the NRC Resident Inspectors recently observed that "a strength was noted in the licensee event investigation program" at Vogtle (Inspection Report 50-424/91-02 and 50-425/91-02, dated March 13, 1991). As stated in that inspection report:

During this report period [January 19 - February 23, 1991], event investigation teams were assigned to investigate three ESF actuations, two reactor trips, and several diesel generator problems. The licensee's process was effective in assessing the problems and implementing corrective actions.

As the Director is aware, certain events or deficiencies result in LERs under 10 C.F.R. § 50.73 and include ESF actuations and reactor trips. Consequently, the naked allegation of the petitioners is contrary to recent observations of the NRC Resident Inspectors.

With respect to alleged retaliation against managers, the petitioners apparently are referring to their Department of Labor claims, which are addressed in the Enclosure to this submittal. Moreover, GPC has taken steps to minimize the potential "chilling effect" associated with the Mosbaugh v. GPC proceedings (see January 10, 1991 letter from Mr. W.G. Hairston (GPC) to the NRC attached as Exhibit 2). Vogtle managers continue to routinely identify concerns as part of their responsibilities, such as by initiating Deficiency Cards and raising technical and regulatory issues at Plant Review Board meetings. With respect to this latter forum, managers other than Mr. Mosbaugh have dissented from specific recommendations or otherwise articulated differences in professional opinion. Mr. Mosbaugh, though, stands alone in claiming retaliation as a result of divergent views on a technical matter.

III. Conclusion.

Based on the foregoing, the Company concludes that the petitioners' allegations are without merit.

EMPLOYEE PERSONNEL DATA

INSTRUCTIONS:

Please read each letter and sign your full name on line designated and return to Ella Jordan, Employee Services Section as soon as possible. If you have any questions please call extension 3124.

Thank you for your cooperation.

EMPLOYEE INFORMATION:

Name: _____ Date: _____
Address: _____
City: _____ State: _____
Zip Code: _____ Area Code: _____ Phone Number: _____
Date of Birth: _____ Social Security No.: _____
GPC Supv: _____ Employee No.: _____
Firm Employed By: _____ Trans From: _____
Job Title: _____ Employment Date: _____

PERSON TO NOTIFY IN CASE OF EMERGENCY:

Name: _____ Relationship: _____
Address: _____ City: _____
State: _____ Zip Code: _____
Area Code: _____ Phone Number: _____

Have you worked at Plant Vogtle before? _____ Yes _____ No

If Yes: When: _____
Contractor: _____

SITE WORK RULES RECEIPT

I have previously read and understand the policies listed below.

General Work Policies, Aug. 31, 1989

U. S. Nuclear Regulatory Commission - Notice of Employees

I have been given a copy of the following:

Q. C. Program - Employee Orientation(Retain copy in file)

Plant Vogtle - Fitness for Duty Policy, Dec 20, 1989

Social Security Number

Print (Full Name)

Date

Signature of Employee

COPY FOR PERSONNEL FILEQUALITY CONCERN PROGRAM
EMPLOYEE ORIENTATION

Welcome to Nuclear Plant Vogtle. You are now a part of a team - a team dedicated to building this plant using the highest possible quality standards. As part of this team, you have two very important responsibilities. These are:

1. To do your job to the very best of your ability and to make sure that your work is safe and of the highest possible quality; and
2. To report any event, activity, practice or procedure which you feel adversely affects the quality of this project or the safety of construction or future plant operation.

Georgia Power Company has a "Quality Concern Program", which allows you to report any questionable act or practice, either orally or in writing to the Georgia Power Company's Quality Concern Program Coordinator. There are posters explaining the program, forms for submitting your concerns, and collection boxes for concern forms located throughout the site. You can also contact the Quality Concerns Representative directly at Extension 3294 or at 1-800-225-2055 (toll free). Any concern or complaint will be held in confidence; you can remain anonymous if you request. Each concern will be investigated and you will receive a response if you request it.

You have received a letter from General Manager, Nuclear Plant Vogtle, G. Bockhold, Jr. regarding the Company's concern for safe, quality construction. Read the letter, familiarize yourself with the Quality Concern Program, and remember your two primary obligations - to do good work and to report bad work.

ACKNOWLEDGEMENT

I, the undersigned acknowledge that I have received a copy of the Bockhold quality letter, am aware of the existence of the QUALITY CONCERN PROGRAM, know what my obligations are regarding the reporting of substandard or poor quality work or unsafe practices to my supervisor, to the Quality Concern Program or to the NRC.

Also, I understand by raising of a quality issue through any forum (Supervision, Quality Concern Program, Quality Control, Quality Assurance, NRC or others) should have no effect on my employment and if I should believe that such retaliation has taken place I understand Georgia Power Company's commitment to correct any such retaliation and I further understand my options of reporting this retaliation to my supervisor, to the Quality Concern Program, to the NRC and/or to the Department of Labor. I understand that should I report this retaliation to the Quality Concern Program they are obligated to respond to me within seven working days.

WITNESS

EMPLOYEE: _____

DATE: _____

June 1, 1989

TO ALL PERSONS INVOLVED WITH NUCLEAR PLANT VOGTLE:

You are important to our success because you have special talents, skills, and experience which allow you to make a positive contribution to the Vogtle Project. An important part of the service which we expect you to render is to notify us of any condition that you see or suspect which may be detrimental to either quality or safe operation. In return, you have the right to be heard, you deserve considered response, and you can be assured you will not be retaliated against, in any way, for raising quality concerns.

Please notify your immediate supervisor if you know of any work or other operations that are not in accordance with approved procedures, or which are contrary to established quality, safety, or engineering practices or to regulatory requirements. If you are hesitant to contact your immediate Supervisor, you may and should contact the next higher level of management, or the Quality Concern Program. On site, you can contact the Quality Concern Coordinator, W.C. Lyon at ext. 3294. Mr. Lyon can also be reached, toll free, at 1-800-225-2055. Contacts can be made anonymously if you prefer.

You should feel an obligation to provide Georgia Power with the first opportunity to address any concern you may have. However, you may also feel free to bring nuclear safety and quality matters to the attention of the U.S. Nuclear Regulatory Commission (USNRC). The USNRC's Region II Office of Inspection and Enforcement, located in Atlanta, Ga. (404-331-4503), will accept collect calls twenty-four hours a day. Of course, you may also contact the resident USNRC Inspector on site (404-554-9901) or (404-554-9902), ext. 4249.

If, at any time, you feel that you have been harassed, intimidated, discriminated or retaliated against for having raised a quality issue, you should report this to the Quality Concern Program. You should also be aware of your options of reporting acts of retaliation to the NRC and/or to the Department of Labor, which are described on "NRC Form 3" posters located throughout the site.

Georgia Power Company is committed to operating Vogtle in compliance with all safety and quality requirements. As a part of the Vogtle team, it is your responsibility and obligation to assist Georgia Power in meeting that commitment by informing us of any and all conditions which might prevent such compliance.

G. Bockhold, Jr.
General Manager
Nuclear Plant Vogtle

FIGURE 1
(Example)

Plant Vogtle
Box 100
Waynesboro, Georgia 30389
Phone 404-773-5774
Fax 404-773-5774

Nuclear Plant Vogtle



August 31, 1989

TO: Employees
RE: General Work Policies
Log: NOG-742

The following general work policies are applicable to all employees and visitors at Plant Vogtle and are to be strictly enforced. These policies outline the basic guidelines necessary at the jobsite to ensure safe and productive work activities as well as protecting the assets of Georgia Power Company. Good conduct and proper respect for the rights and safety of other employees at the jobsite are essential and the responsibility of each individual. No conduct will be tolerated if it is inconsistent with local, state, or federal law, federal regulations, or Company regulations.

- Policy 1 Safety on the job is of the utmost importance. You are responsible for your safety and the safety of those working with you.
- Policy 2 Quality is everyone's responsibility. Intentional disregard of quality requirements is strictly prohibited.
- Policy 3 The badge issued to you by the Georgia Power Company at Plant Vogtle is to be used only by you when entering or leaving the plant site. No one is to gain entrance or leave the plant in any way other than by use of the access badge. Further, site personnel should produce their identification upon request.
- Policy 4 Possession, use or distribution of drugs or alcoholic beverages will not be allowed on site.
- Policy 5 All personnel are responsible for the safe operation and proper parking of vehicles.
- Policy 6 An employee must telephone the plant site and inform his immediate supervisor if an unavoidable hardship should occur such as illness, accident, or automobile failure which would prevent or delay his reporting to work. All employees must inform their supervisor of any time that they will be absent from work.
- Policy 7 Theft or dishonesty in any form will be cause for dismissal and may subject the individual to criminal prosecution.

- Policy 8 Telephones, intercoms, and radios are provided as a service for business use only. Employees guilty of telephone misuse subject themselves to the same disciplinary actions as for theft.
- Policy 9 Eating, drinking, smoking, or chewing tobacco or gum in restricted areas, especially radiologically controlled areas, is prohibited and may result in termination.
- Policy 10 Gambling, lotteries and other games of chance or activities of that nature are not allowed on Company property.
- Policy 11 Other forms of unauthorized solicitation not previously covered e.g. campaigning, handing out non-job related literature and the selling of food or material items is prohibited.
- Policy 12 Firearms, other than those in locked vehicles, are not allowed on Company property with the exception of those in the possession of our Security Department, law enforcement agency visitors or specifically approved by the General Manager. Hunting weapons which remain locked in employees' vehicles are allowed in designated parking areas.
- Policy 13 Personal cameras and radios are not allowed in the protected area except by special permission.
- Policy 14 Defacing property in any fashion will not be permitted. This includes writing or drawing on walls or equipment; unauthorized removal of tags, nameplates or components from any equipment.
- Policy 15 The posting and/or displaying of paintings, drawings and photographs of the nude or partially nude human body will not be permitted in any location on the Company property.
- Policy 16 Sleeping or fighting on the job site will not be permitted.
- Policy 17 Hunting or fishing will not be permitted on company property unless specifically approved. (Fishing is permitted at the recreation area pond).
- Policy 18 The refusal to abide by established search procedures will not be tolerated.
- Policy 19 Harassment in any form (sexual, racial, religious, etc.) will not be tolerated.
- Policy 20 It is essential that all personnel understand and comply with tagging procedures and requirements prior to working on or operating any equipment, valves, etc.

Policy 21

All personnel requiring unescorted access at Plant Vogtle must successfully pass General Employee Training (GET) annually. Georgia Power Company employees will be allowed up to three (3) attempts to pass GET. If they do not successfully pass GET, they will be disciplined as follows: 1st attempt - counseling; 2nd attempt - written memo to file; 3rd attempt - termination. Contractor personnel may be allowed up to two (2) attempts to pass GET.

Policy 22

All plant (and contractor) personnel are responsible for plant cleanliness. All personnel, as part of their job requirements, will pick up trash, i.e. cigarette butts, paper, candy wrappers, etc. All plant personnel are responsible for cleaning each work area after performing a work activity. Work activities are not considered complete until proper collection and removal of trash, garbage, debris, litter, spills, and/or tools are accomplished.

These rules are considered to be an employment requirement. After reading, please sign the acknowledgement form and return it to the Site Employee Services Section for filing in your personnel file.

G. Bockhold, Jr.

G. Bockhold, Jr.
General Manager

Employee Acknowledgement

Date



NOTICE TO EMPLOYEES

STANDARDS FOR PROTECTION AGAINST RADIATION (PART 20); NOTICES, INSTRUCTIONS AND REPORTS TO WORKERS, INSPECTIONS (PART 19); EMPLOYEE PROTECTION

WHAT IS THE NUCLEAR REGULATORY COMMISSION?

The Nuclear Regulatory Commission is an independent Federal regulatory agency responsible for licensing and inspecting nuclear power plants and other commercial uses of radioactive materials.

WHAT DOES THE NRC DO?

The NRC's primary responsibility is to ensure that workers and the public are protected from unnecessary or excessive exposure to radiation and that nuclear facilities including power plants are constructed to high quality standards and operated in a safe manner. The NRC does this by establishing requirements in Title 10 of the Code of Federal Regulations (10 CFR) and in licenses issued to nuclear users.

WHAT RESPONSIBILITY DOES MY EMPLOYER HAVE?

Any company that conducts activities licensed by the NRC must comply with the NRC's requirements. If a company violates NRC requirements, it can be fined or have its license modified, suspended or revoked.

Your employer must tell you which NRC radiation requirements apply to your work and must post NRC Notices of Violation involving radiological working conditions.

WHAT IS MY RESPONSIBILITY?

For your own protection and the protection of your co-workers, you should know how NRC requirements relate to your work and should obey them. If you observe violations of the requirements, you should report them.

HOW DO I REPORT VIOLATIONS?

If you believe that violations of NRC rules or of the terms of the license have occurred, you should report them immediately to your supervisor. If you believe that adequate corrective action is not being taken, you may report this to an NRC inspector or the nearest NRC Regional Office.

WHAT IF I WORK IN A RADIATION AREA?

If you work with radioactive materials or in a radiation (controlled) area, the amount of radiation exposure that you may legally receive is limited by NRC Regulations. The limits on your exposure are contained in sections 20.101, 20.103, and 20.104 of Title 10 of the Code of Federal Regulations (10 CFR 20). While those are the maximum allowable limits, your employer should also keep your radiation exposure as far below those limits as is "reasonably achievable."

MAY I GET A RECORD OF MY RADIATION EXPOSURE?

Yes. Your employer is required to tell you, in writing, if you receive any radiation exposure above the limits set in the NRC regulations or your employer's license. In addition, if your job involves radiation, you may request from your employer a record of your annual radiation exposures and a written report of your total exposure when you leave your job.

HOW ARE VIOLATIONS OF NRC REQUIREMENTS IDENTIFIED?

NRC conducts regular inspections at licensed facilities to assure compliance with NRC requirements. In addition, your employer and site contractors conduct their own inspections to assure compliance. All inspectors are protected by Federal law interference with them may result in criminal prosecution for a Federal offense.

MAY I TALK WITH AN NRC INSPECTOR?

Yes. Your employer may not prevent you from talking with an NRC inspector and you may talk privately with an inspector and request that your identity remain confidential.

MAY I REQUEST AN INSPECTION?

If you believe that your employer has not corrected violations involving radiological

working conditions, you may request an inspection. Your request should be addressed to the nearest NRC Regional Office and must describe the alleged violation in detail. It must be signed by you or your representative.

HOW DO I CONTACT THE NRC?

Notify an NRC inspector on site or call the nearest NRC Regional Office collect. NRC inspectors want to talk to you if you are worried about radiation safety or other aspects of licensed activities, such as the quality of construction or operations at your plant.

CAN I BE FIRED FOR TALKING TO THE NRC?

No. Federal law prohibits an employer from firing or otherwise discriminating against a worker for bringing safety concerns to the attention of the NRC. You may not be fired or discriminated against because you:

- ask the NRC to enforce its rules against your employer;
- testify in an NRC proceeding;
- provide information or are about to provide information to the NRC about violations of requirements;
- are about to ask for or testify help or take part in an NRC proceeding.

WHAT FORMS OF DISCRIMINATION ARE PROHIBITED?

No employer may fire you or discriminate against you with respect to pay, benefits, or working conditions because you help the NRC.

HOW AM I PROTECTED FROM DISCRIMINATION?

If you believe that you have been discriminated against for bringing safety concerns to the NRC, you may file a complaint with the U.S. Department of Labor. Your complaint must describe the firing or discrimination and must be filed within 30 days of the occurrence.

Send complaints to:

Office of the Administrator
Wage and Hour Division
Employment Standards Administration
U.S. Department of Labor
Room 53507
200 Constitution Avenue, N.W.
Washington, D.C. 20210

or any local office of the Department of Labor, Wage and Hour Division. Check your telephone directory under U.S. Government listings.

WHAT CAN THE LABOR DEPARTMENT DO?

The Department of Labor will notify the employer that a complaint has been filed and will investigate the case.

If the Department of Labor finds that your employer has unlawfully discriminated against you, it may order you to be reinstated, receive back pay, or be compensated for any injury suffered as a result of the discrimination.

WHAT WILL THE NRC DO?

The NRC may assist the Department of Labor in its investigation. NRC may conduct its own investigation where necessary to determine whether unlawful discrimination has prevented the free flow of information to the Commission. Also, if the NRC or Department of Labor finds that unlawful discrimination has occurred, the NRC may issue a Notice of Violation to your employer, impose a fine, or suspend, modify, or revoke your employer's NRC license.

UNITED STATES NUCLEAR REGULATORY COMMISSION REGIONAL OFFICE LOCATIONS

A representative of the Nuclear Regulatory Commission can be contacted at the following addresses and telephone numbers. The Regional Office will accept collect telephone calls from employees who wish to register complaints or concerns about radiological working conditions or other matters regarding compliance with Commission rules and regulations.

Regional Offices

REGION	ADDRESS	TELEPHONE
I	U.S. Nuclear Regulatory Commission Region I 475 Atlantic Road King of Prussia, PA 19406	215 337 5000
II	U.S. Nuclear Regulatory Commission Region II 101 Marietta St., N.W. Atlanta, GA 30333	404 331 4503
III	U.S. Nuclear Regulatory Commission Region III 790 Massachusetts Road Glen Ellyn, IL 60137	312 790 5500
IV	U.S. Nuclear Regulatory Commission Region IV 811 Ryan Plaza Drive, Suite 1000 Arlington, TX 76011	817 880 8100
V	U.S. Nuclear Regulatory Commission Region V 1450 Marie Lane, Suite 210 Walnut Creek, CA 94596	415 943 3700



PLANT VOGTLE FITNESS FOR DUTY POLICY

GENERAL

It is the policy at Plant Vogtle that personnel be reliable, trustworthy and fit for duty, free from the influence of any substances, legal or illegal, or mentally or physically impaired from any cause, which in any way might adversely affect their ability to safely and competently perform their duties. Accordingly, the possession, sale or use of illegal drugs on or off company time or property; the unauthorized possession, sale or use of controlled substances on or off company time or property; the possession sale or use of alcohol on company time or property; the abuse of non-prescription drugs on or off company time or property; or the consumption of alcohol five (5) hours prior to or during the period of any working tour, is expressly prohibited.

It is the responsibility of each and every individual reporting for duty at Plant Vogtle to be free from the effects of substances which might affect their ability to safely perform their duties. Likewise, individuals who are aware of any mental or physical problem(s) or individuals who are taking prescription or over-the-counter medication which may affect their ability to safely perform their duties should immediately report this to their supervision. If necessary, alternative duties may be assigned until the individual(s) can resume normal and safe work activities. If alternative duties are not available, the individual may be subject to a temporary layoff. Non-compliance with any of the above policies/requirements will result in disciplinary action up to and including termination.

PROGRAM CONTENTS

To aid in providing reasonable assurances that the work force is fit for duty, the company has implemented a Fitness For Duty Program to include:

1. On site drug and alcohol screenings
 - a. Preemployment/Preaccess
 - b. Random
 - c. For Cause
 - d. Post Accident
 - e. Call-in/Hotline Tips
 - f. Follow-up
2. Training
 - a. Employee - Program/Policy Compliance
 - b. Managers and Supervisors - Their role in implementing the program, the role of the medical and Employee Assistance Program staff, techniques for recognizing drug/alcohol use, sale or possession and aberrant behavior, procedures for initiating corrective action, etc.
 - c. Escorts - Techniques for recognizing drug/alcohol use, sale or possession and aberrant behavior, procedure for reporting problems, etc.

3. Medical Review Officer - A licensed physician to assist, as necessary, in determining fitness-for-duty.
4. Employee Assistance Program (EAP) - A confidential counseling and referral service available to assist individuals with various problems such as drug and/or alcohol dependency, occupational stress, personal, etc. This program is provided as an additional means to help ensure that employees are fit for duty; its use is highly encouraged.

CALL OUTS

Employees who are called out to perform work outside their normal work hours shall be required by their supervisor to indicate if alcohol has been consumed within the five (5) hour pre-duty abstinence period. In addition, employees should advise their supervisor whether or not they can safely drive to the Plant. If the employee is required to report to work, he will normally be tested upon arrival and the final determination as to whether or not to grant unescorted access will be made by the Duty Manager. (Note: All alcohol screenings will use a 0.04% blood alcohol content (BAC) cutoff level.)

DISCIPLINE (GPC and Contractor Employees)

Employees who test positive for drugs or alcohol, who fail to notify their supervisor of factors adversely affecting their fitness for duty, or who refuse to submit to tests as required, will be subject to discipline up to and including immediate termination.

Any individual determined to have been involved in the sale, use or possession of illegal drugs while on company property or on company time will be removed from duty and such activity will constitute grounds for termination.

The unauthorized or undeclared use of prescription medication or over-the-counter medication which may adversely impact an employee's fitness for duty may result in discipline up to and including termination.

Any involvement with illegal drugs may result in discipline up to and including termination.

Any unauthorized consumption of alcohol on company property or company time will constitute grounds for immediate termination.

Any unauthorized possession of alcohol on company property or company time may result in discipline up to and including termination.

ADDITIONAL DISCIPLINE GUIDELINES/PROVISIONS (GPC Employees Only)

1. Drug Tests - The first confirmed positive test shall result in the employee being given a Decision Making Leave (DML), removal from duty for a minimum of fourteen (14) days and mandatory referral to the Employee Assistance Program.

When the individual reports back to work he/she will be given a drug test. If the drug test is negative, the individual will be allowed to return to work; if this test, or any subsequent confirmed drug or alcohol test, is positive the individual will be terminated.

2. Alcohol Tests - The first confirmed positive test for alcohol will result in the employee being given a DML and referral to the Employee Assistance Program.

When the individual reports back to work, he/she will be given another alcohol test. If this test is negative the individual will be allowed to return to work; if this test, or any subsequent confirmed drug or alcohol test, is positive the individual will be terminated.

NOTE: Any employee who is already under an active DML (attendance, work performance, safety, etc.) will be terminated upon the first confirmed drug or alcohol test.

3. Employee Appeals

- a. Non-Covered Employees - Non-covered employees who are removed from duty due to a confirmed positive drug screen or blood alcohol of 0.04% or greater will have the right to appeal the results to the Executive Vice-President Nuclear Generation (EVP-NG). The employee must provide a detailed written explanation of the reasons for the appeal to his manager within three (3) days from the date of his removal. This document will then be forwarded to the EVP-NG for final dispositioning.
- b. Covered Employees - The appeal process for covered employees will be through the existing grievance and arbitration procedures.

Approved: _____

G. Bockhold for GB

Date: _____

12-20-89

Georgia Power Company
333 Peachtree Avenue
Atlanta, Georgia 30303
Telephone 404 522 3100

Mailing Address:
401 Business Center Parkway
Post Office Box 1295
Birmingham, Alabama 35201
Telephone 205 869 5581

W. G. Hairston, III
Senior Vice President
Nuclear Operations

January 10, 1991

ELV-02428
0792

Docket Nos. 50-424
50-425

U. S. Nuclear Regulatory Commission
Document Control Desk
Washington, D. C. 20555

Gentlemen:

VOGTLE ELECTRIC GENERATING PLANT
ALLEGED EMPLOYEE DISCRIMINATION

This letter is in response to your letter, dated December 11, 1990, concerning the U. S. Department of Labor's Wage and Hour Division, November 16, 1990 letter regarding a complaint filed by a former employee of Georgia Power Company's (GPC) Vogtle Electric Generating Plant (VEGP). The Wage and Hour Division found that "the weight of the evidence to date" indicated that the former employee was "engaged in protected activity within the scope of the Energy Reorganization Act and that discrimination as defined and prohibited by the statute was a factor in the actions which comprise his complaint." The basis for the Wage and Hour Division's conclusion was that the former employee filed a petition with the Nuclear Regulatory Commission on September 11, 1990, and provided tape recordings of conversations to the NRC on September 13, 1990, and that on September 15, 1990 the employee was placed on administrative leave and subsequently terminated from VEGP employment on October 11, 1990.

Georgia Power Company has requested a full, de novo, evidentiary hearing on this complaint. Counsel for GPC has kept NRC General Counsel representatives informed of all stages of the investigation and proceedings in this matter. In addition, the NRC has been kept informed by GPC concerning two prior complaints filed with the Department of Labor (DOL) under the Energy Reorganization Act by this former employee. These prior complaints were filed June 7, 1990, and August 23, 1990. In both instances, the Wage and Hour Division found that allegations of impermissible adverse employment action were without merit. The employee has appealed those findings.

Your letter requests an explanation of the basis for the employment action regarding the former employee and copies of any investigative reports regarding the circumstances of the action.

U. S. Nuclear Regulatory Commission
ELV-02428
Page 2

Georgia Power Company, although maintaining various documents pertaining to the employment action, has no specific "investigative report" associated with the employment action. The available documents include, for example, copies of the request for proceeding, documentation associated with allegations contained in the request, and the partial deposition of the employee taken on September 11, 1990. Other relevant and material documentation is anticipated to be entered into the record of the evidentiary hearing. In the meantime, should you desire to review any of this information, please feel free to contact me.

With respect to the employment action taken, the former employee's surreptitious taping of co-workers and employees of your agency, its negative effect upon open communications, and the implications of the tape recording relative to the trustworthiness of the employee constitute the basis for the former employee's discharge. The NRC is now well aware of the nature and extent of the tape recording. However, up until September 12, 1990, the NRC apparently was unaware of the taping even though the former employee had access to and was interviewed by the NRC concerning his allegations on several prior occasions. Georgia Power Company notified the NRC of the tapes existence early on September 12, 1990, after learning of their existence on September 11, 1990. The former employee and his counsel notified the NRC of the tapes existence late on September 12, 1990, only after the DOL administrative judge ordered the tapes to be provided to GPC.

The former employee's conduct in indiscriminately tape recording conversations over a period of approximately eight (8) months placed him in a position where he could no longer effectively manage employees, rendering him incapable of effectively performing his assigned duties in the work place. This is because employees at a nuclear power plant must be able to share facts, ideas, problems, and opinions of both a business and interpersonal as well as personal nature. Effective working relationships depend upon mutual trust and candor with an expectation of privacy on those matters of an interpersonal or personal nature and certain business matters. The actions of the former employee violated these cardinal principles. In this regard, it is important to note that the former employee had ample opportunities on numerous occasions to provide the tapes to the NRC. Moreover, the former employee tape recorded representatives of your agency who were investigating allegations submitted by himself and taped subordinate employees who reported to, and were subject to his instructions. Our discovery of these activities on September 11, 1990, was the sole reason for his termination of employment. In fact, at the time the former employee was placed on administrative leave on September 15, 1990, he had been selected and assigned to Senior Reactor Operator training and the "Manager-in-Training" program as of July, 1990. The training had been listed as his first choice on his list of career options developed on April 30, 1990.

Regarding the other alleged "protected activity" of requesting the NRC to initiate a proceeding based upon allegations, as early as June, 1990, the employee had provided the NRC with his concerns. More specifically, the General Manager (VEGP) asked the NRC Resident Inspector to meet with him and the former employee so that the former employee could articulate all potential concerns.

That meeting was held on June 19, 1990 and the employee was requested to air all his concerns in the presence of the Resident Inspector. The employee provided no specific issues at that time but stated that he had some technical and managerial concerns which he had not fully formulated in his own mind. Georgia Power Company tasked the corporate concerns manager to meet with the former employee to obtain and investigate all concerns. During that effort, on July 3, 1990, it became clear that the former employee was withholding concerns. Therefore, the General Manager, on July 6, 1990, directed the former employee in writing to provide his concerns to the NRC. By the time the request for proceeding was filed with the NRC on September 11, 1990, the NRC, as the former employee knew, had already conducted an extensive review of his allegations.

Your letter also requested the licensee to describe actions, if any, taken or planned to assure that the employment action regarding the former employee does not have a "chilling effect" on the raising of perceived safety concerns by other licensee or contractor employees. Several actions have been taken, and others are anticipated. All are designed to inform our employees of the reason for the employment action taken and to inform them of their right and responsibility to raise any safety concerns which they may have. This information dissemination was intended to foster open, honest communication and minimize or preclude any "chilling effect." At the time the employment action was taken, GPC recognized that employees might attribute the administrative leave and termination of employment as being associated with the former employee's identification of safety concerns. Employees who were involved with these historic concerns readily understood the legitimate basis for the employment action. In contrast, many workers without first-hand knowledge of these details might misconstrue the employment action. Accordingly, informal oral presentations were made to both VEGP site employees and VEGP corporate employees which explained the basis for the administrative leave. The primary points made in these presentations are contained in Attachment A, which was used by the General Manager and Vice President - Vogtle in their statements. Questions from employees were solicited and answered. These early initiatives were designed to preclude misinformation, were concurrent with the employment action taken, and were effective. More specifically, employees are believed to understand the distinction between discipline associated with the former employee's surreptitious taping of conversations and improper employment action.

Information GPC had placed in the public domain also established the basis for GPC employment action and differentiated between furtive tape recording by the former employee and the raising of legitimate safety concerns. Prior to the former employee's discharge on October 11, 1990, GPC, by letter dated September 28, 1990, provided the NRC with preliminary comments on the former employee's September 11, 1990 request to initiate an administrative action against GPC. Georgia Power Company specifically addressed its view of the surreptitious taping as "a blatant disregard for the legitimate norms and expectations of co-workers and employees of your agency". Moreover, this September 28, 1990, letter included a July 6, 1990, memorandum from the General Manager (VEGP) to the former employee tasking him with providing safety-related concerns to the NRC which he was withholding from GPC management.

Subsequent to the former employee's termination from employment, GPC refrained from responding fully to press inquiries. GPC's position in the matter was provided to the press, but detailed interviews were not granted. This approach was designed to minimize any residual chilling effect and the potential appearance of retribution.

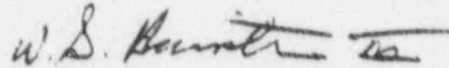
Later, however, (during November, 1990) the former employee pursued media coverage of his safety concerns. In light of the inquiries from the media, the former employee apparently was attempting to portray his concerns as substantial and his motives as altruistic. Detailed interviews, therefore, were provided by the Vice President - Vogtle to the major newspapers. In these interviews, the Vice President continued to differentiate between the basis for the former employee's discharge and impermissible discipline based upon the raising of safety concerns. Also, the Vice President distinguished between the raising of bona fide concerns and the concerns raised by the former employee by disclosing for the first time the fact that in early June, 1990, the former employee's counsel had proposed a large financial settlement in exchange for his forbearance in pursuing a DOL claim and in submitting concerns to the NRC. News articles in the Augusta and Atlanta newspapers, and other associated media coverage, raised the issue of motive. Editorials in the Augusta newspapers which followed these articles focused on the distinction between bona fide concerns and concerns submitted for financial gain (Attachment B). Georgia Power Company believes, based upon information provided by the media and the Company, that our employees distinguish between the raising of bona fide safety concerns and the motives and actions of the former employee.

In addition to the manner in which GPC publicized the basis for its employment action, GPC also broadly addressed the merits of the allegations. First, the September 28, 1990 letter deals with the allegations themselves. Second, the allegation "hyped" to the media by the former employee and his counsel was addressed directly in intra-company newsletters. Specifically, the allegation of material false statements provided to the NRC regarding the reliability of the emergency diesel generators at VEGP was addressed in a posting for employees on October 31, 1990, (Attachment C) and in mid-November 1990 employee news articles (Attachment D). These articles, among other things, provided details to employees who would not have ready access to the information. The articles acknowledged an error in the original data submitted to the NRC but, specifically avoided a discussion of the degree to which the former employee might have precluded the error, how he was tasked personally to resolve the error, and the fact that he proposed a revised Licensee Event Report which would not have materially differed from the original submittal. In other words, the articles purposefully avoided attacks on the former employee and, by doing so, permitted other employees to view the technical merits of the allegation in a non-adversarial context, which was, less likely to chill open communication.

