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June 19, 1990

Confidential

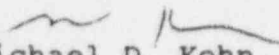
Larry Robinson
NRC - OI

Dear Mr. Robinson:

As I mentioned today over the phone, the letter I sent you on June 13, 1990 was inaccurate inasmuch as Allen Mosbaugh advised Mr. Art Domby only once (rather than twice) that Mr. Skip Kitchens had stated in his presence that "I got to use my license." Mr. Mosbaugh advised me of the error when he first saw a copy of the FAX.

You indicated that you would note the correction on the FAXed letter I sent you. To eliminate any misunderstanding, please find enclosed a revision of my June 13th letter correcting the error.

Respectfully yours,


Michael D. Kohn,
Counsel to Allen Mosbaugh

Blase

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LJR

6/18
10:30 AM

A/111

Release

~~AKO~~

***** PLEASE NOTE *****

The level of detail contained in this concern will allow the Vogtle and SONOPCO management to conclusively identify the author. Because of the high level of the personnel involved and the seriousness of these concerns, I request that you do not reveal the text of this letter or the fact that this information was obtained thru an allegation, to Vogtle or SONOPCO personnel. I fear that retaliation including the possibility of physical harm could come to me or my family. I am concerned because of recent articles surrounding Gulf Power, a Southern Co. subsidiary, and the Jake Horton case as well as my observations of Georgia Power, SONOPCO, and Vogtle management for many years.

***** PLEASE NOTE *****

The Georgia Power Company has made two material false statements in written correspondence submitted to the NRC regarding Plant Vogtle's emergency diesel generator's control and starting air supplies and diesel generator testing. The statements are contained in correspondence ELV-01516 submitted on 4-9-90 in response to the NRC'S Confirmation of Action letter. The purpose of ELV-01516 was to explain Georgia Power's review, investigation and corrective actions taken with respect to the events involved in the Site-Area Emergency of 3-20-90 and to request the NRC to lift it's hold on criticality and resumption of power operations on Vogtle Unit 1.

In ELV-01516 page 3, item 4 it states "GPC has reviewed air quality of the D/G air system including dewpoint 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 which showed no indication of corrosion and daily air receiver blowdowns with no significant water discharge."

The above paragraph is materially false by omission and/or commission in that it presents a conclusion (that air quality is satisfactory) that cannot be concluded from objective evidence and knowledge of Vogtle's Diesel generator air systems. This includes the dewpoint measurements taken, the procedures used, the maintenance history of the DG 1A dryers, the operational alignments, the air quality acceptance criteria requirements of the Vogtle diesel generators from the Vogtle FSAR and Vogtle's response to Generic Letter 88-14 in correspondence ELV-00197 page 3. The following substantiates a less than satisfactory

history of air quality:

1. Vogtle's response to Generic Letter 88-14 presents the "maximum dewpoint acceptance criteria for the VEGP diesel air start system ---as 50 F at system pressure " (225 to 250 psig).
2. Prior to 6-28-89 dewpoints were not regularly checked with no measurments taken in 1987 and only one taken in 1988. The 1988 value is theoretically impossible for the refrigeration type dryers installed (less than 32 F). The 2 measurments taken in 1989 prior to 6-28-89 were also theoretically impossible (less than 32 F).
3. Since the equipment used to measure dewpoints measures at atmospheric pressure and the criteria is at system pressure, a calculation or correction must be performed to adjust to reference pressure. The maintenance procedures used, do not include instructions for this and there are no calculational records or data that show how it was done . Therefore the accuracy of even post 6-28-89 data is not certain.
4. The maintenance procedure in use is contrary to the dewpoint measurment equipment vendors recomendations in that it uses a pressure regulator which the vendor says holds moisture and gives false readings.
5. Readings obtained on 3-9-90 and 3-31-90 exceeded acceptance criteria and were as high as 80 F. This was explained as "faulty equipment" but after that, on 4-6-90, valid dewpoint readings of 84 F were measured for Unit 1 DG air dryer K01 and 83 F for K02 as documented on DC 1-90-186. Maintenance work order 2-9000964 documents air quality problems on the Unit 2A diesel where nearly every dewpoint measurment exceeded acceptance criteria when measured with several kinds of instruments. Values as high as 95 F were measured on 4-9-90 thru 4-11-90. DC's were not written for these out of spec. conditions. Maintenance work order 2-9001136 documents continuing dewpoint problems on the 2A diesel.
6. The air dryers for the Unit 1A diesel generator have been out of service for excessive periods of time. Maintenance work order 1-88-02991 was open from 5-10-88 to 5-2-89 to repair both the K01 and K02 dryers. Refrigeration compressors as well as condensing fans have been broken. When preparing to perform the UV testing of the diesels for the IIT, air dryers were found out of service.
7. Despite having the air dryers out of service the associated compressors have remained in service.
8. The diesel generator utilizes a pneumatic air control logic system which has extremely small orifices as small as 6 thousandths of an inch. This air control system takes its air from the starting air system.

9. Qualitative and gross observations at a few points in the system, one air receiver tank and a filter, is not sufficient to confirm satisfactory air quality and internal cleanliness of hundreds of air lines after years of inadequate air dryer maintenance and dewpoint testing.
10. Air in the diesel building is not air conditioned and therefore the air compressors utilize ambient air which in the Central Savanna River Area is typically extremely warm and humid much of the year. Without dryers in service, water in the system is bound to be a problem.
11. For periods of operation without dryers in service (which have been extensive) the air in the receiver would be saturated and have a dewpoint of that of room temperature. Receiver blowdown would not alter those conditions. For summer at Vogtle that would be 90 - 100 F. Using psychometric charts a drop of approximately 30 F in dewpoint would occur upon pressure reduction to the control air pressure of 80 psig. This would produce a dewpoint of 60 to 70 F which exceeds the acceptance criteria. This value is surprisingly close to the valid measurements recently taken with the dryers out of service. Clearly air quality should be expected to be unsatisfactory during periods when the dryers have been out of service.

Considering items 1 thru 11, the only conclusions that can be drawn is that the air quality for the Vogtle Unit 1 Diesels is unknown and indeterminant for the first 2 1/2 years of post license operation with known lengthy periods of dryers out of service during which times air quality probably was unsatisfactory against the acceptance criteria stated in response to Generic Letter 88-14. For the most recent period since 6-28-89 air quality was measured and generally met acceptance criteria except when dryers were out of service (the extent of which is difficult to reconstruct) at which times air quality was probably again unsatisfactory. At the time that correspondence ELV-01516 was signed by Georgia Power, 2 of 4 diesels had air quality problems with high dewpoints (outside acceptance criteria) ranging from 64 to 84F.

Dewpoints that high could easily result in water in the air lines as room temperatures cycle (when cool night or early morning air is drawn into the room). The outside air dampers locations in the Diesel rooms make this a distinct possibility. The presence of any water in the lines will lead to corrosion and particulate matter formation which could be carried to the pneumatic logic boards, sensor valves and other pneumatic components and could easily cause malfunctions.

In ELV-01516 page 3 item g. it states 'Since March 20, 1990, GPC has performed numerous sensor calibrations (including jacket water temperature), extensive logic testing, special pneumatic leak testing, and multiple engine starts and runs under various conditions. Since March 20, the 1A DG has been started 18 times, and the 1B DG has been started 19 times. No failures or problems have occurred during any of these starts. In addition, an undervoltage start test without air roll was conducted on April 6, 1990 and the 1A D/G started and loaded properly.'

The above paragraph is materially false by omission and/or commission because according to Vogtle control room logs and procedure 14930 data sheets the 1B DG had been started 29 times (see NOTE * below) since March 20, 1990. It experienced 8 failures or problems during these starts and one problem with control air pressure between starts as follows:

Start	Date	Time	Comment
1	3-21-90	21:49	Diesel failed to start
2	3-21-90	21:56	Diesel failed to start
3	3-21-90	22:02	
4	3-21-90	22:59	Diesel had to be stopped due to low lube oil pressure and hi oil filter DP
5	3-21-90	23:14	Diesel had to be manually stopped because of high fuel oil DP
6	3-22-90	00:17	
7	3-22-90	04:28	
8	3-22-90	07:14	
9	# 3-22-90	08:54	
10	# 3-22-90	09:21	
11	# 3-22-90	09:50	
12	# 3-22-90	10:09	
13	3-22-90	11:06	Diesel tripped Hi Lube Oil Temp
14	3-23-90	05:09	Got B phase 127 Undervoltage relay flag on start
15	3-23-90	17:30	Diesel tripped Lo Jacket Water Press./Turbo Lube Oil Press.
16	3-23-90	17:44	
17	3-24-90	00:48	Got generator ground relay 164 dropout on start. Received DG1B Trip Hi Jacket water alarm. DG should have tripped but didn't.
18	3-27-90	16:49	
19	3-27-90	19:09	
20	* 3-27-90	19:51	
21	* 3-27-90	19:57	

22	*	3-27-90	20:04	
23		3-27-90	22:20	Diesel 1B Undervoltage Test
24		3-28-90	04:03	Diesel TS Surveillance 14980
25		3-28-90	13:50	
26		3-28-90	13:56	
		3-28-90	15:27	Diesel 1B Declared Operable
		4-03-90	05:15	Got Maint. lockout alarm due to low control air pressure (41 psi)
27		4-04-90	16:32	
28		4-05-90	00:30	Functional test of design change DCP 133
29		4-05-90	03:07	Diesel TS Surveillance 14980

		Date of ELV-01516	4-9-90	
30		4-10-90	01:37	Surveillance 14980
31		4-12-90	10:20	Surveillance 14980
32		4-16-90	00:00	Surveillance 14980
33		4-18-90	07:59	Surveillance 14980
34		4-19-90	03:14	Diesel inadvertently emergency started while performing Surveillance OSP-14619-1

NOTE: # Denotes start not logged in control log but
data sheet exists per procedure 14980-1
* Denotes start logged in control log but not
documented by data sheet per procedure 14980-1

From the above it is clear that there have been numerous trips and problems with the 1B diesel since 3-20-90, many of which are associated with features being investigated to determine the cause of the 1A diesel failure, such as CALCCN switches and control air. In addition, even if you disregard the trips and problems, there were only 14 successful starts on 1B Diesel since the time of the last trip and only 3 starts since the time of the last problem and the date of ELV-01516.

It is clear that the data do not support the claims made in the letter of "No failures or problems during any of these starts" for this diesel. It is particularly disturbing that Georgia Power has misled the NRC with this information, information presented to convince the NRC of the reliability of Vogtle's diesel generators and to obtain permission to resume power operations.

Since the cause for failure of the Vogtle diesel generator 1A and the subsequent testing and reliable operation of both 1A and 1B diesels is particularly significant to the Site-Area Emergency, the Confirmation of Action Letter and associated regulatory action and since ELV-01516 was signed by the Senior Vice President SONOPCO, these Material False Statements are very disturbing.

Detailed information and source documents including Diesel start and failure data used to compile the above concern have been provided to Al Chaffee of the NRC IIT team.

