



UNITED STATES
NUCLEAR REGULATORY COMMISSION

REGION II
SAM NUNN ATLANTA FEDERAL CENTER
61 FORSYTH STREET, SW, SUITE 23T85
ATLANTA, GEORGIA 30303-8931

October 29, 2007

EA-07-170

Florida Power and Light Company
ATTN: Mr. J. A. Stall, Senior Vice President
Nuclear and Chief Nuclear Officer
P. O. Box 14000
Juno Beach, FL 33408-0420

SUBJECT: NOTICE OF VIOLATION (NRC OFFICE OF INVESTIGATIONS REPORT
NO. 2-2006-029)

Dear Mr. Stall:

On April 17, 2007, the Nuclear Regulatory Commission's (NRC) Office of Investigations (OI) completed an investigation into the involvement of 2 contract valve technicians in the creation of an inaccurate work order for maintenance performed on a non-safety related valve in the radwaste system.

Based on the OI report, the NRC has concluded that a violation of 10 CFR 50.9(a), "Completeness and Accuracy of information", occurred. When performing maintenance on St. Lucie Unit 1 Valve 6184, an isolation valve in the suction line of radwaste holdup drain pump 1B, on March 10, 2005, the technicians used a wrench to torque the valve which was not specified by 0-MMP-80.27, contrary to plant Technical Specification 6.8.1 and plant procedures. As a result, they applied a wrong torque value of 20 ft-lbs to a 2 inch non-safety related valve, V6184, instead of the required 8 ft-lbs. The technicians checked out the correct torque wrench after the incident for a few minutes, but did not use it. They then deliberately entered materially inaccurate information on WO 35002193-01 by indicating that the correct wrench had been used. The inaccurate information was material to the NRC because it concealed the overtorquing of the valve. Enclosed for your information is a factual summary of the OI report.

The significance of the violation was assessed in accordance with Section IV of the NRC Enforcement Policy. The NRC determined that the safety significance of this violation was minor for the following reasons: the affected valve was a non-safety related valve, the procedural violation had no impact on the safe operation of the plant, the incident appears to be an isolated case; and the incident did not appear to involve any willful actions on the part of FPL supervisory or managerial personnel. However, because this violation involved willfulness, it was assessed at Severity Level IV

The NRC considered whether, pursuant to Section VI.A of the Enforcement Policy, this willful violation could be dispositioned as a non-cited violation. It appears that FPL supervision was fully cognizant of the incident on the day it occurred, but did not provide any information to the appropriate NRC personnel until many months afterwards. In addition, significant remedial action commensurate with the circumstances was not taken promptly by FPL at the time so as to demonstrate the seriousness of the violation to other employees. Moreover, a condition report

was entered into the corrective action process the same day concerning the use of the wrong wrench, but did not indicate that WO 35002193-01 had been falsified. For these reasons, the NRC concluded that NCV criteria were not satisfied. Accordingly, a Notice of Violation (Notice) is included as an enclosure to this letter. For administrative tracking purposes, this violation will also be referenced in a future NRC inspection report.

You are required to respond to this letter and should follow the instructions specified in the enclosed Notice when preparing your response. The NRC will use your response, in part, to determine whether further enforcement action is necessary to ensure compliance with regulatory requirements.

In accordance with 10 CFR 2.390 of the NRC's "Rules of Practice," a copy of this letter, its enclosures, and your response will be made available electronically for public inspection in the NRC Public Document Room or from the NRC's document system (ADAMS), accessible from the NRC Web site at <http://www.nrc.gov/reading-rm/adams.html>. To the extent possible, your response should not include any personal privacy, proprietary, or safeguards information so that it can be made available to the Public without redaction. The NRC also includes significant enforcement actions on its Web site at www.nrc.gov. Select What We Do, Enforcement, then Significant Enforcement Actions.

Sincerely,

/RA/

Steven J. Vias, Chief
Reactor Projects Branch 3
Division of Reactor Projects

Docket No.: 50-335,
License No.: DPR-67

Enclosures: 1. Notice of Violation
2. Factual Summary of OI Report 2-2006-029

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Steven J. Vias, Chief
 Reactor Projects Branch 3
 Division of Reactor Projects

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- Enclosures: 1. Notice of Violation
 2. Synopsis to OI Report 2-2006-029

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| OFFICE | DRP:RII | EICS:RII | RII:DRP | HQ:OE | HQ:OGC | |
| SIGNATURE | SON | CFE | SJV | DRS by email | Email | |
| NAME | SNinh | CEvans | SVias | DStarkey | GLongo | |
| DATE | 10/25/2007 | 10/24/2007 | 10/25/2007 | 10/29/2007 | 10/29/2007 | |
| E-MAIL COPY? | YES | YES | YES NO | YES NO | YES | YES |
| PUBLIC | YES | YES | YES NO | YES NO | YES | YES |

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EA-07-170

cc w/encls:

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Vice President, Nuclear Operations
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Electronic Mail Distribution

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Site Vice President
St. Lucie Nuclear Plant
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EA-07-170

Letter to J. A. Stall from Steven J. Vias dated October 29, 2007.

Distribution w/encls:

M. Mozafari, NRR

L. Slack, RII

T. Ross, RII

OEMAIL

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PUBLIC

NOTICE OF VIOLATION

Florida Power and Light Company
St. Lucie Nuclear Plant
Unit 1

Docket No.: 50-335
License No.: DPR-67
EA-07-170

During an NRC investigation completed on April 17, 2007, a violation of NRC requirements was identified. In accordance with the Enforcement Policy, the violation is listed below:

10 CFR 50.9(a) states, in part, that information provided to the Commission by a licensee or information required by the Commission's regulations, orders or license conditions to be maintained by the licensee shall be complete and accurate in all material respects.

