

To: Bruno

May 5, 1994

From:

Joe Gray

MEMORANDUM TO: James M. Taylor
Executive Director for Operations

FROM: John C. Hoyle, Assistant Secretary /s/

SUBJECT: SECY-94-075 - PROPOSED ENFORCEMENT ACTION
AGAINST GEORGIA POWER COMPANY, VOGTLE
ELECTRIC GENERATING PLANT (EA 93-304,
EA 94-036, EA 94-037, and EA 94-052)

The Commission (with all Commissioners agreeing) has approved a Notice of Violation and Proposed Imposition of Civil Penalties and issuance of the proposed Demands for Information to Georgia Power Company. However, the Commission (with the Chairman and Commissioners Remick and de Planque agreeing) disapproved the amount of the proposed civil penalty [REDACTED] as being disproportionate to the safety significance of the inaccurate information and out of line with the civil penalties issued in similar cases in the recent past. Commissioner Rogers would have approved the proposed civil penalty.

The staff should treat the aggregated events as a single Severity Level II problem and apply escalation factors of 50 percent for NRC identification and 100 percent for prior opportunity to identify and correct. Application of these factors to the base civil penalty of \$80,000 will result in a civil penalty of \$200,000.

(EDO)

(SECY Suspense: 5/15/94)

The Commission noted the proposed Demands for Information. The staff should consult the Commission prior to taking further actions based on the information provided by the licensee.

(EDO)

(SECY Suspense: 7/29/94)

SECY NOTE: THIS SRM AND SECY-94-075 ARE ENFORCEMENT RELATED AND WILL BE LIMITED TO NRC UNLESS THE COMMISSION DETERMINES OTHERWISE.

Information in this record was deleted
in accordance with the Freedom of Information
Act, exemptions 5
94-81

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cc: The Chairman
Commissioner Rogers
Commissioner Remick
Commissioner de Planque
OGC
OCA
OIG
OE