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***** PLEASE NOTE *****



From: Public Relations

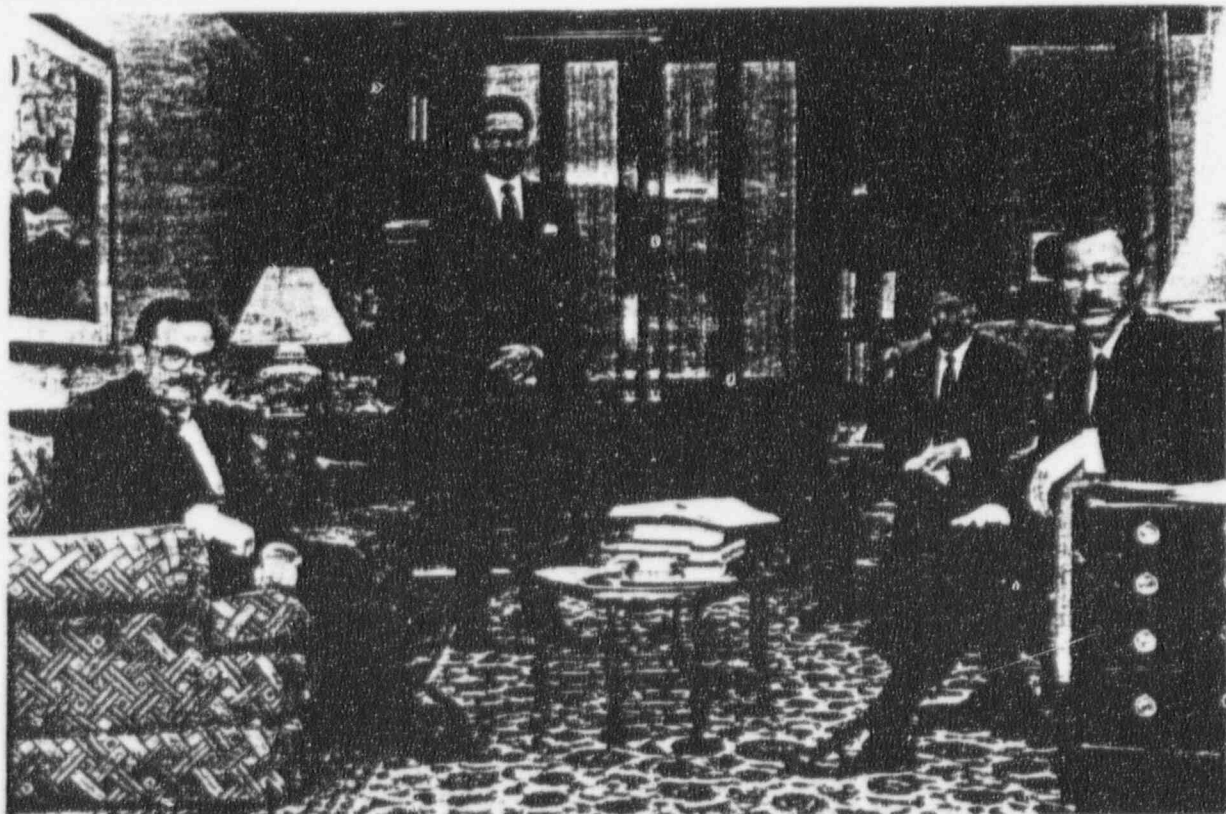
Atlanta - Ext. 3133

Clipped From: FULTON COUNTY DAILY REPORT

Date: JUNE 15, 1990

UNPLUGGING THE PROSECUTION

How Georgia Power Averted Indictment



Troutman devoted a full-time team to the case on behalf of its most important client, including (left to right) DeWitt Rogers, Bryan B. Lavine, Roger S. Reigner Jr., and their leader James C. Fleming.

By Ann Woolner, Staff Reporter

A/112

A/120

Release

One of the principles that Steven A. Westby knew for sure after 10 years as a criminal defense lawyer was that you never, ever lay out your defense for the prosecution before trial.

"There are certain rules you don't violate," he says.

So he declined when the Justice Department invited him and the other defense lawyers in the Georgia Power tax fraud investigation to come to Washington to present their side of the story. In fact, none of the lawyers representing individuals accused in the probe were planning to go to Washington initially.

But over at Troutman, Sanders, Lockerman & Ashmore, the tax lawyers representing the Southern Company and Georgia Power Co. never doubted they would present the strongest defense possible when the time came at the Justice Department. Set up to encourage uniform, national tax enforcement, the review process kicks in when the local prosecutor is ready to ask the grand jury to indict.

"It's your last chance," says James C. Fleming, a Troutman tax partner who led the utility companies' defense team. As a tax lawyer and former Internal Revenue Service official, Fleming knew the review process in Washington, and he knew the hierarchy there could tell the local U.S. attorney's office not to seek indictment.

At that stage, "If you believe you have something to argue, you better argue it," Fleming says.

In this case, a two-year probe by the IRS and a federal grand jury in Atlanta had reached the point where the U.S. attorney's office here was ready to prosecute. Assistant U.S. Attorney James E. Fagan Jr. was recommending that the Georgia Power Co., the Southern Company and six individuals be indicted on charges of defrauding the United States government of tens of millions of dollars in tax revenues.

What had begun as an honest mistake had grown into tax fraud and a criminal conspiracy and cover-up, the government claimed. Evidence of employees hiding records, of protecting higher-ups from prosecution, of filing false information with the IRS had been carried in newspapers and on television for a year and a half. The Troutman team was eager to rebut them at last, in a forum that counted the most.

But if only the utility companies' lawyers went to Washington, how could the most damaging evidence—taped conversations of employees apparently conspiring—be explained? Yet if lawyers for individual defendants appeared, would one person's defense implicate another potential defendant? Was there one explanation that covered everything?

And then there was the criminal defense lawyer's natural reluctance to tell the government anything at all. Certainly the dangers of over-exposing one's evidence had been amply illus-



King & Spalding partner Herschel M. Bloom took every opportunity to present his theory of the tax issues to the government.

trated in this case—by the government. That happened when then-U.S. Attorney Robert L. Barr Jr. held a press conference and released not only the IRS agent's affidavit supporting the search warrant and a variety of company memos, but also the entire transcript of the seemingly incriminating taped conversations.

The publicity was personally hurtful to the individuals named, but the release of the government's most damaging evidence so early in the probe enabled the defense to spend a year and a half poring over it and building a rebuttal.

By the time the presentation in Washington opened—some 21 months after that press conference—the defense lawyers knew the government's case and were ready for it. The question remained whether to present their own.

King & Spalding answered with an immediate yes. The firm represents Arthur Andersen, which had advised the utility on the tax practice in question. After an initial internal investigation persuaded them that their client's tax position was reasonable, Andersen's lawyers took every opportunity to persuade the prosecution.

They were freer to do so, as the government never told King & Spalding that any of its clients was on the target list.

"I was so convinced of our position, that it was correct, and so convinced that they were wrong," says King & Spalding's Herschel M. Bloom. "During the course of the investigation, we put some real doubt in their minds."

He believes they did it in the beginning, and that they did it again when it counted most—in an unusual appearance in Washington at the very end.

In The Beginning

It was a Wednesday evening in late summer when about 40 federal agents fanned out for searches and to serve subpoenas at Georgia Power headquarters, the home of a utility official, and the offices of Arthur Andersen. Suddenly, Troutman, Sanders lawyers were getting calls from utility officials reporting the searches; King & Spalding was hearing from Andersen, and lawyers started calling the feds to find out what it was all about.

Troutman's Bryan B. Lavine reached the lead prosecutor in the case, Assistant U.S. Attorney Fagan, and got Fleming on the line, too. Fagan told them it was all part of a criminal tax investigation into spare parts accounting at Georgia Power, Troutman's most important client.

"The issue was identified the first night," says Fleming. "I don't think it changed."

It was also clear right off the bat that

this was going to require a lot of lawyers. To avoid possible conflicts with the company's defense, Troutman advised the individuals under subpoena that they should have their own lawyers although the utility company would pay all legal bills.

Through most of the investigation, the utility defense team comprised about a dozen lawyers. Working full time on the case for the Southern Company and Georgia Power were Fleming, Lavine, Roger S. Reigner Jr. and DeWitt Rogers. The lawyers for individual employees or officials named in the probe were sole practitioners Robert J. Hipple, Howard J. Weintraub, Robert H. Citronberg, Steven W. Ludwick and Seth D. Kirschenbaum; Westby of Neely & Player; Richard H. Sinkfield of Rogers & Hardin; Bruce H. Morris of Firestone, Cardon & Morris; Anthony L. Cochran and Nickolas P. Chilivis of Chilivis & Grindler; and others who represented witnesses or Southern Company's other subsidiaries.

"We might've gone overboard," Fleming says now. But, "It seemed like the right thing to do at the time."

Likewise, Arthur Andersen had the King & Spalding team: Bloom, Michael C. Russ, and David D. Willoughby, who brought in individual lawyers for the accounting employees identified as possible suspects or witnesses.

It was on the Friday after the Wednesday Aug. 24, 1988, search that defense lawyers got their first, extensive briefing on the probe in a five-hour conference with Fagan in the U.S. attorney's office in the Richard B. Russell Building.

They learned a lot that day, but they were about to learn a lot more, along with the rest of the public. The following Tuesday, stacks of documents the government had compiled to support the search warrants were unsealed, and Barr held a press conference to reveal their contents. Among the reams of papers were a 33-page affidavit from IRS Special Agent Arthur D. McGovern Jr., an affidavit from a unidentified Georgia Power employee who had been acting as a government informant; several company memos; and hundreds of pages of transcripts of taped conversations the informant had had with key utility employees.

It looked like compelling evidence. McGovern was unequivocal: The "Southern Company and its subsidiaries got together and conspired to hide from the IRS the fact that they had expensed an enormous amount of spare parts which should have been inventoried." By the end of 1985, McGovern wrote, "Georgia Power company had fraudulently expensed over \$56,000,000 in spare parts ..."

But the most damaging revelations



Worried about the prosecution, Robert J. Hipple organized meetings of defense lawyers, believing, "The steamroller was running, and we were all watching, waiting for this to hit."

came in the tape excerpts. A Southern Company tax supervisor, Timothy Fallaw, instructed the informant a number of times to hide certain accounting records, to take them home as Fallaw said he had done. The tapes contained statements that senior utility officials could be prosecuted for lying to the government if the truth about the spare parts came out. There was talk of ensuring that the spare parts issue be handled with "as little evidence or exposure" as possible.

The tapes contain such memorable quotes as this from Fallaw: "I mean if the IRS comes in, I mean, you're dead."

The press conference and the release of so much inflammatory evidence enraged the defense team. "The government allowed the perception, if not created the perception, that all these people were engaged in wrongdoing," says Morris, who represents Gary Givens, corporate tax manager at Georgia Power. "For two years, there was no way to respond."

Barr defends the release not only on legal grounds, but also for fairness reasons. "It surprises me the tack defense lawyers take sometimes. I suppose they would rather have the search conducted [with the utility] left hanging out there with all sorts of pregnant implications. I think we had an obligation to explain what the search was, and most importantly, what it was not. There was a great deal of confusion" at the time, he says.

What's more, the government must show probable cause for a search, Barr notes. "If you don't disclose enough, the defense will attack the search

warrant as not sufficient," he says.

The government's documents can be sealed only to protect the integrity of the search, but no longer than that "unless there is a very good reason the government can articulate," says Barr, who left the U.S. attorney's job in February.

Nevertheless, one of the Troutman lawyers began collecting newspaper clips and television news tapes of the Georgia Power investigation. The collection—which included stories attributed to unnamed federal sources—would later be presented to Washington as part of the effort to discredit the prosecution. It was an ironic role for the Troutman lawyer in charge of the task, DeWitt Rogers, former city editor of *The Atlanta Constitution*.

Yet as damaging as it was to reputations, the release was a boon to building the defense. "Normally we would never have had those tapes or transcripts until after arraignment," says Weintraub, a former federal prosecutor who represented one of the tax supervisors at Georgia Power. "You don't have time to do that after an indictment comes down," he says.

The release of the full transcripts allowed the defense to put the excerpted remarks into context. Hipple, who represented Fallaw, maintains that when heard in their entirety, the seemingly damning snippets take on a different, more innocent meaning.

The defense learned another thing from Barr's press conference. Given the intense publicity the story had

generated and the massive amounts of money involved. "We knew we were in for a long haul," says Weintraub.

What It's All About

Tax law on emergency spare parts accounting for public utility companies is not the sort of thing that most criminal defense lawyers happen to know. Not even the tax specialists in the defense team knew the terrain intimately at first. It wasn't easy learning it.

The Troutman lawyers called on experts around the country and dug into accounting books, law books and revenue rulings. They even took an occasional field trip to a power plant.

"It was so complicated," says Westby. "The first six months was spent trying to figure out how much of the allegations in the 35-page affidavit was true legally or factually."

The lawyers interviewed their clients extensively and studied the hundreds of documents the government subpoenaed.

At issue was the power company's tax treatment of spare parts for power plants. The controversy had its start in 1982 when the utility realized that it was improper to do what it had been doing, which was to claim the parts as expenses and deduct them at the time of purchase. The IRS says the utility can expense the part at the time of purchase only if it is immediately put to use. Otherwise, the part is put into inventory and is depreciated over time.

So utility officials won permission from the IRS to change the accounting method to the proper way, and to take 10 years to pay the tax difference for what had already occurred.