The duration of the NRC's on-going review (including several requests for follow-on employee interviews) and other activities associated with the review might dissuade some employees from raising safety or operational issues. Attachment E, enclosed, was provided to VEGP employees on January 2, 1991 to reinforce open communication and timely identification and resolution of safety and operational issues. The various options for reporting concerns are expressly set forth in the statement. The statement also anticipates Georgia Power Company's vigorous defense of the former employee's 50.7 allegations in the DOL proceeding.

In conclusion, GPC has addressed this matter in a manner designed to mitigate and preclude a "chilling effect" on the raising of bona fide concerns by employees. Removal of the former employee from the plant site by placing him on administrative leave and subsequently terminating his employment actually served to foster open communications among plant employees. Georgia Power Company firmly believes that it has been successful in differentiating the former employee's inappropriate taping actions from appropriate courses of action available to all those employees who may have concerns. Concomitant with that effort, GPC has encouraged employees to maintain open and frank communications and to promptly report safety or operational issues.

Sincerely,



W. G. Hairston, III

WGH, III/JAB/gm

xc: Georgia Power Company
Mr. C. K. McCoy
Mr. W. B. Shipman
Mr. P. D. Rushton
Mr. R. M. Odom
NORMS

U. S. Nuclear Regulatory Commission
Mr. S. D. Ebnetter, Regional Administrator
Mr. D. S. Hood, Licensing Project Manager, NRR
Mr. B. R. Bonser, Senior Resident Inspector, Vogtle

ATTACHMENT A

9-10-90

Last Saturday, George Bockhold met with Allen L. Mosbaugh and told him that the Company had learned of his actions in taping conversations with a large number of people over an extended period of time. Under these circumstances, Ken McCoy decided it was in the best interest of Allen Mosbaugh and all concerned that he not be on the plant site for the next 30 days. He is now on administrative leave with pay for that time, and all of his employment benefits will remain unchanged during these 30 days.

As we have said many times before, and as I want to reemphasize, each one of you has a duty to maintain the safety of this plant. In order to accomplish this paramount goal of safety, it is absolutely essential that all employees feel free to communicate, and do communicate with one another openly, trustfully and without hesitation.

Any issue related to the safety of the plant needs to be addressed and resolved. We have set up multiple systems for the resolution of concerns. They can be addressed with management, and any of you are free to take issue to higher management if immediate management is not responsive. They can be addressed in the Quality Concern Program or the Corporate Concern Program. You can use the Deficiency Card system. Certainly, any one is free to and is encouraged to go to the NRC on any issue you feel is appropriate. All of these methods and other methods available here can be used anonymously if you feel that is

ATTACHMENT A (CONTINUED)

appropriate. This dedication to safety and open communication remains a fundamental commitment on the part of this Company. I want you to take steps to re-affirm this same message with your subordinates.

SONOPCO Project News

From The Augusta Chronicle

Editorial Page 4-A

Friday, December 7, 1990

Wait on NRC report

Well-meaning employees upset about a company's operations have the option to speak out if they have exhausted redress through the internal company chain-of-command.

But does nuclear engineer Allen Mosbaugh of Grovetown fall into such a whistle-blower category?

He was a Plant Vogtle worker who made no bones about wanting to move away after a stint here — and he was dissatisfied with his employer's attitude toward a pay settlement. So for several months he began secretly tape recording the comments of hundreds of co-workers.

Not surprisingly, he uncovered some dirt.

Mosbaugh then went to the Nuclear Regulatory Commission with his safety gripes and, to be fair, he uncovered disturbing things. However, his employer — the Georgia Power Co. — readily admitted some key problems were due to human or mechanical error.

Initially, Mosbaugh was put on administrative leave but, in our opinion, this fellow should have been axed outright.

He later was fired, but not because of whistle-blowing to the NRC. The power company says it was due to the manner in which he taped

comments from unsuspecting people.

Workers in safety-related jobs could have become more reluctant to talk with one another after the taping was revealed — and communication problems are the last thing needed in a nuclear facility!

Surprisingly, U.S. Labor Department probes claim Mosbaugh was fired illegally; his sleuth work was justifiable. This is being appealed.

Yet the engineer's motives and timing raise questions.

Georgia Power underscores that Mosbaugh didn't go to the NRC until after his lawyers had failed to negotiate a sizable cash settlement with the company. (His anti-nuclear attorneys used to work for the left-wing Government Accountability Project. They naturally have an ax to grind.)

We also couldn't find where Mosbaugh took grievances through company channels for redress. If he was sincere, and not motivated by money, why didn't he simply take his problem-list to Vogtle's various safety and problem-concerns programs?

Mosbaugh's allegations make good newspaper copy. But let's wait for the final NRC report to see if all his claims stand up to scrutiny.

FROM THE AUGUSTA HERALD
Monday, December 10, 1990

Whistle's sour notes

Employees should be encouraged to blow the whistle when their company ignores or evades proper rules and procedures, but weight also has to be given to whistle-blowers' motives which can have a direct impact on their credibility.

There's no doubt that nuclear engineer Allen Mosbaugh of Grovetown has exposed some safety lapses at Plant Vogtle that it readily admits to and is moving to correct. Other charges it denies and their veracity will be determined by a Nuclear Regulatory Commission investigation.

What troubles us is the way the whistle-blower went about his work. Upset because Vogtle would not give him what he considered a generous severance settlement when he wanted to leave, Mosbaugh took to secretly taping co-workers' conversations and then bought the allegedly incriminating evidence directly to the NRC without ever going through the company's redress channels.

Whatever the truth of Mosbaugh's charges, he surely doesn't fit the image of the altruistic whistle-blower. He obviously had his own fish to fry — namely to embarrass the company he felt had wronged him.

In that he has succeeded, but we think the company was still right to fire him, not for blowing the whistle, but for taping private conversations. Amazingly, the U.S. Labor Department disagrees and says he was illegally fired.

ATTACHMENT C
EMPLOYEE NOTICE
10-31-90

Statements by Allen Mosbaugh recently reported in the news media are inaccurate. The statements relate to Georgia Power's reports to the NRC regarding diesel generator testing following the March 20 Site Area Emergency. Mosbaugh, a former Georgia Power employee who worked at Plant Vogtle, was fired earlier this month for his conduct in secretly taping conversations with other employees and with NRC personnel.

Georgia Power has acknowledged that there was a numerical error in data conveyed to the NRC about the testing of diesel generators at Plant Vogtle. However, as soon as Georgia Power determined a potential error in this data, it verbally notified the NRC of the potential error and subsequently corrected the data with the NRC in writing.

The NRC reviewed and was completely briefed on the diesel generator testing after the March 20 site area emergency and before the restart of the unit.

At no time has Georgia Power intentionally made false statements or attempted to mislead the NRC about the diesel generator, and Georgia Power promptly identified and rectified the reporting error, keeping the NRC verbally apprised during the process.

Mr. Mosbaugh filed his request for NRC proceedings under a regulation that permits anyone to file such a request, regardless of merit.

ATTACHMENT C (CONTINUED)

Before he filed his request, Mr. Mosbaugh also brought claims against Georgia Power at the U. S. Department of Labor, seeking monetary compensation. His claims have alleged that adverse employment action was improperly taken against him. Following two independent investigations, the Department of Labor determined that his claims were without merit. He has appealed those determinations.

Georgia Power has and will continue to keep the NRC fully and promptly informed. We will continue to encourage all employees to maintain openness in our communications and to promptly report and resolve any concerns about safety or operational issues.

World War II plane

continued from page 1

In his spare time, Dan likes to go flying. Following a rough start in aviation, crashing his ultralight, he bought a small airplane and started taking lessons. In August, Dan earned a private pilot's license.

Currently, Dan owns a World War II Army plane which was built in 1944. This fall, he went to "fly-ins" (informed airplane conventions) in Dublin and Carrollton, sleeping under the wing of his plane in a small tent.

In October, Dan put his antique plane on "static display" at the Robins Air Force Base air show. "I bought a leather flying helmet and goggles a long time ago. I've always wanted an open cockpit biplane...it's the only way to fly," stated Dan. He has recently located just such a plane in Missouri and is planning to trade his Army plane for it. □

Georgia Power clarifies recent publicity about Vogtle diesel generators

Recent news media reports have stated that Georgia Power attempted to mislead the Nuclear Regulatory Commission (NRC) earlier this year when providing data about the reliability of emergency diesel generators at Plant Vogtle. "That is not true," stated Ken McCoy, vice president of the Vogtle Project.

"The original data submitted was in error, but we had no intent to mislead the NRC. As soon as Georgia Power determined that there was a concern about that data, the Company verbally notified them of the concern and subsequently provided a written correction."

This issue concerned the number of times two backup diesel generators successfully operated during testing.

"The NRC had people there while we were running the tests, and they reviewed the results. In their review, the NRC had all of the same information we had," McCoy said.

Problems in getting a generator started contributed to the March 20, site-area emergency at the plant. But contrary to recent news media reports, the NRC reviewed and was briefed on the diesel generating testing after the March 20, incident and before the restart of Unit 1.

Georgia Power had originally submitted information that said one of the generators successfully started 18 times, while the second generator successfully started 19 times without failures or problems occurring.

Actually, it was determined later that the employees who gathered and prepared the data for the NRC did not use all available information in determining successful generator starts.

Instead, they used data from the operators' logs only. Operators consider a test "successful" if the diesel generator starts up. Based on that, the operators logged these start attempts as successful for both generators. But, a subsequent review of an engineer's log showed that some of the start-up tests did in fact have problems or failures after operating for a period of time.

"That's the basis of the confusion," McCoy said. "Our first report was based on an incomplete review of the logs."

The erroneous statement is one issue raised in a petition filed with the NRC by Allen Mosbaugh, a former Georgia Power employee. The NRC is treating Mosbaugh's filing as a petition pursuant to federal regulations that permit anyone to file a request to the NRC regardless of merit. The petition is based on false and inaccurate statements, and the issues raised in the petition have already been reviewed and discussed by Georgia Power with the NRC. □

HATCH GAZETTE

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For and About

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GEORGIA POWER

NOVEMBER 16, 1990

THIS WEEK

B2
V-File

GPC clarifies recent publicity on Vogtle diesel generators

Georgia Power did not intend to mislead the Nuclear Regulatory Commission about the reliability of Plant Vogtle's emergency diesel generators, according to Ken McCoy, vice president of the Vogtle project.

"The original data submitted was in error, but we didn't intend to mislead the NRC. As soon as we determined there was a concern, the Company orally notified the NRC

and subsequently provided a written correction."

The issue concerned the number of times two backup diesel generators operated successfully during testing. "The NRC had people there while we were running the tests, and they reviewed the results. In their review, the NRC had all of the same information we had," McCoy says.

Problems in getting a generator started contributed to the March 20

site-area emergency at the plant. However, contrary to recent news media reports, the NRC reviewed and was briefed on the diesel generating testing after the March 20 incident and before the restart of Unit 1.

Georgia Power had originally submitted information that said one of the generators successfully started 18 times, while the second generator successfully started 19 times without failures or problems occurring. It was learned later that employees preparing the data for the NRC did not use all the available information in determining successful generator starts.

Instead, they used data from the operators' logs only. Operators consider a test "successful" if the diesel generator starts up. Based on that, the operators logged these start attempts as successful for both

generators. A subsequent review of an engineers' log showed that some of the start-up tests did in fact have problems or failures after operating for a period of time.

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Vogtle completes refueling outage

The Unit 2 refueling outage at Plant Vogtle, which began at midnight on Sept. 14, is now complete. The unit was reconnected to the grid Nov. 14. During the outage, employees completed plant design modifications, maintenance activities and various tests and inspections. Engineers from Southern Company Services and various contractors assisted in the outage.

"Several major jobs were undertaken after the start of the outage, which added to its original scope," says Ken McCoy, vice president of the Vogtle project. "This work should pay dividends in future performance. The outage was a success because of the dedication and teamwork of all plant employees and others who supported them." ▲



Interoffice Correspondence

Georgia Power 

DATE: January 2, 1991
RE: Open Communication
FROM: W. B. Shipman
TO: Vogtle Employees

Recent news reports have focused on litigation between Allen L. Mosbaugh, a former employee at this plant, and Georgia Power Company. In a Department of Labor (DOL) proceeding, Mr. Mosbaugh contends that he was placed on administrative leave and subsequently terminated from employment as a result of his engaging in "protected activity," including submission of safety concerns to the Nuclear Regulatory Commission. In that litigation, Georgia Power denies these assertions; Mr. Mosbaugh was terminated from employment after it was learned that he had surreptitiously tape recorded conversations with other plant workers and with NRC personnel over a substantial period of time. Georgia Power Company, therefore, intends to vigorously defend the DOL action brought by Mr. Mosbaugh.

I want to emphasize to all Vogtle employees that Georgia Power's concern about Mr. Mosbaugh's surreptitious conduct is because of its negative effect on open communications at this plant, and not because of his raising of safety issues. Open and frank communications are essential in our industry. When Georgia Power learned that Mr. Mosbaugh had concerns that he had not disclosed, he was directed to submit his concerns to the NRC in July, 1990. No adverse action was taken as a result of the submission of these or other concerns. Indeed, Mr. Mosbaugh had been selected and assigned to Senior Reactor Operator training and was enrolled in the "Manager in Training" program at the time that his secret tape recording became known.

Georgia Power is fully cooperating with the NRC's review of Mr. Mosbaugh's concerns and allegations. Interviews of plant personnel and review of documents have been conducted and additional interviews may be requested by the NRC. Employees are reminded that Georgia Power encourages individuals to cooperate with the NRC in its investigations, even though individuals have a legal right to decline to be interviewed. Employees also are reminded that they have the right to have a lawyer, co-worker or friend of his/her choice at any on-site or off-site interview with governmental investigators. If requested, management will arrange for an attorney to confer with you before an interview and to represent you during the interview. This will be at no cost to you. At no time are you restricted from your communications with NRC personnel.

Page Two

I encourage and request all of you to maintain openness in your communications and to promptly report and help resolve any concerns about safety or operational issues. In addition to your "chain of command" reporting of concerns, the Quality Concerns Program (telephone number 1-800-225-2055) will accept anonymous allegations (numerous drop boxes exist throughout the plant, or the concerns can be submitted by telephone or personally by contacting Bill Lyon--Quality Concerns Coordinator). The Nuclear Regulatory Commission Resident Inspectors were recently highlighted in the Vogtle Voice and also may be contacted (extension 4116). The NRC also maintains an off-site telephone number, 301/951-0550 (call collect).

Please remember, the identification of issues which may adversely affect safety or health is a fundamental responsibility of each employee. In any complex human endeavor, such as running these plants, technical deficiencies or weaknesses may be identified. Only by your identification of such problems can they be resolved and help assure our foremost goal -- safe operation of the Vogtle Electric Generating Plant.

A handwritten signature in dark ink, appearing to read "WBS", is written in a cursive style.

WBS/tdm

December, 1990

Vogtle Voice

4

Meet your inspectors

by Herb Beacher

Who is the Nuclear Regulatory Commission (NRC)? Why are NRC residents on site? In this article, we will answer these questions and introduce you to our resident inspectors.

The resident inspector program originated after the Three Mile Island (TMI) accident. The NRC regulates the civilian use of nuclear materials in the United States to protect the public health and safety and the environment. This mission is accomplished through:

- the licensing of nuclear facilities and the possession, use and disposal of nuclear materials,
- the development and implementation of requirements governing licensed activities, and
- the inspection and enforcement activities to assure compliance with these requirements.

A site resident's responsibilities include:

- Establishing NRC presence on-site on a daily basis.
- Being thoroughly familiar



Doug Starkey



Brian Bonser

with site and facility characteristics, licensee procedures, and licensee and contractor personnel.

- Being aware of day-to-day site activities.
- Responding to site events to serve as the initial NRC observer.
- Communicating on a daily basis with Regional management and the Nuclear Reactor Regulation's (NRR) licensee project manager.
- Performing inspection programs and writing monthly reports.
- Acting as a point-of-contact for local media, government officials and the public, as needed.
- Evaluating the licensee performance.

Vogtle has three resident inspectors on site. They are Brian Bonser, Robert "Doug" Starkey and Pete Balmann.

Brian is a graduate of Georgia Tech and holds a bachelor's degree in chemical engineering

and a master's degree in industrial management. He has 16 years of experience in the nuclear industry, the last 5 1/2 with the NRC. Brian is married and has two children.

Doug holds a bachelor's degree in business from Mississippi College and a certificate in nuclear studies from Memphis State University. His experience includes 8 1/2 years in the nuclear field, the last four being with the NRC. Doug is married and has two children.

Pete holds a bachelor's and master's degree in nuclear engineering from Georgia Tech. He has spent the past five years with the NRC. Pete is married and enjoys jogging in his spare time.

The NRC inspectors are here to ensure Vogtle is operated in a safe manner and that public health and safety are not jeopardized. If you have a concern, please contact either your supervisor or call the NRC at (404) 554-9901 or site ext. 4116. □



Pete Balmann

GPC Response to NRC February 28, 1991
Request for Additional Information Concerning
the Hobby/Mosbaugh Petition

VOLUME II

TRANSCRIPT EXCERPTS

Tab 1 - Hobby v. GPC Trial Transcript Excerpts

Tab 2 - Hobby v. GPC Deposition Transcript Excerpts

Mr. Grady Baker (5-23-90)
Mr. Joseph Farley (5-7-90)
Mr. R. Patrick McDonald (5-7-90)
Mr. R. Patrick McDonald (8-23-90)
Mr. Lee Glenn (8-23-90)
Mr. Jesse Schaudies (8-23-90)

Tab 3 - Mosbaugh v. GPC Deposition Transcript Excerpts

Mr. R. Patrick McDonald (9-17-90)

Tab 4 - Yunker/Fuchko v. GPC Trial Transcript Excerpts

Tab 5 - Yunker/Fuchko v. GPC Deposition Transcript Excerpts

Mr. R. Patrick McDonald (12-23-88)

Tab 6 - Excerpts from Transcript of GPC Meeting with NRC on
January 11, 1991

Respondent.

Case No. 90-ERA-30

JAMES JOINER, Attorney,
WILLIAM N. WITHROW, Attorney,
Troutman, Sanders, Lockerman & Ashmore,
1400 Candler Building,
Atlanta, Georgia 30303-1810;
Appearing on behalf of the Respondent.

1 earlier list.

2 JUDGE WILLIAMS: We have also pursuant to the
3 arrangements at the prehearing conference the 17 exhibits of
4 the respondent which have been marked, as well as an index
5 which we will submit for the record as Respondent's Exhibit
6 Number 18 in lieu of the exhibits being individually
7 identified during the course of the proceeding.

8 If you would like to take a few minutes then to
9 check your list --

10 (Pause.)

11 JUDGE WILLIAMS: Let's go back on the record.

12 Mr. Joiner, any objections?

13 MR. JOINER: Your Honor, we have objection to two
14 items on Complainant's Exhibit C-35. We object to Items 22
15 and 26.

16 Item 22, your Honor, is a June 8th, 1989 letter
17 from Complainant Marvin Hobby to E. P. Wilkinson. Our
18 objection to that document, your Honor, is that it is rank
19 hearsay, it is a self-serving document prepared by Mr.
20 Hobby, and almost all of the document is pure hearsay.

21 In addition, there are any number of matters
22 raised in the document that are absolutely irrelevant to
23 this case.

24 Our objection to Item Number 26, your Honor, is
25 that that document which is an October 25, 1989 memorandum

1 to Complainant Marvin Hobby from Bob Edwards regarding
2 nuclear operating agreement, that objection is based on the
3 fact that this is a privileged document covered by the
4 attorney-client privilege, that it was prepared by Mr.
5 Edwards, an attorney with Troutman Sanders in response to a
6 request for legal advice from the client, Georgia Power
7 Company, that Mr. Hobby had no authority whatsoever to waive
8 that privilege, and I will point out, your Honor, this is a
9 document that came up during the course of discovery, and I
10 believe that we had discussed it at the prehearing
11 conference.

12 This is one where we unhappily had to retrieve the
13 document from Complainant's counsel. We inquired of
14 Complainant's counsel whether there were other copies of
15 this document in existence, and our understanding was that
16 he did not have other copies. Apparently he did, but we do
17 object to this particular item on the basis of the attorney-
18 client privilege.

19 JUDGE WILLIAMS: I thought I had ruled this -- I
20 had seen this document, it was presented as part of the
21 discovery dispute, I thought we had resolved that it would
22 not come into the record.

23 MR. KOHN: Your Honor, my recollection of the
24 prehearing conference was simply that "the cat's out of the
25 bag," and I believe you also advised Respondent's counsel to

1 turn the document over to me.

2 JUDGE WILLIAMS: I don't have a transcript yet, I
3 can't review it, but that would have been a misunderstanding
4 because my intention was not to permit this to be exchanged
5 or to have it entered.

6 I had acknowledged that you had already seen it,
7 yes. I mean that was obvious, but that will come out.

8 With regard to 22, I haven't been able to read
9 this.

10 MR. KOHN: Your Honor, maybe I could summarize the
11 document for you.

12 June 8th, 1989 Mr. Hobby -- this was within a few
13 weeks after Mr. Hobby was instructed to destroy the
14 confidential April 27th memo -- he wrote a letter to Admiral
15 Wilkinson explaining those events, stating that he was told
16 to destroy the memo, and seeking advice from Admiral
17 Wilkinson on how to proceed given those instructions from
18 his employer.

19 The memo was written before any stated
20 reorganization or before any time Respondent had stated that
21 there was any inkling that adverse action would be taken
22 against Mr. Hobby. Therefore, I don't believe it's a self-
23 serving document, it was not written in contemplation of
24 litigation.

25 JUDGE WILLIAMS: Well, I will have to reserve

1 ruling on this until the admiral testifies at least, because
2 it's unsigned, I don't know when it was prepared. We'll
3 hear from him in that regard, and then insofar as the weight
4 that I'll give it, that's another story.

5 But as far as admitting it, I don't think it's
6 very well authenticated at this point, but I will reserve
7 that until the admiral testifies at least.

8 Then we will admit Complainant's Exhibits 1
9 through 35 with the exception of 22 and 26. 26 we will not
10 admit, 22 we are reserving judgment on.

11 (Complainant's Exhibits 1 thru
12 21, 23 thru 25, and 27 thru 35
13 were received into evidence.)

14 JUDGE WILLIAMS: Any objections to the employer's
15 exhibits?

16 MR. KOHN: Your Honor, we object to Exhibit Number
17 17 on the grounds of relevance, and it's -- this document
18 refers to a letter sent to Respondent's counsel from Mr.
19 Hobby's attorneys advising them that there was an April 27th
20 memo, and that Mr. Hobby had been instructed to destroy all
21 copies of it, and that the memo included regulatory
22 concerns, and I believe that this document was created after
23 Georgia Power Company knew Complainant had retained counsel
24 and Mr. Williams asked Mr. Hobby for copies of the memo at
25 that time, and I believe that the document is irrelevant for

1 stand.

2 Q. And was there any resolution to your conflicts
3 with the testimony, to your understanding of where your
4 testimony was conflicting or might conflict with Mr.
5 McDonald's?

6 A. No, sir. The lawyer just basically said "Okay,"
7 and turned and walked out of the room.

8 Q. And you told the attorney that your understanding
9 of how the SONOPCO project was staffed was incorrect. Can
10 you explain how you came to that opinion?

11 A. Well, let me state specifically that I said that
12 my understanding of how at least the Hatch and the Vogtle
13 projects' corporate staffs were selected, that Mr.
14 McDonald's explanation was not correct, and the reason I
15 believed it to be incorrect is during the -- I'm not sure of
16 the time exactly -- August-September time frame I know that
17 Mr. Tom McHenry was involved with the selection of personnel
18 to go to the SONOPCO project, and I know particularly that
19 he had told me that Mr. George Hairston, Mr. Tom Beckham
20 and Mr. Ken McCoy had sat down in a room at the 270
21 Peachtree Building, and they had selected all of the people
22 for the Hatch and the Vogtle corporate support groups, so
23 Mr. McDonald's statement that the vice presidents selected
24 the general managers who selected the managers who then
25 selected the supervisors was not what I had been told

1 they recognized that there was a problem there.

2 MR. KOHN: Your Honor, is it possible I could take
3 a short recess for one minute or two?

4 JUDGE WILLIAMS: All right. Off the record.

5 (A brief recess.)

6 JUDGE WILLIAMS: Okay.

7 BY MR. KOHN:

8 Q. After you and Mr. Head signed the memo, what did
9 you do?

10 A. I took the memo down to Mr. Fred Williams, and I
11 hand delivered it to him.

12 Q. And what happened then?

13 A. Excuse me. I'd like to back up and say one other
14 thing that I forgot. Maybe I did say it, I'm not sure.

15 Mr. Williams said one of the purposes for asking
16 for the memo was that he had been asked by Mr. Dahlberg to
17 go to Birmingham and discuss with the SONOPCO people some of
18 the problems.

19 In addition, Mr. Williams was going to brief Mr.
20 Dahlberg in preparation for Mr. Dahlberg's May 5th meeting.
21 I'm not sure I made that clear.

22 Q. Okay. And after -- all right. Now you're in a
23 meeting with -- you've brought the memo to Mr. Williams.
24 What occurred during that meeting?

25 A. Mr. Williams took the memo, he read the memo, he

1 turned to me and he told me to destroy the memo. Excuse me.
2 He said for me to destroy all copies of the memo.

3 He said that Oglethorpe Power had been raising
4 this concern about who Mr. McDonald reported to, and he said
5 there is a possibility that Oglethorpe Power may try to sue
6 the company over this.

7 He said "We cannot have that memo in our files, I
8 want you to destroy all copies of it."

9 Q. Did Mr. Williams raise during the meeting his trip
10 to Birmingham?

11 A. Mr. Williams after he told me to destroy it, I
12 told Mr. Williams I was raising a regulatory concern. I
13 knew he didn't have a lot of nuclear experience. I said to
14 him that I was raising a regulatory concern and he should
15 not tell me to destroy all copies.

16 We talked about that for another couple of
17 minutes, and then Mr. Williams handed me back the original,
18 but he kept a copy, and he told me that he was going to
19 Birmingham the next day and he was going to discuss some of
20 the problems with the people at SONOPCO, but he assured me
21 that he was not going to give them a copy of the memo that
22 he kept, and he said he would not retain that copy in his
23 files.

24 He again told me to go and get rid of the memo,
25 get rid of all copies of the memo.

1 Q. What's the best you can recollect about the
2 conversation centering around the regulatory concern?

3 A. Mr. Williams told me that it was his understanding
4 that the NRC had been briefed on the SONOPCO concept, and he
5 said if anybody from NRC raises a concern we'll show them an
6 organizational chart.

7 Q. Did you have further discussions about the SONOPCO
8 organization?

9 A. Yes, sir. As I recall, Mr. Williams and I did
10 discuss -- I think we went over to his blackboard in his
11 office and we discussed the organizational setup over a few
12 minutes, I don't recall how long.

13 Q. And did Mr. Williams express to you a belief
14 regarding The Southern Company board?

15 A. Mr. Williams and I got into a discussion at that
16 time about why Mr. Dahlberg didn't just pick up the phone
17 and tell Mr. McDonald what to do.

18 Mr. Williams did discuss with me the fact, or Mr.
19 Williams said to me that one of the problems was that Mr.
20 McDonald was very close to Mr. Farley, and that if Mr.
21 Dahlberg and Mr. McDonald came to an impasse it would go to
22 Mr. Farley, and that The Southern Company board was divided
23 between support for Mr. Farley and support for Mr. Addison,
24 that Mr. Addison could not get Mr. Farley fired, and Mr.
25 Farley could not get Mr. Addison fired, and that the

1 Southern board was at a stalemate.

2 He also discussed with me the fact that there was
3 a lot of interest in the system about who would replace Mr.
4 Addison as president of The Southern Company when he
5 retired, and that nobody wanted to bring up this kind of
6 problem which would require -- which would cause Mr. Addison
7 to make a decision between Mr. Dahlberg and Mr. Farley.

8 Q. And who was in attendance at your meeting with Mr.
9 Williams?

10 A. Just Mr. Williams and me.

11 Q. And what happened after the meeting ended?

12 A. I went back to Mr. Head, and I told him that Mr.
13 Williams had instructed me to destroy all copies of the
14 memo.

15 Mr. Head informed me that I could do exactly as
16 Mr. Williams indicated, but that I was to keep the original.

17 Q. And what date was this?

18 A. April 27th, 1989.

19 Q. And what was Mr. Head doing at Georgia Power
20 Company at that time?

21 A. He was senior vice president.

22 Q. He was changing over?

23 A. Mr. Head was in the process of retiring. He
24 retired May the 1st.

25 Q. Did you have further discussions with Mr. Williams

1 about the April 27th memo?

2 A. Yes, sir. The next day as I recall Mr. Williams
3 went to Birmingham.

4 Late in the afternoon I called his secretary to
5 find out if he had returned. She said that he had landed, I
6 believe she said he flew. She said that her understanding
7 was he was at home or on his way home.

8 I got Mr. Williams' home telephone number from
9 her. I called him, asked him how his meeting in Birmingham
10 went. Mr. Williams told me that he had had a meeting with
11 the SONOPCO personnel, he said Beckham and McCoy, Meyers was
12 there, as I recall he said sometimes Mr. Hairston was in the
13 room.

14 He told me it was a second meeting he had had
15 with them. The first one occurred in Atlanta, this one
16 occurred in Birmingham.

17 He also told me that he had apprised the law firm,
18 Mr. Bob Edwards, about my memo that I had written, and he
19 also told me that he was going to rewrite the memo and that
20 I was to destroy the original.

21 Q. I call your attention to Exhibit 12, the April
22 28th entry, and can you state what your log indicates
23 occurred?

24 A. April 28th at 3:50 in the evening, afternoon,
25 those are my notes from my telephone call with Mr. Williams

1 of that date.

2 Q. Can you read aloud what the entry states?

3 A. It says: Fred F. Williams meeting, Beckham,
4 McCoy, sometimes Hairston and Meyers, John Meyers.

5 The next line says: Had one previous at Georgia
6 Power, which was they had one previous meeting at Georgia
7 Power. This was the first at SONOPCO. Georgia Power
8 Company all agreed doesn't need nuclear experience.

9 The next line reads: Edwards worried about memo.
10 That was in reference to Mr. Bob Edwards of the Troutman
11 Sanders law firm.

12 The last line says: Williams will rewrite memo,
13 get rid of original.

14 Q. Does that entry accurately reflect your
15 recollection of the phone call?

16 A. Yes, sir.

17 Q. Did you have any other discussions with Mr.
18 Williams in 1989 about the memo?

19 A. No, sir.

20 Q. And then after you were told to destroy the memo
21 by Mr. Williams on April 28th, did you seek advice from
22 anyone?

23 A. I was concerned that I thought I had brought up a
24 regulatory issue, a regulatory concern to the company, and I
25 was concerned that since I had expressed it in writing to

1 A. Mr. Joiner, as I mentioned in my deposition, I did
2 not work closely with those attorneys, and I did not know
3 them personally.

4 It may or may not have been Mr. Janney. I don't
5 know Mr. Janney well enough to tell you.

6 Q. Okay. Now, let me go back for a moment to the
7 general session if I may, Mr. Hobby.

8 I believe you stated that in the general session
9 that you had been to see Mr. McDonald on more than one
10 occasion, and you had requested that the company either seek
11 other employment opportunities for Mr. Fuchko and Mr. Yunker
12 within Georgia Power, or else the company should terminate
13 those employees and help them find other work outside the
14 company; is that correct?