St. Lucie Technical Specifications, Section 6.8.1 (a), states, in part, that written procedures shall be established, implemented and maintained covering the applicable procedures recommended in Appendix A of Regulatory Guide 1.33, Revision 2, February 1978.

Administrative Procedure, ADM-0010432, Control of Plant Work Orders, provides the requirements and control for initiating, approving, authorizing, and implementing Work Orders (WOs) for work activities on Safety Related (SR), Quality Related (QR) and Power Block systems; components, structures and equipment described in the Safety Analysis Report (SAR)

Work Order (WO) 35002193-01, was generated as QR to replace the valve diaphragm on valve 6184 because it showed signs of leaking. The WO instructions were to replace the diaphragm in accordance with a safety-related Mechanical Maintenance Procedure, 0-MMP-80.27.

0-MMP-80.27, Grinnel Handwheel Operated (3 Inch and Under) Diaphragm Valves, step 6.6.18 requires that the bonnet nuts be tightened in the final torque specified in Table 1 of the same procedure. Table 1 also referenced the torque valve required to be used and specified that maintenance conducted on a 2-inch valve should be 96 in-lbs or 8 ft-lbs.

Contrary to the above, on March 10, 2005, the licensee violated 10 CFR 50.9(a). When performing maintenance on St. Lucie Unit 1 Valve 6184, an isolation valve in the suction line of radwaste holdup drain pump 1B, on March 10, 2005, two contract valve technicians used a wrench to torque the valve which was not specified by O-MMP-80.27, contrary to plant Technical Specification 6.8.1 and plant procedures. As a result, the two technicians applied a wrong torque value of 20 ft-lbs to the valve, instead of the required 8 ft-lbs. The technicians checked out the correct torque wrench after the incident for a few minutes, but did not use it. They then entered information on WO 35002193-01 indicating that the correct wrench had been used. The inaccurate information was material to the NRC because it concealed the overtorquing of the valve.

This is a Severity Level IV violation (Supplement I).

Pursuant to the provisions of 10 CFR 2.201, Florida Power and Light Company is hereby required to submit a written statement or explanation to the U.S. Nuclear Regulatory Commission, ATTN: Document Control Desk, Washington, DC 20555 with a copy to the Regional Administrator, Region II, and a copy to the NRC Resident Inspector at the facility that is the subject of this Notice, within 30 days of the date of the letter transmitting this Notice of Violation (Notice). This reply should be clearly marked as a "Reply to a Notice of Violation; EA-70-170" and should include for each violation: (1) the reason for the violation, or, if contested, the basis for disputing the violation or severity level, (2) the corrective steps that have been taken and the results achieved, (3) the corrective steps that will be taken to avoid further violations, and (4) the date when full compliance will be achieved. Your response may reference or include previously docketed correspondence, if the correspondence adequately addresses the required response. If an adequate reply is not received within the time specified in this Notice, an order or a Demand for Information may be issued as to why the license should not be modified, suspended, or revoked, or why such other action as may be proper should not be taken. Where good cause is shown, consideration will be given to extending the response time.

If you contest this enforcement action, you should also provide a copy of your response, with the basis for your denial, to the Director, Office of Enforcement, United States Nuclear Regulatory Commission, Washington, DC 20555-0001.

Your response will be made available electronically for public inspection in the NRC Public Document Room or from the NRC's document system (ADAMS). To the extent possible, it should not include any personal privacy, proprietary, or safeguards information so that it can be made available to the public without redaction. ADAMS is accessible from the NRC Web site at <http://www.nrc.gov/reading-rm/adams.html>. If personal privacy or proprietary information is necessary to provide an acceptable response, then please provide a bracketed copy of your response that identifies the information that should be protected and a redacted copy of your response that deletes such information. If you request withholding of such material, you must specifically identify the portions of your response that you seek to have withheld and provide in detail the bases for your claim of withholding (e.g., explain why the disclosure of information will create an unwarranted invasion of personal privacy or provide the information required by 10 CFR 2.390(b) to support a request for withholding confidential commercial or financial information). If safeguards information is necessary to provide an acceptable response, please provide the level of protection described in 10 CFR 73.21.

In accordance with 10 CFR 19.11, you may be required to post this Notice within two working days.

Dated this 29th day of October 2007

FACTUAL SUMMARY OF OI REPORT 2-2006-029

This investigation was initiated by the U.S. Nuclear Regulatory Commission's (NRC), Office of Investigations (OI), Region II (RII), on August 3, 2006, to determine whether two former contract Valve Technicians, in an attempt to conceal their over-torquing of a valve, willfully falsified information contained in a work order, subsequent to conducting work on the valve.

Two former contract Valve Technicians employed with Newport News Industrial, Inc. at the St. Lucie Nuclear Plant, Unit 1, when performing maintenance on Valve 6184, an isolation valve in the suction line of the radwaste holdup drain pump 1B on March 10, 2005, used the wrong wrench to torque the valve. As a result, they applied a wrong torque value of 20 ft-lbs to the valve instead of the required 8 ft-lbs. After discovering their mistake, the two Valve Technicians checked out the correct wrench for a few minutes, but did not use it. They both admitted to knowingly falsifying WO 35002193-01, by indicating that they had used the correct wrench when they had used the wrong wrench.