But, as McGovern alleged in his affidavit, the government believed that power company officials were only correcting part of the problem and were lying about the rest of it. McGovern said that while the utility inventoried a lot of its spare parts, it hid many millions of dollars worth, concocting a secret, dual accounting system to accomplish the scheme.

From the government's evidence, it seemed so clear-cut. As Westby put it, "Art McGovern says, 'I'm an expert,' and he says you can't do it this way ... He said it was obviously wrong; how could it be right?"

The answer, the defense says, lies in the difference between emergency spare parts and parts bought for normal maintenance. The utility insists that while maintenance spare parts must be inventoried unless they are immediately put into service, spare parts are different. An emergency spare part is "in use" when it is bought, even if it is put on the shelf to

await an emergency. That's because to operate safely, power plants must be equipped for emergencies.

Westby uses the analogy of a spare tire. It is simply not safe to drive around without one, so it is in use even when it's idle in the trunk.

As for the seemingly sinister "memo accounting" system, it was simply a way to track the different kinds of parts so that the utility could pay proper taxes, the defense asserts.

But if everything was on the up-and-up, why was there all that talk about secreting files away on personal computer disks and removing them from the premises?

Hipple, who represents Fallaw, the man who made some of the most apparently incriminating statements, says his client merely meant to emphasize that the IRS is not entitled to see everything ever written. Fallaw, who hardly knew the informant, was trying to stress that "you don't leave things lying around."

For example, "you don't have a file that says, 'Tax planning for 1985' [containing a debate whether] this is the right way or that is the right way. It's a blueprint for an audit," says Hipple.

Yet, time and time again, Fallaw urged the informant to take documents home, insisting that he had done so, himself.

"No one really has an explanation for that, other than there was a lot of macho talk," says Bloom. He notes that no documents were found in Fallaw's home, which was searched at the same time as the first search of the power company. And company officials say all of the papers detailing the spare parts accounting practices were found at the company.

Getting Organized

While the Troutman lawyers seemed to be constantly responding to subpoenas (Fleming estimates 500 were issued during the course of the investigation), Hipple decided it was time to organize the defense team. While there were a lot of telephone conversations about documents and other pieces of information, each of the lawyers representing individuals seemed to be off on his own while the prosecution seemed to be gaining steam.

"At some point," says Hipple, "it became particularly evident the government was really going to proceed with this. The steamroller was running, and we were all watching, waiting for this to hit."

So Hipple called together a meeting of the defense lawyers in what was to become a frequent event. Usually they met at Troutman's offices, but some-

times they went to other lawyers' conference rooms. They traded information, organized into committees to handle specific legal issues, and they exchanged ideas on strategy.

The lawyers signed a joint defense agreement that allowed each of them to give his client's version of events without worrying that the information would be used against that client.

One of the first meetings was purely educational, with the Troutman and King & Spalding tax experts explaining what they had learned about the accounting and tax issues. The lesson came complete with a slide show, which was the first time some of the lawyers had seen a spare part for a power plant.

It was not until these sessions, some of the lawyers say, that they fully understood the issues.

By the close of 1989, the meetings



Bruce H. Morris, representing a utility employee, says the investigation was too public.

had become weekly events. It was also about that time that Fagan informed the defense lawyers that he was recommending that six utility employees, the Southern Company and Georgia Power be indicted. The Justice Department invited the lawyers for those particular defendants to come to Washington if they wish, and to take as much time as they need to lay out their case.

For the lawyers who were representing others who had been implicated in the scheme, the narrowing of the target list meant that their clients had gotten off the hook. For the rest, the question was whether to go to Washington. Fagan kept assuring the criminal defense lawyers that they would get a

full, objective hearing. So did the tax lawyers in the group, based on their experience with the review process in the criminal section of the tax division.

Still, "I wasn't so sure," says Westby, reflecting a common sentiment among the criminal defense lawyers in the group.

Westby believed he had a great defense, because he could show unequivocally that his client, Dean Hudson, Southern Company's comptroller and vice president for taxes, had had nothing at all to do with emergency spare parts during the time that investigators were probing. He believed the government did not realize Hudson was out of the city during much of the time.

But should he show his hand?

Meanwhile, the Troutman lawyers were making it clear that they were headed for Washington, so there were lots of discussions within the defense team about what strategy they would take.

Representing the corporate defendants, Troutman would hit hardest on the underlying tax issue and on the accounting system. If the lawyers could persuade the Justice Department that the utility's tax theory was correct—or at least reasonable—then perhaps everyone would get off the hook.

Then, too, there were the incidents of alleged prosecutorial misconduct, such as the use of a paid government informant and, of course, Barr's dealings with the press.

The most difficult problem was explaining those tapes. And although the Troutman team could, and did, address them, those were issues more fitting for the individual defendants.

At first, the individuals' defense lawyers all decided to let Troutman do the talking. In fact, some were privately concerned about whether even the utility's lawyers should go. But eventually, some of the lawyers for the individual defendants decided they had something to say that the Justice Department should hear.

The Big Pitch

The presentation was set to begin on Thursday, Jan. 25, 1990. Just three days before that, on Monday, Westby decided he would go. In the end, lawyers for three of the six individuals appeared, Westby, Sinkfield and Hipple.

And so, in nondescript, government offices on the fourth floor of the main Justice Department building, lawyers for the accused spent three days taking turns arguing their clients' innocence to three Justice Department lawyers: Fagan, who was there merely as an observer; Stephen Huggard, the Washington-based trial lawyer that



Former U.S. Attorney Robert L. Barr Jr. says, in retrospect, he would do nothing differently in the Georgia Power tax investigation.

the tax division assigned to the case; and Charles Tamulevitz, a staff attorney in the criminal section of the tax division.

On Thursday and Friday, ending Monday, Jan. 30, they argued and they answered questions. Some came away optimistic, while others say they could not read the result.

For Westby, the trip was worthwhile. He believed that he had brought the government exculpatory news about his client that they did not know.

Then, on Tuesday, another session took place that was not the normal sort of Justice Department criminal tax review. At Huggard's invitation, Andersen's lawyers at King & Spalding made a special appearance. Bloom, Russ and Willoughby, joined by Andersen general counsel Donald Dreyfus, met for two and a half hours with Huggard and a lawyer one level higher, Ralph Belter, a tax technician.

Under the criminal tax procedures, Belter would review the U.S. attorney's argument for prosecution and send it up the line through two more levels before the final decision would be made by Assistant Attorney General Shirley D. Peterson. Normally, Belter would not sit in on a presentation, and normally only lawyers with clients facing prosecution would appear. But precisely because Andersen was out of the picture as a



With the end of the investigation came a press conference by Georgia Power Chairman A.W. Dahlberg.

possible defendant, Justice could invite the accounting firm's lawyers.

And who would better understand the utility's tax and accounting theories than the lawyers for the company's tax preparer, whose advice the utility had been following? "We were invited by Justice to explain the tax theory of the case to them," says Bloom. "We came up as a 'friend of the department,' is the way it was described to us."

The Andersen lawyers were happy to

accept. For although the accounting firm was no longer considered a potential defendant, "it was their client—Georgia Power—who was at risk," says Bloom. Arthur Andersen "obviously had an interest in the outcome and were more than willing to present their position through us to the Justice Department."

Bloom says the idea had come from Huggard, who had maintained to the defense lawyers all along that his mind was open. The recommendation to seek indictment had come from the IRS and from Fagan, not from Huggard. And all along, Bloom and Russ had been pressing their theory of the case to Fagan and Huggard, developing rapport and, he believes, credibility.

"After we finished our conference in Washington, we felt quite clearly that Belter had heard and clearly understood the tax position—and agreed with it," says Bloom.

Whether it was Belter or another official up the line, someone in a position of authority in Justice either agreed with the defense's position or at least figured a jury wouldn't disagree with it.

On Friday, May 18, the U.S. attorney's office in Atlanta heard officially what it had been hearing unofficially for some weeks. Nix to the prosecution. A week later, on the Friday before the long Memorial Day weekend, interim U.S. Attorney Rimantas "Ray" Rukstele called the defense lawyers to tell them the news.

He was under no obligation to do so, and the lawyers assumed they would

either hear of an indictment or hear nothing at all. But Rukstele says that as public as the case had been, he figured in this instance it was the right thing to notify the defense.

Now it was time for the utility to hold a press conference. Georgia Power Co. President A. W. Dahlberg did the honors, with his predecessor, Robert W. Scherer, looking on.

As for the prosecution, "I accept the decision," says Fagan. He would only add, "When you have a jury trial and it comes out against you, you say, 'I accept the jury's decision.'"

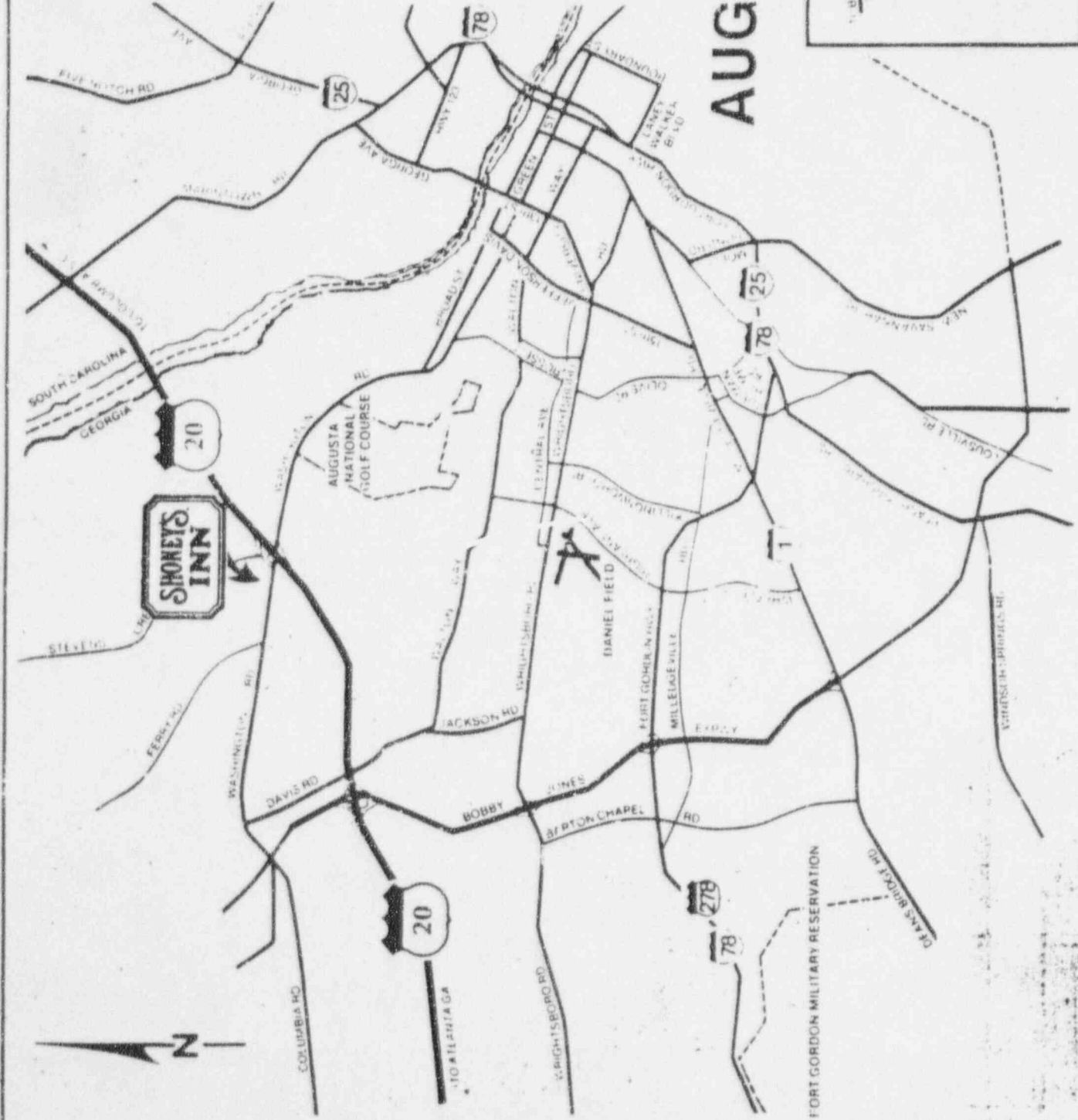
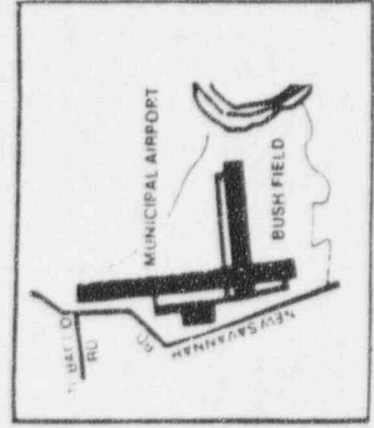
Barr says, "As far as the case before I left, I wouldn't do anything differently. We were plugging forward with a very difficult case."