15 A. With one exception. The first thing I had asked -
16 - there were three things I thought we should look at -- one
17 is to see if there were other employment in nuclear
18 operations;

19 Secondly was to look for other employment at
20 Georgia Power Company for them;

21 And failing that, I thought we should consider an
22 outplacement program for them, yes, sir.

23 Q. Okay. And I believe you said that you had that
24 conversation with Mr. McDonald several times; is that
25 correct?

1 A. My memory is that I had it with him two or three
2 times, sir.

3 Q. And I believe you also said that Mr. McDonald in
4 those conversations told you that no, he would not agree to
5 terminate those employees; is that correct?

6 A. What Mr. McDonald said is that I could not take
7 any personnel action with regard to those two gentlemen, and
8 he did make the statement to me that he had just come over
9 from Alabama Power Company, and he wasn't coming to Georgia
10 Power Company and start firing people.

11 Q. Okay. Now, am I correct that it was your
12 testimony this morning that in the general session Mr.
13 McDonald in effect spoke up and denied that he had had those
14 conversations with you; is that correct?

15 A. That is correct, sir.

16 Q. Mr. Hobby, I am correct, am I not, that the
17 Fuchko/Yunker proceeding was a Section 210 proceeding
18 pursuant to Department of Labor regulations; correct?

19 A. Yes, sir.

20 Q. And basically the accusation in that case was that
21 Mr. McDonald was guilty of retaliation against Mr. Fuchko
22 and Mr. Yunker; is that correct?

23 A. I believe that is correct.

24 Q. And basically Georgia Power Company was denying
25 that Mr. McDonald had retaliated against Mr. Fuchko and Mr.

1 Yunker; correct?

2 A. Yes, sir.

3 Q. And in fact, Mr. Hobby, your testimony as you've
4 described it was inconsistent with the idea that Georgia
5 Power Company or Mr. McDonald had retaliated against Mr.
6 Fuchko or Mr. Yunker; isn't that correct?

7 A. Did my testimony --?

8 Q. Isn't it true that the testimony you referred to
9 this morning to the effect that you had several
10 conversations with Mr. McDonald, you had suggested
11 termination, he had said no, isn't that testimony
12 inconsistent with a charge of retaliation against Mr. Fuchko
13 and Mr. Yunker?

14 A. My purpose in bringing the matter up at the
15 meeting, Mr. Joiner, was so the -- is because the attorneys
16 said "This is a statement that we believe is going to be a
17 part of Mr. Hobby's testimony." My only purpose in bringing
18 it up was to say to the attorneys present "This is not
19 accurate, I didn't do this in August of 1988."

20 Q. Let me see if you have my question in mind, Mr.
21 Hobby.

22 My question is if it is true that in the
23 Fuchko/Yunker proceeding Georgia Power Company was accused
24 of retaliating against Mr. Fuchko and Yunker, that Mr.
25 McDonald is accused of retaliating against Mr. Fuchko and

1 Mr. Yunker, and if it was further true as you said that you
2 had recommended terminating Mr. Puchko and Mr. Yunker and
3 Mr. McDonald had said "No, we're not going to terminate
4 them," your testimony was consistent with the company's
5 denial that any retaliation against Mr. Puchko and Mr.
6 Yunker had taken place?

7 A. Yes, sir.

8 Q. Well, given that, Mr. Hobby, do you have any
9 explanation at all of why the Georgia Power Company attorney
10 would instruct you to change your testimony, testimony which
11 we just agreed was supportive of the company's position? Do
12 you have any reason for that?

13 A. Mr. Joiner, what concerned me in the meeting was
14 that I made a statement to everybody present that what the
15 law firm had passed out as my outline was not correct.

16 It was my understanding that the meeting's purpose
17 was to go over the testimony and get it corrected so that
18 when you went to trial you would have the facts.

19 I brought out to the attorneys and everybody in
20 the room that the statement contained on this piece of paper
21 was not correct, and that I had gone to Mr. McDonald and I
22 had made these recommendations much earlier than this August
23 1988 date.

24 What concerned me was that Mr. McDonald in the
25 meeting said he had not had those conversations with me. My

1 concern was that Mr. McDonald or I would be contradicting
2 each other.

3 Q. Let me ask my question again, Mr. Hobby, and it's
4 very simple, and I think you can answer it with a yes or no.

5 Given the fact that your testimony was consistent
6 with Georgia Power Company's defense in the Fuchko and
7 Yunker case to the effect that those two individuals had not
8 been retaliated against by the company or Mr. McDonald,
9 given that fact, do you have any explanation of why the
10 attorneys would have instructed you to change your
11 testimony?

12 A. They said to me point-blank that "Mr. McDonald's
13 statements and your statements do not coincide."

14 Q. And that's your reason for explaining why the
15 attorney would tell you that you ought to change your
16 testimony that otherwise is consistent with and indeed
17 helpful to the company's position in that case?

18 A. I can only tell you what I know, Mr. Joiner, and
19 what I know is that the attorney told me that my comment
20 which was denied in the full meeting, that my testimony and
21 Mr. McDonald's, our recollection of the facts were not the
22 same.

23 Q. Let me ask you now, Mr. Hobby, about the other
24 point of apparent disagreement between you and Mr. McDonald
25 having to do with staffing of the SONOPCO project, and am I

1 correct that it was your statement that for the Hatch and
2 Vogtle projects at least Mr. Beckham, Mr. McCoy and Mr.
3 Hairston met in a room at 270 Peachtree and basically laid
4 out their entire organization; is that correct?

5 A. Yes, sir.

6 Q. Now, isn't it true, Mr. Hobby, that you did not
7 attend the meeting at the 270 Peachtree building with Mr.
8 Beckham, McCoy and Mr. Hairston?

9 A. That is correct.

10 Q. And isn't it also true that you have no direct
11 knowledge whatsoever about what took place at that meeting
12 since you weren't there?

13 A. That is correct.

14 Q. And the only source of information you have about
15 that meeting is that Mr. McHenry gave you some information
16 about what took place at the meeting; is that correct?

17 A. That is correct.

18 Q. Did you receive any information about that meeting
19 from anyone other than Mr. McHenry?

20 A. I do know that there were some people who were
21 picked for -- I was in nuclear operations at that time, and
22 I do know that some people were picked for particular slots,
23 and those people were picked without knowing who their boss
24 was.

25 That was inconsistent with what Mr. McDonald said,

1 and Mr. McDonald's explanation was one level picks the next
2 level, and he made the statement that that was what was
3 followed throughout.

4 What that leads you to believe is that you can't
5 have a manager not picked -- if a manager is not filled,
6 then the people under him cannot be filled, and I do know of
7 one particular example where I know that's not true, or
8 maybe more than one example.

9 Q. So you have that one example, and then you have
10 what Mr. McHenry told you?

11 A. No, sir, that's not what I said. There may be
12 more than one example. Just instantly I can think of one
13 example.

14 Q. Okay, you have one example.

15 Let me ask you this, Mr. Hobby. Did you
16 understand Mr. McDonald's characterization of how the
17 SONOPCO project was staffed, did you understand that that
18 was his explanation that as a general matter this is how
19 was done, as a general proposition?

20 A. As I recall from the meeting, Mr. McDonald stated
21 "This is how we staffed the SONOPCO project."

22 Q. Fine. Let me ask you this. The conversation that
23 you had with Mr. McHenry, and the meeting that Mr. McHenry
24 was telling you about that occurred at the 270 Peachtree
25 Building, that had to do with the Hatch and Vogtle projects;

1 Birmingham, then I think it's incumbent on all the people to
2 support that.

3 Q. And I believe you testified this morning that you
4 wrote that memo that Mr. Dahlberg signed dated December 27,
5 1988 setting up the nuclear operations contract
6 administration group; correct?

7 A. I did.

8 Q. And so you wrote the language about how that group
9 would be interfaced with the SONOPCO project; correct?

10 A. I wrote the language, gave it to Mr. Head who
11 approved it and sent it to Mr. Dahlberg who signed it.

12 Q. But at least you do agree with me that there's
13 nothing illegal and nothing improper if Mr. McDonald was
14 motivated by his belief that Georgia Power Company did not
15 need separate nuclear expertise at 333 Piedmont?

16 A. I don't believe there's anything illegal in that,
17 no.

18 Q. Now, am I correct, Mr. Hobby, that the only
19 regulatory concern you raised in the April 27 memo relates
20 to the reporting structure at SONOPCO which you identify on
21 Page 7 of the memo?

22 A. Yes, sir.

23 Q. And I believe you acknowledge, do you not, Mr.
24 Hobby, that this is not an issue of plant safety?

25 A. I did not say it was, sir.

1 Q. Right. Now let me ask you this, Mr. Hobby. Is it
2 correct that your concern about the reporting structure is
3 not based on any personal observation by you?

4 A. I have to think about that just a second.

5 Direct observation by me. It's hard to answer. I
6 guess no.

7 Q. Okay. In fact, Mr. Hobby, you don't have any
8 personal knowledge of a single instance in which Mr.
9 McDonald received his management direction from Mr. Farley
10 with respect to the operation of the Hatch and Vogtle
11 nuclear plants, do you?

12 A. No.

13 Q. So again we're speculating; correct?

14 A. Well, it depends. If you say that other officers
15 of the company have told you this concern or whatever, is
16 that speculation? I happen to believe it.

17 Q. I understand you believe it, Mr. Hobby, and I
18 don't mean to impugn your belief. I'm simply asking about
19 what you know as a matter of fact, about what you know based
20 on your personal observation, about what you can testify to
21 as a matter of direct evidence based on your own knowledge.
22 That's all I'm asking.

23 So in fact, Mr. Hobby, you can't name a single
24 instance, can you, in which you observed that Mr. McDonald
25 received his management direction from Mr. Farley with

1 attention of the persons involved, you didn't file a
2 corporate concern, you didn't bring it to the attention of
3 the NRC, and in fact you did nothing else to get an answer
4 to your question in your mind about the reporting structure
5 of SONOPCO; isn't that a fact?

6 A. Mr. Joiner, I --

7 Q. Could you answer me yes or no?

8 A. Well, I don't think it's a complete answer. I did
9 go talk with corporate concerns about my generic question
10 here.

11 The corporate concern manager said to me "Would
12 you like to file a corporate concern?" I said "The reason
13 that this -- the reason that I have written this memo is
14 because an officer of the company is going to brief Mr.
15 Dahlberg," and I felt if Mr. Williams bringing this
16 information to Mr. Dahlberg's attention could not get
17 results, I didn't think very much that the corporate
18 concerns group could get results, and indeed the question
19 that I raised relative to my hiring a nuclear performance
20 engineer was raised to corporate concerns, and the answer
21 was "No, you can't."

22 Q. Now I'd like to ask you about some testimony you
23 gave earlier today about an inaccuracy in Mr. McDonald's
24 testimony at an NRC licensing hearing in Washington, D.C.

25 A. Yes, sir.

1 Q. Now, I believe you testified that Oglethorpe
2 brought it to your attention that Mr. McDonald had made an
3 inaccurate statement in describing the reporting structure;
4 is that correct?

5 A. Yes, sir.

6 Q. And Oglethorpe gave you a copy of the transcript;
7 is that correct?

8 A. Yes, sir.

9 Q. And it was your opinion, was it not, Mr. Hobby,
10 that Mr. McDonald's statement in this regard was materially
11 false?

12 A. Yes.

13 Q. And in spite of the fact that you came to the
14 conclusion that Mr. Pat McDonald had made a material false
15 statement to the NRC, you didn't take any action whatever to
16 bring that issue to the attention of anybody at Georgia
17 Power Company, did you?

18 A. I may have mentioned it -- as I think I said in my
19 deposition I may have mentioned that to Mr. Williams, but I
20 am not positive I did.

21 Q. Did you undertake any action whatever to bring
22 this material false statement, or at least what was in your
23 opinion a material false statement, to the attention of the
24 NRC?

25 A. I did not.

1 Q. Now, as a matter of fact, Mr. Hobby, the
2 inaccurate statement was corrected in a letter dated May 1,
3 1989 from Mr. Hairston to the NRC; isn't that correct?

4 A. That's correct.

5 Q. Mr. Hobby, I've shown you a document which was
6 marked as, earlier marked as Exhibit R-7 to your deposition,
7 do you remember my asking you about this document?

8 A. Yes, sir, I do.

9 Q. I'd like to ask that this document be marked as an
10 exhibit, and we could -- I believe the next available number
11 is R-19.

12 (Respondent's Exhibit Number 19
13 was marked for identification.)

14 BY MR. JOINER:

15 Q. Mr. Hobby, can you identify what we've marked as
16 Exhibit R-19?

17 A. This is a document to the U.S. Nuclear Regulatory
18 Commission signed by W. G. Hairston, III, which corrects the
19 record as far as the Vogtle Unit 2 NRC full power license
20 hearing.

21 Q. And when did you find out about this correction,
22 Mr. Hobby?

23 A. I don't actually remember what date I found about
24 it. It was in 1990.

25 Q. Approximately May of 1990?

1 A. I'm not sure if was May or June, but some time in
2 there.

3 Q. But the fact of the matter is, Mr. Hobby, that you
4 concluded in May of 1989 that Mr. McDonald had made a
5 material false statement to the Nuclear Regulatory
6 Commission in testimony, and you did nothing whatever to
7 bring your conclusion to the attention of anybody at Georgia
8 Power Company or the attention of anyone at the NRC; is that
9 correct?

10 A. As I said, I may have mentioned it to Mr.
11 Williams, I am not sure.

12 Q. And in fact, Mr. Hobby, you didn't even do enough
13 to find out that the error had been corrected by Mr.
14 Hairston's letter of May 1, 1989; isn't that a fair
15 statement?

16 A. I did not know it had been corrected.

17 Q. All right. Let me move on to another issue, Mr.
18 Hobby.

19 JUDGE WILLIAMS: Before we forget, are you going
20 to move this into evidence?

21 MR. JOINER: Yes, your Honor, I would like to move
22 the admission of R-19.

23 JUDGE WILLIAMS: Any objection?

24 MR. KOHN: No, your Honor.

25 JUDGE WILLIAMS: All right. R-19 is admitted.

1 point in time that the problems with Oglethorpe would be
2 worked out and we could have SONOPCO incorporated.

3 Q. Let me now just ask you some questions about your
4 dealings with Mr. Williams.

5 As I understand it your testimony is that Mr.
6 Williams said the April 27th memorandum proves Oglethorpe's
7 theory, or proves their concern, and he instructed you to
8 destroy all copies.

9 A. That is correct.

10 Q. In addition, Mr. Williams said to you "Bob Edwards
11 is worried about the memo, you destroy the original and I,
12 Fred Williams, am going to rewrite the memo."

13 A. That's what he said to me.

14 Q. And in January of 1990 Mr. Williams said to you
15 "You won't ever get any more support at Georgia Power
16 Company because of the April 27th memo"; correct?

17 A. Yes, sir.

18 Q. He also told you that Mr. Dahlberg discussed it
19 with Mr. Farley on May 5th and, quote, got beat up side the
20 head, closed quote; correct?

21 A. That is correct.

22 Q. Mr. Williams confirmed to you that he had told Mr.
23 Kilgore that you would be fired; correct?

24 A. What Mr. Williams said to me was that as soon as
25 we concluded the negotiations I would be removed from my

BEFORE THE
UNITED STATES DEPARTMENT OF LABOR

MARVIN B. HOBBY, :
 :
Complainant, : VOLUME II
 :
vs. : Case No. 90-ERA-30
 :
GEORGIA POWER COMPANY, :
 :
Respondent. :
 :

Courtroom 901,
DeKalb County Courthouse,
556 N. McDonough Street,
Decatur, Georgia

Wednesday, October 24, 1990

The above-entitled matter came on for hearing,
pursuant to Adjournment, at 9:00 a.m.

BEFORE:

HON. JOEL R. WILLIAMS, Administrative Law Judge

APPEARANCES:

MICHAEL D. KOHN, Attorney,
DAVID R. COLAPINTO, Attorney,
Kohn, Kohn & Colapinto,
517 Florida Avenue, N.W.,
Washington, D.C. 20001;
Appearing on behalf of the Complainant.

JAMES JOINER, Attorney,
WILLIAM N. WITHROW, Attorney,
Troutman, Sanders, Lockerman & Ashmore,
1400 Candler Building,
Atlanta, Georgia 30303-1810;
Appearing on behalf of the Respondent.

1 made for staffing corporate positions in the SONOPCO project
2 for the Hatch and Vogtle sites?

3 A. Yes.

4 Q. And what was your role in that?

5 A. Well, as part of the Phase 2 task force that I was
6 on there were organizations, structures created for what the
7 new organization would look like.

8 Once those structures were created, then there was
9 a process of -- there was a series of phases I guess as we
10 referred to them, transitional phases to get from two
11 companies to one company, and toward the end of 1988 that
12 process had proceeded to the point where it actually came
13 down to filling jobs, to selecting people to fill the
14 organization that had been designed.

15 Q. And do you know how the positions were actually
16 filled?

17 A. Well, the process was, the decisionmaking process
18 as I recall it was done over a period of a couple of days.
19 There was a meeting of senior management consisting of Mr.
20 McDonald, Mr. McCoy, Mr. Hairston, Mr. Beckham -- that's the
21 group -- and that group of individuals met privately in a
22 separate, in fact in a separate building for a couple of days
23 and worked out the selection, and sort of working through the
24 organization picking the people that would go into various
25 slots in the new organization.

1 Q. And at some point during those two days were you
2 called into that meeting?

3 A. Yes.

4 Q. And can you tell us how they were filling the slots
5 when you were in the meeting?

6 A. Well, my involvement in the meeting was to -- you
7 know, I was asked to come into the meeting to provide some
8 insight I guess on some individuals that people in the room
9 were not familiar with, you know, about their qualifications,
10 about their background, about their performance.

11 You know, basically there were organization charts,
12 and there were names. You know, these were blank
13 organization charts that were skeletons showing titles, and
14 the organization charts were being filled out, you know,
15 names were being put in these slots.

16 Q. And how soon -- Well, after this two-day period
17 where this meeting was taking place with the senior
18 management, did you have any further involvement in the
19 selection process?

20 A. Well, I was heavily involved in the, not
21 necessarily the selection process, but the continuation of
22 the selection process in terms of actually working with
23 salary administration developing the work sheets or whatever
24 they were called to come up with the offers basically, the
25 job offers.

1 Then I was involved in ensuring that those job
2 offers got disseminated to the right people and the job
3 offers were made, and tracking whether people accepted the
4 job offers or whether they declined those job offers.

5 Q. Were you provided the names of the individuals who
6 were put into those slots?

7 A. Yes.

8 Q. And who provided you those names? Was it from the
9 group?

10 A. It was from the group. Specifically I don't know
11 who actually handed me the documents. I think it may have
12 been Mr. Hairston that handed me the documents.

13 Q. And how soon after this two-day meeting that you've
14 described did you receive that information from the senior
15 management?

16 A. Essentially immediately.

17 Q. Now, do you know if people were selected at the
18 Hatch site who were placed in positions without supervisors
19 being chosen yet?

20 A. Well, there were holes in the organization, so,
21 yes, there were vacancies in the organization. There were
22 cases where supervisors or managers had not been picked, and
23 necessarily they had to go down and fill out the rest of the
24 organization.

25 Q. Okay. And who had selected the people who were

1 underneath the vacant spots?

2 A. Well, essentially this committee selected everyone.
3 I mean this committee I referred to, this group of executives
4 selected everyone. I was brought in for advice on some
5 individuals, and I believe maybe Len Casewa was brought in
6 for advice but, you know, by and large it was a small group
7 of people.

8 Q. Now I want to direct your attention to the
9 Fuchko/Yunker case. Do you know what I'm talking about when
10 I say the Fuchko/Yunker case?

11 A. Yes.

12 Q. And do you recall what that was, just briefly what
13 is was?

14 A. It's hard to brief on the Fuchko/Yunker case, but I
15 guess briefly they eventually alleged that there were
16 problems identified at, that they identified at Plant Vogtle
17 that management was not responsive to, and ultimately they
18 were terminated because of that identification. That is the
19 crux of it, I guess.

20 Q. Did there come a point in time when you became
21 aware that Mr. Fuchko and Mr. Yunker were about to go trial
22 against the company?

23 A. Oh, yes, because I was asked to provide a statement
24 to the Georgia Power attorneys. That was after I left the
25 company.

1 A. Yes.

2 Q. And it occurred, although you didn't mention in
3 your testimony, I believe it occurred at the 270 Peachtree
4 building here in Atlanta?

5 A. Right.

6 Q. And it went on for a couple of days?

7 A. Two days I believe.

8 Q. Two days, and you were present in that room for
9 what portion of that two-day session?

10 A. Approximately two hours.

11 Q. Two hours.

12 A. Yes, sir.

13 Q. And as I understand what was occurring there, there
14 was an organizational chart and they were filling in names on
15 the chart.

16 A. Yes, sir.

17 Q. Now, this organizational chart related to the Hatch
18 and Vogtle corporate support groups, did it not?

19 A. It related to Hatch, Vogtle, corporate support and
20 technical support, and administrative -- well, technical
21 services I guess it was referred to, and administrative
22 services.

23 There were three basic arms of the nuclear
24 organization, the support groups of which there were three
25 identical groups - Hatch, Farley and Vogtle, and then an

1 administrative services group and a technical services group,
2 and we had individuals that were put into all of those
3 groups, not just the project support groups, so it was all
4 the groups, the entire organization basically.

5 Q. All right. Now, you do not know for a fact, do
6 you, sir, that the individuals in this meeting had not
7 previously talked with folks in the organization about who
8 they wanted to work for them? You wouldn't know that one way
9 or the other, would you?

10 A. I can't say that I would know for sure, but I think
11 I would have known that, yes. I think I would have known it,
12 but --

13 Q. If these individuals say that Mr. Beckham, Mr.
14 McCoy and Mr. Hairston stated they had talked to certain
15 individuals, you wouldn't know whether they did or not, would
16 you?

17 A. I wouldn't know that, no.

18 Q. Do you know Mr. Len Casewa?

19 A. Yes.

20 Q. Yes.

21 Q. And he prior to this reorganization was head of
22 licensing and engineering for Hatch and Vogtle; is that
23 right?

24 A. Yes.

25 Q. Okay. And then after the reorganization he was

1 going to be responsible for licensing and engineering at
2 Plant Hatch; right?

3 A. Yes.

4 Q. And isn't it true, sir, that Mr. Beckham had
5 conversations with Mr. Casewa about the individuals that Mr.
6 Casewa wanted to work in his organization?

7 A. Right. I had indicated that earlier, I believe
8 that Mr. Casewa was involved, but he's the only other
9 individual that I'm aware that was involved.

10 Q. Okay. That's one example, isn't it, sir --

11 A. Right.

12 Q. -- of where an individual was consulted and was
13 asked about who they wanted to work in their organization,
14 isn't that right?

15 A. Yes.

16 Q. And there could have been other examples of that?

17 A. There could have been, yes, sir.

18 Q. And as a matter of fact, sir, they could have been
19 making those calls from that room at 270 Peachtree during
20 that two-day session and you wouldn't have known about that
21 because you weren't there; isn't that right?

22 A. They could have.

23 Q. You spoke earlier about a meeting between yourself
24 and Mr. McDonald and Mr. Hobby about Mr. Fuchko and Yunker,
25 and you related what Mr. Hobby said in terms of his desire to

1 find other work for these people, and if that couldn't be
2 done to outplace them in some way.

3 A. Uh-huh.

4 Q. What did Mr. McDonald say in response to Mr.
5 Hobbs' proposal?

6 A. Well, Mr. McDonald was fairly adamant that he
7 wasn't going to do anything with Mr. Fuchko and Yunker at
8 that time. He had just been assigned as an officer of
9 Georgia Power, again in this phasing process of transition he
10 was the responsible officer for nuclear operations at Georgia
11 Power, and optically -- I mean from an optics, labor
12 relations I guess point of view he didn't feel that it was
13 appropriate to send that signal to people like, you know,
14 that "Gee, all of a sudden I'm in charge and people are
15 starting to get fired or reassigned or whatever," so he --
16 you know, he was very adamant about the status quo, I mean
17 maintaining the situation as it was, as it existed.

18 MR. WITHROW: I believe that's all I have. Thank
19 you, sir.

20 JUDGE WILLIAMS: Any redirect?

21 MR. COLAPINTO: Yes, your Honor.

22 REDIRECT EXAMINATION

23 BY MR. COLAPINTO:

24 Q. Mr. McHenry, directing your attention again to the
25 selection process at 270 Peachtree Street --

1 A. Peachtree, the 270 building.

2 Q. -- that meeting that you were called to attend, who
3 were the most active participants in making the selections?

4 A. Well, I think the cognizant vice presidents, you
5 know, Mr. McCoy and Mr. Beckham were the most active. I mean
6 they had -- of the resources that were reallocated,
7 the vast majority of them went into those project
8 organizations.

9 Q. And the meeting that you described, is it fair to
10 say that that was being held by the top executives of the
11 company?

12 A. The top executives within the nuclear organization,
13 yes.

14 Q. And was the main meeting to your knowledge
15 exclusively limited to the top executives?

16 A. To my knowledge it was.

17 Q. And then they called you in to participate in part
18 of it?

19 A. Yeah, I was there again to clarify some individuals
20 that they were not familiar with.

21 Q. Did you after that meeting was over and you
22 received a chart with the names that were being selected for
23 those positions, then did you ever have to tell a supervisor
24 or manager who had been selected?

25 A. I'm not sure I understand that question.

1 Q. Did you ever have to -- did there ever come a time
2 when you had to explain to a manager or supervisor who they
3 were going to offer jobs to or who their staff would be?

4 A. Well, I handled personally the offering of many
5 jobs. The basic process was that once the -- everything was
6 decided, once everything was decided offer sheets were
7 generated, and then there was a cascading of offers, meaning,
8 you know, that for example Len Casewa was offered a job by
9 Mr. Peckham, then Len in turn offered people below him a job,
10 but because there were holes in the organization people
11 were -- there was not supervisors in some cases to offer
12 people jobs, and in the technical areas and in the
13 administrative areas there were many holes, and so I ended up
14 offering those people the jobs on behalf of Mr. McCreary or
15 someone else, you know, over in that organization.

16 Q. And that all happened after this meeting being
17 held?

18 A. Yes, sir.

19 Q. Okay. Now --

20 A. Very quickly after.

21 Q. What's that?

22 A. Very promptly, very quickly after that meeting,
23 within days.

24 Q. Okay. Now, the meeting that was held by the top
25 executives, how large was the organizational charts that

1 with Georgia Power Company?

2 A. He's an executive vice president.

3 Q. And what are his job duties and responsibilities?

4 A. He's responsible directly for the day-to-day
5 operation of the nuclear facilities, the Vogtle facility in
6 Waynesboro, Georgia and the Hatch facility in Baxley,
7 Georgia.

8 Q. Who does Mr. McDonald report to?

9 A. He reports to me directly.

10 Q. Is Mr. McDonald also an officer of Alabama Power
11 Company?

12 A. Yes, he is an executive vice president of Alabama
13 Power Company, and I believe he is also an officer of
14 Southern Company Services.

15 Q. What are Mr. McDonald's duties as far as the
16 Alabama Power Company is concerned?

17 A. He has basically the same job with Alabama that he
18 has with Georgia, he's responsible for the operation of the
19 Farley nuclear plant which is located in Dothan, Alabama.

20 Q. And do you know who Mr. McDonald reports to in his
21 capacity as an officer in Alabama Power Company?

22 A. Yes. He reports to Elmer Harris who is the
23 president and chief executive officer of Alabama Power
24 Company.

25 Q. Going back for a moment, Mr. Dahlberg, to Georgia

1 Power Company, you indicated that Mr. McDonald reports to
2 you. Does Mr. McDonald take all of his management direction
3 from you with respect to the operation of Georgia Power
4 Company's nuclear plants?

5 A. That's correct.

6 Q. Now, Mr. Dahlberg, I would like to ask you to
7 describe the SONOPCO project.

8 A. The SONOPCO project was originally envisioned as a
9 separate corporation. However, now it operates without a
10 corporate identity and operates in effect as a division of
11 the company, or a division of the Southern Company.

12 It is divided now so that it has specific
13 responsibilities for Georgia Power Company as we've indicated
14 for the operation of the Georgia units, and also has a
15 separate responsibility for Alabama's units.

16 It is not yet a corporate entity and does as I say
17 operate as in effect a division of The Southern Company.

18 Q. And with respect to the operation of Georgia Power
19 Company's nuclear plants, Plant Hatch and Plant Vogtle, does
20 SONOPCO function as a division if you will or department of
21 Georgia Power Company?

22 A. Yes. It's very similar to our fossil and hydro
23 plants which are the other type plants we have. We have a
24 senior officer responsible for the operation of those plants,
25 and the nuclear organization works basically the same way.

1 Q. Mr. Dahlberg, going back now to SONOPCO, why was
2 the SONOPCO project originally proposed? What was the idea
3 behind it?

4 A. On our system probably the greatest source of risk
5 is the operation, safe operation of the nuclear units. We
6 thought it advisable rather than to divide up the talent that
7 we had some in Alabama, some in Georgia, some in the Service
8 Company, that we should pool that group so that they would
9 have a single purpose and single focus, and that is on the
10 safe and efficient current operation of our nuclear plants.

11 In addition to that, in thinking about the future
12 and in dealing with regulation, changes in technology,
13 pending laws, to have one point of focus to address those
14 needs in the future we thought it would be advantageous to
15 pool all that in one organization, and that was the original
16 concept.

17 Q. Okay. Was Mr. Marvin Hobby involved in the task
18 force which recommended the formation of SONOPCO?

19 A. I'm not sure he was on the task force itself. I
20 believe there was a group of senior officers who made up the
21 task force.

22 I believe Mr. Hobby at one time worked on some
23 subpart of that.

24 Q. Okay. Mr. Dahlberg, when the SONOPCO project was
25 in the initial phases -- Well, let me strike that.

1 When the SONOPCO project was initially being
2 discussed, was there an idea that there would be several
3 phases in implementing the SONOPCO organization?

4 A. Yes and no. The original concept was that SONOPCO
5 would be a separate corporate entity, a subsidiary approved
6 by the Securities and Exchange Commission, and there probably
7 would not have been the need for going through several
8 phases.

9 When we ran into a delay in the formation of the
10 corporate entity, we proposed a structure that, yes, would go
11 through several phases before the organization was completed.

12 Q. And just briefly, Mr. Dahlberg, what are the three
13 phases of implementing the SONOPCO idea?

14 A. Well, the first phase is the phase that we are now
15 in, and that is that we would form the entity as a division,
16 we would begin to put the structure together, but that the
17 officers of that corporation would be both officers of
18 Georgia and Alabama, would maintain a position in this
19 organization, we would maintain the license as part of
20 Georgia's operation, the operation of course would report
21 directly to me and we would operate it in that fashion.

22 The subsequent phases would be when the corporation
23 is formed and it could become its own entity, and would begin
24 to shift to that organization, and then finally once the
25 organization was formed, up and running, a third phase was

1 that all operations could move to that separate subsidiary.

2 Q. Would the licenses be transferred to SONOPCO as
3 part of the third phase of the implementation?

4 A. That's correct.

5 Q. Mr. Dahlberg, who is Mr. Joe Farley?

6 A. Mr. Farley is senior I guess executive vice
7 president of The Southern Company, former chief executive
8 officer of Alabama Power Company, and he heads up the
9 formation of the SONOPCO project and that entity.

