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R. P. McDonald  
Executive Vice President  
Nuclear Operations

the Southern electric system

August 18, 1989

ELV-00820  
1607n

Docket Nos. 50-424  
50-425

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

Gentlemen:

VOGTLE ELECTRIC GENERATING PLANT  
SETTLEMENT AGREEMENTS

Pursuant to the August 17, 1989 request of Mr. David B. Matthews of the NRC staff, enclosed is a redacted version of the settlement agreement between [REDACTED] and Williams Contracting, Inc. and Georgia Power Company executed on [REDACTED]. Only the following information has been redacted from the enclosed copy:

- (a) Identities of the parties and their counsel;
- (b) The DOL case number;
- (c) References to Plant Vogtle;
- (d) References to specific dollar amounts; and
- (e) The date of the agreement.

The NRC's April 27, 1989 letter expressed a concern with agreements which restrict individuals from raising safety concerns with the NRC. The enclosed agreement was not intended by Georgia Power Company to in any way restrict or discourage [REDACTED] from raising safety concerns with the NRC. The nondisclosure language of Section 7 of the enclosed agreement, which is binding on all parties to the agreement, addresses this by providing a specific exception for the NRC as a "legitimate governmental agency."

Information in this record was deleted  
in accordance with the Privacy Act

Act, exemption 446  
FOIA 94-322

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PDR FOIA  
FIDELL94-322 PDR

E44  
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V17

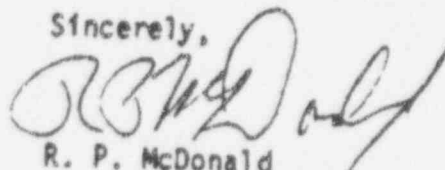
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Georgia Power Company's intent was specifically manifested in Section 4 of the enclosed agreement. Section 4 refers to the licensee's "Quality Concerns" program and the employee's express continuing obligation to raise, in writing, any concern as to action of the licensee or its contractor believed to have any adverse impact, or potential impact on the safety of workers or the plant. The NRC has always been afforded access to the program's files and, in fact, NRC representatives have reviewed most if not all of these concerns submitted to the program. Accordingly, submission of concerns to the program is tantamount to potential disclosure of concerns to the NRC. Moreover, Section 4 vests [redacted] with "all of the rights, privileges, and obligations of an employee who commenced a Quality Concern." One of the express, written rights of employees who commence a Quality Concern is freedom to contact the NRC with those concerns, as reflected in program flyers, placards and similar literature, and in training sessions. As a consequence, the agreement contemplates free disclosure of matters to the NRC by [redacted]

The NRC was kept informed of the status of the claim filed by [redacted] over its entire history. Representatives of the NRC's Regional and Washington, D. C. offices were apprised of this case, and all others, prior to the issuance of the Vogtle Unit 1 operating license. Additionally, the NRC was provided or had access to all relevant documents, including the written settlement agreements.

Georgia Power requests that the enclosed redacted agreement as well as the redacted information be treated as confidential personnel information.

Sincerely,

  
R. P. McDonald

RPM/JAB/gm

Enclosure  
xc(w/o)

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. Ebner, Regional Administrator  
Mr. J. B. Hopkins, Licensing Project Manager, NRR (w/encl.)  
Mr. J. F. Rogge, Senior Resident Inspector, Vogtle

Troutman, Sanders, Lockerman & Ashmore  
Mr. A. H. Dombey

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