"There was always a very sound basis for conducting the criminal investigation," he says. In fact, the tax probe led to related utility investigations, one of which brought a guilty plea from Southern subsidiary Gulf Power Co. to charges of illegal campaign contributions. Too, the utility is still open to civil proceedings on the spare parts issue.

While not speculating on the reason for the decision not to prosecute, Barr nonetheless notes that juries often acquit when the issues are particularly complex and where defense lawyers are able to make them appear to be even more complicated.

But over at King & Spalding, Russ notes that complexity is not what killed the prosecution. Says Russ, "The uncertainty of the substantive tax issue ultimately was the death knell of the case." □

AUGUSTA, GA



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H/6/1

Release

Georgia power has made an additional Material false statement in written correspondence to the NRC in Licensee Event Report 90-006 submitted 4-19-90. It is similar to the Material false statement made on 4-09-90 and involves the claims of successful starts without problems on Vogtle's Diesel generators that failed during the Site-Area Emergency of 3-20-90.

On page 5 under item D it states "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."

The above statement regarding the number of successful starts without "failures or problems" subsequent to the control systems comprehensive test program is materially false by omission or commission. The 1B diesel control logic testing was completed on 3-27-90 just prior to performing the first undervoltage test at 22:04 CST on 3-27-90 and prior to declaring the diesel operable at 15:27 CST on 3-28-90. Completion of this testing, is the earliest point in time that a claim of completing a comprehensive control systems test program could be made. Subsequent to that date and time until 4-19-90, DG1B has been started only 11 times.

The 1A diesel control logic testing was completed on 3-31-90 just prior to performing the first undervoltage test at 22:53 CST on 3-31-90 and prior to declaring the diesel operable at 11:54 CST on 4-01-90. Completion of this testing is the earliest point in time that a claim of completing a comprehensive control systems test program could be made. Subsequent to that date and time until 4-19-90, DG1A has also been started only 11 times.

This material false statement is similar to the one made by Georgia power on 4-9-90 in correspondence ELV-01516 and again falsely overstates the extent of reliable starting experience with DG1B and DG1A. Concern was raised by plant staff on 4-18-90 with the SONOPCO Licensing Engineer, the SONOPCO Licensing Manager, the SONOPCO General Manager Plant Support, the Vogtle General Manager, the SONOPCO Vice President Vogtle, and the SONOPCO Senior Vice President Nuclear as to the accuracy of the Diesel start information and the fact that there had been "failure and problems"

prior to submittal of the LER. SONOPCO was pressed for time and issued the LER without adequate verification and in the face of concerns for the accuracy of the information raised by the site. The issue of the accuracy of correspondence ELV-01516 including specific failure information was raised by site personnel on the phone call with the above personnel at the same time.

On 4-30-90 the Vogtle General Manager was provided a memo with start data on the DG1B, derived from control logs, shift supervisor logs and source diesel operating logs, that clearly showed that previous statements made to the NRC were false. He took no immediate action and ask for the information to be validated by operations and engineering. The information was validated on 5-1-90 and found correct. It was presented again to the General Manager on 5-2-90 and in this presentation it was stated that statements on both diesels 1A and 1B were incorrect in the LER and that the letter ELV-01516 was wrong as well. Still he took no action to promptly inform the NRC of the false statement and suggested that a revision to the LER be prepared. He also suggested that the letter ELV-01516 be corrected by including a correction in the letter being prepared for submittal to the NRC on 5-15-90. The General Manager did not follow up on the progress of these revision actions or set any time table for completion as he normally would on important issues. A revision was made to the LER and approved by the PRB on 5-8-90. On 5-10-90 the PRB reviewed the 5-15-90 letter (actually submitted on May 14) to the NRC. It had nothing that addressed or corrected the material false statement as previously suggested by the General Manager. SONOPCO and the General Manager were heavily involved in writing, editing and specifying the contents of the May 15 letter. The PRB made a comment on the fact that the letter did not address the material false statement and assigned the General Manager an action item to resolve that. After the General manager saw the action item his secretary came to the PRB secretary's office and said "Doesn't NSAC have anything better to do than assign the General Manager action items". Later on 5-24-90 the general Manager signed the action item off as complete and attached a note instruting the Technical Support Manager to use the LER cover letter to correct the other incorrect document. SONOPCO most always drafts the cover letters, not the Technical Manager.

On 5-11-90 the PRB met again with the General Manager to approve the "final" version of the May 15 letter to be sent to the Senior Vice President SONOPCO for signature. Again no correction had been made and the previous material false statement was not addressed. The "final" version was approved. The individual that had raised the issue of the material false statements had been removed from the PRB by a

memo from the General Manager(NOTS-00382) dated 5-10-90 and effective 5-11-90.

By May 15 the revised LER was with SONOPCO.No action occurred to submit the LER to the NRC until about the first week in June when again site personnel began asking SONOPCO about what was taking so long to submit the correction.SONOPCO licensing personnel told site personnel that the Senior Vice President Nuclear planned to sign the revision on June 8 (the day of the IIT presentation to the Commission on the Vogtle Site-Area emergency). On June 8,11 and 12 an extraordinary number of meetings and telephone calls occurred over the Diesel start information. Quality assurance was directed by the Senior Vice President to audit all of the Diesel start logs.When this was completed ,no errors were found in the information that had been presented to the General Manager over a month before on 4-30-90.With this done the Senior Vice President ask for a complete rewrite and updating of the LER.This was begun and is in progress with expected completion 6-22-90.

Georgia power has made an additional Material false statement in written correspondence to the NRC in Licensee Event Report 90-006 submitted 4-19-90. It is similar to the Material false statement made on 4-09-90 and involves the claims of successful starts without problems on Vogtle's Diesel generators that failed during the Site-Area Emergency of 3-20-90.

On page 5 under item D it states "Numerous sensor calibrations (including jacket water temperatures), special pneumatic leak testing, and multiple engine starts and runs were performed under the 3-20-90 event, the control system was subjected to a control test program, DG1A started 18 times each and no failures occurred during any of these starts without air roll and loaded properly".

The above statement starts without "control systems false by omission testing was completed the first under prior to declaration 90. Completion of that a claim of test program completed until 4-19-90."

The 1A diesel generator just prior to p 22:53 CST on 3-20-90 was not operable at 11:00 AM. This is the earliest comprehensive check made. Subsequent checks have also been s

Larry: 7-2-90

I have updated this writeup (you have earlier draft) to include additional information and the 6 cover letters

Also more recent diesel failures.

Allen

been subsequent to this. At least 18 occurred during the start test. DG1A started

successful. Due to the material failure in control logic, DG1A was performing poorly on 3-27-90 and 27 CST on 3-28-90. At this point in time, control systems were in date and time times.

Completed on 3-31-90. The diesel generator test at the time of this testing was completing a full test. DG1A

This material false statement is similar to the one made by Georgia power on 4-9-90 in correspondence ELV-01516 and again falsely overstates the extent of reliable starting experience with DG1B and DG1A. Concern was raised by plant staff on 4-18-90 with the SONOPCO Licensing Engineer, the SONOPCO Licensing Manager, the SONOPCO General Manager Plant Support, the Vogtle General Manager, the SONOPCO Vice President Vogtle, and the SONOPCO Senior Vice President Nuclear as to the accuracy of the Diesel start information and the fact that there had been "failure and problems"

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On June 8, 11 and 12 an extraordinary number of meetings and telephone calls occurred over the Diesel start information. Quality assurance was directed by the Senior Vice President to audit all of the Diesel start logs. When this was completed, no errors were found in the information that had been presented to the General Manager over a month before on 4-30-90. With this done the Senior Vice President ask for a "complete revision" and updating of the LER. This was done

and a revised LER was PRB approved by 6-22-90. Only 3 of 8 pages needed any rewrite on the "complete revision". A complete revision had originally not been planed until 6 months after the event.

The "complete" revision LER switches the counting and reporting of Diesel generator starts and failures to "valid" starts and failures per Reg Guide 1.108. By doing so correlation between the previous LER can not be made without detailed and specific data on each start. While the original LER was being drafted it was suggested that we might want to use "valid starts and failures" but that method was discounted because it was recognized that we had very few valid tests. If the original LER were stated in terms of valid starts we could only say "Subsequent to this test program the DG 1A and DG 1B have had 6 valid starts without problems or failures

On 6-28-90 and 6-29-90 a total of 6 cover letters to be sent in with the LER revision were originated and proposed by SONOPCO. Each is different and attempts to explain the Material False statement in a different manner:

DRAFT

07:51	6-28-90	This draft says that all tests were counted but only valid failures were considered in reaching a conclusion there were no problems or failures.
08:55	6-28-90	This draft says that all tests were counted regardless of whether they were valid or not.
07:55	6-29-90	This draft says that the COA response letter used the words "Subsequent to

UPDATE TO ORIGINAL ALLEG
THIS WAS REC'D 7/6/90

V

the event and that the LER inadvertently used the words "Subsequent to the test program" but should have been consistent with the COA response letter and the verbal presentation in Atlanta.

11:42 6-29-90

This draft says the LER statement didn't consider failures and problems associated with troubleshooting and restarting the Diesel and should have been "Subsequent to the event" which is consistent with the COA response and the verbal presentation.

12:06 6-29-90

This draft says that "If the comprehensive test program completed with the first Surveillance 14980-1 then there were 10 successful starts on DG1A and 12 on DG1B as of 4-19-90.

13:11 6-29-90

This draft says that "If the comprehensive test program completed with the first Surveillance 14980-1 then there were 10 successful starts on DG1A and 12 on DG1B. It also says that test program starts were included in the original count and that was due to poor record keeping practices and no definition of the end of the test program.

7/6/90 UPDATE

These explanations are all untrue and are being concocted after the fact without regard to how and why the errors were actually made. In short these are lies and an attempt to coverup the careless personnel errors made by the operations superintendent and General Manager which originated in the verbal presentation, were repeated in the COA response letter and were carelessly restated in the LER.

A look at the Diesel generators starting and failure history after the LER was written on 4-18-90 provides a technical as well as a objective view of the reliability of the diesels which is at the heart of the Material False Statement.

Diesel Generator 1B

DATE	TIME	RESULT
04-19-90	03:14	Diesel was inadvertently started

↓

		due to personnel error in performing Surveillance 14619-1
04-19-90	09:55	Successful start
04-29-90	09:09	Successful start
05-23-90	12:26	Diesel Tripped after start
05-23-90	13:10	Diesel tripped after start
05-23-90	14:12	Successful start manual trip
05-23-90	14:45	Successful start manual trip
05-23-90	21:18	Diesel tripped after start on low turbo lube oil pressure
05-23-90	21:38	Diesel tripped after start on low turbo lube oil pressure
05-23-90	21:57	Diesel tripped after start on low turbo lube oil pressure
05-23-90	22:55	Diesel tripped after start on H1 Jacket water temperature
05-23-90	23:37	Diesel tripped after start on H1 Jacket water temperature
05-24-90	12:29	Successful start
05-24-90	12:42	Successful start
05-24-90	12:53	Successful start
05-24-90	13:10	Successful start
05-24-90	15:19	Successful start
05-24-90	15:30	Successful start
05-24-90	19:16	Successful start
05-26-90	20:28	Successful start
06-01-90	11:45	Successful start

Clearly this diesel generator continued to experience an excessive rate of trips and failures most of which were the same kind of failure that led to the station blackout at mid-loop that occurred on 3-20-90. Clearly this diesel was not reliable as the COA response letter and the LER tried to convey. As further proof of the unreliability Georgia Power had to initiate a design change to remove some of the unreliable components from the control logic after experiencing all the additional failures.