10 Q. Is Mr. Farley an officer of Georgia Power Company?

11 A. No, he's not.

12 Q. Is it expected that Mr. Farley would become an
13 officer of SONOPCO once SONOPCO is incorporated?

14 A. Yes, it's anticipated that he would be the chief
15 executive officer.

16 Q. Who is expected to be on the board of directors of
17 SONOPCO once SONOPCO is incorporated?

18 A. Final decisions have not been made. The
19 discussions at this point were that Mr. Farley would be, I
20 would be as chief executive officer of Georgia Power Company,
21 the chief executive officer of Alabama Power Company which
22 would be the owner of the Farley units, Mr. Ed Addison who is
23 the chief executive officer of The Southern Company which is
24 the holding company, probably the chief executive officer of
25 Southern Company Services, and perhaps a couple of other

1 officers, but that determination has not been finalized.

2 Q. Does Mr. Pat McDonald currently report to Mr.
3 Farley?

4 A. No. For management operations dealing with the
5 Georgia plants he would report to me. If it dealt with
6 matters at the Alabama plants, he would report to Mr. Harris
7 as president of Alabama Power Company.

8 Q. Has Mr. McDonald ever reported to Mr. Farley with
9 respect to Georgia Power Company's nuclear plants?

10 A. No, sir.

11 Q. At some point, assuming that the SEC approves the
12 formation and incorporation of SONOPCO, will Mr. McDonald at
13 that point begin to report to Mr. Farley regarding the
14 operation of Georgia Power's nuclear plants?

15 A. If the corporation was formed and they became the
16 licensee, then, yes, they would report to Mr. Farley.

17 A. Mr. Dahlberg, in the fall of 1988 what was the
18 anticipated timetable for the incorporation of SONOPCO?

19 A. At that time I believe we anticipated that it would
20 be a matter of months, and I think we probably used three to
21 six months as the time frame.

22 I guess there was always the anticipation that it
23 could go a little longer than that, but basically it was a
24 matter of months.

25 Q. Okay. And at this point in time looking back, how

1 Q. Okay. As best you can recall, Mr. Dahlberg, during
2 that meeting did you discuss a concern that Mr. Hobby had, or
3 a concern that George Head had that the nuclear operations
4 contract administration group was not receiving sufficient
5 cooperation from SONOPCO?

6 A. Not that I recall.

7 Q. Okay. Did you discuss in that meeting Mr. Hobby's
8 April 27th, 1989 memorandum to Mr. Williams?

9 A. No, sir.

10 Q. Did you discuss the concern Mr. Hobby expressed in
11 Page 7 of the memorandum at the May 5 meeting?

12 A. No, sir.

13 Q. Did you discuss with Mr. Baker and Mr. Farley at
14 the May 5 meeting anything pertaining to the Fuchko and
15 Yunker proceeding?

16 A. No, sir.

17 Q. In the May 5 meeting do you remember whether or not
18 Mr. Farley expressed an opinion as to the need for the
19 nuclear operations contract administration group?

20 A. I don't remember if it was at that meeting. I had
21 a conversation with Mr. Farley on that subject, and I'm not
22 sure if it was at that meeting or whether it was a telephone
23 conversation, but I do recall discussing that with him
24 briefly on one occasion.

25 Q. And what was the opinion that Mr. Farley expressed

1 to you?

2 A. Basically that there was a duplication of effort,
3 that is that the information was provided, and to have
4 somebody else reestablish that same information seemed to be
5 a duplication.

6 Again, if you equate that to the other parts of the
7 organization, another division of the organization like the
8 running of the fossil plants or the coal-fired plants, to
9 have another organization to look at the same information and
10 to reprovide it would be the same type of duplication, and
11 Joe asked that question.

12 Q. Okay.

13 A. Joe Farley raised the question.

14 Q. My last question, Mr. Dahlberg, has to do with a
15 document that is Tab 22 of Exhibit C-35, a June 8th, 1989
16 letter not signed addressed to Dennis. Have you ever seen
17 this document before?

18 A. No, sir.

19 Q. Let me direct your attention, Mr. Dahlberg, to Page
20 3 of the document, the fourth paragraph, and the last part of
21 that paragraph where there is some information in parentheses
22 --

23 MR. COLAPINTO: Excuse me. What page?

24 MR. JOINER: Page 3, Paragraph 4, the parenthetical
25 at the end of the paragraph.

1 Let me say this. The organization is of course
2 still being formed, and as we've said several times there is
3 not a corporate entity.

4 It is a structure that Georgia Power Company has
5 officers in, and Alabama Power Company does, and the service
6 company does, as well as the formation of that project. I
7 wouldn't be surprised -- I don't consider it illogical. I
8 believe Mr. McCreary does report to Mr. McDonald, but I'm not
9 sure I agree with your characterization.

10 Q. So as you understand it, then, McCreary as the head
11 of administration reports to McDonald, and McDonald as an
12 officer of Southern Company Services then reports to the
13 president of Southern Company Services; correct?

14 A. For those aspects dealing with Southern Company
15 Services matters, yes, that would be correct.

16 If there are matters dealing with Georgia Power
17 Company or the operation of the plants, he would report to
18 me.

19 If it dealt with matters dealing with the plants
20 and the operation of the plants in Alabama, he would report
21 to Mr. Harris.

22 Q. All right. So you've functionally divided then
23 from my understanding of what you're saying the SONOPCO
24 project as follows:

25 Mr. McDonald when it deals with the actual

1 send me performance information.

2 When I go to the nuclear organization, they send me
3 performance information. Somebody else to do the same thing
4 is just unnecessary.

5 BY MR. KOHN:

6 Q. And you decided that you would centralize this
7 information gathering just as you had for the fossil plants
8 in Atlanta -- right? -- and that's where you chose to
9 centralize this function --

10 A. Yes, that's what I --

11 Q. -- when you set up nuclear operations contract
12 administration?

13 A. Part of what you said was inaccurate. You said
14 something about the fossil plants. I don't have a
15 centralized -- I'm not sure how you described that.

16 When I set up the contract administration group for
17 nuclear, yes, I set it up in Atlanta because that's where I'm
18 located.

19 Q. And at some point you decided to transfer all those
20 functions to SONOPCO; right?

21 A. No, it's not a transfer. The function in effect
22 never took shape.

23 A. Okay. In December '88 you wrote your memo --

24 A. Yes.

25 Q. -- creating the nuclear operations contract

1 administration. In your mind that contract between Georgia
2 Power and SONOPCO was going to come right around the corner;
3 right?

4 A. I don't know whether months is right around the
5 corner, but I did anticipate that SONOPCO would be formed in
6 a matter of months, yes.

7 Q. All right. So you set up the nuclear operations
8 contract administration group to do all the functions that
9 -- budgeting, oversight, interface and a host of other things
10 -- right? -- and the reason you did that was so nuclear
11 operations contract administration could start functioning
12 immediately because a contract was imminent; right?

13 A. That's part of the reason. The other reason was
14 the SONOPCO organization was new. I don't think any of us
15 knew exactly how it would operate and exactly what would be
16 required.

17 I anticipated that, yes, it would be formed; yes, I
18 anticipated there would be a contract and there would be
19 something to administer; yes, I anticipated that we would
20 need somebody to be involved in gathering information about
21 the performance of the units, about the budget, about safety
22 factors.

23 As it turned out, one, there is no contract;
24 secondly, those things that I thought would be required in
25 terms of monitoring performance, we're monitoring

1 performance, but I get that information directly from the
2 SONOPCO organization, just like I get information directly
3 from the fossil information group, I get information directly
4 from our marketing group, and there was no need for a
5 separate organization to do basically the same thing.

6 You mentioned budgeting. SONOPCO does the budget,
7 they review it directly with me. There's not a function in
8 the middle.

9 Q. And SONOPCO was new, and nuclear operations
10 contract administration was new.

11 A. Yes.

12 Q. Almost simultaneously new; right?

13 A. Of course.

14 Q. Okay. And so now you're setting up nuclear
15 operations contract administration, and you don't want to
16 duplicate efforts; right?

17 A. Correct.

18 Q. And so you wanted to set up nuclear operations
19 contract administration to do certain things; right?

20 A. Yeah, I've just described that.

21 A. All right. But it ends up now that SONOPCO is
22 doing those things, and not nuclear operations contract
23 administration group; isn't that correct?

24 A. That's absolutely correct.

25 Q. All right. So you set up nuclear operations

1 contract to do certain things, at the same time you set up
2 the SONOPCO project, but somehow along the way your whole
3 concept of why you created SONOPCO has fallen apart, and
4 you've got all those functions, and you started to stick them
5 in the SONOPCO organization; right?

6 A. No, you made a -- one thing you said was wrong.
7 You said my expectations for SONOPCO fell apart, and that was
8 not correct.

9 Q. Your contract.

10 A. Those things that I thought the contract group
11 would do did not materialize because I got the information
12 from another source, there was no contract to administer.
13 There really wasn't a function to perform.

14 Q. But when you set up nuclear operations you thought
15 there was going to be this contract, so it only made local
16 sense to allow nuclear operations to start doing those
17 functions -- right? -- you have a new SONOPCO project forming
18 with a whole headache and a host of problems associated with
19 moving offices, with hiring staff, with ten thousand new
20 things to do with every new major corporation creation, and
21 you had nuclear operations contract administration group
22 already established, there are offices at Georgia Power
23 Company, the space was there, you could relieve this whole
24 burden off of SONOPCO's back by allowing Marvin Hobby's
25 nuclear operations contract administration group just to pick

1 Q. Well, if you would look at Complainant's Exhibit 5
2 there and tell me if that's a contract between Georgia Power
3 and SONOPCO that was filed with the SEC.

4 A. It is an undated, unsigned draft of a contract
5 which is labeled as Exhibit B-6. Whether it was filed or not
6 with the SEC, I don't know from the document that you've
7 shown me.

8 I don't know if it is the first draft ever done, I
9 don't know if it was the second, the third, the fourth, the
10 ninth or the one hundredth, but it appears to be a blank,
11 undated, unsigned draft agreement between SONOPCO and Georgia
12 Power Company.

13 Q. There's been some talk about performance indicators
14 in this proceeding. You're familiar with that subject?

15 A. I'm not sure I'm familiar with them in the context
16 you are using it. I am familiar with performance indicators.

17 Q. We had a very lengthy discussion about that during
18 your deposition, didn't we?

19 A. We had some discussion about it. It was a lengthy
20 deposition, I'll grant you that.

21 Q. And can you tell me, there was a meeting on August
22 10th -- correct? -- that you had with Mr. McDonald over
23 performance indicators in 19 -- do you remember what year
24 that was?

25 A. I'm not sure what meeting you're referring to.

1 Q. On January 10, 1989, the meeting that we referred
2 to at your deposition as to where Mr. McDonald broke his
3 chair.

4 A. Oh, I don't believe it was in January.

5 Q. Excuse me, August.

6 A. August. Yes, I recall that meeting.

7 Q. All right. And the purpose of that meeting was
8 because Mr. McDonald wasn't listening to Dwight Evans'
9 decisions on how to proceed with performance indicators;
10 correct?

11 A. That's not entirely correct.

12 We were in the final phases, or I guess we were in
13 the rebuttal phase of testimony in a rate proceeding before
14 the Georgia Public Service Commission.

15 There had been testimony in that case by
16 consultants representing the Georgia Public Service
17 Commission on performance standards for nuclear units.
18 We were developing rebuttal testimony.

19 Mr. McDonald as I indicated is a strong person, and
20 I called him and discussed the need for rebuttal testimony.
21 We disagreed on the phone as to how to go about forming that.

22 It was a short discussion, and as a consequence of
23 the discussion on the telephone he came to Atlanta and we met
24 on that subject in my conference room.

25 The purpose of the meeting was to agree on how to

1 proceed with the development of the rebuttal testimony for
2 that case.

3 Mr. McDonald wanted to oppose all standards, and I
4 felt that we had to put in some response and to question some
5 of the standards that were proposed by that consultant, and
6 perhaps provide some alternatives, but basically that was the
7 subject of disagreement.

8 If I might go on, as a result of the meeting Mr.
9 McDonald went back to Birmingham and we did develop the
10 rebuttal testimony that was filed in the case.

11 Q. And you were so upset about meeting because you
12 had, only had one or two days to get that testimony done;
13 right?

14 A. That's correct.

15 Q. And Mr. McDonald worked around the clock those 48
16 hours to get that in to the commission; right?

17 A. That's correct.

18 Q. And it was rebuttal testimony that GDS had
19 submitted into the rate case; right?

20 A. I'm not sure GDS' was rebuttal, I think it was
21 their direct. It was our rebuttal testimony rebutting the
22 performance standards that GDS had put in the record.

23 Q. Right. And that meeting was on August 10th;
24 correct?

25 A. I assume that's correct. That's about the right

time frame.

2 Q. And that meeting is recorded in your calendar;
3 correct?

4 A. I doubt it. It was a meeting that was called very
5 quickly, and it might have been penciled in, but it wasn't
6 one that was scheduled in advance.

7 Q. I'm going to show you your calendar real quick --
8 okay? -- and if you look at the August 10th entry at 5:00
9 p.m., can you tell me who was meeting at that time?

10 A. Who was in the meeting at that time?

11 Q. Yeah.

12 A. Mr. McDonald, myself, Attorney Jim Joiner and
13 Dwight Evans, and I thought Attorney Art Domby was present,
14 and this indicates Doug Miller, and I don't recall Doug being
15 there, but he very well could have been.

16 Q. And that's the meeting, that's that August 10th
17 meeting; right?

18 A. I believe so, yes.

19 Q. Okay. So it is in your calendar.

20 A. Yes. My secretary is more efficient than I
21 thought.

22 Q. All right. Now, I'd like to show you another
23 document.

24 You had two days to respond to this rebuttal
25 testimony, can you tell me how come the rebuttal testimony

1 any of his assignments that are addressed in this memo?

2 A. Not to my knowledge.

3 Q. Has anyone ever told you that Mr. McDonald found
4 the memo totally unacceptable?

5 A. No.

6 Q. Did Mr. McDonald ever tell you that?

7 A. No, he did not.

8 Q. To your knowledge did Mr. McDonald ever undertake
9 to have Mr. Hobby removed from any of the job duties that
10 were assigned to him in this memo?

11 A. Not to my knowledge.

12 Q. Mr. Evans, did you ever tell Mr. Hobby that he was
13 being relieved of his responsibilities in order for you to
14 get cooperation from SONOPCO?

15 A. No, I did not.

16 Q. To your knowledge, Mr. Evans, was Mr. Hobby ever
17 prevented from doing his job in the nuclear operations
18 contract administration group by being denied access to the
19 SONOPCO project, or the information from the SONOPCO project?

20 A. Not to my knowledge.

21 Q. To your knowledge was Mr. Hobby ever excluded from
22 any meetings which involved the SONOPCO project?

23 A. No.

24 Q. All right. Let's talk for a minute if we can about
25 the nuclear performance standard issue that arose in the 1989

1 rate case.

2 Did you have a disagreement with Mr. McDonald as to
3 the company's position on that issue before the Public
4 Service Commission?

5 A. I had overall responsibility for the rate case. We
6 agreed that performance standards were not desirable for the
7 operation of a particular plant, that the entire company
8 should be judged in a rate case.

9 However, late in the rate case after our direct
10 case it became apparent to me that the Public Service
11 Commission was going to adopt performance standards, and that
12 we should be prepared to comment on the performance standards
13 that they were about to enter into testimony.

14 Mr. McDonald did not agree, and since he and I both
15 were executive vice president of the company, we took that to
16 our boss, Mr. Bill Dahlberg, and he resolved the issue.

17 Q. Precisely what was Mr. McDonald's position? What
18 did he think the company should do? and contrast that to what
19 you thought the company should do.

20 A. He thought that we should continue to make
21 arguments against the adoption.

22 I agreed that performance standards were not
23 desirable, but I felt that the commission would adopt those,
24 and we should be prepared to comment, so I thought we should
25 still -- he and I agreed that we should still maintain the

1 position that performance standards were not desirable, but
2 the disagreement came about as to whether or not we would
3 provide information in our rebuttal case and if we would have
4 information available in cross-examining the staff, staff
5 consultant.

6 Q. Now, you said that Mr. Dahlberg resolved that
7 disagreement. How did that come about?

8 A. When it became apparent that there was a
9 disagreement, Mr. Dahlberg called a meeting, and I was in the
10 meeting, and Mr. McDonald was in the meeting. We both stated
11 our cases.

12 The attorney, Mr. Joiner, in the rate case was
13 there also. We laid the facts out, and Mr. Dahlberg
14 concluded that we should submit testimony, and we in fact
15 did.

16 Q. And he instructed Mr. McDonald to do that?

17 A. Yes.

18 Q. And did Mr. McDonald carry out those wishes as far
19 as you knew?

20 A. Yes, he did.

21 Q. Now, were you aware of Mr. Hobby doing any work on
22 the performance standard issue?

23 A. No, I was not aware.

24 Q. To your knowledge did Mr. McDonald ever do
25 anything, or did you do anything to relieve Mr. Hobby of any

1 responsibilities he may have had with respect to performance
2 indicators?

3 A. I did not, and to my knowledge Mr. McDonald did
4 not.

5 Q. You mentioned that you came back to the company I
6 think the late part of '88.

7 After returning to the company, did you develop an
8 opinion about the necessity for the nuclear operations
9 contract administration?

10 A. Yes, I did.

11 Q. And what was your opinion?

12 A. I believed that we should have multiple points of
13 interface with the new company, that as an example I was
14 responsible among other things for interfacing with the
15 Public Service Commission.

16 I felt like that the accounting organization at
17 Georgia Power that presented testimony, presented information
18 to the Public Service Commission should have direct access to
19 people at SONOPCO, and all across the board.

20 I felt like we did not need a high level position
21 to interface with SONOPCO, that we should interface with them
22 in many ways similar that we do with the service company
23 where we have many people dealing and more liens of
24 communication.

25 Q. And did you discuss your opinions on that subject

1 A. I was not aware of that.

2 Q. Well, you wouldn't say -- at some point you became
3 aware that that was his role; correct?

4 A. I was aware that his role was that of contract
5 administration in working with the SONOPCO project.

6 I was under the assumption that technical people in
7 the SONOPCO project and our attorneys who were following this
8 issue would be the ones actually doing the drafting, and as I
9 mentioned earlier Mr. Hobby due to his role in contract
10 administration would be aware of it and would have some
11 involvement, but I thought the technical experts and the
12 attorneys would be the ones actually performing the work.

13 Q. And at some point prior to the August 10 meeting
14 you had with Mr. Joiner, with Mr. Dahlberg and Mr. McDonald
15 in Mr. Dahlberg's office, you learned that Mr. McDonald
16 stopped work on the ultimate performance standard?

17 A. I had a conversation with Mr. McDonald, and Mr.
18 McDonald indicated in the conversation that he felt that we
19 should continue our arguments against performance standards,
20 that he did not feel that performance standards were in the
21 best overall interest of operating the plant, and so I became
22 aware that there was a disagreement between Mr. McDonald and
23 I prior to that meeting, which is why the meeting was held.

24 Q. But the specific problem, or the specific thing
25 that triggered you to call -- I mean first you're the one

1 who advised Mr. Dahlberg to set up that August 10th meeting;
2 is that correct?

3 A. I approached Mr. Dahlberg with information that Mr.
4 McDonald and I did not agree, and that he would need to
5 resolve the issue.

6 Q. Okay. Now, McDonald didn't agree on how Georgia
7 Power Company should be controlling its rate case; correct?

8 A. No, he did not agree with specifically the position
9 we should take on performance standards.

10 Q. Well, that all deals with the rate case; correct?

11 A. Well, I had overall responsibility for the rate
12 case, but I had to rely on the people in the accounting
13 organization and other technical people to provide the
14 technical information, because I was not an expert on all t
15 he topics, so I relied on Mr. McDonald for expertise in that
16 area.

17 At any point in time that I did not agree with
18 another executive vice president of the company on a
19 particular issue, I wanted Mr. Dahlberg to be aware of that
20 and be involved.

21 Q. Okay. And you told Mr. McDonald that you wanted
22 information on performance standards, and he told you he
23 wasn't going to give it to you?

24 A. He told me he did not agree with me, and I
25 suggested that we take the issue up with Mr. Dahlberg.

1 the reason that you were asking for this memo was to prepare
2 Mr. Dahlberg for a May 5 meeting that he was going to have
3 with Mr. Baker and Mr. Farley?

4 A. No, sir, I never told him that.

5 Q. Did you know anything about such a meeting, a May 5
6 meeting between Mr. Dahlberg and Mr. Farley?

7 A. No, sir, I had no knowledge of a May 5 meeting.

8 Q. Did you offer any advice in your meeting with Mr.
9 Hobby on the 27th as to whether he should send the memo?

10 A. Yes, sir, I did. I explained to Mr. Hobby that we
11 were in this, I'd say the time frame of where we were trying
12 to structure a relationship, structure or set up SONOPCO, set
13 up his organization at Georgia Power, get a working
14 relationship together.

15 My management philosophy was one if I had a problem
16 with somebody I would go talk to him, we didn't need to just
17 start writing a bunch of memos around and saying we've got
18 problems here and everywhere, go sit down and talk about it.

19 Therefore, with the other inaccuracies that I had
20 already pointed out, or what I saw as no problems at all in
21 the memo that he was raising after my explanation to him I
22 hoped that answered him that if I was him I would -- I asked
23 him to go back -- not if I was him, I asked him to go back
24 and consider whether he wanted to send the memo forward.

25 Q. Did you tell him not to send the memo?

1 A. No, sir, I never told him not to send the memo. I
2 just asked him to consider whether he really wanted to send
3 it out.

4 Q. Did you ever tell him to destroy the memo, or
5 destroy the original or the copies of the memo?

6 A. No, sir, I never did. I was trying to help Mr.
7 Hobby some in management style and how we can -- being a
8 negotiator and having been involved in many negotiations with
9 the company and all some of the best approaches to take at
10 working things out and resolving issues.

11 Q. Mr. Williams, was this memo or any of the subjects
12 that are addressed in the memo a factor in your decision to
13 eliminate Mr. Hobby's position?

14 A. No, sir. In fact, until he raised the issue here
15 with the Department of Labor I had even completely forgotten
16 the memo was ever written.

17 Q. Now, did you ever have an occasion to show the memo
18 to anyone in the company?

19 A. As I recall, I did keep a copy of the memo because
20 I wanted to read it in more detail, because I read it quickly
21 at the meeting and responded. I was going to return that
22 copy, and I did to Mr. Hobby though after I read it because I
23 wanted him to have the ability to do as I suggested if he
24 wanted to do that.

25 I think I showed it to my assistant, he remembers

1 A. Yes, sir, it is.

2 Q. And after you received this letter, did you think
3 that a copy or -- did you think the memo was in existence at
4 all?

5 A. Yes, sir, I did.

6 Q. Did Mr. Hobby give you a copy of it at that time?

7 A. No, sir, he did not.

8 Q. Did you ever tell Mr. Hobby in your discussions
9 with him that Mr. Bob Edwards who is a lawyer with our firm
10 was concerned about the memo?

11 A. No, sir.

12 Q. Did you ever tell Mr. Hobby that you were going to
13 rewrite this memo?

14 A. No, sir, I did not.

15 Q. Did you ever rewrite the memo?

16 A. No, sir, I did not.

17 Q. When was Mr. Hobby advised of your decision to
18 eliminate his position?

19 A. I think Mr. Hobby was aware of my thoughts on it in
20 the fall of 1989. The official notice that I was eliminating
21 the position would have been in the February 1st I guess or
22 February 2nd letter where I officially gave him the offer.

23 However, I had already informed him in our
24 negotiations and discussions as we looked at different
25 alternatives that he understood that elimination of a

1 and had a discussion in our conference room.

2 Q. And do you recall when that happened?

3 A. The specific date and time, no.

4 Q. But it would have been prior to May 1st, 1989?

5 A. It would have been, yes. It was very close to that
6 time.

7 MR. COLAPINTO: I have no further questions, your
8 Honor.

9 MR. WITHROW: I have just a few, your Honor.

10 CROSS-EXAMINATION

11 BY MR. WITHROW:

12 Q. Mr. Glenn, you mentioned that it was possible for
13 an employee to communicate a concern on the basis of
14 confidentiality. Is it also possible for an employee to
15 relate a concern to your department with an assurance of
16 anonymity, or on the basis of anonymity?

17 A. Yes, individuals can come to us without ever giving
18 us their name.

19 Q. Did Mr. Hobby ever file a concern with your
20 department regarding his complaint that Mr. McDonald did not
21 receive all of his management direction from Mr. Dahlberg?

22 A. No, sir.

23 Q. Did Mr. Hobby ever file a corporate concern with
24 your department regarding a contention that he had that Mr.
25 McDonald had given false or inaccurate testimony in the

1 Fuchko and Yunker Department of Labor proceeding?

2 A. No, sir.

3 Q. Do you know what I'm referring to by that
4 proceeding?

5 A. I'm aware of that proceeding, but not any
6 allegation about Mr. McDonald.

7 Q. Okay. Let me get you to turn in that book of
8 documents -- not the one you have in your lap, but the one
9 right there -- to Tab Number 3 which is for the record Mr.
10 Hobby's April 27 memo to Mr. Williams, and I'll ask you, sir,
11 if you've ever seen that document before.

12 A. No, sir, I have not.

13 Q. How often during the spring of 1989 would you meet
14 with Mr. Baker regarding the corporate concerns program?

15 A. Typically biweekly.

16 Q. Okay. And how often would you meet with him every
17 two weeks about corporate concerns?

18 I'm sorry, I may have misstated myself.

19 How much time was allotted for these biweekly
20 meetings? It's getting late in the day, I'm sorry.

21 A. I thought it was me, I'm glad you clarified that.
22 Fifteen minutes.

23 Q. Fifteen minutes?

24 A. Yes.

25 Q. Okay. Now, at the time you had this conversation

1 with Mr. Baker about a concern over transfers out of the
2 SONOPCO to other positions in the company, did you discuss
3 with Mr. Baker Mr. Hobby's specific complaint about not being
4 able to interview Mr. Barker?

5 A. No.

6 Q. You were instead discussing this general or generic
7 problem as I think you refer to it in your deposition about
8 transfers from SONOPCO to other places in the company; is
9 that right?

10 A. That's correct.

11 Q. Okay. And it was at that time that Mr. Baker asked
12 you to prepare something for your next meeting with him?

13 A. Yes.

14 Q. Did you discuss in your meeting with Mr. Baker Mr.
15 Hobby's concerns about the fact that perhaps Mr. McDonald did
16 not receive all of his management direction from Mr.
17 Dahlberg?

18 A. No, I did not.

19 Q. Did Mr. Baker ever tell you about what was said
20 between him and Mr. Dahlberg and Mr. Farley in this upcoming
21 meeting that was to occur?

22 A. No, he did not.

23 Q. Did he mention the date of the meeting?

24 A. Not to my recollection.

25 Q. And who did he tell you that he would meet with if

1 you recall?

2 A. I really don't specifically recall. To the best of
3 my recollection it was he and Mr. Dahlberg with a senior
4 officer in SONOPCO.

5 Q. Do you recall whether Mr. Baker kept a copy of this
6 white paper, Complainant's Exhibit 20, after your discussion
7 with him?

8 A. I don't have specific recollection of that.

9 MR. WITHROW: That's all I have.

10 MR. COLAPINTO: Just a couple of questions, your
11 Honor.

12 REDIRECT EXAMINATION

13 BY MR. COLAPINTO:

14 Q. Now, regarding the issue that Mr. Withrow just
15 brought up, did Mr. Hobby ever tell you that he was having
16 some problems with the SONOPCO project?

17 A. Yes.

18 Q. And that was something that he would mention over a
19 period of time to you, or on some occasions he had brought
20 that to your attention?

21 A. My memory is not specific as to how many times he
22 brought it up. If it's more than one, I would probably
23 concede it was on more than one occasion.

24 Q. Now, did Mr. Hobby -- Mr. Hobby did tell you that
25 he was pursuing his concerns through his own management,

1 didn't he?

2 A. That was my understanding.

3 Q. And if Mr. Hobby was pursuing -- Well, who was Mr.
4 Hobby's manager?

5 A. Depending on what time frame we're talking about, I
6 honestly was not that familiar with who his direct reporting
7 chain of command was.

8 Q. But he reported to senior management, too, didn't
9 he?

10 A. That's correct.

11 Q. And if he was pursuing it through his own
12 management, then he was able to pass it on to senior
13 management as well as you could have through corporate
14 concerns?

15 A. He could have, yes.

16 Q. As of April 1989, late April 1989 which I believe
17 was the time frame when Mr. Hobby was requested by your
18 department to supply more information on the corporate
19 concern that we were talking about earlier, it was your
20 understanding that at that time Mr. Hobby was still pursuing
21 whatever concerns he had through his own management?

22 A. I really can't tell you exactly what my
23 understanding was in April '89 of what Mr. Hobby was doing.
24 I would presume that's correct.

25 Q. Were you aware that Mr. Hobby had an outstanding

1 concern when you met with him, something that was still
2 unresolved when he came in and gave you the information on
3 Exhibit 20?

4 A. The issue that's identified in Exhibit 20 I believe
5 was an outstanding -- it reads like it is still and
6 outstanding and ongoing concern at that time.

7 MR. COLAPINTO: I don't have any further questions,
8 your Honor.

9 JUDGE WILLIAMS: Thank you, sir, for your time.
10 You may step down.

11 (Witness excused.)

12 JUDGE WILLIAMS: Do we have one more witness, Mr.
13 William Evans?

14 MR. COLAPINTO: Yes, your Honor.

15 (Pause.)

16 JUDGE WILLIAMS: Raise your right hand, please.
17 WHEREUPON,

18 WILLIAM R. EVANS

19 was called as a witness by and on behalf of the Complainant,
20 and being first duly sworn, was examined and testified as
21 follows:

22 DIRECT EXAMINATION

23 JUDGE WILLIAMS: Please be seated. State your name
24 and address for the record.

25 THE WITNESS: William Russell Evans, I'm a

BEFORE THE
UNITED STATES DEPARTMENT OF LABOR

MARVIN B. HOBBY,
Complainant,
vs.
GEORGIA POWER COMPANY,
Respondent.

VOLUME III
Case No. 90-ERA-30

Courtroom 901,
DeKalb County Courthouse,
556 N. McDonough Street,
Decatur, Georgia

Thursday, October 25, 1990

The above-entitled matter came on for hearing,
pursuant to Adjournment, at 9:00 a.m.

BEFORE:

HON. JOEL R. WILLIAMS, Administrative Law Judge

APPEARANCES:

MICHAEL D. KOHN, Attorney,
DAVID K. COLAPINTO, Attorney,
Kohn, Kohn & Colapinto,
517 Florida Avenue, N.W.,
Washington, D.C. 20001;
Appearing on behalf of the Complainant.

JAMES JOINER, Attorney,
WILLIAM N. WITHROW, Attorney,
Troutman, Sanders, Lockerman & Ashmore,
1400 Candler Building,
Atlanta, Georgia 30303-1810;
Appearing on behalf of the Respondent.

1 THE WITNESS: My name is Joseph M. Farley, I am
2 from Birmingham, Alabama, and my address is Building 40,
3 Inverness Center Parkway, Birmingham, Alabama.

4 BY MR. JOINER:

5 Q. Mr. Farley, by whom are you employed?

6 A. I am employed by Southern Company Services,
7 Incorporated, which is the organization through which I am
8 paid my salary.

9 I am also an officer of The Southern Company.

10 Q. What is your title, Mr. Farley, as officer of The
11 Southern Company?

12 A. Executive Vice President/Nuclear.

13 Q. What are your duties and responsibilities as
14 executive vice president/nuclear of The Southern Company?

15 A. The assignment and responsibility that I have is to
16 oversee the formation of a new entity within The Southern
17 Company system, Southern Company being a holding company with
18 a number of subsidiaries.

