

May 1, 2023

Docket Nos.: 50-424
50-425

NL-23-0326

U.S. Nuclear Regulatory Commission
ATTN: Document Control Desk
Washington, DC 20555-0001

Vogtle Electric Generating Plant – Units 1 and 2
Response to Apparent Violation in NRC Inspection Report
05000424, 425/2023090; EA-22-108

Ladies and Gentlemen:

By letter dated March 30, 2023, the Nuclear Regulatory Commission (NRC) provided to Southern Nuclear Operating Company (SNC) the results of a recently completed inspection. The NRC letter, dated March 30, 2023, is titled, "Vogtle Electric Generating Plant, Units 1 and 2 – NRC Inspection Report 05000424/2023090 and 05000425/2023090, and Investigation Report 2-2022-006; and Apparent Violation." That letter states, "Before the NRC makes its enforcement decision, we are providing you an opportunity to (1) respond in writing to the apparent violation addressed in this inspection report within 30 days of the date of this letter, (2) request a Pre-decisional Enforcement Conference (PEC), or (3) request Alternative Dispute Resolution (ADR)." SNC has chosen the first option of providing a written position on the apparent violation. The enclosure to this letter provides the requested information.

The information included in the enclosure is intended to assist the NRC in the determination of final significance for the apparent violation identified in the NRC letter dated March 30, 2023.

This letter contains no regulatory commitments.

Should you have questions regarding the enclosed information, please contact Amy Chamberlain at 205-992-6361.

Respectfully submitted,



R. Keith Brown
Regulatory Affairs Director

RKB/kmo/cag

cc: Regional Administrator, Region II
NRR Project Manager – Vogtle 1 & 2
Senior Resident Inspector – Vogtle 1 & 2
Director, Division of Reactor Safety, Region II
RType: CVC7000

Enclosure: Response to Apparent Violation in NRC Inspection Report 05000424,
425/2023090; EA-22-108

**Vogtle Electric Generating Plant – Units 1 and 2
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05000424, 425/2023090; EA-22-108**

Enclosure

Response to Apparent Violation in NRC Inspection Report 05000424, 425/2023039; EA-22-108

SNC has reviewed the information provided in NRC letter dated March 30, 2023. The apparent violation (AV) is summarized below:

AV 05000424/2023090 and 05000425/2023092 Failure to Comply with Radiation Work Permit (RWP)

An apparent violation of Technical Specification (TS) 5.4.1 was identified when two contract employees, along with and under the direct supervision of a contract supervisor, entered Unit 1 containment on a radiation work permit (RWP) that did not allow containment access.

The following provides SNC's response to the AV, as requested in the NRC letter dated March 30, 2023.

(1) The reason for the AVs or, if contested, the basis for disputing the AVs:

Contract workers entered Unit 1 containment without logging onto the proper radiation work permit (RWP) as required. As a result, VEGP may have been in violation of Technical Specification 5.4.1. All three individuals had been given the required briefing for entering containment earlier in the day and were aware of SNC's administrative controls established to prevent this type of event. SNC had also emphasized RWP adherence in its outage handbook, provided to all outage workers, including contract workers. The handbook stated:

Do not go into the radiologically controlled area (RCA) unless you must be in there to perform specific work, have successfully completed radiation worker training, are correctly dressed in the appropriate protective clothing, and have signed onto a radiation work permit (RWP). Read, understand and follow the requirements spelled out in your RWP. Minimize the time you spend in the RCA, and use good radworker practices to minimize dose.

However, the actions of the individuals violated these administrative controls and SNC's direction. Although the two contractors correctly questioned the contractor supervisor's decision, a lack of questioning attitude and willingness to stop when the questions were raised on the part of the contract supervisor contributed to the failure to log into the correct RWP.

(2) The corrective steps that have been taken and the results achieved:

Immediately following the event, the individuals were excluded from Radiation Control Area (RCA) entry pending investigation and supplemental surveys were performed in the area where the dose alarm was received. Condition Report (CR) 10828726 was initiated to document the event. To prevent recurrence, a time out was taken with the crews to reinforce expectations in using Human Performance Tools and "Core 4," described below. Additionally, prior to all outages since this event, a pre-outage brief has been or will be held with supplemental supervision to reinforce the importance of procedure adherence, as well as site standards and expectations.