Considering the evidence:

- The words are false in counting the starts.
- They overstate the reliability of the diesel.
- They were used by NRC to make decisions "Significant to the Regulatory Process" (To allow Restart)
- Concern was raised about the accuracy of the start data before submittal of LER.
- SONOPCO personnell recognized that the previous (COA) statements were false before submittal of the LER.
- Factual data was presented disputing the data after submittal and stating that information provided to NRC was incorrect.
- Substantial delays occurred in starting to correct the LER.
- Additional delays were introduced after beginning correction (QA audit).

7/6/90 UPDATE

- Revisions were delayed until after critical meetings with NRC (6-08-90 IIT presentation to Commissioners)
- Additional unplanned delays were introduced (complete revision) after QA audit substantiated inaccuracy claim.
- Multiplicity of revision letters (also false) to explain the mistake.
- Submittal to AEOD by LER revision to correct multiple non-LER errors.
- Performance of the Diesel itself proves the unreliability and the falseness of the statements given to the NRC.
- Above actions did not proceed without repeated and continuing expression of concern from the plant employee who exposed the Material False statement .

one can only conclude that Georgia Power did indeed make Material False Statements in written correspondence to the NRC due to as a minimum careless disregard and willfully conspired to delay and cover up the disclosure of those false statements.

7/6/90 UPDATE →

June 29, 1990

Memo To: George Bockhold, Jr.
General Manager Nuclear Plant-Vogtle

Subject: Vogtle Electric Generating Plant - Units 1 & 2
Special QA Audit of Unit 1 Emergency Diesel Generator Starts -
OP26-90/33

File: X7BG17-P-OP26

Log No: VSAER-90-159

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

A/11/6
A/10/7

Attachments

xc: R. P. McDonald
C. K. McCoy
W. E. Mundy
C. T. Davis
J. G. Aufdenkampe, Jr.
M. W. Horton

W. G. Hairston, III
M. J. Ajluni
NORMS
G. A. McCarley
Q. A. File
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 29, 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>DESCRIP' ION</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.

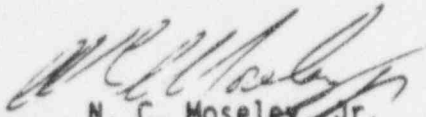
OPEN ITEMS

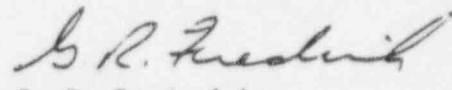
From previous audits: None.

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/C Log				Comments
			Start	Test	Surv.	Start	Test	Start	Test	Start	Start	Test	Start	Test	Valid	Start	Test	Run Time	
	3/20	0820																	
		0841																1m	
		0856																1m	
		2119																48.3m	
		2223																48m	
		2233																5m	
	3/23	0254																21m	
		1724																18.8m	measured trip
	3/29	1109																0m	
	3/30	1920																49m	T-EMG-90-11 UV Test
		2235																16.55m	
		2254																6m	
		2313																6m	
		2328																6m	
		2343																6m	
		2348																4m	
	3/31	0012																12m	
		0016																2m	
		1827																2m	
		1846																10m	
		1856																1m	
		1904																1m	
		1921																2m	
		1955																1m	
		2253																17m	
	4/1	0423																27m	UV Test, Stop time noted
	4/6	1345																18.33m	20.8m stop time + 1.1m to good noted
		1404																1m	
		1420																1m	
		2347																10m	
																		26.26m	Return to generator, ref. 110

Starts Since 3/20/90

OP26-90/33

Start No.	Start Date	Start Time	14980-1				13145-1				S/S Log				D/G Log				Comments
			Start	Test	Surv.	Test Start	Start	Test	Valid	Start	Test	Start	Test	Valid	Start	Test	Valid	Run Time	
	4/9	2141	✓		2242							✓			✓			169m	
	4/11	1258	✓		2294							✓			✓			165m	
	4/13	1316	✓		2377							✓			✓			218m	
	4/17	0304	✓		2272							✓			✓			219m	
	4/18	1306	✓		2325							✓			✓			165m	Authorization noted
	4/20	1408	✓		2328							✓			✓			168m	" 8 min discrepancy in run time
	4/24	1616	✓		2345							✓			✓			165m	
	5/1	1345	✓		2353							✓			✓			165m	
	5/8	0828	✓		2340							✓			✓			162m	
	5/15	1234	✓		2351							✓			✓				
	5/22	0205	✓		2410							✓			✓				
	5/24	0945	✓		N/A							✓			✓				
	5/27	1412	✓									✓			✓				
	5/29	0830	✓		2427							✓			✓				Start to complete w/ 7.5 Aches 3.8.1.1a
	6/5	1046	✓		N/A							✓			✓				Min. Eff. by desired operable @ 16.01
												✓			✓				Diff. Authorization noted

0P26-90/33

Starts Since 3/20/90

Page 1 of 2

Start No.	Start Date	Start Time	14980-1				13145-1				S/S Log				D/G Log				Comments
			Start	Test	Surv.	Start	Test	Start	Test	Start	Test	Start	Test	Start	Test	Start	Test	Run Time	
	3/21	2149																0m	badly get fuel in line after maint.
		2156																0m	D.H.H.
		2202																15m	
		2259																2m	manual stop due to alarms ALB 38, 805, 801, 802, EOI
		2314																4m	manual stop due to hi fuel AP
	3/22	0017																6m	
		0428																1m	
		0715																6m	Delayed on 4HS; T-ENG-50-09; Run time de n.t. error
		0854																6m	T-ENG-90-09
		0921																6m	D.H.H.
		1009																6m	
		1105																3m	
	3/23	0509																1637m	Trip signal hi lube oil temp
		1730																4459m	
		1744																0	Trip on low jacket H ₂ O pressure
	3/24	0048																1636m	
	3/27	1649																36m	
		1906																1136m	Emergency start
																		42m	Run time de n.t. error
																		3m	
																		3m	
																		6m	
		2220																48m	Run time de n.t. error; Run UV test
3/28	0403																	1630m	
	1851																	6m	MWD 10901381 8/7
	1356																	6m	D.H.H.
4/4	1632																	1632m	
4/5	0030																	5m	DSP 30-VIN0133-0-1, T-ENG-90-17, O-Alarm action
	0307																	266m	
4/10	0137																	1632m	D-Alarm action

* One entry in S/S log entries continued testing

Starts Since 3/20/90

DP26-90/33

Start No.	Start Date	Start Time	14980-1				13145-1				S/S Log				D/G Log				Run Time	Comments
			Start	Test	Surv.	Start	Start	Test	Start	Test	Start	Test	Start	Test	Start	Test	Start	Test		
			Valid	N-Valid	Valid	Valid	Valid	Valid	Valid	Valid	Valid	Valid	Valid	Valid	Valid	Valid	Valid	Valid		
			Failure	Failure	Failure	Failure	Failure	Failure	Failure	Failure	Failure	Failure	Failure	Failure	Failure	Failure	Failure	Failure		
			Seq. No.	Seq. No.	Seq. No.	Seq. No.	Seq. No.	Seq. No.	Seq. No.	Seq. No.	Seq. No.	Seq. No.	Seq. No.	Seq. No.	Seq. No.	Seq. No.	Seq. No.	Seq. No.		
			22981	22982	22983	23226	22715	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA		
4/12	1020		✓	✓															2h 12m	① Control placed in local
4/16	0000		✓	✓															2h	① Diff
4/18	0759		✓	✓															1h 35m	① A.M. section
4/19	0314		✓	✓															31m	Understand sub start OSP 14617-1
4/29	0555		✓	✓															2h 4m	① A.M. section
5/15	0909		✓	✓															2h 4m	① A.M. section
5/23	1226		✓	✓																① A.M. section; 5h log does not indicate Train A or B
	1310		✓	✓															2m	① p. signal received
	1412		✓	✓															1m	① Diff
	1445		✓	✓															11m	① Stopped and no abnormal indication
	2118		✓	✓															4m	① Diff
	2138		✓	✓															1m	
	2157		✓	✓															1m	
	2206		✓	✓															2m	
	2255		✓	✓																① Normal stop
	2337		✓	✓															2m	
5/24	1229		✓	✓															2m	
	1242		✓	✓															5m	
	1253		✓	✓															4m	
	1310		✓	✓															4m	
	1518		✓	✓															5m	
	1530		✓	✓															3m	
	1916		✓	✓															3m	
5/26	2038		✓	✓															1h 54m	
6/1	1145		✓	✓															1h 1m	DCP VINCI 0-1
6/7	0912		✓	✓															2h 3m	

★ 5h log indicates tested per 13045-1

VEGP PLANT REVIEW BOARD MEETING MINUTES

MEETING NO. 90-96 DATE 7/12/90 PAGE 1 OF 4
 MEETING CONVENED 1:10 AM/PM; MEETING ADJOURNED 2:40 AM/PM
 (* VIA TELECON)

THIS MEETING CHAIRED BY:

(X) CHAIRMAN () VICE CHAIRMAN W. F. Kitchens

VOTING MEMBERS PRESENT: H. M. Handfinger R. L. LeGrand
M. W. Horton J. E. Swartzwelder J. G. Aufdenkampe
T. V. Greene PRB SECRETARY A. Rodgers/C. Cross Tynan

NON-VOTING MEMBERS PRESENT: K. R. Holmes C. P. Stinespring
G. R. Frederick

VOTING ALTERNATES PRESENT:

FOR

FOR

NON-VOTING ALTERNATES PRESENT:

FOR

FOR

FOR

FOR

FOR

GUESTS/TECHNICAL ADVISORS:

W. K. Smith

R. L. Mansfield

PRB ACTION ITEMS OPENED: 90-96-01

PRB ACTION ITEMS CLOSED: 90-67-01, 90-06-01

PRB MINUTES APPROVED : 90-91, 90-93, 90-94, 90-95

Cathryn C. Tynan

PRB SECRETARY

Jim Dume

PRB CHAIRMAN

CC: NRC RESIDENT INSPECTOR

(FORM NAME=PRBAGEND)

PRB MEETING MINUTES CONTINUATION SHEET

A. Meeting Minutes 90-91, 90-93, 90-94 and 90-95 were unanimously approved as presented.

B. The following items were unanimously recommended for approval. No unreviewed safety question involved.

TCP 18001-C-7-90-1

"Primary System
Instrumentation
Malfunction"

LDCR FS 90-031

Revise FSAR Table 10.3.3-
1: Add MSIV breather
caps to table (DCP 89-
V1N0016)

LDCR FS 89-088

Revise FSAR Table 3.5.1-
1: Add new item to
Missile Table -
Attachment #1 (DCP 87-
V1E0216)

Revised Response to NRC IE Bulletin 90-01 Response, "Loss of
Fill-Oil in Transmitters Manufactured by Rosemount".

C. The following item was unanimously recommended for approval
with comment. No unreviewed safety question involved.

LER 1-90-14

"Painting Activity
Results in Inoperable
Diesel Generator".
Section G.2 - Change
Previous Similar Events
to "None". Section E -
Is this reportable under
a loss of a safety
function?
J. G. Aufdenkampe and
W. F. Kitchens to review
notes from conference
call on determination.

- D. The following item was approved with comment. The vote was 5:0. No unreviewed safety question involved. Note: H. M. Handfinger was not present at the meeting when the vote on this procedure took place.

00704-C, Rev. 5

"Personnel Qualification Program". Materials Engineering Procedures not listed. Section 4.6.5 - Question the requirement for annual training - Will do the following but will not proceduralize: (1) Initial/requalification course provided every 2 years, (2) Management observation will provide sample of training. Sections 2.4/4.6.3 - Nomenclature for Signoff Criteria List (SCL) not consistent throughout procedure.

- E. The board reviewed Event Report 2-90-003, "Unit 2 Manual Reactor Trip Due to Loop 3 MSIV Closure". T. V. Greene questioned the root cause being the age of the O-ring. The Event Report needs to include more information. The Report was returned to the Event Review Team Leader for investigation.
- F. The board unanimously concurred with the reportability determination for the following Deficiency Cards.

