

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

MAR 9 1993

COMPLETED

Mr. Allen L. Mosbaugh
[REDACTED]

Dear Mr. Mosbaugh:

SUBJECT: RII-90-A-0005

This refers to your conversations with our staff and your letters in which you identified allegations related to operations and technical specification practices at the Vogtle Nuclear Plant.

Our review regarding this matter has been completed and our findings are documented in the enclosures to this letter. Based on the information provided, we were able to partially substantiate the allegations.

This concludes the staff's activities regarding this matter. We appreciate your cooperation and assistance.

Sincerely,

George R. Jenkins
George R. Jenkins, Director
Enforcement and Investigation
Coordination Staff

Enclosures:

1. Allegation Summary
2. Letter dated 12/31/91,
Notice of Violation and Proposed
Imposition of Civil Penalty
3. Letter dated 6/12/92,
Order Imposing Civil
Monetary Penalty
4. Report Nos: 50-424,425/92-31
5. Report Nos: 50-424,425/90-19
6. Report Nos: 50-424,425/91-20
7. Report Nos: 50-424,425/92-13

Certified Mail No: P 335 753 236

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in accordance with the Freedom of Information
Act, exemptions 6
FOIA: 94-208

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ENCLOSURE 1

ALLEGATION SUMMARY

SUBJECT: RII-90-A-0005

This is in reference to an anonymous letter received by the NRC on January 8, 1990, and a letter received by the NRC on March 3, 1990, in which allegations were made regarding: 1. alleged violations of technical specifications associated with dilution valves, 2. failure to perform adequate surveillances, 3. installation of Microfiltration test unit designed in violation of Reg. Guide 1.140, 4. failure to perform adequate shutdown margin calculations, and 5. failure to report missing fire penetration seals and reporting of events.

1. ALLEGED VIOLATIONS OF TECHNICAL SPECIFICATIONS ASSOCIATED WITH DILUTION VALVES

It was alleged that in October 1988, Operations management willfully violated Technical Specifications (TS) by opening valves that were required to be in a locked shut condition; and an incident the NRC resident staff identified where dilution valves were not properly locked in their required TS position.

DISCUSSION:

Based on this allegation, an NRC investigation was conducted and escalated enforcement action (EA-91-141) was taken relative to the chemical addition to the reactor cooling system that occurred on October 12-13, 1988. On December 31, 1991, the NRC issued a Notice of Violation and Proposed Imposition of Civil Penalty to Georgia Power Company, and issued an Order Imposing Civil Monetary Penalty on June 12, 1992.

2. FAILURE TO PERFORM ADEQUATE PORV, STEAM GENERATOR BLOWDOWN VALVE AND E-BAR SURVEILLANCES

DISCUSSION:

NRC's review of this allegation is detailed in NRC Inspection Report 50-424,425/92-31, dated January 26, 1993. This review included a review of all Deficiency Cards associated with these surveillances during the time period selected. Based on the results of this review, the allegation could not be substantiated.

3. INSTALLATION OF MICROFILTRATION TEST UNIT DESIGNED IN VIOLATION OF REG. GUIDE 1.140

DISCUSSION:

NRC's review of this allegation is detailed in NRC Inspection Report 50-424,425/90-19, Supplement 1, dated November 1, 1991. This review indicated that the FAVA system was originally installed and operated by the Vogtle staff without an adequate safety evaluation and did not meet the guidance in Reg. Guide 1.143 in that, PVC piping was used in this system. However, this deficiency was of limited duration, and GPC upon performing subsequent safety evaluations that were forwarded to and accepted by the NRC, concluded that the system was acceptable for use. The facts do not support a conclusion that GPC willfully violated NRC requirements or willfully operated the facility in a manner to endanger public health and safety.

4. FAILURE TO PERFORM ADEQUATE SHUTDOWN MARGIN CALCULATIONS

DISCUSSION:

NRC's review of this allegation is detailed in Inspection Report 50-424,425/91-20 dated September 12, 1991. This review indicated that the shutdown margin calculation performed at 7:13 p.m. on January 19, 1989, was performed incorrectly in that, the incorrect procedure data sheet was used by the person performing the calculation. The review also identified that the Licensee identified this error and took appropriate corrective action. The corrected calculations and independent review by NRC did not support the allegation that the error resulted in a dangerously low boron concentration in the Reactor Coolant System or that it endangered the health and safety of the public.

5. FAILURE TO REPORT MISSING FIRE PENETRATION SEALS AND REPORTING OF EVENTS

DISCUSSION:

NRC's review of this allegation is documented in Inspection Report 50-424,425/92-13, dated August 4, 1992. The NRC review of this area included a review of all Deficiency Cards associated with fire penetrations and seals since 1988 to assure that discrepancies and deficiencies identified were and had been properly reviewed and appropriate actions taken. NRC did not find any evidence to support the allegation that missing fire penetration seals were not reported as required.