VEGP also included specific focus on RWPs in the subsequent outage handbook provided to contract workers. Rather than included a general description, SNC added a color-coded list of each available RWP and its coverage to the handbook.

In July 2021, just prior to this event, SNC began launching a sustained focus on its “Core 4” human performance tools, including “**Time out.** Stop when unsure. Gain more information before proceeding when uncertainty arises.” This focus began with a video to all employees featuring the chief nuclear officer and VEGP plant manager. Shortly after this event, on September 27, 2021, another fleet-wide video was sent to all SNC employees about the meaning and importance of the time out tool and not proceeding in the face of uncertainty. The Core 4, including the “Time out” performance tool, have been featured consistently since this time in a broad array of communications, briefings, and has been incorporated into the description of SNC’s central strategic areas. At VEGP specifically, every employee was issued a Core 4 lanyard cards as are all outage workers. Core 4 posters and fliers are ubiquitous around the site, and VEGP leadership features Core 4 as a recurring message in search lanes and the personnel entrance to the protected area, ensuring that both employees and contract workers are consistently reminded of the importance of taking a time out rather than proceeding in the face of uncertainty.

SNC has also taken additional actions to address both physical entry into the RCA and improving compliance focus, risk recognition and fostering a questioning attitude. VEGP has already implemented new smart turnstile technology that digitally assesses a worker to the approved RWP for entry into containment. These new smart turnstiles provide a physical barrier to prevent entry into containment on an incorrect RWP. This technology was used during the Spring 2023 VEGP Unit 1 outage and will be used in subsequent outages for containment entry.

In mid 2021, SNC launched a fleet-wide initiative, emphasizing the importance of regulatory compliance and procedure adherence and education for leaders and supervisors about better understanding and identifying risk. The SNC vice president of regulatory affairs and additional regulatory personnel conducted in-person training at VEGP in January 2022. In February 2022, the vice president of regulatory affairs issued a video along with the chief nuclear officer to all SNC employees reminding them that compliance with regulations, procedures and technical specifications is always necessary, as well as the importance of having a culture where any worker can raise a compliance question.

In January 2023, SNC proactively completed a check-in self-assessment of the radiation protection fundamental behaviors at VEGP. This assessment was independent of VEGP, including two industry peers and the radiation protection manager at another SNC site. This assessment did not identify ongoing issues associated with entry into containment under incorrect RWPs. The assessment specifically gauged the current understanding of individual responsibilities to ensure a strong healthy radiological safety conscious work environment (SCWE), including interviews around radiological conscience which garnered favorable responses. No gaps were identified in this cultural area.

The primary results achieved, based on the actions summarized above, include prevention of a similar event due to physical barriers added to equipment, an enhanced focus on regulatory and technical specification compliance, and strong recognition across both employees and contract workers of the importance of stopping when a question is raised, rather than proceeding in the face of uncertainty.

(3) The corrective steps that will be taken:

In addition to the corrective actions taken immediately following the event and the additional actions taken by SNC since that time, a causal analysis is being performed on this apparent

violation and is scheduled to be completed by June 6, 2023. If additional actions are recommended by this analysis, those will be completed pursuant to SNC's corrective action program processes.

(4) The date when full compliance will be achieved.

Full compliance was achieved on September 21, 2021 when the survey was completed and the individuals were removed from the RCA.

Additional Information:

In addition to the information contained above, SNC respectfully requests the NRC consider the following factors. First, SNC identified the issue because SNC's radiation protection processes provide for conservatively set RWP task dose rate alarms for the self-reading dosimeters based on conditions expected to be encountered to ensure all radiological work is performed in a safe manner rather than the RWP administrative limits. Thus, these dosimeters alarm when an individual is exposed to dose or dose rates in excess of their RWP task limits. SNC's immediate review of the event determined that the issue was related to the contractor supervisor's decision-making. Second, as explained above, the corrective actions associated with this event were prompt and comprehensive. The immediate corrective actions were focused on restoring compliance as well as preventing recurrence. Since the time of the event, SNC has continued to take actions to emphasize regulatory compliance and using the time out human performance tool to stop if there is any question about whether an activity is compliant. SNC has also taken additional measures to enhance physical equipment that would prevent recurrence of this type of event.