2-90-0061	1-90-288
2-90-0062	1-90-289
2-90-0063	1-90-290
2-90-0064	1-90-291
2-90-0065	1-90-292
1-90-278	

- G. Procedure 00663-C, Rev. 0, "Fitness-For-Duty Program" was tabled. The board did not have sufficient time to review the procedure. The procedure will be reviewed/discussed at the next regularly scheduled meeting.

The following comments were noted:

- Section 7.0 - Include statement on emergency situations/callouts. Discuss with C. P. Stinespring.
- Section 8.2 - NRC resident interprets this as requiring Supervisor training prior to assigning to supervisory duties. C. P. Stinespring to get input on how other SONOPCO plants handle this.

PRB Action Item 90-96-01 assigned to C. P. Stinespring to obtain information from other SONOPCO plants relative to the need for Supervisory training prior to assuming Supervisory duties. Due 8/17/90.

- H. Temporary Procedure T-ENG-90-21 (TER 90-008), Rev. 0 was tabled. This procedure is to determine the Letdown Isolation function of Level Channel 460. The following comments were noted:

- Cycle between Letdown was not addressed
- Change procedure to apply to Mode 5 conditions
- Safety Evaluation question 1.6 is answered incorrectly.

- I. PRB Action Item 90-06-01 - Review Engineering Procedures for standardizing Special Tests/Engineering T-ENG procedures was closed. PRB closed this item based on a QA Audit Finding Report tracking this same issue.
- J. PRB Action Item 90-67-01 for the General Manager to determine if the Letter of Confirmation (Site Area Emergency) needs to be clarified, since the LER was revised and the May 14th letter to clarify diesel starts was issued. It was determined that no additional clarifications were needed. The board concurred.

Meeting Adjourned

KOHN, KOHN & COLAPINTO, P.C.
ATTORNEYS AT LAW
517 FLORIDA AVENUE, NW
WASHINGTON, DC 20001
(202) 234-4663

MICHAEL D. KOHN**
STEPHEN M. KOHN**
DAVID K. COLAPINTO**

OF COUNSEL:
DANIEL I. GSHTRY**
ANNETTE R. KRONSTADT*

* ADMITTED IN PA
* ADMITTED IN NJ
* ADMITTED IN DC
* ADMITTED IN MA

June 13, 1990

Confidential

Larry Robinson
NRC - OI

Dear Mr. Robinson:

As you are aware, on February 8, 1990 you interviewed Mr. Allen Mosbaugh regarding NRC - OI's investigation of the mid-loop injection of hydrogen peroxide and Georgia Power Company's decision not to report that incident. At the time of the interview, Mr. Mosbaugh was represented by the Troutman, Sanders law firm. See, February 12, 1990 letter from Arthur Domby to Mr. Mosbaugh. On page 47 of the transcript of Mr. Mosbaugh's interview, you asked Mr. Mosbaugh about rumors on site regarding the decision to open the valves resulting in the injection of hydrogen peroxide mid-loop. At that point you went off the the record so Mr. Domby could advise his client how to answer the pending question. During the course of the confidential discussions held off the record, Mr. Mosbaugh advised Mr. Domby that he could provide first hand information as to who opened the Domby advised his client not to volunteer that information because the question pending only concerned "rumors" not first hand information.

After the interview was closed, Mr. Mosbaugh became more and more uncomfortable with the advice of counsel. He drafted a memo regarding the statement Mr. Kitchens made in his presence and contacted new counsel.

It appears that a conflict of interest existed between Mr. Mosbaugh and GPC's counsel and as a result of that conflict Mr. Mosbaugh was improperly advised to withhold information during the course of your investigation.

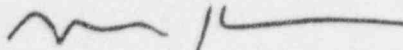
Enclosed please find the draft memo Mr. Mosbaugh created after the interview. Mr. Mosbaugh believes this information is important and he would have provided it at the time of his interview but for the advice he received from his then Counsel of Record.

A/109
Release
H/14

Larry Robinson
June 13, 1990
Page Two

Mr. Mosbaugh looks forward to meeting with you in the near future and will assist you in any way he can. I am

Sincerely yours,

A handwritten signature in black ink, consisting of a stylized 'M' followed by a horizontal line and a vertical stroke.

Michael D. Kohn

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 205 868 5581

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

the southern electric system

ELV-01729
0470

June 29, 1990

Docket No. 50-424

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

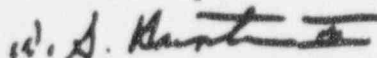
Gentlemen:

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 GPC 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 understood to be the first successful test in accordance with Vogtle Electric Generating Plant (VEGP) 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 end 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 difference is attributed to diesel start 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, III/HWM/gm
Enclosure: LER 50-424/1990-006-01

A/1117
A/1119

U. S. Nuclear Regulatory Commission
ELV-01729

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. Ebner, Regional Administrator
Mr. T. A. Reed, Licensing Project Manager, NRR
Mr. B. R. Bonser, Senior Resident Inspector, Vogtle

LICENSEE EVENT REPORT (LER)

FACILITY NAME (1)										DOCKET NUMBER (2)										PAGE (3)	
VOGTLE ELECTRIC GENERATING PLANT - UNIT 1										0 5 0 0 0 4 2 4										1 C 0 9	
TITLE (4)																					
LOSS OF OFFSITE POWER LEADS TO SITE AREA EMERGENCY																					
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			DOCKET NUMBER (S)									
03	20	90	09	00	06	01	06	29	VEGP - UNIT 2			0 5 0 0 0 4 2 5									
THIS REPORT IS SUBMITTED PURSUANT TO THE REQUIREMENTS OF 10 CFR § (Check one or more of the following) (11)																					
OPERATING MODE (9)		6		20 402(a)		20 402(a)		X		20 73(a)(2)(i)		7371(b)									
POWER LEVEL (10)		0		20 402(a)(1)(i)		20 30(a)(1)				20 73(a)(2)(ii)		7371(c)									
				20 402(a)(1)(ii)		20 30(a)(2)				20 73(a)(2)(iii)		X OTHER (Specify in Abstract below and in Test NRC Form 355A)									
				20 402(a)(1)(iii)		20 73(a)(2)(iv)				20 73(a)(2)(iv)(A)											
				20 402(a)(1)(iv)		20 73(a)(2)(v)				20 73(a)(2)(iv)(B)											
				20 402(a)(1)(v)		20 73(a)(2)(vi)				20 73(a)(2)(vi)		T. S. 4.8.1.1.3									
LICENSEE CONTACT FOR THIS LER (12)																					
NAME										TELEPHONE NUMBER											
R. M. ODOM, NUCLEAR SAFETY AND COMPLIANCE										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 (If you complete EXPECTED SUBMISSION DATE)										X NO											

ABSTRACT (Limit to 1400 spaces; i.e., approximately fifteen single spaced typewritten lines) (16)

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 136 degrees F from 90 degrees F before the DG was emergency started at 0855 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, replacement of suspect DG temperature switches, and improvements in the ENN system.

9007050046 app.

10-60 U.S. NUCLEAR REGULATORY COMMISSION LICENSEE EVENT REPORT (LER) TEXT CONTINUATION		APPROVED ONE NO. 3150-0104 EXPIRES 4/30/92 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-330) U.S. NUCLEAR REGULATORY COMMISSION WASHINGTON, DC 20540 AND TO THE PAPERWORK REDUCTION PROJECT (3150-0104) OFFICE OF MANAGEMENT AND BUDGET, WASHINGTON, DC 20503		
FACILITY NAME (1)	DOCKET NUMBER (2)	LER NUMBER (3)		PAGE (3)
VEGP - UNIT 1	0 5 0 0 0 4 2 4	YEAR	SEQUENTIAL NUMBER	REVISION NUMBER
		9 0	0 0 6	0 1
				0 2 OF 0

TEXT OF FORM 100-10-60, and additional NRC Form 100-10-60 (17)

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 breakers tripped.

LICENSEE EVENT REPORT (LER)
TEXT CONTINUATION

ESTIMATED BURDEN PER RESPONSE TO COMPLY WITH THIS INFORMATION COLLECTION REQUEST 800 HRS. FORWARD COMMENTS REGARDING BURDEN ESTIMATE TO THE RECORDS AND REPORTS MANAGEMENT BRANCH (P-430) U.S. NUCLEAR REGULATORY COMMISSION WASHINGTON, DC 20540 AND TO THE PAPERWORK REDUCTION PROJECT (2150-0104) OFFICE OF MANAGEMENT AND BUDGET, WASHINGTON, DC 20503.

FACILITY NAME (1) VEGP - UNIT 1	DOCKET NUMBER (2) 0 8 0 0 0 4 2 4 9 0	LER NUMBER (3)			PAGE (3)		
		YEAR	SEQUENTIAL NUMBER	REVISION NUMBER			
		0 0 6	0 1 0 3		OF 0 9		

TEXT IF MORE SPACE IS REQUIRED, use additional NRC Form 255A (17)

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 Generator. 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. The operator briefly reviewed several instrument read-outs and detected no immediate problem. In order to restore emergency power, the operator reset the annunciators without delaying to evaluate or record the annunciators that were present. 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. This report was discounted because 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.

LICENSEE EVENT REPORT (LER)
TEXT CONTINUATION

ESTIMATED BURDEN PER RESPONSE TO COMPLY WITH THE
INFORMATION COLLECTION REQUEST 802 HAS FORMER
COMMENTS REGARDING BURDEN ESTIMATE TO THE RECORD
AND REPORTS MANAGEMENT BRANCH (P&30) U.S. NUCLEAR
REGULATORY COMMISSION WASHINGTON DC 20546 AND TO
THE PAPERWORK REDUCTION PROJECT (2180-0104) OFFICE
OF MANAGEMENT AND BUDGET WASHINGTON DC 20503

FACILITY NAME (1)

DOCKET NUMBER (2)

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VEGP - UNIT 1

0 8 0 0 0 4 2 4 9 0 - 0 0 6 - 0 1 0 4 OF 0

TEXT OF REPORT SHOULD BE PREPARED AND SUBMITTED BY NRC FORM 255A (1) (17)

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, neither of which would have tripped the diesel.

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. The shift clerk attempted to initiate offsite notification utilizing the primary ENN in the control room but found it inoperable due to loss of power. The shift clerk then went to the back-up ENN and initiated notification after roll call on this system 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.

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 an offsite source (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 bus 1AA02.

EXPIRES: 4/28/92

LICENSEE EVENT REPORT (LER)
TEXT CONTINUATION

ESTIMATED BURDEN PER RESPONSE TO COMPLY WITH THIS INFORMATION COLLECTION REQUEST: 90.0 HRS. FORWARD COMMENTS REGARDING BURDEN ESTIMATES TO THE RECORDS AND REPORTS MANAGEMENT BRANCH (F430), U.S. NUCLEAR REGULATORY COMMISSION, WASHINGTON, DC 20546 AND TO THE PAPERWORK REDUCTION PROJECT (2188-0104), 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 9 0	LER NUMBER (3)			PAGE (3)	
		YEAR	SEQUENTIAL NUMBER	REVISION NUMBER		
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TEXT OF REPORT SHOULD BE REPRODUCED, WITH EXCEPTED NRC FORM 2554-1/ (17)

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 from Unit 1 Class 1E AC power. Therefore, when Unit 1 lost Class 1E AC electrical power, the primary ENN in the control room did not work.

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 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.

LICENSEE EVENT REPORT (LER)
TEXT CONTINUATION

ESTIMATED BURDEN PER RESPONSE TO COMPLY WITH THIS INFORMATION COLLECTION REQUEST SET WAS FORWARDED COMMENTS REGARDING BURDEN ESTIMATES TO THE RECORDS AND REPORTS MANAGEMENT BRANCH (P-330) U.S. NUCLEAR REGULATORY COMMISSION, WASHINGTON, DC 20546 AND TO THE PAPERWORK REDUCTION PROJECT (3150-0104) OFFICE OF MANAGEMENT AND BUDGET, WASHINGTON, DC 20503.

