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FOR IMMEDIATE RELEASE  
Tuesday, May 10, 1994

**NRC REEVALUATING THE RANDOM DRUG TESTING  
REQUIREMENT FOR NUCLEAR POWER PLANT LICENSEES**

The Nuclear Regulatory Commission is reevaluating whether utilities licensed to operate nuclear power plants must conduct random drug testing of those workers who do not perform safety-related jobs, but who have unescorted access to the plant's protected areas. The Commission is requesting information on several issues to aid the NRC staff in completing its evaluation.

The reevaluation stems, in part, from a June 1992 decision by a three-judge panel of the U.S. Court of Appeals for the 9th Circuit, which upheld the random drug testing requirement and, at the same time, questioned the justification for imposing random drug tests on workers whose jobs do not directly relate to safety -- particularly clerical workers.

Since then, the International Brotherhood of Electrical Workers (IBEW) Local 1245 has submitted a request for an exemption from the random testing requirements for certain clerical workers at Pacific Gas and Electric Company's Diablo Canyon nuclear power plant near San Luis Obispo, California.

As part of its reevaluation, the Commission has identified five approaches:

1. Retain the current requirement that all workers who have unescorted access to protected areas be subject to random drug testing. (A protected area is an area encompassed by physical barriers and security systems and to which access is controlled.)
2. Exclude from random drug testing certain groups of workers who have unescorted access to protected areas but not to vital areas. (A vital area is any area that contains vital equipment such as the nuclear reactor and its major systems. Vital areas are located inside protected areas.)
3. Require random drug testing only for workers who have unescorted access to vital areas.
4. Require random drug testing only for workers who have jobs involving safety or security functions, regardless of their access to protected and vital areas.
5. Allow use of alternative testing methods (in lieu of urinalysis) for certain groups of workers who have unescorted access to protected areas but not to vital areas. The random selection process would still be used to select the workers for the alternative testing.

The central issue in determining an appropriate scope for random drug testing remains the need for a proper balance between safeguarding individual rights and the NRC's responsibility to protect the public health and safety.

In this regard, the Commission is interested in several related issues including: (1) the threat from deliberate and accidental acts by individuals who may be influenced by substance abuse; (2) the interactions between changes to the scope of random drug testing and the reduction of safeguards for access into vital areas from protected areas; and (3) the validity of performance testing measures as an alternative to drug testing.

Written comments on these and related matters should be received by August 8. They should be addressed to the Secretary of the Commission, Nuclear Regulatory Commission, Washington, D.C. 20555, Attention: Docketing and Service Branch.

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NOTE TO EDITORS: This information also has been released by the NRC in Washington, D.C.

United States  
Nuclear Regulatory Commission  
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101 Marston Street, N.W.  
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Wednesday, May 11, 1994



The Atlanta Journal  
The Atlanta Constitution

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# Georgia Power facing fine

## Plant Vogtle's records cited

By Charles Seabrook  
STAFF WRITER

The Nuclear Regulatory Commission on Tuesday proposed a \$200,000 fine against Georgia Power Co. for supplying inaccurate and incomplete information about the reliability of diesel generators at the company's Vogtle nuclear power plant near Waynesboro.

The NRC also said it is demanding additional information from Georgia Power regarding "individual performance failures" of six officials to help the agency determine whether additional enforcement actions are necessary.

The fine proposed Tuesday is a civil penalty. It stems from repeated failures of Georgia Power's management "to provide complete and accurate information related to successful starts, failures or problems occurring with the diesel generators," said Ken Clark, spokesman for NRC's regional headquarters in Atlanta.

### Action involves '90 accident

Georgia Power has 30 days to pay the fine. Spokesman Tal Wright said Georgia Power officials have not yet decided if the company will appeal the fine.

The fine follows a lengthy investigation into allegations that senior Georgia Power managers made false statements to the NRC regarding the reliability of diesel generators at Vogtle following an accident at the east Georgia plant in 1990.

The accident occurred when a truck backed into a utility pole at the plant and knocked out electrical power for 36 minutes. The backup generators failed to start automatically and the water temperature of the reactor cooling system rose 50 degrees before power was restored.

After the accident, the NRC ordered the utility to keep the plant's nuclear reactors shut down until it could demonstrate to federal regulators that the backup generators were operating properly.

"We did make some mistakes and collecting and reporting information when this event occurred four years ago," Wright said. "But they were honest mistakes and unintentional."

6/9/96

# Georgia Power Co. to face hefty fine

■ Utility may be fined for information it gave about Plant Vogtle emergency generators

By John Winters  
Staff Writer

WASHINGTON — The Nuclear Regulatory Commission is proposing a \$200,000 fine against Georgia Power Co. for giving the agency "inaccurate and incomplete" information concerning the reliability of emergency generators at Plant Vogtle.

The commission, which regu-

lates nuclear power plants, also has demanded additional information on the actions of six company officials to determine whether "additional enforcement actions are necessary."

The proposed fines follow a nearly four-year investigation into the March 1990 site area emergency at Plant Vogtle — the second

highest nuclear emergency alert classification.

The emergency was declared by plant officials after off-site power was lost when a truck backed into a transformer and the only remaining on-line backup generator failed to start.

A former manager at the plant, Allen Mosbaugh, later accused Georgia Power managers of lying to the NRC about the reliability of the generators in order to get commission approval to restart the plant.