19 It is my responsibility to see that the
20 organization is put together, that there is established an
21 organization that will have ultimately responsibility for the
22 operation of the nuclear power plants within the Southern
23 system.

24 That responsibility covers a time frame, because
25 there cannot be an organization as a corporation, a corporate

1 entity until there is approval from the Securities and
2 Exchange Commission.

3 A lot of work was required in order to establish a
4 group that would be in position to assume that responsibility
5 when and if the Securities and Exchange Commission does give
6 ultimate approval.

7 Along with that responsibility for seeing that a
8 proper organization and kind of corporate headquarters group
9 was brought into being, I have also the responsibility of
10 working within The Southern Company system as what might be
11 termed the spokesman for this group within The Southern
12 Company's leadership. That is with the chief executive
13 officers of the other Southern Company affiliates.

14 I also have the responsibility of dealing with what
15 might be termed the national scene. I am active in several
16 of the nuclear industry organizations. I'm chairman of its
17 governmental affairs group in Washington, and spend a good
18 deal of my time working with the programs and policies of
19 that group in looking for legislation and for other changes
20 and oversight of the industry's position with the Congress
21 and with the various executive agencies.

22 A great part of my time is on that, because The
23 Southern Company management is very positive about the future
24 of nuclear power, and I have the responsibility of being what
25 amounts to their spokesman and their worker in this area.

1 Mr. Farley, do you have any responsibility for the
2 operation of Georgia Power Company's nuclear power plants,
3 Plant Hatch and Plant Vogtle?

4 A. I do not have responsibility for the operation of
5 those plants.

6 Q. Directing your attention for a moment to SONOPCO,
7 is it expected that you will become an officer of SONOPCO and
8 a member of its board of directors once the SEC approves the
9 incorporation of SONOPCO and the incorporation takes place?

10 A. Yes, it is expected that, and I have been informed
11 by those who would have authority that at such time I would
12 become the chief executive officer and would become a member
13 of its board of directors.

14 Q. Let me ask you this, Mr. Farley. At what point in
15 time will Mr. Pat McDonald begin to report to you with
16 respect to the operation of Plant Hatch and Plant Vogtle?

17 A. That will be some time in the future. The
18 formation of the corporation itself would be a step in the
19 ultimate direction in which we plan to go.

20 However, another step that is important and would
21 be dispositive of this particular question that you asked is
22 when the license for Plants Vogtle and Hatch and also for
23 Plant Farley in the Alabama Power Company system would be
24 transferred from the present operating licensees to the
25 nuclear operating company.

1 At that point in time Southern Nuclear Operating
2 Company, which is the proposed name, would have the
3 responsibility for operation of the plants, and if I am still
4 around at that point in time I would be the chief executive
5 officer and Mr. McDonald or his successor would report to me,
6 and I would have then the ultimate responsibility for the
7 plants.

8 Q. At the present time, Mr. Farley, does Mr. Pat
9 McDonald report to you with respect to the operation of the
10 Hatch and Vogtle nuclear power plants?

11 A. No, sir, he does not.

12 Q. Now, Mr. Farley, I'd like to direct your attention
13 for a moment to Georgia Power Company's nuclear operations
14 contract administration group.

15 Were you consulted, Mr. Farley, regarding the
16 formation of the nuclear operations contract administration
17 group in late 1988?

18 A. No, sir, I was not.

19 Q. Were you consulted regarding the creation of the
20 position of general manager of that group which Mr. Marvin
21 Hobby filled?

22 A. No, sir, I was not.

23 Q. Conversely, Mr. Farley, were you consulted
24 regarding the elimination of the position of general manager
25 of nuclear operations contract administration?

1 Hatch and Vogtle nuclear plants from you and not from Bill
2 Dahlberg?

3 A. I was not aware of any such complaint.

4 Q. To your knowledge has anyone ever raised that
5 concern?

6 A. Other than Mr. Hobby I've never heard that concern
7 raised.

8 I have heard other people refer to Mr. Hobby's
9 concern, but I have not heard others raise the question.

10 Q. To your knowledge, Mr. Farley, does anyone at the
11 Nuclear Regulatory Commission have such a concern?

12 MR. KOHN: Objection. Hearsay, your Honor.

13 JUDGE WILLIAMS: Well, not exactly. Go ahead and
14 answer.

15 THE WITNESS: No, sir. I have been to see most of
16 the NRC commissioners on two different occasions back when we
17 started this proposition and later on in this past spring
18 with the matter in mind of informing them what we were going
19 to do, and then later what we were doing, and in each
20 instance they did not express anything other than support for
21 the direction we were going.

22 Of course, it was implicit in our discussion with
23 them, and we so stated, that we could not get everything done
24 including the license transfers in a matter of a push of a
25 button, that it was going to take a time frame with several

1 nuclear organization.

2 Q. And that's because Mr. Dahlberg was just about to
3 increase Mr. Hobby's staff I think you testified by three
4 individuals or something, and you had learned about this?

5 A. It was not my understanding that Mr. Dahlberg was
6 about to increase the staff. It was my understanding that
7 that was under consideration.

8 I didn't know what Mr. Dahlberg was going to do or
9 not do, and he didn't indicate to me what he would do or not
10 do.

11 Q. Okay. So basically the sum and substance of the
12 discussion was Bill Dahlberg saying to you, Mr. Farley, "Hey,
13 I'm about to consider expending a lot of resources to get
14 this contract administration group up and operating," and you
15 respond saying "Hey, wait, we could do that just as well over
16 at our side, so why don't we just transfer the function over
17 to SONOPCO?"

18 A. No, sir, that was not the way the conversation went
19 at all.

20 Mr. Dahlberg had before him as I understood it a
21 request from Mr. Hobby for some additional personnel, and Mr.
22 Dahlberg just asked me what did I think about increasing some
23 personnel for a group that would interface with Southern
24 Nuclear, and sort of translate what Southern Nuclear would be
25 doing to other parts of Georgia Power Company, and my

1 response was that I thought that would lead to -- either be
2 or would lead to duplication, and if there was a problem we
3 ought to address the problem rather than just adding more
4 personnel.

5 Q. And what was the problem?

6 A. I was not aware that there was a problem, and to my
7 knowledge there wasn't a problem, except I thought there
8 would be a problem if we set up a duplicating staff to
9 oversee what another group was doing.

10 Q. So it was basically a duplication of efforts, and
11 the meeting was to decide either whether SONOPCO was going to
12 do that or Georgia Power Company, being they were duplicating
13 each other?

14 A. That was not what the meeting was about. This
15 subject came up during the course of the discussion, but as I
16 said earlier I don't think that was the reason for the
17 meeting.

18 I can't tell you why Mr. Dahlberg asked me to come
19 by his office for a sandwich. That's some thing he'd have to
20 tell you, but that was not my understanding of the purpose of
21 the meeting.

22 Q. Now, you're involved with negotiating contracts on
23 behalf of SONOPCO; is that correct?

24 A. I am involved among others with some contract
25 negotiations, including the undertaking to try to work out an

1 that there was a similar contract administration group at
2 Southern Nuclear that they were reviewing. It was my
3 understanding that they would review what Southern Nuclear
4 was doing generally.

5 Q. And what would they be reviewing that you were --?

6 A. I'm not sure.

7 JUDGE WILLIAMS: You've gone over this, Mr. Kohn.
8 He's testified to it previously.

9 BY MR. KOHN:

10 Q. Is there a rivalry between, a sibling rivalry so to
11 speak between Alabama and Georgia Power Corporation?

12 A. There is some competitiveness between the four, or
13 now the five operating companies, certainly there is that.
14 There's a bit of rivalry that perhaps on some occasions gets
15 a little more than it should, but I think basically it's
16 within what would be expected in a large organization between
17 departments.

18 Q. And do you know who selected the -- do you know who
19 Mr. Long is?

20 A. There are several Mr. Longs. Which one are you
21 referring to?

22 Q. The vice president over --

23 A. Lou Long, yes. Mr. Long was more or less a
24 consensus choice for his job, because in essence he was
25 already doing the job as a part of Southern Company Services,

1 providing support for both Alabama and Georgia, so his
2 function and he himself moved -- they didn't even move from
3 their offices, they're still in the same place that they
4 were, so his selection was really a consensus selection.

5 Q. Between you and Mr. McDonald?

6 A. No, between -- really with the senior management of
7 the system. That would include Mr. Franklin who is president
8 and CEO of Southern Company Services, Mr. McDonald, myself,
9 Mr. Dahlberg and my successor at Alabama, Mr. Harris.

10 He was already doing the job, and there just was no
11 point in changing it.

12 Q. And I believe in your deposition you testified that
13 it was a joint determination made by Mr. Baker, yourself, Mr.
14 McDonald, and you weren't sure if Mr. Franklin was even
15 involved in the process; is that correct?

16 A. Well, he worked for Mr. Franklin, so Mr. Franklin
17 had to have some involvement.

18 On the actual -- at some point Mr. Long had to be
19 physically, or at least from a reporting sense his status was
20 changed a bit because he is now a part of the Southern
21 Nuclear group rather than being a part of the rest of the
22 Southern Company Services organization.

23 He still works for Southern Company Services, but
24 he's supporting the plants. The same work, but in a somewhat
25 different reporting relationship.

1 Q. And you described your relationship, your
2 professional relationship with Mr. McDonald as the -- you
3 jointly serve with Mr. McDonald as the chief executive
4 officer of the SONOPCO project?

5 A. We have what we call an office of the chief
6 executive, and that office -- in some respects Mr. McDonald
7 and I work very, very closely together, for example, in
8 dealing with Mr. Long, and there are some functions whether
9 it relates to some administrative matters or whether it
10 relates to some external policies on support of new types of
11 generation, in a number of areas we work very closely
12 together.

13 We have worked together for many, many years, so
14 this is not a difficult task, but there are certain parts of
15 what Mr. McDonald does that I have no part in, and we've
16 carved that out and we have an organization that is in a
17 sense in transit because we are not yet a corporation and the
18 licenses are where they are.

19 Q. And in administrative and technical matters
20 essentially Mr. McDonald reports to you; is that correct?

21 A. Well, on technical matters it depends on what the
22 technical matters are, but in administrative matters
23 generally he does, but not in terms of budgets or of his
24 salary review or his making decisions on what to do with
25 personnel or operations at Plant Hatch or Vogtle, or his

1 dealing with Alabama or Georgia in terms of his role as
2 an officer of those companies, which I'm not an officer of.

3 Q. And the nuclear operations contract administration
4 group, or a similar group that would be in SONOPCO would be
5 in the administrative area?

6 A. We don't have a similar group to what I understood
7 the contract administration group was to be.

8 We don't have quite that kind of group, because I
9 understand they were to be almost a general group to oversee
10 what it was we were doing in most every function.

11 Q. And the group that's at SONOPCO which currently
12 oversees what you're doing, preparing budgets and monitoring
13 performance, that's all the administrative group; correct?

14 A. Well, no, sir. I don't want to leave it that we
15 have what I understood Mr. Hobby was proposing. That's not a
16 contract administration group.

17 There is no contract to administer in that regard
18 because we are not yet a corporation, we don't have a
19 contract, so in the sense of monitoring everything that the
20 Southern Nuclear group does as a group with Hatch and Vogtle
21 we don't have that.

22 We are a line management organization at those
23 plants with support from technical and administrative sides,
24 and there isn't a contract administration group like that,
25 there just isn't.

1 Q. Now, at the May 5th meeting did you hear that a Mr.
2 Mike Barker wanted to leave your side and go over to work
3 with Mr. Hobby?

4 A. I don't recall hearing that.

5 Q. Do you know who Mr. Mike Barker is?

6 A. Yes, and I do understand that Mr Barker would have
7 preferred to be in Atlanta rather than in Birmingham, so it
8 would not surprise me, but I did not hear that at the May 5th
9 meeting.

10 I did know he would have liked to have had a
11 transfer to Georgia.

12 Q. And Mr. McDonald played an active role in stopping
13 Mr. Barker from transferring over to Mr. Hobby's group;
14 correct?

15 A. Not to my knowledge. He may have, but not to my
16 knowledge.

17 Q. Do you know who made the final decision as to
18 whether Mr. Barker would be allowed to transfer from the
19 SONOPCO project over to Mr. Hobby's group?

20 A. I assume Mr. Dahlberg made the decision on Mr.
21 Baker, but you're asking me about an area in which I'm not
22 familiar because I don't know whether Mr. Barker applied for
23 a transfer or not.

24 I don't even know whether there was a job for him
25 to transfer to.

1 A. Executive vice president.

2 Q. And what are your job duties and responsibilities
3 with Georgia Power Company?

4 A. I'm responsible for the nuclear operations of the
5 Georgia power plants.

6 Q. Just to clarify, you also indicated you are
7 employed by Alabama Power Company. What's your position with
8 Alabama Power Company?

9 A. I'm responsible for the operation of their nuclear
10 power plant, that is Alabama Power's nuclear power plant.

11 Q. Okay. Mr. McDonald, when did you assume the
12 responsibility for operating Georgia Power Company's nuclear
13 plants, Plants Hatch and Vogtle?

14 A. In April 1988.

15 Q. Mr. McDonald, let me direct your attention for a
16 moment to the SONOPCO organization. If you would, what was
17 the purpose envisioned for forming SONOPCO?

18 A. The ultimate purpose was to form an operating
19 company, an independent subsidiary of The Southern Company
20 which would be responsible for operating the nuclear plants
21 in the Southern system.

22 Q. All right. Now, in the process of forming SONOPCO
23 were there several phases that were expected during the
24 formation process?

25 A. Yes, there were.

1 Q. And would you take just a moment and describe what
2 those phases were?

3 A. There were three phases. The first phase was the
4 co-location of the corporate level staff personnel and line
5 personnel to one geographical location. That is the phase
6 that we're presently in.

7 Q. The second phase is where SONOPCO becomes an
8 incorporated company and provides a service to each Georgia
9 Power Company and Alabama Power Company in supporting them in
10 their operation of their nuclear power plants.

11 The third phase is where the operating licenses are
12 transferred from Alabama and Georgia Power to the new
13 operating company.

14 Q. So if I understand it we're currently in Phase 1,
15 and it is contemplated that the license transfer would take
16 place in Phase 3?

17 A. That's correct.

18 Q. During which phase would you begin reporting to Mr.
19 Joe Farley?

20 A. I would commence reporting to him in Phase 2 with
21 respect to certain service things having to do with services
22 to Georgia and Alabama Power Company.

23 Then at the same time I'd be reporting to both the
24 CEO of Alabama and the CEO of Georgia during Phase 2 as well.

25 And in Phase 3 I would report solely to him, to the

1 CEO of the new operating company.

2 Q. And during the Phase 2 in which there would be some
3 reporting as to services to Mr. Farley and on the other hand
4 there would be continued reporting to Georgia Power Company
5 for matters involving the operation of Plant Hatch and Plant
6 Farley, is this dual aspect something that has been referred
7 to from time to time as dual hatting?

8 A. The dual-hatting which we currently refer to is
9 where I function individually as an executive vice president
10 in each Alabama Power Company and Georgia Power Company.

11 Q. Okay. Now, in the fall of 1988, Mr. McDonald, what
12 was the anticipated timetable for the formation of SONOPCO
13 through the various phases?

14 A. We believed at that time that we could proceed at
15 least to Phase 2 by the end of the year, that is by the end
16 of 1988, and possibly get in close to being in Phase 3.

17 Q. Now, Oglethorpe Power Corporation intervened in the
18 SEC proceeding in which permission was being sought for the
19 incorporation of SONOPCO.

20 What was the effect of that intervention on the
21 expected timetable as you now look back on that?

22 A. Well, it essentially froze our situation with
23 respect to proceeding from Phase 1, 2 and 3. It froze us in
24 Phase 1 which we're still in.

25 Q. But in the fall of 1988 the expectation was that

1 the issues would be resolved and SONOPCO would be formed in a
2 relatively short period of time?

3 A. That's correct.

4 Q. Mr. McDonald, did you play any role at all in the
5 formation of the nuclear operations contract administration
6 group at Georgia Power Company?

7 A. No.

8 Q. Were you consulted in any way about the formation
9 of that group?

10 A. No.

11 Q. As you later came to understand it, Mr. McDonald,
12 what function was that group to perform?

13 A. My understanding was that when we formed SONOPCO
14 and established a contract with the co-owners that that group
15 would represent Georgia Power Company's administration of the
16 contract for the services which we performed, would perform.

17 Q. With that in mind, Mr. McDonald, would the nuclear
18 operations contract administration group have had any
19 function to perform if it turned out that SONOPCO was not
20 incorporated and there was no operating contract that was
21 entered into among SONOPCO, the power company and the co-
22 owners?

23 A. Not that I know of.

24 Q. Okay. Mr. McDonald, there's a set of documents up
25 here. Let me direct your attention to -- Mr. McDonald, I'm

1 going to show you what has been marked as R-18, and I'd like
2 to direct your attention to Tab 5 which is a January 6th,
3 1989 memorandum from Mr. Tom Boren to Mr. Marvin Hobby.

4 Mr. McDonald, do you recall ever having seen that
5 memorandum?

6 A. Not until the institution of these proceedings.

7 Q. Okay. Do you recall discussing this memorandum
8 with Mr. Boren or taking any action at all to have Mr. Boren
9 change the responsibilities that he had assigned to Mr.
10 Hobby?

11 A. No.

12 Q. Did you ever request that Mr. Hobby be taken off of
13 any of the assignments that he was given by Mr. Boren in that
14 memorandum?

15 A. No.

16 Q. Did you ever request that Mr. Hobby be taken off of
17 working on the TAC, Technical Analysis Corporation report?

18 A. No.

19 Q. Did you ever request or direct that Mr. Hobby be
20 taken off of his work on nuclear plant performance
21 indicators?

22 A. No.

23 Q. Now, there were a couple individuals on your staff
24 in Birmingham, Mr. Mike Barker being one of them, did you
25 ever instruct Mr. Barker that he should work on performance

1 indicators?

2 A. I might have.

3 Q. In that connection, Mr. McDonald, when you learned
4 that the Georgia Public Service Commission was considering or
5 proposing that nuclear plant performance standards be
6 implemented, what was your position on that issue?

7 A. I was opposed to them.

8 Q. And why were you opposed?

9 A. I was concerned that imposing narrowly focused
10 performance indicators might in some way tend to decrease the
11 emphasis on safety and reliability in operating the plants.

12 Q. Now, were there other individuals in Georgia Power
13 Company who had some disagreement with you on the subject of
14 nuclear plant performance standards?

15 A. I believe -- I don't believe anyone disagreed with
16 my opposition and the basis for it; I believe some people
17 thought that it might be inevitable and therefore we had to
18 think about cooperating to develop such standards.

19 Q. Was Dwight Evans one who held the latter view that
20 we should cooperate with the commission in implementing
21 standards?

22 A. I'm not sure he held that definite attitude about
23 it. I knew he was concerned about how we would deal with the
24 Public Service Commission if they were intent on imposing
25 them upon us.

1 Q. Now, did you attend a meeting with Mr. Dahlberg and
2 Mr. Evans on August 10th of 1989 to resolve the question of
3 the position the company would take on the performance
4 standard issue?

5 A. Yes, I did.

6 Q. And what was discussed at that meeting?

7 A. The subject of how we should proceed to deal with
8 the Public Service Commission's desire for performance
9 indicators, what approach we should take in preparing or
10 working on what they were working on to try to get something
11 that was the best achievable with respect to our concerns
12 about their potential impact on safety and reliability.

13 Q. And was a decision reached at that meeting?

14 A. It was.

15 Q. And what was the decision?

16 A. It was the decision to follow along a path which we
17 discussed, and I don't remember the details of it, a decision
18 to follow along that path and produce a certain set of
19 performance indicators which if necessary we would agree to
20 with the Public Service Commission.

21 Q. All right. Subsequent to that meeting, did you
22 carry out that decision and Mr. Dahlberg's instructions on
23 this matter?

24 A. Yes.

25 Q. On another subject, Mr. McDonald, to your knowledge

1 was Mr. Hobby ever excluded from any meeting because of a
2 request you made?

3 A. No.

4 Q. Did you ever request that he be excluded from
5 quarterly review meetings with the joint owners?

6 A. No.

7 Q. Let me direct your attention now, Mr. McDonald, to
8 the SONOPCO budget.

9 Did Mr. Hobby or the nuclear operations contract
10 administration group have any responsibility for the SONOPCO
11 budget?

12 A. There is not such a thing as a SONOPCO budget. You
13 may be referring to the Georgia Power budget being developed
14 by the Georgia Power staff in the SONOPCO project building,
15 and in that case -- Please state the question again.

16 Q. Well, with that correction to my question, did the
17 nuclear operations contract administration group, Mr. Hobby's
18 group, did they have a responsibility for the Georgia Power
19 Company's nuclear operations budget which was developed and
20 presumably submitted to you for approval and then presumably
21 submitted by you to Mr. Dahlberg for approval?

22 A. No.

23 Q. They didn't have any responsibility for that.

24 A. No.

25 Q. Mr. McDonald, did you at some point establish a

1 single contact point for communications directed to the
2 SONOPCO project regarding the Georgia Power Company rate case
3 and request for information from the Public Service
4 Commission?

5 A. Yes.

6 Q. And who did you designate as that contact point?

7 A. That was Bob Gilbert and the people working for Bob
8 Gilbert, Merv Brown and his assistant.

9 Q. Okay. Now, was that designation of Mr. Gilbert and
10 his group as the contact point for rate case matters, was
11 that something that was directed at Mr. Hobby and his
12 contract administration group?

13 A. That point of contact designation was made as part
14 of discussions between myself and Dwight Evans, Dwight Evans
15 being the Georgia Power Company executive vice president
16 responsible for those relationships.

17 Q. Okay. And was that arrangement established and
18 thereafter applied to all communications that had to do with
19 the rate case and the regulatory accounting and budget
20 matters that were involved in the rate case?

21 A. Yes, it was.

22 Q. In other words, the contact point applied across
23 the board to anyone, not just Mr. Hobby's group, but anyone
24 when it came to communications regarding the rate case;
25 correct?

1 A. That's correct.

2 Q. Let me ask you now, Mr. McDonald, another question
3 about Mr. Mike Barker.

4 Did you ever prohibit Mr. Barker from interviewing
5 for a position with Mr. Hobby's group, the contract
6 administration group?

7 A. No.

8 Q. Did you ever attempt to overrule Mr. Head, Mr.
9 George Head, for Mr. Hobby's approval of a Level 13
10 performance engineer position?

11 A. No.

12 Q. When had you heard that -- Let me restate that.

13 Did you at some point hear of a Level 13
14 performance engineer position that was being considered?

15 A. Yes.

16 Q. And did you raise a question about that or make any
17 statement about that at all?

18 A. I inquired as to whether a position had in fact
19 been authorized for a Level 13 type engineer's job.

20 Q. And after you asked that question, was there any
21 further discussion with you about that issue?

22 A. No.

23 Q. So after posing that question you never heard
24 anything more about this?

25 A. No.

1 Q. Mr. McDonald, did you ever discuss with George Head
2 any problems that he or Mr. Hobby perceived that they were
3 having with respect to getting cooperation from SONOPCO?

4 A. No.

5 Q. Did you ever refuse to meet with Mr. Head or Mr.
6 Hobby to discuss that issue?

7 A. No.

8 Q. Did you ever give an instruction to anyone that
9 they were not to cooperate with Mr. Hobby or with anyone in
10 the nuclear operations contract administration group?

11 A. No.

12 Q. Mr. McDonald, did you ever hear that Mr. Hobby was
13 involved in discussions with a Mr. Dan Smith at Oglethorpe
14 Power Corporation?

15 A. Yes.

16 Q. And what did you hear about that?

17 A. I heard that Mr. Hobby and Mr. Smith were both
18 representatives of their respective companies were working on
19 the power generation subcommittee on the matters of that
20 power generation committee.

21 Q. And when you heard that, at any time did you
22 attempt to interfere or impede Mr. Hobby from having
23 discussions with Mr. Smith or working on whatever it was he
24 and Mr. Smith were working on?

25 A. No.

1 Q. Did anybody ever tell you, Mr. McDonald, that Mr.
2 Hobby was concerned that you reported to Mr. Farley and not
3 to Mr. Dahlberg?

4 A. No.

5 Q. Did anybody ever tell you that Mr. Hobby had a
6 concern that you took your management direction from Mr.
7 Farley and not from Mr. Dahlberg?

8 A. No.

9 Q. Did anyone ever tell you of Mr. Hobby's concern
10 that you did not receive all of your management direction
11 from Mr. Dahlberg?

12 A. No.

13 Q. Has anybody ever raised that concern with you?

14 A. No.

15 Q. To your knowledge, Mr. McDonald, has that concern -
16 - and so I don't have an objection let me confine my question
17 to the time prior to the institution of this piece of
18 litigation or any other piece of litigation instituted by Mr.
19 Hobby -- with that in mind to your knowledge has that issue
20 been raised by anyone at the Nuclear Regulatory Commission?

21 A. No.

22 Q. To your knowledge has it been raised by anyone at
23 Oglethorpe Power Corporation?

24 A. No.

25 Q. Well, just so the record is clear, Mr. McDonald, to

1 whom do you report with respect to the operation of Georgia
2 Power Company's nuclear power plants?

3 A. Mr. Dahlberg.

4 Q. Let me now direct your attention, Mr. McDonald, to
5 the Fuchko and Yunker Department of Labor proceedings. Do
6 you remember a meeting on January 2nd, 1989 at Georgia Power
7 Company that was held to prepare for the Fuchko and Yunker
8 hearing?

9 A. Yes.

10 Q. Okay. Now, do you recall, Mr. McDonald, any
11 discussion in that preparation session about any
12 inconsistency between your testimony and Mr. Hobby's
13 testimony?

14 A. No.

15 Q. Specifically, Mr. McDonald, did anybody tell you in
16 that meeting or after that meeting that Mr. Hobby
17 contradicted your version of how the SONOPCO organization was
18 staffed?

19 A. No.

20 Q. Now, do you remember any discussion at the January
21 2nd meeting about Mr. Hobby's concern that you and the
22 lawyers thought Mr. Hobby had attempted to have Mr. Fuchko
23 and Mr. Yunker terminated at some point?

24 A. Would you say that again, please?

25 Q. What I'm getting at is the question of termination

1 meeting.

2 Q. Do you remember a meeting with Mr. Hobby and Mr.
3 McHenry shortly after you came over to Georgia Power from
4 Alabama Power, when you assumed your duties at Georgia Power
5 regarding this matter, regarding the Fuchko/Yunker situation?

6 A. The Fuchko situation was the topic of several
7 discussions. I can't say I remember any specific meeting on
8 any specific subject.

9 Q. Do you remember any meeting in which that topic was
10 discussed in that time period?

11 A. It was discussed on several occasions.

12 Q. But you don't remember when?

13 A. Not precisely. As I say, both of those gentlemen
14 worked for me, and I met them virtually every day.

15 Q. Is there anyone in the organization between you and
16 Mr. Dahlberg in the reporting structure?

17 A. No.

18 Q. Was that true in 1988?

19 A. That's -- Let me state the situation to clarify.
20 When I went to work at Georgia Power Company in
21 1988 initially I reported directly to Mr. Scherer.

22 When Mr. Scherer left, I then reported directly to
23 Mr. Dahlberg.

24 Q. When did that happen?

25 A. I can't recall.

1 A. As I recall, no.

2 Q. Okay. If Mr. Hobby testified that you felt so
3 strongly about the contents of the memorandum that you wanted
4 your name to be added to it and that you directed him to take
5 the memorandum and add a signature line for you to sign, is
6 that consistent with the way you remember it?

7 A. No, that's not the way I remember it.

8 Really the only reason I thought about signing the
9 memo was I thought that it may help -- my signature on the
10 memo may help him later on to help get some of these issues
11 resolved.

12 Q. Mr. Head, did you consider that the memorandum
13 raised a regulatory concern relating to Georgia Power
14 Company's operating license for its nuclear power plants?

15 A. No, I was not concerned about that.

16 Q. Why not, Mr. Head?

17 A. Well, in the memorandum we were talking about who
18 Pat McDonald reported to, and I was very well aware that he
19 reported to the president of the company.

20 He didn't report to us, he reported to the
21 president of the company.

22 Q. And what was your opinion about who Mr. McDonald
23 reported to based on?

24 A. It was based on the fact that I had had for a short
25 period of time, an interim period of time I had been looking

1 after nuclear operations after Mr. O'Reilly was relieved of
2 his duties, and then after we had had some problems with some
3 INPO reports Mr. Scherer took over the operations directly,
4 and he directed that Pat McDonald would report directly to
5 him looking after nuclear operations, so there was a letter
6 put out to that effect, so I had no reason to suspect he was
7 not reporting to him, and he did report him on issues. What
8 he reported to him, I don't know, I was not privy to that.

9 Q. Okay. Mr. Head, did you personally ever discuss
10 Mr. Hobby's concern that Mr. McDonald didn't report to Bill
11 Dahlberg with Mr. Dahlberg or with anybody else for that
12 matter?

13 A. No, no one other than -- Mr. Hobby and I talked
14 about it, he's talked to me one time, but I did not discuss
15 it with anyone else.

16 Q. And why didn't you --

17 A. Well, I had no reason to believe that it wasn't so.
18 As I said, the memo, Mr. Scherer had put out a memo saying
19 that he reported to him.

20 Q. Okay. Do you know, Mr. Head, whether Oglethorpe
21 Power Corporation had voiced a concern about the reporting
22 structure at SONOPCO or who --?

23 A. They did not voice a concern to me, no. I think
24 Mr. Hobby probably had mentioned a couple of times they had
25 voiced some concern, but not about the reporting structure.

1 Their concern I understand was that once the
2 contracts were signed. they had a contract with us of course
3 to operate their portion of the plant, and once the contract
4 was signed they had to be concerned that they were being
5 placed one step away from the operation, and they didn't know
6 that they would get the attention that they were getting when
7 we were operating it, when Georgia was operating it.

8 Q. But as you understood it, Oglethorpe had no concern
9 as far as whether Mr. McDonald reported to Mr. Dahlberg?

10 A. No, they didn't voice that concern to me.

11 Q. Mr. Head, did you have firsthand knowledge about
12 the contents of the April 27th memorandum, or were you
13 relying on Mr. Hobby's statement?

14 A. I would say that most of those I was -- all items
15 in there I was relying on his statements, because anyone that
16 reports to me, I expect them to do their job, and I give them
17 latitude to do their job, and he had talked about several of
18 these things that are in the memorandum, and as far as I was
19 concerned he had reported to me and I had no reason to
20 believe they weren't true.

21 Q. Did you have occasion to -- Strike that.

22 When Mr. Hobby left your office that morning after
23 your 7:30 ten or fifteen-minute meeting, did you have
24 occasion to discuss the memorandum again with Mr. Hobby at a
25 later time?

1 A. No, I did not.

2 Q. Did Mr. Hobby report back to you that Mr. Williams
3 had instructed him to destroy copies of the memorandum?

4 A. No.

5 Q. Did he report back to you in any way about the
6 memorandum after he left your office early in the morning of
7 April 27th?

8 A. No.

9 Q. Now, Mr. Head, did you ever discuss the memorandum
10 with Mr. Dahlberg, Mr. Williams, Mr. McDonald or anybody else
11 at Georgia Power Company?

12 A. No, I did not.

13 Q. Did you keep a copy of the memorandum?

14 A. No, I did not.

15 Q. Now, Mr. Hobby, if he testified that you told him
16 to comply with some instruction he received from Mr. Williams
17 to destroy all copies of the memo, and testified further that
18 you instructed him to retain the original of the memo, is
19 that consistent with your recollection?