FACILITY NAME (1)

SOCKET NUMBER (2)

LER NUMBER (3)

PAGE (3)

VEGP - UNIT 1

0 5 0 0 6 4 2 4 9 0 0 0 6 0 1 0 6 OF 0 9

TEXT OF EVENT REPORT IS PREPARED AND SUBMITTED NRC Form 255a (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. 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 switches were re-calibrated and installed on DG1B on 5-23-90. However, another failure occurred on DG1B (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. Since the event of 3-20-90 through 6-7-90, DG1B had received 12 valid tests with the one failure mentioned above, and DG1A had received 16 valid tests with no 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.

The investigation and testing following the 3-20-90 event revealed that pressure sensors in the diesel generator lube oil system had not been replaced in accordance with a 10 CFR 21 notification from the manufacturer dated 5-12-88. The 10 CFR 21 notification was confusing relative to the requirements for their replacement. It was subsequently revised in an addendum dated 6-8-90. The pressure trip

LICENSEE EVENT REPORT (LER)
TEXT CONTINUATION

ESTIMATED BURDEN PER RESPONSE TO COMPLY WITH THIS INFORMATION COLLECTION REQUEST SEE HRS FORWARD COMMENTS REGARDING BURDEN ESTIMATE TO THE RECORDS AND REPORTS MANAGEMENT BRANCH (F430) U.S. NUCLEAR REGULATORY COMMISSION, WASHINGTON, DC 20545 AND TO THE PAPERWORK REDUCTION PROJECT (2150-0154) OFFICE OF MANAGEMENT AND BUDGET, WASHINGTON, DC 20503.

FACILITY NAME (1)

DOCKET NUMBER (2)

LER NUMBER (3)

PAGE (3)

VEGP - UNIT 1

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TEXT OF (1000) 00000 & 000000, and additional NRC Form 2554 (1) (17)

sensors have been modified in accordance with the manufacturer's instructions. GPC does not believe that these sensors contributed to the diesel generator trip 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. 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.

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 RCS 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.

LICENSEE EVENT REPORT (LER) TEXT CONTINUATION

ESTIMATED BURDEN PER RESPONSE TO COMPLY WITH THIS INFORMATION COLLECTION REQUEST SEE HRS FORWARD COMMENTS REGARDING BURDEN ESTIMATE TO THE RECORDS AND REPORTS MANAGEMENT BRANCH (P-430) U.S. NUCLEAR REGULATORY COMMISSION WASHINGTON, DC 20546 AND TO THE PAPERWORK REDUCTION PROJECT (3180-0100) OFFICE OF MANAGEMENT AND BUDGET, WASHINGTON, DC 20503.

FACILITY NAME (1) VEGP - UNIT 1	DOCKET NUMBER (2) 0 8 0 0 8 4 2 4 9 0	LER NUMBER (3)			PAGE (3)	
		YEAR	SEQUENTIAL NUMBER	REVISION NUMBER		
		9 0	0 0 6	0 1	0 8	OF 0 9

TEXT OF CRASH REPORT IS REQUIRED, AND ADDITIONAL NRC FORM 3586 (1) (17)

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 both Unit 1 and Unit 2 so that an automatic "emergency" start will occur upon LOSP. Therefore, non-essential diesel engine trips are blocked upon LOSP. Additionally, high jacket water temperature has been deleted as a trip signal in the emergency start mode.
4. The DG1A test frequency was increased to three times per week until 4-20-90 when the test frequency was 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. Up to and including the two valid failures of the 3-20-90 event, there were a total of four valid failures in 68 valid tests of DG1A.
5. The jacket water temperature switches for each DG were replaced or re-calibrated using a more appropriate technique prior to their installation.
6. A back-up ENN system powered from the AT&T system, which previously existed and was operational for South Carolina agencies, has been extended to include Georgia local and state agencies. Instructions have been given to Emergency Directors and Communicators concerning use of the emergency communication systems.

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

LICENSEE EVENT REPORT (LER)
TEXT CONTINUATION

ESTIMATED BURDEN FOR RESPONSE TO COMPLY WITH THE INFORMATION COLLECTION REQUEST SEE PAGE FORWARD COMMENTS REGARDING BURDEN ESTIMATE TO THE RECORDS AND REPORTS MANAGEMENT BRANCH (F430) U.S. NUCLEAR REGULATORY COMMISSION WASHINGTON DC 20545 AND TO THE PAPERWORK REDUCTION PROJECT (3180-0184) OFFICE OF MANAGEMENT AND BUDGET, WASHINGTON DC 20503.

FACILITY NAME (1)	DOCKET NUMBER (2)	LER NUMBER (3)			PAGE (3)	
		YEAR	ESSENTIAL NUMBER	REVISION NUMBER		
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TEXT IF MORE SPACE IS REQUIRED, use additional NRC Form 858A (1/17)

3. Energy Industry Identification System Code:

Reactor Coolant System - AB
Residual Heat Removal System - BP
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
4160 volt non-1E power system - EA
4160 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

Georgia Power Company,
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Atlanta, Georgia 30308
Telephone 404 526 3195

Mailing Address
40 Inverness Center Parkway
Post Office Box 1295
Birmingham, Alabama 35201
Telephone 205 868 5581

June 22, 1990

THE SOUTHERN ELECTRIC SYSTEM

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

ELV-01723
0409

Docket Nos. 50-424
50-425

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

Gentlemen:

VOGTLE ELECTRIC GENERATING PLANT
CORRECTIVE ACTIONS FOR SITE AREA EMERGENCY

The attachment to our May 14, 1990 letter on this subject stated:


"Maintenance procedures for temperature switches will be revised by 5-15-90 to include lessons learned from laboratory testing. All jacket water high temperature switches will be cleaned and calibrated using the revised procedures by 5-31-90. Other non-essential trip temperature switches will be cleaned and calibrated by the end of the next refueling outage for the associated unit."

In response to the above commitment, we revised the calibration procedure, cleaned and calibrated three new jacket water high temperature switches and installed them in Diesel Generator 1B. During a routine Technical Specification surveillance of Diesel Generator 1B, we experienced a valid diesel generator failure. The cause of this failure was determined to be the calibration hardware and techniques used to calibrate the replacement jacket water high temperature switches. The jacket water temperature switches were tested by an independent laboratory and the trip setpoints were determined to be 31-36 degrees F less than the required 200 degree F setpoint. The onsite calibration procedure has been revised to provide a technique that is consistent with the actual operating conditions that the switches experience.

As a result of these additional problems with the jacket water high temperature switches, we submitted (by letter dated May 25, 1990) a request to revise Technical Specification 4.8.1.1.2h(6)(c) which would allow the jacket water high temperature trip to be bypassed to minimize the potential for spurious diesel generator trips in the emergency start mode.

The installation of a modification which allows this trip to be bypassed has been accomplished on all four diesel generators. This action was completed by 5-31-90 in lieu of cleaning and calibrating the jacket water high temperature switches as stated in our May 14 letter.

A1114

Georgia Power 

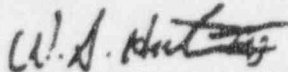
U. S. Nuclear Regulatory Commission

ELV-01723

Page Two

Using the revised calibration procedure, the jacket water high temperature switches have now been calibrated for the diesel generators in both units. These switches will be maintained on a normal maintenance schedule.

Sincerely,



W. G. Hairston, III

WGH,III/JAB/gm

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

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June 22, 1990

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

ELV-01793
0447

Docket No. 50-424

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

Gentlemen:

VOGTLE ELECTRIC GENERATING PLANT
SPECIAL REPORT
VALID DIESEL GENERATOR FAILURE

In accordance with the requirements of the Vogtle Electric Generating Plant Technical Specifications, Sections 4.8.1.1.3 and 6.8.2, Georgia Power Company hereby submits the enclosed Special Report concerning a valid diesel generator failure.

Sincerely,


W. G. Hairston, III

WGH, III/NJS/gm

Enclosure: Special Report 1-90-04

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

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ENCLOSURE

VOGTLE ELECTRIC GENERATING PLANT - UNIT 1 TECHNICAL SPECIFICATION SPECIAL REPORT 1-90-04 VALID DIESEL GENERATOR FAILURE

A. REQUIREMENT FOR REPORT

This report is required in accordance with the Vogtle Electric Generating Plant Technical Specifications, Section 4.8.1.1.3. This section of the Technical Specifications requires that all diesel generator failures, valid or non-valid, be reported to the Commission in a Special Report pursuant to Technical Specification 6.8.2.

B. DESCRIPTION OF VALID FAILURE FOR DIESEL GENERATOR 1B

On 5-23-90, at 1226 CDT, Diesel Generator (DG) 1B was started pursuant to a normal routine Technical Specification surveillance requirement. Just prior to this surveillance test, the jacket water temperature switches had been replaced with recalibrated switches as part of a DG reliability upgrade and the DG had been declared operable. At 1228 CDT, DG1B tripped and the following alarm were noted: "Lo Turbo Oil Pressure," "Hi Jacket Water Temp.," and "Lo Jacket Water Pressure". Several troubleshooting starts were made and it was determined that the jacket water temperature switches were the source of the trip signal. On 5-24-90, the original jacket water temperature switches were reinstalled on DG1B. Both normal and emergency starts were successfully conducted and DG1B was returned to service the same day at 2254 CDT. During this time Diesel Generator 1B was unavailable for emergency operation for a period of 34 hours and 26 minutes.

The jacket water temperature switches were tested by an independent laboratory and the trip setpoints were determined to be 31-36 degrees F less than the required 200 degree F setpoint. The onsite calibration procedure has been revised to provide a technique that is consistent with the actual operating conditions that the switches experience.

C. SUMMARY

This event is classified as a valid failure per Reg. Guide 1.108, Section C.2.e. Since this is the second valid failure in the past 20 valid tests, the test frequency for DG1B has been changed to once per 7 days in accordance with Table 4.8-1 of the Technical Specifications. As of 5-23-90, there have been a total of 71 valid tests of DG1B and 5 valid failures.

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July 17, 1990

the southern electric system

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

ELV-01905
492

Docket No. 50-424

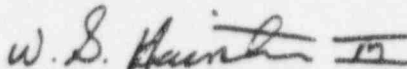
U. S. Nuclear Regulatory Commission
ATTN: Document Control Desk
Washington, D. C. 20555

Gentlemen:

VOGTLE ELECTRIC GENERATING PLANT
LICENSEE EVENT REPORT
PAINTING ACTIVITY RESULTS IN INOPERABLE
DIESEL GENERATOR

In accordance with 10 CFR 50.73, Georgia Power Company hereby submits the enclosed report related to an event which was discovered on June 19, 1990.

Sincerely,


W. G. Hairston, III

WGH,III/NJS/gm

Enclosure: LER 50-424/1990-014

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

A/1119
A/1119

LICENSEE EVENT REPORT (LER)

APPROVED ONS NO 3166-0104
EXPIRES 6/30/88

FACILITY NAME (1) JOGTLE ELECTRIC GENERATING PLANT - UNIT 1										DOCKET NUMBER (2) 0500041214				PAGE (3) 1 of 15	
TITLE (4) PAINTING ACTIVITY RESULTS IN INOPERABLE DIESEL GENERATOR															
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 NUMBER(S)		
0	6	18	90	014	0	0	0	7	1	7	9	0	0500041214		
OPERATING MODE (9)		THIS REPORT IS SUBMITTED PURSUANT TO THE REQUIREMENTS OF 10 CFR 5 (Check one or more of the following) (11)													
1		20 402(b)				20 400(c)				20 73(a)(2)(iv)				73.71(a)	
POWER LEVEL (10)		20 400(a)(1)(i)				20 30(a)(1)				20 73(a)(2)(v)				73.71(a)	
1,000		20 420(a)(1)(ii)				20 30(a)(2)				20 73(a)(2)(vi)				X OTHER (Specify in Abstract below and in Text NRC Form 306A)	
		20 400(a)(1)(iii)				X 20 73(a)(2)(i)				20 73(a)(2)(vii)(A)				TS 4.8.1.1.3	
		20 400(a)(1)(iv)				20 73(a)(2)(ii)				20 73(a)(2)(viii)(B)					
		20 400(a)(1)(v)				20 73(a)(2)(iii)				20 73(a)(2)(ix)					
		20 400(a)(1)(vi)				20 73(a)(2)(iv)				20 73(a)(2)(x)					
LICENSEE CONTACT FOR THIS LER (12)															
NAME R. M. ODOM, NUCLEAR SAFETY AND COMPLIANCE										TELEPHONE NUMBER 410 418 2161-1321 01					
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	CAUSE	SYSTEM	COMPONENT	MANUFACTURER	REPORTABLE TO NRC	
SUPPLEMENTAL REPORT EXPECTED (14)										EXPECTED SUBMISSION DATE (15)		MONTH	DAY	YEAR	
YES (If yes, complete EXPECTED SUBMISSION DATE)										X NO					

ABSTRACT (Limit to 1400 spaces - i.e. approximately fifteen single space typewritten lines) (16)

On 6-19-90, two unsuccessful start attempts were made for the 1A diesel generator. At 2359 CDT, the diesel was declared inoperable and the Technical Specification action requirements for an inoperable diesel generator were initiated. Upon investigation, a Support Shift Supervisor discovered that masking tape had been applied to the diesel generator fuel racks which was holding the racks in the shutdown position. The tape was removed and the diesel was restored to operable status at 0554 CDT on 6-20-90.

