



UNITED STATES  
NUCLEAR REGULATORY COMMISSION  
WASHINGTON, D. C. 20555

March 22, 1985

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Miss. Power  
LOVE*

The Honorable Edward Markey, Chairman  
Subcommittee on Energy Conservation and Power  
Committee on Energy and Commerce  
United States House of Representatives  
Washington, DC 20515

Dear Mr. Chairman:

Enclosed for your information is an announcement that the Nuclear Regulatory Commission staff is proposing to fine Mississippi Power and Light Company \$125,000 for five alleged "material false statements" related to development of technical specifications governing operation of Unit 1 at the Grand Gulf nuclear power plant.

It is planned to mail this information to the news media today,  
March 22, 1985.

Sincerely,

Carlton Kammerer, Director  
Office of Congressional Affairs

Enclosure:  
As stated

cc: Rep. Carlos Moorhead

IDENTICAL LETTER SENT TO:  
Sen. Simpson/cc: Sen. Hart  
Rep. Udall/cc: Rep. Lujan  
Sen. Cochran  
Sen. Stennis  
Rep. Dowdy

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# **UNITED STATES NUCLEAR REGULATORY COMMISSION**

**Office of Public Affairs  
Washington, D.C. 20555**

No. 85-48  
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FOR IMMEDIATE RELEASE  
(Friday, March 22, 1985)

## **NRC STAFF PROPOSES \$125,000 FINE AGAINST MISSISSIPPI POWER AND LIGHT**

The Nuclear Regulatory Commission staff is proposing to fine Mississippi Power and Light Company (MP&L) \$125,000 for five alleged "material false statements" related to development of technical specifications governing operation of Unit 1 at the Grand Gulf nuclear power plant located near Port Gibson, Mississippi.

The alleged "material false statements" were contained in a number of company submittals to the NRC staff made from December 1980 to August 1984:

(1) On December 15, 1980, the company submitted a markup of the technical specifications which, according to MP&L, reflected plant-specific design features. The markup did not reflect those features as identified in the company's Final Safety Analysis Report and the NRC staff, had it known of the errors, would have required changes in the technical specifications before issuing a low power operating license on June 16, 1982.

(2) A markup of the technical specifications submitted on June 26, 1981, contained the same errors. Additional submittals and changes to the technical specifications dated December 31, 1981; January 12, February 25, March 23, April 5, 6, 7 and 30, May 26, and June 1, 9 and 10, 1982, did not correct the errors. The failure to correct the errors contained in the December 15, 1980, submittal in the subsequent submittals constitutes an alleged "material false statement" by omission.

(3) On June 14, 1983, the company proposed changes to the technical specifications for the general purpose of clarifying them or making them consistent with plant design and operation. In two instances, the bases for the proposed changes were erroneous and constitute an alleged "material false statement" since an NRC reviewer might have made the requested changes if the errors had not been recognized.

(4) In another submittal, dated June 23, 1983, MP&L proposed additional changes to clarify the technical specifications or make them more consistent with plant design and operation. Included in this submittal was an alleged "material false statement" regarding instrument calibration which could have led an NRC reviewer to make the requested change if the error had not been recognized.

(5) The fifth instance involved an August 5, 1984, letter in which the company certified the accuracy of the technical specifications submitted to the NRC staff up to that time. However, the technical specifications did not reflect existing plant-design features as reflected in an August 14, 1984 letter from the company requesting additional changes.

Each of the five alleged "material false statements" constitutes a separate violation of the NRC's requirements and each has been categorized as a Severity Level III violation. (The NRC's Enforcement Policy sets forth five categories of violations with Category I being the most severe.) A fine of \$25,000 is proposed for each of the alleged "material false statements." A proposed penalty of \$50,000 per alleged violation, or a total of \$250,000, was considered by the NRC staff. However, that was reduced by 50 percent to take into account the informality of the staff's review process which may have contributed to the problem.

Mississippi Power and Light is being required to reply to the proposed enforcement action within 30 days and to include in that reply the steps which have been taken, or will be taken, to avoid further violations. In addition, the company may pay the proposed fine or protest it in whole or in part. If the fine later is imposed, the company may request a public hearing.