20 A. No, not the way I recall it, no.

21 Q. Mr. Head, did Mr. Hobby ever complain to you that
22 he had problems in getting cooperation from Mr. McDonald or
23 from SONOPCO?

24 A. Oh, yes, he did. A lot of conversations about
25 that.

1 Paragraph 5 and let me know when you're finished.

2 (Pause.)

3 A. Okay.

4 Q. Did you see the sentence, Mr. Head, that reads,
5 quote: "George Head agreed." closed quote?

6 A. Yes.

7 Q. Did you agree, Mr. Head, with Mr. Hobby's concern
8 about who Mr. McDonald reported to?

9 A. I don't see how I could agree when Mr. Scherer put
10 out a memo saying that he reported to him.

11 Q. Okay. Did you agree with Mr. Hobby that Georgia
12 Power Company was in violation of its Nuclear Regulatory
13 Commission license?

14 A. No, I did not.

15 Q. All right. ~~Let me~~ ask you now to look at Paragraph
16 7, and if you would just read that one.

17 A. Okay.

18 Q. Mr. Head, did you ever say to Mr. Hobby what you're
19 quoted there as saying "Well, I guess we just got the answer
20 as to who McDonald really reports to"?

21 A. No, I don't remember that.

22 Q. You did not say that?

23 A. No.

24 Q. Now let me ask you to turn to Page 5, Paragraph 4.
25 A. Yes.

1 administration group was being formed, you got all your
2 information about the status of the Oglethorpe intervention
3 from Marvin Hobby; isn't that correct?

4 A. Yes, that's correct.

5 Q. So you have no independent knowledge of what the
6 status of those negotiations was other than what Mr. Hobby
7 told you?

8 A. I had heard from some of the meetings that we had
9 had as to what the status was where we would have a staff
10 meeting and I would hear in the staff meeting that we were
11 making progress or weren't making progress, or we were going
12 to be there or not be there, and he'd give me a day to day
13 and a weekly report on what was happening, yes.

14 Q. Now, earlier you said that the fact that Mr.
15 Scherer had written a memo alleviated the reason why you
16 would -- it was a basis for you not having the same concern
17 that Marvin had about the reporting structure; correct?

18 A. Yes, along with that Mr. McDonald would report to
19 him, and he reported to the staff meeting as everybody else
20 did on a monthly basis on the nuclear operations aspect of
21 the company, which is what all of us did reported on our
22 reports on our area of control.

23 We all had a monthly report at the staff meeting,
24 Mr. McDonald mad the monthly report for the nuclear operating
25 group.

1 A. Okay. But that organization chart was outdated
2 because Mr. Dahlberg was coming in; correct?

3 A. But I assume Mr. Scherer and Mr. Dahlberg had the
4 conversation that his reporting would be to Mr. Dahlberg, and
5 he did report to Mr. Dahlberg. I had seen him report to Mr.
6 Dahlberg several times.

7 Q. Now, it's my understanding that on the issue of
8 what occurred after Marvin got done meeting with Fred
9 Williams that you just really didn't remember whether or not
10 you had said that.

11 A. I did not recall any conversation we had after that
12 meeting. He did not come back to me as I recall.

13 Q. Is my understanding that you stated at your
14 deposition "I just don't remember it"?

15 A. I did not recall anything -- those conversations if
16 they occurred I didn't recall them, because I don't think
17 they occurred.

18 Q. But you were as we talked earlier busy moving your
19 office and all those things, and the staff party, and you
20 don't even know if Mr. Hobby may have mentioned it to you at
21 any time?

22 A. I don't think that he did, no.

23 Q. And didn't it -- Your expectation was this April
24 27th memo would be retained by Mr. Williams to work out these
25 problems; correct?

1 copy after this proceeding had been initiated.

2 Q. And that was around the time your deposition was
3 going to be taken in this case?

4 A. Just a couple weeks before the deposition was
5 taken.

6 Q. Okay. There was no discussion of that memorandum
7 or the subjects in that memorandum at this May 5 meeting?

8 A. No.

9 Q. Was there any discussion in the May 5 meeting of
10 the Fuchko/Yunker proceeding or Mr. Hobby's involvement in
11 that proceeding?

12 A. I don't remember that being brought up.

13 Q. Mr. Baker, did Mr. Farley ever indicate to you that
14 he wanted to see Mr. Hobby terminated?

15 A. No.

16 Q. Did Mr. McDonald ever say to you that he wanted to
17 see Mr. Hobby terminated?

18 A. No.

19 Q. Did anyone ever mention to you a concern of Mr.
20 Hobby's that Georgia Power's nuclear operating licenses were
21 in jeopardy because Pat McDonald received his management
22 direction from Joe Farley and not from Bill Dahlberg?

23 A. No.

24 Q. Based on your observation, Mr. Baker, the position
25 that you held, who in your opinion did Mr. McDonald report

1 to?

2 A. Mr. McDonald was executive vice president of
3 Georgia Power Company and reported to the president, Mr.
4 Dahlberg.

5 Q. Mr. Baker, did Mr. Hobby request your permission to
6 conduct some discussions with a Mr. Dan Smith at Oglethorpe
7 Power Corporation?

8 A. Yes, he did. He came to my office one day and told
9 me that he had been having some discussions with Dan Smith,
10 and he seemed to be very nervous about it.

11 He assured me several times that if this was not
12 satisfactory to me he would terminate the discussions
13 immediately.

14 We had been trying to work out an arrangement with
15 Oglethorpe so that they would join in the request for
16 transfer of the licenses, nuclear licenses from Georgia Power
17 Company to SONOPCO when it was became formed as an operating
18 company, and it had been a long drawn out negotiation, and I
19 had been one of the principals involved in the negotiations,
20 and Marvin did come in my office one day and told me that he
21 and Dan had been talking about this.

22 Dan was Oglethorpe Power Corporation's nuclear
23 operating person, he was at the plants and observed the
24 operation of the plants on behalf of Oglethorpe, a part
25 owner.

1 A. No.

2 Q. Did Mr. McDonald have any conversation with you at
3 all about the staffing of the nuclear operations contract
4 administration group?

5 A. No, I don't recall ever talking to Pat McDonald
6 about that group, and I certainly never talked to him about
7 the directive that the hiring be ceased or stopped.

8 MR. JOINER: He's available for cross.

9 CROSS-EXAMINATION

10 BY MR. KOHN:

11 Q. Now, at the time of your retirement from Georgia
12 Power Company, you were the -- it was President Dahlberg, and
13 you were right underneath President Dahlberg, the number two
14 man in charge of the corporation?

15 A. Well, there were several other people who reported
16 directly to Mr. Dahlberg. I was not the only one.

17 Q. But you were the only senior executive vice
18 president?

19 A. Yes, indeed, I will certainly go along with that.

20 Q. And others were just executive vice presidents?

21 A. Just executive vice presidents, yes, I believe
22 that's true.

23 Q. And in that high level role that you played at
24 Georgia Power Company, it was your understanding that Mr.
25 Farley was an officer of Georgia Power Company; correct?

1 A. Well, I believe I said something to that effect in
2 the deposition that you took, but I don't believe that that
3 is in fact true.

4 Mr. McDonald was the executive vice president, ad
5 the fellow that worked for him, George something or other,
6 was the senior vice president of Georgia Power Company. My
7 understanding now is that Mr. Farley was not an officer of
8 Georgia Power Company, he was an executive vice president of
9 Southern Company Services, I believe.

10 Q. Okay. So you believe that Mr. McDonald worked for
11 Southern Company Services?

12 A. He was an officer of Southern Company Services, as
13 well as an officer of Georgia Power Company according to my
14 recollection, and an officer of Alabama Power Company.

15 Q. Okay. So your understanding of the way the
16 structure was is that Farley may or may not have been an
17 officer of Georgia Power Company, Mr. McDonald may or
18 apparently was an officer of Southern Company Services, and
19 that Mr. Farley was reporting to Mr. Dahlberg; is that all --
20 that's basically what you said at your deposition?

21 A. No.

22 Q. Did you say that Mr. Farley was reporting to Mr.
23 Dahlberg?

24 A. No.

25 Q. Okay. Let me show you Page 17 of your deposition

1 and see if that refreshes your recollection. First identify
2 it as your deposition.

3 A. Okay. I spoke too fast, I said "But Farley and
4 McDonald are officers of Georgia Power Company reporting to
5 President Bill Dahlberg." Farley in fact is not, but
6 McDonald in fact is.

7 Q. Now, did you ever sign your deposition?

8 A. Did I? I don't recall.

9 MR. JOINER: I don't believe he reserved the right
10 to read and sign it, your Honor.

11 MR. KOHN: I don't know either.

12 JUDGE WILLIAMS: All right. I mean he'll stand on
13 his testimony today, and I acknowledge what he read, and that
14 it may have been different from what he told you in the
15 deposition.

16 BY MR. KOHN:

17 Q. We've had some discussion about a corporate concern
18 that was raised. Can you tell me about that corporate
19 concern?

20 A. I have very little recollection about the corporate
21 concern.

22 Lee Glenn, who was the manager of corporate
23 concerns, reported to me at Georgia Power Company and, you
24 know --

25 Are you interested in my answer, sir?

BEFORE THE
UNITED STATES DEPARTMENT OF LABOR

MARVIN B. HOBBY,

Complainant,

vs.

GEORGIA POWER COMPANY,

Respondent.

VOLUME IV

Case No. 90-ERA-30

Courtroom 901,
DeKalb County Courthouse,
556 N. McDonough Street,
Decatur, Georgia

Friday, October 26, 1990

The above-entitled matter came on for hearing,
pursuant to Adjournment, at 9:00 a.m.

BEFORE:

HON. JOEL R WILLIAMS, Administrative Law Judge

APPEARANCES:

MICHAEL D. KOHN, Attorney,
DAVID K. COLAPINTO, Attorney,
Kohn, Kohn & Colapinto,
517 Florida Avenue, N.W.,
Washington, D.C. 20001;
Appearing on behalf of the Complainant.

JAMES JOINER, Attorney,
WILLIAM N. WITHROW, Attorney,
Troutman, Sanders, Lockerman & Ashmore,
1400 Candler Building,
Atlanta, Georgia 30303-1810;
Appearing on behalf of the Respondent.

1 A. That was a proceeding under Section 210 of the
2 Energy Reorganization Act, and it was a very expedited
3 proceeding.

4 We had a very short amount of time given to us,
5 approximately I believe around thirty days from the filing of
6 the appeal to when the judge said we would actually be in
7 trial, which was Judge Sarno. That was right over the
8 Christmas and New Years holidays, so we were moving to
9 prepare things.

10 That day of January 2nd was the day to get our
11 witnesses together as a group at first before the trial to
12 explain what was going on.

13 Despite the fact that it was a holiday for
14 everybody, we call them all in and explained what was going
15 on, what the case was, and it was an opportunity to talk to
16 them about what was happening.

17 We had a group of twenty to thirty people meeting
18 in the board room at 333, Georgia Power's corporate
19 headquarters, and explained from there, and then broke into
20 two groups where Mr. Janney who was my co-counsel and I then
21 spoke to witnesses in preparation for testimony.

22 Q. Now, where was the general session involving the
23 twenty to thirty witnesses that you just referred to?

24 A. That was at the -- I believe it's the 23rd floor in
25 the 333 building, and it was in the corporate board room

1 there.

2 Q. And the other session involving Mr. Janney and his
3 witnesses, where did that meeting occur?

4 A. Well, what happened is we had the larger group
5 initially, there were some introductory remarks, and then Mr.
6 Janney took approximately, maybe slightly less than half of
7 the witnesses up to the 24th floor, and I understood he went
8 to a room up there called the Scherer Room, but I didn't go.
9 I stayed on the 23rd floor with my witnesses in the same
10 room.

11 Q. All right. Now, were the witnesses who were
12 assembled in the general session provided any outlines or
13 diagrams of their anticipated testimony?

14 A. Each witness was provided a -- depending on the
15 witness one page to several pages of an area, a list of areas
16 about which they were expected to testify.

17 You used the phrase "outline of their testimony."
18 It wasn't necessarily an outline of what they were going to
19 say. I mentioned the expedited nature of the proceeding.
20 This was an opportunity for us to sit down one last time and
21 say "Look, this is what we've pulled together, these are the
22 things that we expect to be talking about, let's be sure that
23 we've got everything here."

24 Yes, there was paper that was given to them that
25 covered their subject areas.

1 Q. Now, following the breakup of this general session,
2 was Mr. McDonald in the smaller group that you met with?

3 A. Mr. McDonald stayed in the room where I was.

4 Q. Okay. Did Mr. Hobby stay in that session with you?

5 A. No, sir. Mr. Hobby was one of the witnesses that
6 went upstairs with Don Janney.

7 Q. Now, in your discussions in the smaller session
8 with Mr. McDonald, did he identify any inconsistencies
9 between his testimony and the testimony of Mr. Hobby?

10 A. Well, he certainly didn't identify it as that. Mr.
11 McDonald didn't have Mr. Hobby's outline, and other than what
12 Mr. Hobby had said in the group and other than what he knew
13 of his dealings with Mr. Hobby, they had worked together, Mr.
14 McDonald wouldn't and couldn't have known of potential
15 inconsistencies so, no, there was nothing that he pointed out
16 that was inconsistent with Mr. Hobby.

17 Q. Did you ever go up to the Scherer Room during the
18 smaller session or at any time that day and talk to Mr.
19 Hobby?

20 Q. No, I didn't go up to that Scherer Room at all. I
21 recall that I was still conducting my preparation when Don
22 Janney and Mark Bose, who was an associate in our office who
23 was helping Don, came back down and joined us in the Board
24 Room.

25 Q. Did you talk to Mr. Hobby at all that day following

1 the conclusion of the general session?

2 A. No, I don't recall that I even saw him again after
3 he left the session where I was, and I did not speak to him
4 again.

5 Q. Mr. Schaudies, did Mr. Hobby ever come to you and
6 say that Mr. McDonald's description of how the SONOPCO
7 project was staffed was inaccurate in any respect?

8 A. No, he did not.

9 Q. Did he ever come to you and tell you that Mr.
10 McDonald's recollection regarding these two or three meetings
11 on finding work for Fuchko and Yunker was incorrect in any
12 way?

13 A. No, he absolutely -- Mr. Hobby didn't come to me
14 at all.

15 Q. Did you ever instruct Mr. Hobby to alter his
16 testimony in any manner or otherwise to give false testimony
17 in the Fuchko and Yunker proceedings?

18 A. Absolutely not.

19 Q. Did you ever go to Mr. Hobby and say "We're going
20 to listen to what Mr. McDonald says on the stand, and then
21 have you change your testimony so that it will be consistent
22 with Mr. McDonald's"?

23 A. No, sir, I did not. I did not speak to Mr. Hobby
24 again after he left that group session. I had no discussions
25 with him, no meetings with him at all.

1 Q. Did Mr. Whitney go through the selection process?

2 A. Mr. Whitney went through an overall description of
3 what the case was and what the witnesses could expect, and
4 then I went through a factual review of how we got to where
5 we were that day.

6 Then there were some general comments by Mr.
7 McDonald that I've already mentioned to you, by Morris
8 Howard, by Mr. Hobby, and then a brief comment again by Mr.
9 McDonald in which he did very briefly discuss the selection
10 of candidates.

11 He did not go into a long elaborate recitation of
12 the process that you have characterized the question.

13 Q. Okay. So you're telling me that Mr. McDonald
14 addressed the opening meeting with how the SONOPCO project
15 was staffed?

16 A. Again your characterization to say he addressed the
17 opening meeting suggests something that didn't happen. It
18 happened in the order of what I just said and in the way I
19 just said.

20 Q. Had he mentioned in during the January 2nd first
21 meeting?

22 A. That's my best recollection, yes, sir.

23 Q. And was that -- it was after Mr. McDonald got done
24 with --

25 Now, at some point during this January 2nd meeting

1 McDonald. Chris Miller also stayed with me, one of my
2 associates.

3 Mr. Hobby, Mr. Janney and several other people
4 including Mr. Mark Bose who is an associate in our law firm,
5 all left, they went out, got on the elevator, went up to
6 another floor. That's what happened.

7 Q. Right. And after that Mr. McDonald on his own
8 raised to you once again after the breakup the fact that
9 Hobby had said something and Mr. McDonald knew that he was
10 right, or there was some mis -- Mr. McDonald still had his
11 concern that Mr. Hobby didn't have the facts straight; right?

12 A. No, I don't recall that happening.

13 Q. Do you recall the facts being that --

14 A. Are you referring to a specific page in my
15 deposition again?

16 Q. Yeah, Page 73. I think really it might help
17 everyone if you just read your statement from Line 4 until
18 you're done.

19 A. "I don't recall that there was a difference of
20 opinion. I recall, and I'll try to help you here so we don't
21 protract this unnecessarily, but after Mr. Hobby made the
22 comments that I have already described Mr. McDonald had an
23 inquiry of whether he was saying someone told him to
24 terminate these employees or whether McDonald told him he was
25 going to terminate these people, and I said to Mr. McDonald

1 something to the effect of 'Well, that's fine. What Marvin
2 has just said is helpful to the case, I'm going to talk to
3 you about that. I think you're misunderstanding him,' and I
4 may have said 'I think you're misunderstanding him,' but in
5 any event my sense was that Mr. McDonald had misunderstood,
6 and then we talked about during the time of preparing Mr.
7 McDonald and talking to him about what he might be asked to
8 testify to. We talked about what Mr. Hobby had said during
9 the larger group meeting, but there was no disagreement to
10 the extent that there was anything that could even be close
11 to that, it was Mr. Hobby's disagreement with the word
12 'terminate,' and when Mr. McDonald heard 'terminate' he may
13 have misunderstood that someone was saying he tired to
14 terminate, and he was trying to make it clear, that is Mr.
15 McDonald was trying to make it clear that he did not try to
16 terminate anybody."

17 Do you want me to continue reading?

18 Q. No, that's fine.

19 So Mr. McDonald thought that Marvin Hobby said
20 during this first meeting that Mr. McDonald told Marvin Hobby
21 to terminate Yunker and Fuchko in April?

22 A. Mr. Kohn, I don't know what Mr. McDonald thought at
23 that time. It was a very brief response, and you asked me to
24 tell you as best I could what I felt was going on.

25 I told you that Mr. Hobby made some comments, that

1 Mr. McDonald spoke up, didn't understand, was concerned about
2 the use of the word "terminate" feeling that Mr. Hobby was
3 saying "McDonald said terminate them," and I said "No, we'll
4 get into it later, we don't need to do it right now," and
5 that was the end of it.

6 Q. Okay. And then you got into it later with Mr.
7 McDonald, and you mean to tell me that no attorney went to
8 find out from Mr. Hobby the date he had that conversation
9 with Mr. McDonald?

10 A. Mr. Janney was upstairs preparing Mr. Hobby for his
11 testimony. I can't tell you from my own personal knowledge
12 what Mr. Janney did upstairs with Mr. Hobby.

13 I can tell you that I never saw or spoke to,
14 certainly never spoke to -- may have seen, but never spoke to
15 Mr. Hobby again that day.

16 Q. But there was no communication, no one ever told
17 you that Mr. Hobby's clear recollection of the events was
18 that he had no conversation with Mr. McDonald about
19 terminating Mr. Yunker or Puchko after May 27th?

20 A. No one told me that. In fact, that is contrary to
21 what Mr. Hobby testified he said earlier in this proceeding.
22 In his deposition in this case of Marvin Hobby versus Georgia
23 Power Company he told me when I was still taking his
24 deposition before this subject came up, he said that he
25 raised the issue earlier and repeatedly of either terminating

1 Q. Can you tell me why you were brought into the case?

2 A. I am a litigator and have been doing litigation
3 work for twelve years since I started practicing in 1978.

4 During those twelve years I have done some work for
5 Georgia Power in other areas, and Mr. Schaudies as he got
6 ready for the proceeding needed some help and asked me to
7 come in in late December and help him get ready for the trial
8 in January.

9 Q. Now, did you attend a meeting on January the 2nd,
10 1989 at the power company to prepare for the trial that was
11 to start on January 3?

12 A. Yes, I did.

13 Q. And what was the purpose generally speaking of
14 getting together that day?

15 A. The purpose was to meet with each of the witnesses
16 first as a group, and then in smaller break-out sessions as
17 we went over each witness' knowledge of the matter and
18 testimony for the hearing that was to begin the next day.

19 Now, during this general session that you've talked
20 about, were the witnesses provided outlines of what their
21 testimony might be?

22 A. Yes.

23 Q. And were the witnesses provided outlines of
24 everyone's testimony, or just their own?

25 A. My recollection is that each witness got only his

1 or her own outline.

2 Q. Would you pick up the document book there that's
3 marked as Respondent's Exhibit 18, please, and turn to
4 Tab 8, and I'll ask if you can identify that document for the
5 court.

6 A. This is the outline that was prepared for Mr.
7 Hobby's use in connection with the Fuchko and Yunker case.

8 Q. And could you turn to Tab 9, please, and identify
9 that document for the court?

10 A. This is a copy of the same document that's marked
11 as Tab 8, but this has my handwritten notes on it.

12 Q. And what is the next page under Tab 9?

13 A. Those are some additional handwritten notes that I
14 made in connection with the Fuchko and Yunker case and in
15 connection with Mr. Hobby's testimony.

16 Q. All right, sir. During the general session -- By
17 the way, where was the general session held, Mr. Janney?

18 A. The general session was held in the board room on
19 the 23rd floor of the Georgia Power corporate headquarters at
20 333 Piedmont Avenue.

21 Q. And the smaller break-out session that you attended
22 following the conclusion of the general meeting was held
23 where?

24 A. We went up to the Scherer Room which is on the 24th
25 floor of that same building.

1 Q. And was Mr. Hobby in the smaller session that you
2 attended in the Scherer Room?

3 A. Yes, he was.

4 Q. Was Mr. McDonald in that session?

5 A. No, he was not.

6 Q. Where was Mr. McDonald at that time?

7 A. He was with Mr. Schaudies, and I'm not sure if that
8 group stayed in the board room or whether they went to the
9 Miller Room which is also on the 23rd floor, but Mr. McDonald
10 to the best of my knowledge was in Mr. Schaudies' group.

11 Q. Now let me direct your attention back to the
12 general session that was held. Do you recall Mr. Hobby
13 making any comments in that general session about his
14 testimony?

15 A. I frankly don't remember Mr. Hobby speaking up
16 during that session. I don't know whether -- I was out of
17 the room for part of the time, but I don't remember any
18 comments being made by Mr. Hobby during that general session.

19 Q. All right. Do you recall any comments made by Mr.
20 McDonald regarding his testimony in the general session?

21 A. I remember Mr. McDonald raising a concern about the
22 characterization of what he called excess straight time.

23 I think Mr. Schaudies initially when he referred to
24 that subject talked about it as overtime, and I remember Mr.
25 McDonald correcting Mr. Schaudies to say that "It's not

1 overtime, it's excess straight time."

2 That's what I remember about Mr. McDonald's
3 comments on his testimony.

4 Q. Do you recall anything else Mr. McDonald may have
5 said about his testimony in that session?

6 A. Not specifically. I know that there were some
7 other remarks that Mr. McDonald made, but I frankly don't
8 recall what he said.

9 Q. All right. Now, Mr. Janney, in this general
10 session that we've just talked about, were there any
11 inconsistencies or conflicts in the testimony of Mr. McDonald
12 and Mr. Hobby that were identified in that session?

13 A. Not to me.

14 Q. Now, you went up to the Scherer Room following the
15 conclusion of this general meeting, and as you said before
16 you had Mr. Hobby in your session.

17 A. Yes.

18 Q. In discussing Mr. Hobby's testimony with him in the
19 break-out session, did he note any inconsistencies between
20 his recollection of events and those of Mr. McDonald?

21 A. No.

22 Q. Was there anything in this break-out session that
23 Mr. Hobby disagreed with regard to the outline of the
24 testimony which had been prepared for him which is Tab 8?

25 A. Yes.

1 Q. All right. Tell the court, please, what Mr. Hobby
2 said and what disagreements he noted regarding the outline.

3 A. Well, in the first page that's under Tab 9 I don't
4 remember whether Mr. Hobby raised this himself or whether or
5 not we were going through and making these changes on
6 everyone's outline, but there are several references there to
7 overtime on the outline which I marked out and wrote in
8 "excess straight time" in its place, so where for example
9 "OT" is written in I marked it out and put "EST."

10 The significant thing that I do recall that Mr.
11 Hobby disagreed with was the characterization of his
12 recommendation to Mr. McDonald with regard to Mr. Fuchko and
13 Mr. Yunker.

14 Down at the bottom of the page beside August of '88
15 the outline reads, originally read "Hobby wants to terminate
16 Yunker due to lack of work, but vetoed by McDonald."

17 I remember Mr. Hobby disagreeing with the
18 characterization of his recommendation. What he said was
19 that in March of 1988 he had recommended to George Head that
20 Mr. Fuchko and Mr. Yunker be reassigned or told to find
21 another job, and that's why I wrote that in at the bottom of
22 the page.

23 Q. On that point, that is the recommendation to
24 reassign or find other work for Mr. Fuchko and Mr. Yunker,
25 did Mr. Hobby indicate in any way whatsoever that his

1 testimony was going to be inconsistent with the testimony of
2 Mr. McDonald on that point?

3 A. No.

4 Q. Did Mr. Hobby in this session or at any time in
5 preparation for the Fuchko/Yunker trial ever state to you
6 that Mr. McDonald's description of the manner in which the
7 SONOPCO project was staffed was inaccurate or incorrect in
8 any way?

9 A. He did not make such a statement to me.

10 Q. To your recollection, Mr. Janney, was that subject
11 discussed at all at any time between you and Mr. Hobby?

12 A. No.

13 Q. Mr. Janney, did you ever discuss with Mr. McDonald
14 any inconsistencies between Mr. McDonald's testimony and the
15 testimony of Mr. Hobby?

16 A. I'm sorry, did I discuss it with whom?

17 Q. Mr. McDonald.

18 A. No.

19 Q. Did you ever instruct Mr. Hobby at any time to
20 alter his testimony or otherwise to give false testimony in
21 the Fuchko and Yunker proceeding?

22 A. No, I did not.

23 Q. Did you ever go to Mr. Hobby and tell him that you
24 or the lawyers in the Troutman Sanders firm were going to
25 listen to Mr. McDonald's testimony and then come back to Mr.

1 Hobby and tell him what to say so that it would be consistent
2 with Mr. McDonald's testimony?

3 A. No, I did not.

4 MR. WITHEROW: That's all I have, your Honor.

5 JUDGE WILLIAMS: CROSS.

6 MR. KOHN: Thank you, your Honor.

7 CROSS-EXAMINATION

8 BY MR. KOHN:

9 Q. Mr. Janney, I believe you testified that you didn't
10 hear Mr. Hobby's discussion about the August '88 discrepancy,
11 that you may have been out of the room or something when that
12 part of it went on?

13 A. I did not hear Mr. Hobby say anything that day
14 about the disagreement over that testimony.

15 Q. All right. So you had no knowledge of that, after
16 the breakup session occurred you then went into the breakup
17 session and had no knowledge that Mr. Hobby had even raised
18 this August discrepancy; is that correct?

19 A. No, I didn't know anything about anybody having
20 raised it. I don't know that it was raised.

21 I didn't hear Mr. Hobby raise it, no one talked to
22 me about it having been raised.

23 Q. And on your notes marked as Exhibit 9, Respondent's
24 9, you did have some discussion with Mr. Hobby about this
25 August '88 entry, and apparently from your note it seems that

**UNITED STATES
DEPARTMENT OF LABOR
OFFICE OF ADMINISTRATIVE LAW JUDGES**

In the Matter of:

MARVIN B. HOBBY

v.

GEORGIA POWER COMPANY

Complainant,

Respondent.

Case No. 90-ERA-30

Pages: 797 through 945

Date: November 13, 1990

Place: Washington, D.C.

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1 (Pause.)

2 JUDGE WILLIAMS: Paise your right hand, please.

3 WHEREUPON,

4 ROBERT P. EDWARDS, JR.

5 was called as a witness by the Claimant, and being first duly
6 sworn, was examined and testified as follows:

7 DIRECT EXAMINATION

8 JUDGE WILLIAMS: Please state your name and your
9 professional address.

10 THE WITNESS: My name is Robert P. Edwards, Jr.,
11 and my professional address is 1400 Candler Building,
12 Atlanta, Georgia.

13 BY MR. KOHN:

14 Q. Good morning, Mr. Edwards.

15 Can you tell us if you represent Georgia Power
16 Company regards to its negotiations with Oglethorpe?

17 A. With respect to some of Georgia Power Company's
18 negotiations with Oglethorpe I do represent Georgia Power
19 Company.

20 Q. With the discussions or negotiations concerning the
21 SONOPCO project?

22 A. Yes, those negotiations, yes.

23 Q. And as a result of your work on those negotiations,
24 you're very familiar with Mr. Fred Williams?

25 A. Yes, but I'm familiar with Mr. Fred Williams from

1 having worked with him closely for six or seven years on many
2 matters.

3 Q. Okay. Now, on April 28th did you attend at meeting
4 at the SONOPCO project, April 28th of 1989 in Birmingham?

5 A. I don't know for certain. My best recollection is
6 that a meeting not particularly related to SONOPCO had been
7 called in Birmingham in April and then cancelled.

8 During my deposition you suggested that I was at
9 that meeting, and I've tried -- I attended a meeting in
10 April, on April 28th, and I've tried since then to fix the
11 date, and I've looked at my time records and my files, and I
12 cannot exclude April 28th, I can't absolutely confirm April
13 28th.

14 I was able to recall that some time in the spring
15 or summer I traveled to Birmingham for a meeting with George
16 Hairston that was called by Pat McDonald, and I traveled with
17 Mr. Fred Williams, and it turned out to be a very brief
18 meeting, and I had thought of it as being later in the year.
19 I thought of it as a summertime meeting. It is not
20 impossible that it was April 28th.

21 Q. And you don't have any reason to discount Mr.
22 Williams' recollection that the meeting occurred on April
23 28th?

24 A. No. If somebody tells me it was April 28th, I
25 would agree with that.

1 Q. And at that meeting Mr. Williams did tell you that
2 Mr. Hobby had shown him a memo?

3 A. No, he did not tell me that at that meeting. The
4 meeting had nothing to do with Mr. Hobby whatsoever.

5 My recollection of his telling me about the memo is
6 while we were getting ready to get on a plane either going to
7 or from that meeting.

8 Q. Okay. Then going to or from that meeting Mr.
9 Williams mentioned to you that Mr. Hobby had shown him a memo
10 and had taken it back; isn't that correct?

11 A. Yes.

12 Q. And Mr. Williams described to you his counseling of
13 Mr. Hobby in conjunction with Mr. Hobby showing him the memo;
14 isn't that correct?

15 A. I would say yes.

16 Q. To the best of your recollection, could this
17 conversation you had with Mr. Williams about Mr. Hobby's memo
18 have taken place -- Well, let me withdraw that.

19 To the best of your recollection it occurred on
20 April 28th?

21 A. My recollection doesn't give it that particular
22 date, but it certainly occurred on the way to and from a
23 meeting in Birmingham is my best recollection, and I don't
24 doubt April 28th if that was the date of that meeting.

25 Q. And if you would look -- there should be a set of

1 documents in front of you Respondent's Exhibit 3. From your
2 discussions with Mr. Williams this appears to be the memo
3 that Mr. Williams was discussing with you?