Subsequent review determined that the tape had been applied during the morning/afternoon of 6-18-90 during painting of the diesel by craft personnel. Therefore, the diesel was inoperable for an approximate 30 to 35 hour period during which it was thought to be operable. The root cause for this occurrence was determined to be a lack of adequate administrative controls for evaluating and monitoring painting activities. Prior to the initiation of the painting, a walkdown of the diesel was performed by a Shift Supervisor accompanied by the painting coordinator. However, due to the lack of adequate administrative controls, the walkdown failed to identify that diesel operability could be impacted.

As an interim measure, a walkdown checklist has been implemented for all ongoing painting activities within the plant. Plant procedures will be revised by 9-1-90 to require the checklist to be made a part of all future work orders for performing painting.

LICENSEE EVENT REPORT (LER)
TEXT CONTINUATION

ESTIMATED BURDEN PER RESPONSE TO COMPLY WITH THIS INFORMATION COLLECTION REQUEST 90.0 HRS. FORWARD COMMENTS REGARDING BURDEN ESTIMATE TO THE RECORDS AND REPORTS MANAGEMENT BRANCH (F-430), U.S. NUCLEAR REGULATORY COMMISSION, WASHINGTON, DC 20549, AND TO THE PAPERWORK REDUCTION PROJECT (3150-0104), OFFICE OF MANAGEMENT AND BUDGET, WASHINGTON, DC 20503.

FACILITY NAME (1)

DOCKET NUMBER (2)

LER NUMBER (3)

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TEXT IF space appears to be required, use additional NRC Form 880A's (17)

A. REQUIREMENT FOR REPORT

This report is required per 10 CFR 50.73 (a)(2)(i) due to discovery of firm evidence that a diesel generator was inoperable for an approximate 30 to 35 hour period during which the diesel was thought to be operable. Since action requirements contained in Technical Specification (TS) 3.8.1.1 for an inoperable diesel generator were not completed during this time, this resulted in the plant operating in a condition prohibited by the Technical Specifications. This report is also required per TS 4.8.1.1.3 since two diesel generator (nonvalid) start failures occurred as a result of the inoperable condition of the diesel.

B. UNIT STATUS AT TIME OF EVENT

During the time that the diesel was inoperable, Unit 1 was operating in Mode 1 (Power Operation) at 100% of rated thermal power. Other than that described herein, there was no equipment which was inoperable or in an off normal status such that it contributed to the occurrence of this event.

C. DESCRIPTION OF EVENT

On 6-19-90, at 2225 CDT, the Unit 1 Shift Supervisor authorized the performance of surveillance procedure 14980-1, "Diesel Generator Operability Test," for the 1A diesel generator. At 2349 CDT, the Balance of Plant Operator depressed the 1A diesel start pushbutton but released it a second later after being distracted by receipt of both a fire alarm and a hydrogen stator cooling annunciator. A Plant Equipment Operator (PEO) present at the diesel observed the diesel roll, but then it stopped and the "Engine Failed to Start" annunciator came in. This start attempt was evaluated as a nonvalid failure due to operator error.

At 2359 CDT, a second start attempt for the 1A diesel was made. The PEO observed the diesel roll, but again it stopped and the "Engine Failed to Start" annunciator came in. The 1A diesel was then declared inoperable and the action requirements of TS 3.8.1.1 for an inoperable diesel generator were initiated.

After the second start attempt, a Support Shift Supervisor (SSS) and an Instrumentation and Controls (I&C) Supervisor were sent to the 1A diesel to investigate. The SSS climbed up on top of the diesel and noticed that masking tape had been applied to the rack on each fuel injector pump. The tape had apparently been applied by painters assigned to paint the diesel. The movement of the fuel rack was checked and it was determined that the tape was holding the fuel rack in the shutdown position. This prevented the injection of fuel into the diesel cylinders. By 0121 CDT on 6-20-90, all

NRC FORM 205A (5-85)		U.S. NUCLEAR REGULATORY COMMISSION		APPROVED OMB NO. 3150-0104 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-330), U.S. NUCLEAR REGULATORY COMMISSION, WASHINGTON, DC 20556 AND TO THE PAPERWORK REDUCTION PROJECT (3150-0104), OFFICE OF MANAGEMENT AND BUDGET, WASHINGTON, DC 20503	
PLANT NAME (1)		DOCKET NUMBER (2)		LER NUMBER (3)	
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YEAR		SEQUENTIAL NUMBER		REVISION NUMBER	

TEXT IS PRINTED IN REGULAR, AND ADDITIONAL IN RC FORM 205A-1 (17)

the tape had been removed from the diesel and a successful start was performed per system operating procedure 13145-1, "Diesel Generators". The diesel was then satisfactorily tested per surveillance procedure 14980-1 and at 0554 CDT, the 1A diesel was restored to operable status.

D. CAUSE OF EVENT

The root cause of the event was a lack of adequate administrative controls for evaluating and monitoring painting activities within the plant. At the Vogtle Electric Generating Plant, painting is presently performed by craft personnel who work under the supervision of a Georgia Power Company (GPC) coordinator. On 6-14-90, the GPC coordinator requested a walkdown of the 1A diesel by an Operations Department representative so that painting of the diesel could be initiated. The area to be painted was the 1A diesel generator skid, the room walls, and the room floor. A Shift Supervisor performed the walkdown but, due to the lack of administrative guidance for performing such walkdowns and poor communications between the two individuals, the Shift Supervisor did not recognize that the operability of the diesel could be impacted. The painters' standard practice is to tape up stainless steel and moving parts of equipment to be painted. This practice was not communicated to the Shift Supervisor during the walkdown and he therefore failed to consider the possible effects of applying tape to such diesel parts. The Shift Supervisor did communicate the fact that the diesel was to remain available for emergency starts and that the painters should anticipate a start of the diesel at any time. The Shift Supervisor also pointed out that contact with the governor adjustment knobs should be avoided. Since the Shift Supervisor did not specifically point out the fuel racks as a component to be aware of, the painters proceeded to tape up the fuel racks during the morning/afternoon of 6-18-90 prior to applying a primer coat of paint.

A contributing cause for the event was that the maintenance work order (MWO) initiated for performance of the painting activity contained only a vague description of the work to be performed. The work description provided on the MWO stated to "coat walls, floors, steel and equipment" and listed an equipment tag number that corresponded to the Unit 1 Train A Diesel Generator Room. The Work Planning Group, in reviewing this MWO, failed to recognize that "equipment" included the diesel generator and therefore did not identify the MWO as a critical component MWO or provide any special precautions within the work instructions. This breakdown in the MWO review process also prevented the painting of the diesel from being discussed in the daily Plan of the Day (POD) meeting. Had this discussion taken place, plant management could have addressed the operability concerns that taping of the diesel could pose.

LICENSEE EVENT REPORT (LER)
TEXT CONTINUATION

ESTIMATED BURDEN PER RESPONSE TO COMPLY WITH THIS INFORMATION COLLECTION REQUEST 900 HRS. FORWARD COMMENTS REGARDING BURDEN ESTIMATE TO THE RECORDS AND REPORTS MANAGEMENT BRANCH (P-430), U.S. NUCLEAR REGULATORY COMMISSION, WASHINGTON, DC 20546, AND TO THE PAPERWORK REDUCTION PROJECT (3150-0104), OFFICE OF MANAGEMENT AND BUDGET, WASHINGTON, DC 20503.

FACILITY NAME (1)

DOCKET NUMBER (2)

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VEGP - UNIT 1

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TEXT (8) must appear in sequential, and additional NRC Form 205A's (17)

E. ANALYSIS OF EVENT

The 1A diesel generator failures to start (Start Numbers 1-90-187 and 1-90-188) are considered to be nonvalid failures per Regulatory Guide 1.108, Section C.2.e. These failures did not result from a malfunction of diesel subcomponents or from a bona fide diesel trip signal. As of 6-19-90, there had been 87 valid tests including 4 valid failures for diesel generator 1A. Also, there had been 1 valid failure in the last 20 valid tests. Since 19 consecutive failure free demands had been performed since the last valid failure, the required test frequency per TS Table 4.8-1 is once per 31 days. Based on post event interview statements made by the painters, the tape was applied to the diesel during the morning/afternoon of 6-18-90. Therefore, the 1A diesel was unavailable for emergency operation for an approximate 31 to 36 hour period until removal of the tape was complete at 0121 CDT on 6-20-90.

Following the discovery of the inoperable condition of the 1A diesel, the operability of the required A. C. offsite sources was verified by 0027 CDT and the operability of the 1B diesel was verified by 1127 CDT on 6-20-90. This indicated that there was a source of A. C. power available for both Train A and Train B safe shutdown components during the time that the 1A diesel was inoperable. Additionally, all Train B safe shutdown components were operable during this time with the exception of 1 out of 4 Train B containment cooler fans. (Note: The inoperable containment cooler fan was restored to operable status at 1415 CDT on 6-19-90). Therefore, had a loss of offsite power occurred during the time that the 1A diesel was inoperable, all required safety functions could have been performed by Train B components with the possible exception of the containment cooler fans. The capability of the containment cooler fans to perform their safety function may have been degraded since only three Train B containment cooler fans were available during a portion of this time. However, no event occurred during this time which required the containment coolers to perform their safety function. Based on these considerations, the inoperable condition of the 1A diesel did not adversely affect plant safety or the health and safety of the public.

F. CORRECTIVE ACTIONS

1. The 1A diesel generator was restored to operable status at 0554 CDT on 6-20-90 and all painting within the 1A diesel generator room was temporarily stopped.
2. The MWO for painting of the 1A diesel was returned to the Work Planning Group and reclassified as a critical component MWO.

LICENSEE EVENT REPORT (LER)
TEXT CONTINUATION

ESTIMATED BURDEN PER RESPONSE TO COMPLY WITH THIS INFORMATION COLLECTION REQUEST: 800 HRS. FORWARD COMMENTS REGARDING BURDEN ESTIMATE TO THE RECORDS AND REPORTS MANAGEMENT BRANCH (P430), U.S. NUCLEAR REGULATORY COMMISSION, WASHINGTON, DC 20548, AND TO THE PAPERWORK REDUCTION PROJECT (3150-0104), OFFICE OF MANAGEMENT AND BUDGET, WASHINGTON, DC 20503.

FACILITY NAME (1)

DOCKET NUMBER (2)

LER NUMBER (3)

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TEXT OF REPORT APPEARS IN RESPONSE, AND ADDITIONAL NRC FORM 2054-1/1 (17)

3. An interim painting walkdown checklist has been developed to ensure operability concerns are identified and addressed prior to allowing the application of tape, masking material, or paint to plant equipment. The checklist also addresses operability concerns which may be created by placing scaffolding and/or ladders near operable equipment. In addition to an Operations Department representative, technically qualified individuals from departments may be designated by the checklist to participate in the walkdown and/or operability review.
4. The interim painting walkdown checklist has been implemented for all areas in the plant where painting is currently in progress.
5. Procedure 29402-C, "WPG Work Request Processing," will be revised by 9-1-90 to require the painting walkdown checklist to be made part of the MWO package.

G. ADDITIONAL INFORMATION

1. Failed Components Identification
None
2. Previous Similar Events
None
3. Energy Industry Identification System Codes
Emergency Onsite Power Supply System - EK
Containment Fan Cooling System (PWR) - BK