The fines and investigation centered on incorrect information the company originally gave the NRC about the reliability of the emergency diesel generators to start-up. The NRC used that incorrect information to allow the company to restart the reactor after the emergency.

Georgia Power later corrected the information. It originally said there were no problems with restarting the generators, but later acknowledged the generators did not restart every time.

The NRC cited the company for five violations relating to giving incorrect information, failing to correct the data in a timely manner and improper oversight by se-

nior management.

"The NRC is very concerned about these violations," the agency said in a letter to the company. "Given the importance of the NRC's having complete and accurate information before making a restart decision, the licensee's (Georgia Power) performance was unacceptable."

The NRC considered the company's actions a Severity Level II violation, the second highest. The violation equates to a base civil penalty of \$80,000.

Agency spokesman Ken Clark said such a violation is defined as of "very significant concern. It involves the actual or high potential impact on the public. Our enforcement action states it was not because of an actual threat, but of a potential threat."

The NRC increased the penalty by 50 percent because the agency identified most of the violations in its investigation. It also increased the penalty another 100 percent because Georgia Power had a number of occasions to correct its information, but failed to do so in a timely manner.

In a prepared statement, company spokesman Tai Wright said, "We did make some mistakes in collecting and reporting information when this event took place

more than four years ago.

"Those mistakes were honest and unintentional," he added. "When we discovered the mistakes, we reported them to the NRC."

Mr. Wright said the company has not made any decision about whether to pay the fine or appeal it. He also said the company is "looking forward" to supplying the NRC with additional information it requested.

The NRC has requested additional information on the actions of six company employees involved with the reporting on the generators. They range from engineers to middle managers to senior managers.

Among the individuals are Ken McCoy, vice president-nuclear at the time and now vice president of Plant Vogtle; Thomas Greene, assistant general manager at the time and now nuclear engineering and licensing manager; and George Bockhold Jr., former Plant Vogtle general manager and now general manager-nuclear technical services.

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5/13  
BRUNO,

MY UNDERSTANDING  
IS THAT THIS  
REPORT IS TO <sup>TO THE ASLB</sup>  
BE RELEASED <sup>1)</sup> AND  
TO BE PUT IN THE  
PDR, IN ITS  
UNABRIDGED FORM.  
OGC WAS SUPPOSEDLY  
COORDINATING THIS.  
YOU MIGHT WANT  
TO CHECK WITH  
OGC BEFORE SENDING  
<sup>TO HOSBAUGH.</sup>

6/98



# Officials may face penalties

■ *Nuclear Regulatory Commission continues collecting information on senior executives at Georgia Power*

By John Winters  
Staff Writer

WASHINGTON — Senior Georgia Power officials could be removed from any involvement with Plant Vogtle based on the outcome of the Nuclear Regulatory Commission's further investigation into the plant's 1990 site area emergency.

For now, the NRC, which oversees nuclear power plants such as Plant Vogtle outside Waynesboro, Ga., is collecting additional information on company officials.

The NRC could decide to take no further action, issue additional fines or order Georgia Power to keep certain officials from working at Plant Vogtle.

Georgia Power already is facing a \$200,000 fine levied last week because company officials gave the NRC erroneous information about the reliability of emergency backup generators.

The NRC used that information to allow the plant to restart the reactor, which had been shut down after losing all on-site and emergency power in the March 20, 1990, incident.

During the investigation, at least one internal NRC report determined Georgia Power officials intentionally lied to the NRC. Another report, though agreeing Georgia Power gave incorrect information and at times acted with "careless disregard," found no instance where any company official deliberately lied.

"They have been cited (fined) for incomplete and incorrect information, but they have not been charged with deliberately doing it," NRC spokesman Ken Clark said. "The NRC staff will review the additional information provided to determine whether additional enforcement is appropriate."

In a prepared statement, company spokesman Tal Wright admitted the company made mistakes, but said they were unintentional and employees acted honestly.

"Until now, the company and the individuals have not had an opportunity to present our side, and that's why the NRC is asking for more information," he said. "We think it's unfair and premature to assume these questions are an indication anyone did anything wrong before we have had a chance to tell our side of the story."

The NRC has requested additional information on the individuals involved in reporting information

AUGUSTA CHRONICLE  
MAY 15, 1994

## Officials: NRC may decide to restrict activities

Continued from 1C

find that any individual deliberately provided inaccurate or incomplete information to the NRC."

neer, now project engineer; and Michael Horton, then manager-engineering support, now project manager.

However, that report did find "numerous instances where managers and supervisors failed to exercise reasonable care in providing information to the NRC." The group did conclude that Georgia Power's performance during this time period in this communications with the NRC regarding the generators was seriously deficient.

The NRC request states that the information is needed to help it determine "whether the licenses should be modified to restrict the participation (of the named individuals) in licensed activities."

Among the NRC documents obtained by The Augusta Chronicle are two reports with different viewpoints.

A Feb. 9, 1994, report by the NRC's Vogtle Coordinating Group Analysis on the 1990 events said, "In no case was the group able to

tion about the reliability of the generators to the commission.

They are: Ken McCoy, then vice president-nuclear, now vice president of Plant Vogtle; George Bockivaid Jr., then plant general manager-Vogtle, now general manager-nuclear technical services; Thomas Greene, then assistant general manager plant support, now nuclear engineering and licensing manager; George R. Frederick, then safety analyst and event review supervisor, now maintenance manager; Harry Majors, then project engi-

# NRC Briefing on Results of Vogtle Enforcement Action and Investigation

5-16-94

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