4 A. Mr. Williams mentioned the memo. I was shown this
5 during my deposition which was the first time I had ever seen
6 it, and just from its subject matter I assume this is what he
7 was talking about, but I -- it appears to have some
8 attachments that I don't know were attached even during my
9 deposition, I'm not sure.

10 MR. KOHN: No further questions, your Honor.

11 JUDGE WILLIAMS: Any cross-examination?

12 MR. WITHROW: Yes, your Honor.

13 CROSS-EXAMINATION

14 BY MR. WITHROW:

15 Q. Mr. Edwards, during the time while you were
16 discussing this memo with Mr. Williams, did you tell Mr.
17 Williams that you were concerned about the memo?

18 A. No.

19 Q. Did Mr. Williams tell you he was concerned about
20 it?

21 A. No, he did not.

22 Q. Did you tell Mr. Williams to have that memo
23 destroyed?

24 A. No.

25 Q. And is that the only conversation you ever had with

1 Mr. Williams about an April 27th memo from Mr. Hobby?

2 A. Yes, and the conversation really wasn't about the
3 memo. He wasn't describing, going into detail about the
4 memo. It was very a offhand conversation about the scene of
5 Marvin Hobby showing him this thing and kind of -- it was --
6 he was kind of disappointed with Marvin Hobby, but it wasn't
7 the details of the memo.

8 MR. WITHROW: That's all I have.

9 REDIRECT EXAMINATION

10 BY MR. KOHN:

11 Q. But the thrust of Mr. Williams' conversation would
12 be centered around the fact that Marvin Hobby had shown him,
13 given Mr. Williams a memo and that Mr. Williams somehow gave
14 it back to Mr. Hobby, and that was pretty much the sum and
15 substance of your conversation?

16 A. It wa like he showed him this memo, like he was mad
17 at Mr. Williams or something. It was just not a -- it was a
18 "He showed me this memo and he took it back" was sort of the
19 substance of it.

20 Q. And did Mr. Williams indicate that he thought he
21 should go back and have Mr. Hobby rewrite the memo?

22 A. No.

23 MR. KOHN: No further questions.

24 JUDGE WILLIAMS: Thank you for your time, sir. You
25 may be excused.

1 always, told me, "As long as it was a promotion, we w'll
2 not block you." But this was a promotion.

3 Ms. Rollins said that Mr. McDonald was going to
4 meet specifically with Mr. Dahlberg to try to get it
5 dropped down to a level 12. She did not say it, and I
6 would therefore make an assumption that the reason that it
7 was going to be made a level 12 was that therefore, I
8 could not be granted an interview and be allowed to take
9 the job.

10 BY MR. KOHN:

11 Q Mr. Barker, I call your attention to the April
12 6th entry. Do you memorialize your conversation with Ms.
13 Rollins at that entry?

14 A April 6th. Yes, I did.

15 Q Now what next happened in your attempt to try to
16 transfer into Marvin Hobby's group?

17 A Well, after that particular meeting, I was not
18 allowed access any higher management than to my immediate
19 vice president, Mr. McCoy. I could only deal directly
20 with -- up the chain up to Mr. McCoy. Therefore, I could
21 go no higher.

22 I had no access, therefore, to Mr. Harriston nor
23 Mr. McDonald.

24 On a day in July -- I mean in June, they had
25 what was -- It was a little thing they had in the company

1 called Dial Dahlberg where it was like a comment line that
2 was open for two hours. Mr. Dahlberg would be at his
3 phone and for about two hours on that day, anyone in the
4 company could call and ask him questions or voice concerns
5 or whatever.

6 On that day, I had been so frustrated in trying
7 to work through proper channels in applying for this job
8 and every turn seemed to have gotten blocked, that I
9 picked up the phone and spoke directly with Mr. Dahlberg
10 concerning this matter.

11 Q Can you tell me about your conversation with Mr.
12 Dahlberg?

13 A Basically, it started out that he came on the
14 phone. He said, "This is Bill Dahlberg."

15 I said, "Mr. Dahlberg, my name is Michael
16 Barker. I have been an employee with this company for
17 about ten years. I really like working here. It's been a
18 good job. But now I am over at Sonopco project and I am
19 having a little difficulty in understanding why I am going
20 through appropriate channels to obtain a job promotion and
21 a job transfer and seem to be getting blocked."

22 He said, "Mr. Barker, do you clarification on
23 the job transfer process?"

24 I said, "No, sir. I understand how the job
25 transfer process works."

1 He then asked, "What do you mean by being
2 blocked? What do you mean by your having difficulty?"

3 I said, "Well, I have tried three times through
4 three different methods to obtain a transfer. Each time,
5 I have been denied."

6 He said, "Well, Mr. Barker, you are being very
7 general. I do not understand specifically what your
8 concern is. If you can address it specifically, then I
9 can answer it specifically."

10 I said, "Mr. Dahlberg, we'll get very specific.
11 Do you know Nuclear Operation Contract Administration
12 group that is headed by Marvin Hobby?"

13 He said, "Yes. I am familiar with that group."

14 I said, "Three times I have tried to get into
15 that group. Three times, I have been denied getting into
16 that group." I said, "The job was posted that was a
17 promotion. My management said I could apply if it was a
18 promotion. I did such. It has been several months, and I
19 have heard nothing about the job."

20 He said, "Well, Michael, I can tell you exactly
21 what happened to that job." He said, "I put that job on
22 hold."

23 I said, "What do you mean you put that job on
24 hold?"

25 He said, "In our forming the company or the

1 Sonopco project," he said, "If Sonopco project works as
2 we envision it, there will not be a need for Nuclear
3 Operation Contract Administration."

4 He said, "There would be no need, therefore, for
5 me to hire you, bring you over here and hire you and go
6 through all that effort and then just turn around in a
7 couple of months and fire you or let you go because we
8 have no place for you."

9 I said, "So what are you trying to tell me?"

10 He said, "We are trying to tell you that we are
11 basically protecting you to keep you from coming over here
12 and then not having a place after you come over here. "

13 He said, "But I was not aware that anyone was
14 out there waiting out there to be interviewed for this
15 job."

16 I said, "Yes, sir. There is not only me, but I
17 understand that there are several of us who have applied
18 for this job and none of us have heard anything. We have
19 asked. We have tried to go through channels and no one -
20 - everybody keeps it real quiet and secret and nobody
21 gives us any answers."

22 He said, "Well, you definitely deserve an
23 answer."

24 He said, "I apologize to you that you did not
25 know. But I take responsibility for it. I put it on

1 hold. You deserve an answer. I'll get back with you on
2 that matter as far as your request for an interview is
3 concerned."

4 Q Now in your conversation with Mr. Dahlberg, did
5 he mention anything about the SEC?

6 A He basically said that when Sonopco was formed
7 and approved which I assumed to have meant the SEC
8 approval, then contract administration would no longer be
9 necessary. Those were his words to me. When Sonopco was
10 approved, then contract administration would no longer be
11 necessary function.

12 Q Now, during this hearing, there has been a lot
13 of testimony to the fact that the reason the contract
14 administration group was not being -- was being done away
15 with, was because they could not get a contract and that,
16 therefore, they were going to do away with the group. You
17 are stating that in your conversation with Mr. Dahlberg he
18 told you that if they got a contract and were going to do
19 away with the group, are you certain about how
20 Mr. Dahlberg explained it to you?

21 MR. JOINER: I object to Mr. Kohn leading this
22 witness. It is Mr. Kohn's witness.

23 MR. KOHN: Your Honor, he has already testified
24 -- I am only asking -- I will withdraw the question.

25 Your Honor, the other areas of rebuttal that we

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6 GEORGIA POWER COMPANY,)

7 Respondent.)

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1 Q. Okay. Then the discussion was that
2 Georgia Power needed to show the SEC, NRC and PSC that
3 appropriate administrative oversight existed for the
4 SONOPCO project?

5 MR. JOINER: I'm -- I do think
6 that's the same question over again.

7 MR. KOHN: Well --

8 MR. JOINER: I believe he's already
9 answered it. If you want to rephrase it,
10 that's fine.

11 MR. KOHN: I think it's -- the
12 question is different, in the last time I
13 said manage it.

14 MR. JOINER: I thought you asked him
15 about oversight, perhaps I misunderstood
16 the question.

17 MR. KOHN: Could you read back the
18 question, please?

19 THE REPORTER: "Then the discussion
20 was that Georgia Power needed to show the
SEC, NRC and PSC that appropriate
administrative oversight existed for the
SONOPCO project?"

A. Not really. The appropriate oversight of
SONOPCO exists, in that the chief operating officer,

1 Pat McDonald and the CEO or -- not the CEO because it's
2 not a corporation -- but Farley and McDonald are
3 officers of Georgia Power Company, reporting to the
4 president, Bill Dahlberg. McDonald particularly is a
5 member of Georgia Power's management council and
6 attends most of the meetings of the management council
7 or many of the meetings of the management council.

8 McDonald also reports to the Georgia Power
9 board of directors every month, or either Hairston
10 reports to the board of directors every month, and the
11 board of directors nuclear operations committee meets
12 quarterly, usually at one of the plants, and goes into
13 the operations at great depth.

14 Q. Well --

15 A. There was no oversight function associated
16 with his performance.

17 Q. Now SONOPCO is going to be incorporated;
18 correct?

19 A. Eventually, I hope.

20 Q. And the contract -- it would have a
contract running between SONOPCO and Georgia Power
Company, correct, to operate the nuclear power plants?

A. Yes.

Q. And under -- there would be a group
necessary to administrate that contract; correct?

1 A. Not necessarily. We have a lot of
2 contracts that we administer with the joint owners of
3 our power plants, and initially when those contracts
4 were put together in 19 -- initially in '74 and '75 and
5 the years following that, we tried or it just naturally
6 fell that the administration of those contracts was
7 centralized under one individual, that would be me --

8 Q. Excuse me, who?

9 A. Me -- and everything that happened went
10 through my office or I knew or had to know about, and I
11 believe it is a better management style that the
12 contracts would become an integral part of the fabric
13 of the company and the departments involved would
14 handle their own issues with a contract rather than
15 concentrate everything in one department, and the other
16 contracts, the joint ownership contracts and the
17 integrated transmission contracts and other
18 relationships that we have with the, with the co-owners
19 of other power suppliers in the state, that has
20 generally been the way it is handled.

 While Fred Williams and his department had
 some administrative function as far as T & D is
 concerned, the transmission and distribution department
 and the planning and accounting department works
 directly with the joint owners.

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1 McDonald as the person they wanted to have the
2 responsibility for their nuclear operations and
3 they were willing to do that with the
4 understanding they were still responsible
5 for Alabama Power Companies since we were
6 (about the same time) looking at what we would
7 do in the way of forming a corporation since
8 both companies looked to Mr. McDonald for this
9 job, I can make the assumption that I had, in
10 my mind, which was that he was the logical
11 candidate to be the Chief Nuclear Operating
12 Officer. Now, that does not include whether he
13 would necessarily be the Chief Executive
14 Officer.

15 Q (By Mr. Kohn) Okay.

16 A But as far as the chief operating
17 officer of the nuclear plants, Georgia asked
18 for him and, with my permission at Alabama,
19 offered it to him and so I know of that and I
20 know of my own feeling and I know what Mr.
21 Addison told me and I know what our Board of
22 Directors felt at Alabama Power Company.
23 That's all I can tell you directly.

24 Q And at that time you were the Chief
25 Executive Officer of Alabama Power Company?

1 A Yes.

2 Q And was it Alabama Power Company's
3 understanding that Mr. McDonald would become
4 the chief -- would head up Alabama's nuclear
5 projects at SONOPCO regardless of whether or
6 not he was going to head it up at Georgia --

7 A Well, the Alabama Power Company's
8 Board of Directors has a very high opinion of
9 Mr. McDonald. They did then and they still do
10 today and they would have been very
11 uncomfortable had they not felt that Mr.
12 McDonald would be -- would continue to have the
13 chief responsibility for Alabama Power
14 Company's nuclear operations. It was my
15 understanding from Mr. Dahlberg and Mr. Baker
16 that that's what they wanted. So beyond that,
17 I never sat around and thought great thoughts
18 about the subject from that point on. We had
19 no commitment and no corporate Board of
20 Directors to make a decision.

21 Q Are you aware of whether or not any
22 documents have been filed with the NRC
23 regarding the creation of SONOPCO?

24 A Any dockets?

25 Q Documents.

1 A Filed with the NRC?

2 Q Notifying the NRC of the creation of
3 the SONOPCO Project or SONOPCO?

4 A No. I can't tell you that I know of
5 any. I do know that I have myself talked to
6 the NRC Commission members including former
7 Chairman Zech and current Chairman Carr and
8 most of the members of the Commission. The
9 only one I have not discussed it with, who is
10 now a Commission member, Commissioner Remick,
11 and I have been over with them the format of
12 how we operate, the organization charts that I
13 mentioned to you which have been furnished to
14 the NRC but on an informal basis. He simply
15 left it with them and that's been done very
16 reasonably.

17 Q Your conversations with Mr. Zech or
18 Mr. Carr regarding the formation of SONOPCO,
19 can you give me a time frame of when they
20 began?

21 A The conversations with Chairman Zech
22 was in 1988 before we filed with the SEC and at
23 that time I talked with Mr. Roberts and Mr.
24 Burnthall and that would have been sometime in
25 the spring of 1988. I do not know the exact

date. As far as Chairman Carr is concerned, I talked with him, Commissioner Roberts, Commissioner Curtiss, Commissioner Rogers last week.

Q Were these conversations transcribed?

A No. They were simply to give them their understanding of what my purpose of -- it was to give them an update on the formation of the SONOPCO organization. Several other entities are following this same course including the middle south or entity system and we have felt that particularly with others following this pattern that we had an obligation to simply keep them current as to what -- as to how we were coming. We had talked with Mr. Carr -- Admiral Carr, either I or someone else, back in '88 at the same time that I talked to Chairman Zech. I forgot whether I was the one that talked with Mr. Carr or not.

Q Were follow-up documents provided to anyone at the NRC after your conversations with either Mr. Carr, Roberts, Curtiss or Rogers -- is that it?

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A In 1988 there were no documents involved and we told them a filing would be made with the SEC. This time no filings were made and we left with them the organization chart which I described.

Q Can you tell me the date that occurred?

A Last week. I believe it was Wednesday of last week.

Q Who requested the meeting?

A We requested --

Q Excuse me. Was it a meeting or was it --

A It was not a meeting. It was simply a call to their office. We made an appointment to see them for about 15 or 20 minutes each to tell them what we were doing.

Q You made an appointment to see them?

A Separately.

Q Separately?

A Yes.

Q So you met with the commissioners privately?

A Yes. I say privately. They had usually a couple of people in the office with

them.

Q Was Mr. Hobby's name brought up in that meeting?

A No, sir.

Q Have you seen the complaint Mr. Hobby filed with the Department of Labor?

A I believe that I have. I saw it and I'm trying to remember whether I had the opportunity to read it through. I believe that I have, yes.

Q And what's your understanding of Mr. Hobby's underlying safety concerns that he raised with Georgia Power Company?

A I have a little trouble understanding what the safety concerns are that he's raised. I'm not sure that I could describe the safety concerns.

Q But you do believe that you have an obligation to keep the NRC updated as to the status of SONOPCO?

A Yes, sir, I certainly do; and furthermore, we told them in the spring of '88 when we called on them to make sure their reaction would be positive, which it was, that we would keep them informed and I see

1 commissioners at industry meetings or here and
2 there and I have spoken to them in that
3 environment about the fact that we were moving
4 forward; but it had been held up by an
5 intervention so -- but particularly since the
6 energy people had already filed an application
7 with them and I felt that some concern might be
8 there as to why we weren't moving forward. So
9 we were carrying out what we considered to be
10 our obligation.

11 Q Who else attended that meeting with
12 you at the NRC?

13 A Mr. McDonald that is on our side in
14 the case. The commissioners had one or more
15 people with them.

16 Q Do you remember who they were by
17 chance?

18 A No, sir.

19 Q Was the meeting in Washington D.C.?

20 A In Maryland.

21 Q In that new fancy office building?

22 A In the new fancy office building.

23 Q White flint?

24 A Yes.

25 Q Have any documents been filed with

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1 Q And as to Mr. McCrary --

2 A Same.

3 Q Do you report to Mr. Farley
4 regarding the administration of the Technical
5 Services contracts?

6 A No.

7 Q Do you report to Mr. Farley
8 regarding the administration of the
9 Administrative Technical Service contracts?

10 A No.

11 Q Do you report to Mr. Farley
12 regarding -- with anything having to do with
13 Technical Services?

14 A I have no formal reporting
15 relationship with Mr. Farley. I do work with
16 him in efforts to form the SONOPCO company.

17 Q And who else do you work with in
18 efforts to form the SONOPCO company?

19 A Anybody that I can find.

20 Q Excuse me?

21 MR. SCHAUDIES: Whoever
22 listened, right?

23 THE WITNESS: Right.

24 Q (By Mr. Kohn) Do you have any
25 reporting responsibilities to Mr. Farley?

1 A I have no formal reporting
2 responsibility to Mr. Farley.

3 Q For any reason whatsoever?

4 A No.

5 Q Mr. Farley has no -- plays no role
6 in the staffing of people at the SONOPCO
7 Project?

8 MR. SCHAUDIES: Well, that's
9 not the witness's testimony. That's
10 not a different -- let's be clear on
11 this. Could you go ahead and repeat
12 the question?

13 Q (By Mr. Kohn) Did Mr. Farley play
14 any role in the staffing of the SONOPCO
15 Project?

16 A I consult with Mr. Farley
17 frequently. I have for years. I also consult
18 with people like Hairston, Dahlberg, Harris; I
19 consult with a great many people including the
20 co-owners about various things with SONOPCO.

21 Q It's my understanding you made the
22 final decision to hire Mr. Long and Mr.
23 McCrary?

24 A Negative.

25 Q Excuse me. That's right. The Board

1 of Directors made the final decision?

2 A Yes.

3 Q You alone made the final
4 recommendation?

5 A I don't make any decision alone.
6 I usually discuss it with a lot of people.

7 Q Were you given the authority to
8 choose Mr. Long in Technical Services?

9 A The Board of Directors is the
10 authority.

11 Q Did the Board of Directors give you
12 the authority to staff those positions or did
13 you find someone who you wanted to staff the
14 positions and then go to the Board of
15 Directors?

16 A In providing for the conceptual
17 SONOPCO organization I suggested that McCrary
18 and Long be Vice Presidents of the respective
19 departments. I recommended that they be placed
20 in those positions for that purpose.

21 Q But prior to making those
22 recommendations, had the Board of Directors
23 authorized you to search for appropriate
24 candidates?

25 A No. When you say "authorized me",

1 there wasn't -- no.

2 Q Did you have conversations with
3 anyone at the NRC regarding SONOPCO in the last
4 few days?

5 A Yes.

6 Q And who did you meet with at the
7 NRC?

8 A Well, I have had conversations with
9 a large number of people at SONOPCO.

10 Q Did you travel to Bethesda to meet
11 with anyone at the NRC?

12 A Yes.

13 Q Who did you meet with at that time?

14 A I met with Chairman Carr,
15 Commissioner Curtiss, Commissioner Rogers;
16 Commissioner Curtiss; Carr, Rogers, Curtiss;
17 Commissioner Roberts and Executive Director
18 Tailor.

19 Q And did you prepare a memo at the
20 conclusion of that meeting?

21 A I did.

22 Q Have you presented that memo to Mr.
23 Farley yet?

24 A No, I haven't.

25 Q And can you tell me the contents of

the memo as best you can recall?

A The memo was very simply a memo stated this date I met in the company of George Hairston and Joe Farley with those four commissioners and the executive director for the purposes of advising him on the present status of the SONOPCO effort. We described the -- using the organizational documents filed with the SEC I think. We described the present status of Phase I, Phase II and Phase III. There were no problems noted; words to that effect.

Q Do you believe you were obligated to advise the NRC as to the current status of SONOPCO?

A I am obligated from a business sense to work closely with the NRC and that's a part of the obligation of business is to keep -- is to have a continual relationship with NRC.

Q Have any documents been filed formerly with the NRC regarding the formation of SONOPCO?

A No.

Q Did you present any formal documentation regarding the creation of SONOPCO

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1 that time?

2 A I don't remember.

3 Q But it's possible that you had
4 settled the case even before you testified?

5 A I don't remember.

6 Q Well, you remember testifying?

7 A Yes.

8 Q When you were testifying, had you
9 already reached a settlement of the case?

10 A I don't remember.

11 Q And you and Mr. Dahlberg were the
12 final authorizing parties of the settlement?

13 A Yes.

14 Q Was there anyone else involved at
15 Georgia Power?

16 A I don't remember if there was
17 anybody else involved or not.

18 Q Was there anybody else involved at
19 the Southern Company organization?

20 A Not that I know of.

21 Q Did you discuss it with Mr. Farley?

22 A I don't recall.

23 Q As executive vice president of
24 nuclear are you responsible for the policies,
25 practices and instructions and procedures

1 affecting Georgia Power Company nuclear
2 employees?

3 MR. JOINER: Are we going off
4 of Fuchko and Yunker now into other
5 areas?

6 MR. KOHN: Yes. I've got
7 about five or ten minutes more of
8 questions.

9 MR. JOINER: Well, I think you
10 asked that question in the earlier
11 deposition and I think he answered it
12 and I just don't want to replot
13 ground that we have already plowed.

14 I don't think anybody in the
15 room disputes that Mr. McDonald, you
16 know, is or was executive vice
17 president of Georgia Power Company.
18 He was responsible for nuclear if it
19 will help to speed things along, but
20 he can respond.

21 A I was responsible for nuclear.
22 I do not agree to how you stated it. I'm
23 responsible for Georgia Power nuclear.

24 Q (By Mr. Kohn) Does Mr. Farley have
25 any control over approving any policies,

1 practices, or procedures affecting Georgia
2 Power Company nuclear employees?

3 A He does not.

4 Q I received this like a day or two
5 ago and I thank you for providing it. It's a
6 copy of your log. I assume it's a copy of your
7 calendar; is that correct?

8 A Yeah.

9 Q I have put little stickers on there
10 and I have numbered them so we can try to do
11 this as quickly as possible.

12 A Okay.

13 Q Now, on Number 1 there's a reference
14 to a SONOPCO Board of Directors meeting; is
15 that correct?

16 A I put that in there. There is not
17 a Board of Directors meeting. There is a
18 potential future SONOPCO Board of Directors
19 because there is no SONOPCO Board. There is no
20 SONOPCO yet.

21 Q So you are saying there was a
22 meeting of the potential future Board of
23 SONOPCO on whatever date that's on?

24 A Right.

25 Q I call your attention to Number 2

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UNITED STATES OF AMERICA
BEFORE THE U.S. DEPARTMENT OF LABOR

MARVIN B. HOBBY,
Complainant,

vs.

GEORGIA POWER COMPANY,
Respondent.

CIVIL ACTION

FILE NO.

90-ERA-30

- - -
DEPOSITION OF - 8/23/90
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1 had a specific problem that he raised?

2 A Again, in looking and referring back
3 to this document I was aware that Marvin had
4 expressed a concern on his ability to fill a
5 particular job and the way that had gone and
6 his desire to interview an employee that was in
7 Birmingham for a position that he had
8 approved. I guess I was aware that he had a
9 concern in that area.

10 Q It looks like you took down all the
11 specifics of that concern, or someone did?

12 A What occurred here, again, we were
13 addressing a concern for another employee and
14 Marvin had expressed that to me in some format,
15 possibly at breakfast, that he had similar type
16 issues and I discussed these with my management
17 that there seemed to be a problem that was
18 going to need to be addressed. I was asked to
19 put together information, a bit of a white
20 paper, to use in discussing it with my
21 management. So we contacted Marvin and asked
22 him to give us information on his situation so
23 that we could include that with the particular
24 issue that we were addressing for our senior
25 management to address the overall interface

1 problem with employees and interviews and being
2 able to look at and accept job offers.

3 Q Okay. Was there an overall white
4 paper done?

5 A Yes. The document that you have
6 before me is what I would say is that document.

7 Q Is that the concerns and the
8 resolution of the concerns or is that just what
9 was going to be looked at?

10 A This is just what is to be looked
11 at. This was, again, prepared for my
12 management to use in discussions with the
13 company senior management involving also
14 SONOPCO management.

15 Q Who was your management?

16 A This would have been Grady Baker at
17 this time.

18 Q So you gave a copy of this white
19 paper to Grady Baker?

20 A I took a copy up to him and sat down
21 and discussed it with him, yes.

22 Q You mentioned that you were giving
23 it to Mr. Baker so he could discuss it with
24 senior management, correct?

25 A Well, Mr. Baker is senior management

1 and, yes, it was my understanding his intent
2 was to address this with the corporate
3 management, which would include SONOPCO
4 management, to see if some understanding could
5 be worked out on exactly how this area was
6 going to be dealt with.

7 Q Can you tell me who in the SONOPCO
8 management?

9 A It was my understanding that it
10 would have been discussed with Joe Farley but I
11 was not involved in that conversation and don't
12 recall getting any specific feedback on who
13 exactly was talked to.

14 Q And after you gave this and there
15 was discussion with senior management, what
16 happened next?

17 A As far as our concern is involved,
18 and that really is the only recollection I have
19 got after that point in time, the ultimate
20 answer is that an agreement was reached on the
21 process by which a Georgia Power Company
22 employee at one of our nuclear plants, or
23 within the SONOPCO organization, could look at
24 external jobs and receive his management, his
25 or her management's approval, to interview for

1 those jobs and ultimately to accept them.

2 Q That is a SONOPCO person could?

3 A Correct. When I say "SONOPCO",
4 it's Georgia Power -- the employees at Plant
5 Hatch and Plant Vogtle have Georgia Power
6 Company I.D.'s, paychecks.

7 Q Also Mr. Barker, I believe, is
8 mentioned in the white paper I think in page
9 two. He was at SONOPCO Birmingham. What was
10 reached with regards to Mr. Barker?

11 A I don't know. Excuse me. I found
12 it. I have no idea. Again, our issue was not
13 to address Mr. Barker's or Mr. Hobby's
14 situation.

15 Q Why?

16 A It's my understanding, and was my
17 understanding, that Mr. Hobby was addressing
18 this with his management. Again, we're an
19 alternative when that mechanism doesn't work
20 and I recall no indication that that mechanism
21 was not working.

22 Q Who told you that Mr. Hobby was
23 addressing it with his management?

24 A Mr. Hobby. Excuse me. I say that
25 like I have a specific recollection. It may

1 have been Bill Evans who told me that Mr. Hobby
2 was addressing it.

3 Q Did Mr. Hobby, or did Mr. Evans, or
4 from whatever your recollection is, were you
5 aware that Mr. Hobby had prepared a written
6 letter, or memo, to his management?

7 A What my understanding was, again,
8 coming from Mr. Evans, was when he contacted
9 Marvin to get this information the initial
10 response he got was that I'm preparing
11 something for my management, "my" being
12 Marvin's management, that sounds like it's
13 very close to what you're looking for. So let
14 me get that done and I'll give you a copy of
15 it. Mr. Evans later came back and said that
16 Marvin had recanted somewhat the document he
17 was preparing wasn't specifically on target for
18 what we were looking for and that he would give
19 us a separate document or something a little
20 more focused on the particular issue we had.

21 Q Do you know what happened to that
22 separate document that Mr. Hobby --

23 A That is what is quoted here in the
24 white paper, the separate document.

25 Q But you don't know where the actual

1 document is?

2 A The actual document was not in our
3 files. If we had retained a copy of it that's
4 where it should have been. We looked for it
5 when requested and could not find it. This was
6 all that we had left of that document he
7 provided us.

8 Q So did anyone at corporate concerns
9 ever contact Mr. Barker?

10 A No, sir, not to my knowledge.

11 Q Was Mr. McCoy, Mr. Beckham, Mr.
12 Hairston, or Mr. McDonald contacted in relation
13 to this white paper?

14 A The answer I think is no. The best
15 answer I can give you as far as did we ever
16 give this white paper or discuss this white
17 paper with any of those gentlemen, I did not.

18 Q Are you aware of any discussions
19 from maybe Grady Baker, Mr. Dahlberg, anyone
20 else, Mr. Farley, with those individuals that
21 I mentioned earlier, Mr. Hairston, McCoy,
22 Beckham?

23 A I recall Grady Baker giving me some
24 feedback that they had addressed and discussed
25 the issue and I do not recall any specifics on

1 who was involved in those discussions.

2 Q What was the feedback Mr. Baker gave
3 you?

4 A That they were going to work it
5 out. It was generic type feedback. It wasn't
6 specific as far as exactly what was going to
7 happen.

8 Q When did you get that feedback?

9 A When?

10 Q Yeah.

11 A I don't specifically recall. It
12 would have been at least a couple of weeks
13 after this was prepared.

14 Q So let me understand what happens
15 with this particular corporate concern. You
16 had a corporate concern raised by some other
17 Georgia Power Company employees regarding
18 transferring out of the nuclear division?

19 A Correct.

20 Q You contacted Mr. Hobby to get some
21 input into this?

22 A That was not the initial step but
23 ultimately Mr. Hobby became involved, yes.

24 Q During the course of your procedure
25 you got contacted by a concern, you took down

1 UNITED STATES OF AMERICA
2 BEFORE THE U.S. DEPARTMENT OF LABOR

3 MARVIN B. HOBBY,
4 Complainant,

5 vs.

6 GEORGIA POWER COMPANY,
7 Respondent.

)
) CIVIL ACTION

)
) FILE NO.

)
) 90-ERA-30
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13 - - -
14 DEPOSITION OF
15 JESSE PIKE SCHAUDIES (8-23-90)
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22
23 BULL & ASSOCIATES
24 COURT AND DEPOSITION REPORTERS
25 4651 Roswell Road, N.E., Suite F-504
Atlanta, Georgia 30342
(404) 256-2886

BULL & ASSOCIATES

1 answer that he gave you before.
2 He said before that he was pleased
3 with Mr. Hobby's testimony, that he
4 thought it was supportive of his
5 case and I have permitted him to
6 testify about whether that limited
7 point was elicited at the hearing
8 or not and the reasons that it was
9 not elicited. But I really take
10 exception to your questioning him
11 about what he was attempting to do
12 in that hearing for purposes of
13 future proceedings.

14 MR. KOHN: I take it you're
15 instructing him not to answer?

16 MR. WITHROW: Yes.

17 Q (By Mr. Kohn) How did you learn
18 about the method the SONOPCO staff was chosen?

19 A Let me be sure we have a common
20 understanding. What do you mean by "SONOPCO
21 staff"?

22 Q I mean people at the SONOPCO
23 project.

24 A That's very broad and I don't
25 mean to be difficult but for that reason and

1 with that definition I have a great deal of
2 difficulty answering your question.

3 Q Did Georgia Power Company employees
4 assigned to the SONOPCO project in Birmingham?

5 A All right. Then your question,
6 again, is what.

7 Q What's your understanding of how
8 that process and how those employees were
9 selected?

10 A My general understanding is that
11 Georgia Power employees who came to be
12 assigned to the SONOPCO project in Birmingham
13 were selected by the people who had been
14 selected to be their superiors.

15 Q Who made all the selections? Were
16 there just a few individuals who made all the
17 selections?

18 A My understanding is that is not
19 correct.

20 Q Okay. What is your understanding?

21 A That positions were initially
22 filled with Mr. Farley and Mr. McDonald and
23 then they began to select the people
24 immediately below them who, in turn, began to
25 select the people immediately below them for

1 the positions within the SONOPCO project in
2 Birmingham.

3 Q The people immediately below them
4 were who?

5 A Depends.

6 Q Mr. Hairston, Mr. Beckham and Mr.
7 McCoy?

8 A Mr. Hairston is a vice president who
9 reports directly to Mr. McDonald. Mr. Beckham
10 is the vice president over Plant Hatch who
11 reports directly to, I believe, both Hairston
12 and McDonald. And Mr. McCoy is the vice
13 president over Vogtle who, I believe, reports
14 both to Hairston and McDonald. But
15 I am not testifying as an expert as to the
16 organizational structure of that organization.

17 Q And Beckham, McCoy and Hairston
18 selected all the people underneath them?

19 A I don't know.

20 MR. WITHROW: Let me ask for
21 clarification. Are you talking about
22 this subject insofar as it relates to
23 Mr. Hobby's or Mr. McDonald's
24 testimony on that point in these
25 proceedings?

1 MR. KOHN: I'm asking him
2 his general understanding of that
3 process.

4 MR. WITHROW: Well, what does
5 that have to do with this case?

6 MR. KOHN: I think it's obvious
7 what it has to do with this case.

8 MR. WITHROW: . . . I mean if I
9 understand your contention it's that
10 there is a point of disagreement
11 between Mr. Hobby and Mr. McDonald on
12 the staffing of the SONOPCO project
13 as you call it?

14 MR. KOHN: Right.

15 MR. WITHROW: And what Mr. Schaudies
16 understands about how that was done, unless it
17 is related to what either of these gentlemen
18 here told him, has no relevance.

19 MR. KOHN: It's related because
20 Mr. McDonald gave testimony at the
21 proceeding regarding that selection
22 process. So it is relevant.

23 MR. WITHROW: Yes. But your
24 question has not been: What did Pat
25 McDonald tell you about the staffing

BEFORE THE UNITED STATES DEPARTMENT OF LABOR
UNITED STATES OF AMERICA

ALLEN MOSBAUGH,

Complainant,

vs.

GEORGIA POWER COMPANY,

Respondent.

CASE NUMBER:

90-ERA-58

- - -

DEPOSITION OF

ROBERT PATRICK MCDONALD

(9-17-90)

- - -

BULL & ASSOCIATES

COURT AND DEPOSITION REPORTERS

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Atlanta, Georgia 30342

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1 some type.

2 Q Was the briefing transcribed?

3 A I don't know.

4 Q Was it tape-recorded?

5 A I don't know.

6 Q Sometimes they are transcribed or
7 tape-recorded by Georgia Power Company?

8 A Not that I know of.

9 Q Can you tell me who was at the
10 briefing?

11 A The briefing?

12 Q Not the exit interview but the
13 briefing itself?

14 A Oh. Let me go back and say that --
15 let me characterize it as a briefing. It was
16 more of a discussion of the points the NRC said
17 they were going to raise in the exit meeting.
18 It was a listing of the point that the NRC said
19 they were going to raise at the exit meeting.
20 They did not list the matter of inaccurate
21 information that I remember. It was just a
22 list of allegations that they were going to
23 raise.

24 Q Did the list also include Georgia
25 Power Company's response to the allegations or

1 the status of the allegations or information
2 provided to the NRC with relation to the
3 allegations?

4 A I can't remember. The notable thing
5 about the items were what the NRC had told the
6 plant staff they were going to bring up in the
7 exit meeting. They usually, as a matter of
8 routine, at most exits tell a plant what issues
9 they're going to discuss. So basically the
10 listing was what we had found from the NRC
11 with the issues that were discussed and we
12 discussed -- I questioned what that meant, what
13 this means and so forth. It was a discussion
14 of what issues that we're going to bring up,
15 not necessarily a briefing of any type. It
16 was a discussion of the issues they expected
17 to raise.

18 Q Mr. McCoy is a personal friend of
19 yours?

20 A He is an employee of mine, yes.

21 Q He worked for you in the navy?

22 A That's correct.

23 Q And you have a long term
24 relationship with Mr. McCoy?

25 A Not a personal relationship, a

1 business relationship.

2 Q And you hired Mr. McCoy from INPO;
3 is that correct?

4 A That's correct.

5 Q And prior to INPO do you know where
6 Mr. McCoy worked?

7 A Mr. McCoy worked for -- immediately
8 prior to INPO, let see, where did he work?
9 I think he worked for Mississippi Power at that
10 time.

11 Q I believe you're correct. And were
12 you aware, prior to hiring Mr. McCoy, that the
13 NRC was raising the issue that he had provided
14 false information to the NRC?

15 A I was aware that he had been alleged
16 to have.

17 Q And were you aware that he was
18 removed from Mississippi because the NRC was
19 concerned about false statements made by Mr.
20 McCoy?

21 A I was aware that he had been alleged
22 of making false information.

23 Q And that was general knowledge in
24 the industry?

25 A Yes.

1 Q Were you also aware that the
2 regional administrator said that he would not
3 license a plan unless Mr. McCoy was removed?

4 A As far as I know he did not make
5 that statement.

6 Q Did you have any concern about
7 hiring Mr. McCoy knowing that he had, at least
8 with the certain NRC officials, a reputation
9 for making false statements to them?

10 MR. SCHAUDIES: It assumes
11 facts that are not in evidence.
12 There's no showing of this witness
13 that there is any reputation of what
14 you have alleged.

15 MR. KOHN: He already testified
16 to that, Mr. Schaudies.

17 MR. SCHAUDIES: I don't know
18 that he said there was a reputation
19 to that.

20 MR. KOHN: I asked him that
21 question and he said there was.

22 MR. SCHAUDIES: Well, go ahead
23 and ask your question then. Let the
24 record reflect whatever it does.

25 A Ask your question again.

1 Q (By Mr. Kohn) Did you have any
2 concern about hiring Mr. McCoy knowing that the
3 NRC believed he had made false representations
4 to the NRC?

5 A I did not have a concern about
6 alleged false statements. As far as I was
7 aware none of the alleged false statements have
8 been proven to exist.

9 Q But you're also aware that the NRC
10 ended its investigation when Mr. McDonald left
11 the Mississippi Power?

12 A What?

13 Q You're also aware that the
14 allegations ended when Mr. McDonald left
15 Mississippi?

16 A No, not true.

17 Q Excuse me. Mr. McCoy left?

18 A No. I am not aware of what you just
19 said.

20 Q Do you know who the regional
21 administrator was with relation to the
22 Mississippi plant at the time Mr. McCoy was
23 employed?

24 A I don't remember the time frame.

25 Q Back to the philosophy of the

1 operation of the Vogtle facilities, can you
2 tell me what is your or Georgia Power Company's
3 stated philosophy with regards to scheduling
4 outages?

5 A You asked me that once before and I
6 replied that we scheduled outages for refueling
7 and for necessary repair work, test and
8 inspections.

9 Q Okay. That's when you scheduled
10 them but what's the philosophy how you drive
11 your schedule?

12 A As I stated before --

13 MR. SCHAUDIES: Both of these
14 questions were asked and answered
15 before. The philosophy is already on
16 the record and it's already been
17 responded to. I let the first one go
18 thinking that it might just be a
19 short response but obviously you want
20 to go further with the same questions
21 and I don't think that's
22 appropriate.

23 MR. KOHN: Are you instructing
24 him not to answer?

25 MR. SCHAUDIES: I'm telling him

BEFORE THE
U. S. DEPARTMENT OF LABOR

RECEIVED

JAN 09 1989

OFFICE OF
ADMINISTRATIVE LAW JUDGES
HAMPTON, VIRGINIA

In the Matter of:
JOHN M. FUCHKO and
GARY A. YUNKER
Complainants

versus

GEORGIA POWER COMPANY

Respondent

Case No. 89-ERA-9
89-ERA-10

Room 113
1371 Peachtree Street
Atlanta, Georgia
Wednesday, January 4, 1989

The above-entitled matter convened for hearing
pursuant to adjournment, at 9:00 a.m.

BEFORE:

DANIEL SARNO, Administrative Law Judge

APPEARANCES:

On behalf of the Complainant

LAURIE FOWLER, Attorney
Route 2, Box 186
Alto, Georgia 30510

SANDRA MICHAELS, Attorney
Suite 1720, 40 Marietta Street
Atlanta, Georgia 30303

BRIAN SPEARS, Attorney
Suite 400, 233 Mitchell Street
Atlanta, Georgia 30303

1 A Yes. In order to answer that, however, I would
2 probably need to preface it by describing how the divisions
3 for the Hatch and Vogtle plants have been made.

4 Q All right, if that's necessary.

5 A When the Georgia Power nuclear operations
6 organization was reconfigured as a precursor -- well, first as
7 a stand-alone reorganization in Atlanta, then as a part of the
8 SONOPCO concept, reconfigured from a single combined
9 organization which covered both Plant Hatch and Plant Vogtle
10 to two organizations, one specifically for Plant Hatch headed
11 up by a vice president, and one specifically for Plant Vogtle
12 headed up by a vice president.

13 We did that in order to promote this concept of
14 support and to provide identity to each of those plants, so
15 each plant not only has its plant management, but it has a
16 corporate support group that supports it.

17 When we moved into the SONOPCO configuration from
18 Atlanta we underwent an organizational change to the two
19 organizations, so the people who were in the combined nuclear
20 organization were then placed in each one of those two
21 organizations, principally all of them.

22 And then the people who were not a part of those two
23 organizations were placed as possible in other places.

24 Q So what were the criteria that were utilized for
25 trying to determine who to select?

1 A Well, in terms of who to select for the two, the
2 Plant Vogtle organization and the Plant Hatch organization,
3 the criteria that we took for each job as we selected people
4 was really were they qualified to do that job, and the
5 qualification being they had the necessary education,
6 training, experience and demonstrated performance in that
7 position, and they were selected and put in those jobs -- the
8 best people were selected and we filled them from the top
9 down.

10 Q That is you filled the vice presidential positions,
11 then --

12 A We filled the vice presidential positions, and after
13 that the vice president would then get with the managers, and
14 the managers would participate in the selection of the
15 supervisors, and the supervisors would participate in the
16 selection of the people that worked for them, so that they
17 were all a part of the management selection process for doing
18 this.

19 Q What do you envision to be the future role of the
20 security department in the administrative division?

21 A In order to answer that I think I have to go back to
22 the concept of security in the nuclear operations organization
23 in Georgia Power.

24 When I came to Georgia Power, and the day I came and
25 announced that we were going to shift from an oversight role

OFFICE OF THE ADMINISTRATOR
WAGE AND HOUR DIVISION
EMPLOYEE STANDARDS ADMINISTRATION
U. S. DEPARTMENT OF LABOR

JOHN M. FUCHKO, GARY ALLEN YUNKER,)
PLAINTIFFS,)
VS.) 89-ERA-9
GEORGIA POWER COMPANY,) 89-ERA-10
DEFENDANT.)

S T I P U L A T I O N S

IT IS STIPULATED AND AGREED, by and between
the parties through their respective counsel, that
the deposition of ROBERT PATRICK McDONALD may be
taken before Charles S. Barrington, Commissioner
and Certified Shorthand Reporter, at the law offices
of Balch & Bingham, Financial Center Office,
Suite 700, 505 North 20th Street, Birmingham,
Alabama, on the 23rd day of December, 1988, commencing
at 9:00 a.m., Central Standard Time.

IT IS FURTHER STIPULATED AND AGREED that the

1 a group was when they came to see me in the
2 May-June time frame.

3
4 Q Do you know why the petitioners weren't
5 offered a job at any of these five projects that
6 hopefully will eventually become SONOPCO?

7 MR. MILLER: Petitioners, who is that?

8 Q My clients, Mr. Fuchko, and Mr. Yunker.

9 A Yes.

10 MR. MILLER: Wait.

11 A Now I want to back up. I know why they
12 weren't offered a job in any of these three nuclear
13 projects.

14 Q Why weren't they offered a job at any of
15 the nuclear projects?

16 A Because each job was being filled by individuals
17 particularly qualified for that job based upon
18 education, training, experience and demonstrated
19 performance in that area of expertise.

20 The three projects, the two Georgia projects
21 that were being restructured and realigned, in
22 the restructured and realignment configuration,
23 there were no jobs that included their special
areas of qualification.

1 Q What are their areas of special qualifications?

2 A Their areas of special qualification involves
3 the nuclear security functions as characterized
4 by the installations and operations and procedures
5 of a nuclear plant on site.

6 Q Do you know how candidates for jobs in those
7 three projects were evaluated for the jobs?

8 MR. MILLER: Excuse me, but I guess I ought
9 to object to that, because how candidates for
10 those jobs in those three projects could literally
11 mean hundreds of candidates, hundreds of jobs.

12 Q I mean, in general, do you know what the
13 process was, the evaluation process?

14 MR. MILLER: A general generic question?

15 Q Yes.

16 A The generic question was starting at the
17 top of the organization in each one of those,
18 the persons that head the organizations were
19 selected first. In that case they were Tom Beckham,
20 and Ken McCoy. And then they together in management
21 teams, and in their individual organizations
22 selected the next tier of management based upon
23 knowledge, training, experience and demonstrated

1 performance in the area required for the new
2 realigned job. And that continued down to each
3 layer; they reviewed, and then the selection was
4 proposed by let's say a middle level manager;
5 reviewed by a higher level manager; and approved
6 by the Vice-President in charge of that project.

7 Q Do you know if Morris Howard has been on --
8 is he a part of the Vegtle Project?

9 A No.

10 Q Is he a part of any project?

11 A No.

12 Q Do you know what his position is?

13 A He is no longer with the company.

14 Q Was he asked to join the project?

15 A No.

16 Q Was he offered a job?

17 A No.

18 Q Why wasn't he offered a job?

19 A He resigned.

20 Q When did he resign?

21 A Last summer.

22 Q Was he asked to resign?

23 A No.

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A Yes.

Q Do you know if he was asked to evaluate on potential nominees?

A No.

Q You don't know whether he was?

A No.

Q Do you know why my clients weren't offered positions in the nuclear, in the Corporate Security Department? Not in the nuclear, in the Corporate Security Department. I am talking about --

MR. MILLER: You see, now I am really confused, because I thought that your guys did work for Corporate Security.

MS. FOWLER: No. From what I understand --

MR. MILLER: Isn't that right --

MS. FOWLER: --there is no Corporate Security Department. They work in Georgia Power Corporate Security Department.

MR. MILLER: Oh, okay. All right.

A So you are talking about the Southern Company Services Administrative Department, why they weren't offered jobs?

1
2 Q Right.

3 A I know this: That the normal process which
4 I have described to you for the selection of
5 people --

6 Q Uh-huh.

7 A -- started always at the top. You
8 pick the man in charge, and he is the one
9 responsible for selecting the people who works
10 for him.

11 Q Uh-huh.

12 A Because you don't assign people to work
13 for somebody. That is not the practice anywhere
14 within our business. The person who works for
15 somebody selects the people he works for.

16 Q So, is what you are saying that because
17 there is no Corporate Security manager that is
18 why?

19 A I am saying that that is a logical reason
20 why no one has been selected for any jobs within
21 that department.

22 Q Okay. Do you know why Mr. Fuchko has
23 not been considered for the position of Corporate
Security manager?

ORIGINAL

OFFICIAL TRANSCRIPT OF PROCEEDINGS

Agency: Nuclear Regulatory Commission
Office of Nuclear Reactor Regulations

Title: Implementation of Southern Nuclear
Operating Company

Docket No. 50-348, 50-364, 50-425, 50-321, 50-366

LOCATION: Rockville, Maryland

DATE: Friday, January 11, 1991

PAGES: 1 - 49

ANN RILEY & ASSOCIATES, LTD.

1612 K St. N.W., Suite 300

Washington, D.C. 20006

(202) 293-3950

1 MR. LAINAS: Thank you very much. I guess with
2 that I will turn it over to you, Pat.

3 MR. MCDONALD: The organization diagram really
4 summarizes the material that I want to cover today, and as
5 well to talk around that. However, first let us consider a
6 little history. The Southern Nuclear Operating Company is
7 intended to be a wholly owned subsidiary of the Southern
8 Company. In June 22, 1988 the Southern Company filed to
9 incorporate with the SEC to perform the Southern Nuclear
10 Operating Company. That was June 22, 1988.

11 The SEC provided approval for that on December 14,
12 1990. On December 17, the Southern Nuclear Operating
13 Company was incorporated. On December 18, the officers were
14 elected. On January 1, 1991 there were employees that were
15 transferred and double-hatted from the Georgia and Alabama
16 Power Company to the Southern Nuclear Operating Company as
17 well as from Southern Company Services to the Southern
18 Nuclear Operating Company. When I refer to Southern
19 Nuclear Company and SONOPCO, both of those should be
20 considered to be synonymous.

21 The functions of the Southern Nuclear Operating
22 Company at this time are to provide support services to
23 Alabama Power Company and Georgia Power Company for their
24 operation of the nuclear plants. These support services
25 involve the corporate level support for engineering and

1 licensing and maintenance, the technical support for nuclear
2 fuel, generic licensing, vendor QA and some NDE services,
3 and administrative support involving such things as
4 management, budgets, document control, procurement,
5 performance matters and insurance.

6 The relationship among Alabama Power Company,
7 Georgia Power Company and Southern Nuclear is one where the
8 licensees who are Georgia and Alabama Power Company,
9 maintain their licenses. They continue to have their
10 licenses. I am here speaking to you today as an officer of
11 Alabama Power Company and Georgia Power Company. We
12 maintain those licenses.

13 The services that Southern Nuclear provides is an
14 administrative type of service, and it has the management of
15 the personnel who are providing those services to those two
16 companies. The operating lines for licensed activities
17 remain the same, they are unchanged. Let me go over that
18 and get right into the organization, and I am sure that we
19 will have some questions after going through this
20 organization.

21 First, let's consider on the left-hand side the
22 Alabama Power Company organization. It's a hard line. This
23 Alabama Power Company CEO is the Chief Executive Officer at
24 this time who is Elmer Harris. I report directly to him. I
25 also report directly to Mr. Bill Dahlberg, who is CEO of

1 Georgia Power. I administratively report in my Southern
2 Nuclear at to Mr. Joe Farley, who is President and CEO of
3 the Southern Nuclear Company.

4 Reporting to me are the corporate secretary of
5 Southern Nuclear Company, the senior vice president of
6 Alabama Power and the senior vice president of Georgia
7 Power, who is George Harriston. The Vice President of
8 technical services of Southern Nuclear, who is Mr. Lou Long
9 over there. A presently in that position, vice president of
10 administrative services for Southern Nuclear. Notice the
11 annotations where you see the double or triple hatching, and
12 we will go into some discussion on that.

13 Going down the line from there, from Mr.
14 Harriston, reporting to him is Jack Woodard, Vice President
15 of Farley, Alabama Power Company; Tom Beckham, Vice
16 President of Hatch, Georgia Power Company; Ken McCoy, Vice
17 President of Vogtle, Vogtle Project. Going back over here
18 to Mr. Jack Woodard, here is our reporting chain to Jack
19 Woodard. He has reporting to him three people; the plant
20 manager reports directly to him who is and remains -- the
21 plant staff remains a totally Alabama Power Company
22 organization. He also has reporting to him a corporate
23 level support organization which provides the engineering
24 and licensing, project work, the administrative personnel
25 matters, nuclear fuel liaison and that type of services.

1 The support organization has no line authority
2 whatsoever over the plant. It is strictly a staff support
3 organization. Also reporting to Mr. Woodard is the manager
4 of safety audit and engineering review who, in the case of
5 Farley and only in the case of Farley, is double-hatted. He
6 remains an Alabama Power Company employee and functions in
7 that role, and he is also a Southern Nuclear employee. He is
8 in that role, whereas the other two QA groups are not,
9 because we had a specification in the tech specs that
10 designated that position as an Alabama Power Company
11 position. We did not see any need to change that.

12 The people working for him are Southern Nuclear
13 people. That is the QA organization that is on-site at
14 Farley. Similar is the case for Hatch and Vogtle, except
15 for Hatch and Vogtle their corporate level manager is not
16 double-hatted. That same organization exists for the two
17 other projects.

18 Let us look now and see what this functionally
19 means. First, in the services that are provided, the only
20 people who are Southern Nuclear employees are those who have
21 hats as indicated here including this one, plus these
22 organizations -- these support organizations in each of
23 these projects, off-site support organizations. The
24 administrative department is the technical department in the
25 corporate sector. The plants remain totally in Alabama

1 Power Company and Georgia Power Company, strictly a line of
2 accountability.

3 We had conducted assessments of this beforehand,
4 after we had talked with you before and before doing this,
5 we updated assessments. We did 10 CFR 50.54 A, QA
6 considerations, and it is noticed that the lines of
7 reporting are unchanged. We have no reduction of any type
8 of commitments. We had 10 CFR 50.54 P security
9 considerations, there is no decrease in security; 10 CFR
10 50.54 Q, emergency plan, no decrease in emergency plan. At
11 10 CFR 50.59 safety evaluation there were no technical
12 specifications and no un-reviewed safety questions.

13 What we have is something that is essentially an
14 administrative support organization. These people now
15 provide --all the ones that have a double-hat or Southern
16 Nuclear title, now obtain their paychecks from Southern
17 Nuclear. Their pay is paid to them, their health benefits
18 and what have you.

19 In the case of the double-hatted people, let's
20 talk a minute about the double-hatting. We will talk about
21 myself, which will be typical of the others. I work for
22 three distinct different organizations. I work for Alabama
23 Power Company, Georgia Power Company and Southern Nuclear.
24 In that, in my Southern Nuclear hat, we have a contract with
25 each of these companies to provide administrative and these

1 other type of services. We have a written contract.

2 My being an employee and reporting here, my
3 performance evaluations, my salary levels, my performance
4 evaluations, are performed by these three entities
5 individually. Any changes in salary and what have you are
6 performed independently by those three and then are sent to
7 Southern Nuclear to combine into a white paycheck. That is
8 a matter of the written agreements which we have, so that at
9 any one time there was a continuous complete line of
10 responsibility for all licensed operations.

11 You will see that I made some rough notes here.
12 Let's see if there is anything else that I forgot. At this
13 point, I would like to ask for questions. It is really as
14 simple, I believe, as I have stated here.

15 MR. VARGA: May I?

16 MR. MCDONALD: Yes.

17 MR. VARGA: It is purely hypothetical, and I am
18 somewhat confused. Let me give you a hypothetical scenario.
19 Alabama Power at Plant Farley, let's say the plant manager
20 who is an Alabama Power employee, he wants to have a
21 maintenance supervisor, a new one. He decides he is going
22 to hire that man. He goes up to Vice President of Farley,
23 who is now SONOPCO as well as Alabama Power, and that person
24 could say no, I don't think you need that. I think maybe you
25 need somebody else or I have somebody in mind.

1 The plant manager there says gee, I don't agree
2 with that. The next step up is going to the vice president
3 of Nuclear which is now a triple-hatted man who does have
4 Alabama Power, but his loyalties are somewhat divided. It
5 seems to me that before this plant manager can get somebody
6 up there that is only Alabama Power and that might support
7 his position would be up there to APC, the CEO.

8 MR. MCDONALD: Let me address that in a real live
9 case and not a hypothetical. We had been having Mr. Bill
10 Shipman at the Vogtle plant serving as the acting general
11 manager at Vogtle.

12 MR. VARGA: He would be below that --

13 MR. MCDONALD: He was serving over here for Ken
14 McCoy. It was acting. He was acting, because we had an
15 abrupt departure. We then had a personnel selection
16 committee, as is the rule in the Southern system. The rule
17 in the Southern system that had jobs at those levels, you
18 get candidates from other companies and you have
19 representatives from those other companies sit on a
20 selection committee. That selection committee makes
21 recommendations of who they think can best fill that job.

22 We went through the Southern Company process for
23 selecting people and got candidates for that. We also
24 formed a selection group for that. Now, as soon as those
25 candidates were selected and that selection committee was

1 named, I called my boss at Georgia and said Mr. Dahlberg
2 here is where we are. We have gone through the Southern
3 system in the normal fashion and filled all the
4 requirements. Here are who are the candidates and here are
5 who the selection team is, and here is where it is meeting.

6 That selection team met and it met yesterday, and
7 I called Mr. Dahlberg in Phoenix, Arizona and said Mr.
8 Dahlberg, they have met and here is their recommendation but
9 we want your final approval for this job. That is how it
10 actually happened.

11 MR. VARGA: In that case, would there be any --

12 MR. MCDONALD: Let me go ahead and add, this man
13 and this man were neither involved. They neither yet know
14 how that thing has come out.

15 MR. VARGA: Would it be possible, even after that
16 selection committee, would it be possible for a voice from
17 down at the plant even though you have the selection
18 committee and all that, would it be possible for a voice to
19 be heard up there at the GPC level.

20 MR. MCDONALD: He has call-ins all the time.
21 People can call him from the plant at set dates. We have a
22 program. These people are in constant communication and
23 he's here all the time. He can call here, they can call up
24 here, they can call up here. They have the same employee
25 relationships that they have always had. It is completely

1 and I have an opinion. I have discussed this on several
2 occasions lately with Mr. Elmer Harris, including the day
3 before yesterday morning at 6:00 o'clock. He says, what do
4 you think about those steam generators? I said, we are
5 going to have some meetings but it's going to come down to a
6 financial tradeoff analysis. It's not a matter of safety,
7 it's a matter of how much money you want to spend each year
8 and maintain them because they are safe. It's going to come
9 down to a financial decision.

10 MR. MERSCHOFF: Pat, it looks like you are in an
11 interesting spot. What would happen if Mr. Dahlberg at
12 Georgia Power was dissatisfied with your performance but Mr.
13 Farley and Mr. Harris were just as pleased as punch?

14 MR. MCDONALD: There has been an occasion or two
15 that he has been dissatisfied.

16 MR. MERSCHOFF: Do they have veto power? Would
17 you then be fired if one of the three felt that your
18 performance wasn't inclined --

19 MR. MCDONALD: I don't want to find out.

20 [Laughter.]

21 MR. MCDONALD: Let me just discuss this. I did
22 have a disagreement with Mr. Dahlberg on one occasion, and I
23 was sitting in my office in Birmingham where we are co-
24 located and he was sitting over in Georgia. We didn't see
25 things eye to eye. So, being the subservient person that I

1 am, I said look, I will be in the car and be over there in
2 two and one-half hours. I went over there and had a meeting
3 with him and resolved it.

4 The point is, is this is a direct link at all
5 times. Every day on the day there are calls made from the
6 plant to a representative on this corporate staff. Jack has
7 three people who stand duties and calls. He has him as one
8 of them, he has two people in this organization that does
9 it. George or I, every day the plant gives us a status of
10 what has happened overnight, what the problems are, what the
11 projected schedules for the day is for each plant. These
12 are phoned in and passed up to me.

13 Then, I call if there is something significant at
14 all. I will call or George will call Elmer Harris if it's
15 his, or Bill Dahlberg if it's his.

16 MR. MERSCHOFF: Pat, there may come a day when
17 there's someone in that Executive Vice President's position
18 that is not as easy to work with as you are. One of those
19 three may wish to terminate the person in the next spot. My
20 question is, does the CEO have that authority to remove the
21 person in that spot in his chain of command when the other
22 two wish it to not occur?

23 MR. MCDONALD: You always want to ensure that the
24 authority to pay and authority to hire and fire, that's part
25 of the test of who you are working for. Yes, I think he has

1 every authority to say you are not going to work for me
2 anymore and I am going to replace you in the Georgia plant.
3 He will tell this guy and this guy that I am unsatisfied
4 with him and going to replace him. Absolutely.

5 Let me go on and add that from an intellectual
6 point of view all of this is transparent, because it really
7 doesn't -- there aren't conflicts that do develop. This
8 gentleman, this gentleman and this one and the President of
9 Southern Company and the President of Southern Company
10 Services are members of the board of the Southern Nuclear
11 Company. Part of the job is trying to manage people.

12 If he's unhappy with who is here, that we have the
13 best chance of getting the best guy to get in that job out
14 of the Southern system or elsewhere.

15 MS. ADENSAM: Pat, where do you go from here?

16 MR. MCDONALD: We just got here, Eleanor. We
17 expect to be in this condition for a while, until such time
18 as we move toward the transfer of license.

19 MS. ADENSAM: You are not in a position to say
20 when you think that might be?

21 MR. MCDONALD: Not today, no.

22 MR. VARGA: What does the dotted line between the
23 President and CEO of SONOPCO and your position; what does
24 that mean?

25 MR. MCDONALD: That means that it's an

1 administrative, non-operational.

2 MR. VARGA: He can't voice on you any particular
3 desires that he might have, having to do with one of the
4 plants?

5 MR. MCDONALD: No. He has no authority over these
6 license-related type operations nor over the Alabama Power
7 Company people and Georgia Power Company people.

8 MR. LAINAS: I think what you are saying Pat is
9 that what you are doing here is, you are completely
10 consistent in requirements of the license and there's been
11 no change in ownership; that, as far as the tech specs are
12 concerned, as far as those people that have been identified
13 in the tech specs; that, that remains the same? The lines
14 of responsibility and authority are identified and everybody
15 knows who has what responsibility, and you are in complete
16 conformance at this time with the license.

17 MR. MCDONALD: I would go even beyond that. We
18 have made it so simplistic that it doesn't encourage
19 conflicts as you were asking about. It is a very simple
20 type of an organization... because these people only have two
21 hats. They have nothing to do with this plant over here,
22 absolutely nothing, no responsibility of any type.

23 You started asking one question and you might have
24 asked this question about what if they wanted to organize
25 their maintenance department one way.

1 in your mouth, but that center line would become solid and
2 the other two lines potentially would become dotted.

3 MR. MCDONALD: Yes, and the double-hatting would
4 all disappear.

5 MR. MATTHEWS: All disappear, and it's a SONOPCO
6 operated company.

7 MR. MCDONALD: Yes.

8 MR. MATTHEWS: My second question was budget
9 authority. Does Joe Farley have budget authority with
10 regard to expenditures affecting the plants, directly
11 affecting the plants?

12 MR. MCDONALD: These two men are budget authority.

13 MS. ADENSAM: What about the support services
14 though?

15 MR. MCDONALD: He has budget authority in the
16 support. He has budget authority for the various services,
17 for example, the building we have. The building, the
18 administrative department, and all the sundry type of
19 things, stationary and all that, we handle through Southern
20 Nuclear.

21 MS. ADENSAM: Mr. Garlington decides that he needs
22 ten more engineers and another \$2.5 million in contracts to
23 properly support Farley. He goes up and he's convinced
24 everybody and gets to Mr. Farley, and Mr. Farley --

25 MR. MCDONALD: Mr. Farley has nothing to do with

1 that.

2 MS. ADENSAM: Okay, where is that slot?

3 MR. MCDONALD: Jack Woodard in Alabama Power
4 Company hat is responsible for assuring that the work is
5 done, that Alabama Power Company work is done. At that time
6 if he says look, I have to have some more manpower because
7 the manpower can't do it and I want another man, then he's
8 first got to get an authorization from Alabama Power Company
9 to put another man on. Then he hires a contract employee to
10 fill that staff position, and that contract employee is a
11 Southern Nuclear employee.

12 MR. VARGA: Finally, is this correct? Finally,
13 the two wings will disappear, the dotted line becomes solid,
14 and all the double and triple hats disappear?

15 MR. MCDONALD: Right.

16 MR. VARGA: When will that happen, you don't know?

17 MR. MCDONALD: As soon as practical.

18 MR. NASH: You are saying that there will be no
19 more Georgia Power Company and Alabama Power Company?

20 MR. MCDONALD: No. I mean that we will perform
21 the entire scope of services under a contract to Alabama
22 Power Company and to a group of owners including Georgia
23 Power Company and three co-owners, of which Mr. Dan Smith is
24 the representative here today from Oglethorpe.

25 MR. VARGA: Who will be the license holder then?