

FEBRUARY 28, 1997

EA 97-056, 97-057 and 97-058

Carolina Power and Light Company
ATTN: W. S. Orser, Executive
Vice President
P. O. Box 1551
Raleigh, North Carolina 27602

SUBJECT: NRC INSPECTION REPORT NOS. 50-325/97-01 ,50-324/97-01, 50-400/97-02
AND 50-261/97-02

Dear Mr. Orser:

This refers to the inspection conducted from January 13 to February 6, 1997 at the General Office, Raleigh, North Carolina, which reviewed the Access Authorization and Fitness For Duty Programs for the Brunswick, Harris and Robinson facilities. The purpose of the inspection was to follow up on Carolina Power and Light Company's (CP&L) self-audit of the Access Authorization and Fitness For Duty Programs conducted during the periods of July 8-12 and 15-19, 1996, respectively. The enclosed report presents the results of this inspection.

During the inspection period, the conduct of activities at the Corporate Office relating to the current Access Authorization and Fitness For Duty Programs was considered excellent. However, we noted and have included in the inspection report our review of the July 1996 findings of the Performance Evaluation Support Unit, which deemed the Access Authorization Program "ineffective" and the Fitness For Duty Program "marginally effective."

Based on the results of this inspection, seven apparent violations were identified and are being considered for escalated enforcement action in accordance with the "General Statement of Policy and Procedures for NRC Enforcement Actions" (Enforcement Policy), NUREG-1600. As described in detail in the subject inspection report, the apparent violations involve multiple failures to implement the requirements of 10 CFR Part 73, 10 CFR Part 26, and CP&L internal procedures related to Access Authorization and Fitness-for-Duty. Although these failures were licensee identified and promptly communicated to the NRC on July 22, 1996, when a stop-work order was implemented at all three CP&L nuclear facilities, the NRC is concerned that, collectively, the apparent violations appear to reflect a potentially significant lack of management oversight and attention to these programs prior to July 1996. Furthermore, due to the programmatic nature of the issues identified, all three of your licensed facilities were affected. Although the specific number and significance of the apparent violations varies among the sites, the Access Authorization and Fitness-for-Duty programs were commonly managed from the General Office, and NRC views the potential impact to be similar at all three sites.

The circumstances surrounding these apparent violations, the significance of the issues, and the need for lasting and effective corrective action were discussed with members of your staff at the inspection exit meeting on February 6, 1997. As a result, it may not be necessary to

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conduct a predecisional enforcement conference in order to enable the NRC to make an enforcement decision. However, a Notice of Violation is not presently being issued for these inspection findings. Before the NRC makes its enforcement decision, we are providing you an opportunity to either: (1) respond to the apparent violations addressed in this inspection report within 30 days of the date of this letter or (2) request a predecisional enforcement conference. Please contact Paul E. Fredrickson, Chief, Special Inspection Branch at 404-331-5596 within seven days of the date of this letter to notify the NRC of your intended response.

If you choose to provide a written response, it should be clearly marked as a "Response to Apparent Violations in Inspection Report Nos. 50-325 and 50-324/97-01, 50-400/97-02, and 50-261/07-02" and should include for each apparent violation: (1) the reason for the apparent violation, or, if contested, the basis for disputing the apparent violation, (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 should be submitted under oath or affirmation and may reference or include previously docketed correspondence, if the correspondence adequately addresses the required response. If an adequate response is not received within the time specified or an extension of time has not been granted by the NRC, the NRC will either proceed with its enforcement decision or schedule a predecisional enforcement conference.

In addition, please be advised that the number and characterization of apparent violations described in the enclosed inspection report may change as a result of further NRC review. You will be advised by separate correspondence of the results of our deliberations on this matter.

In accordance with 10 CFR 2.790 of the NRC's "Rules of Practice," a copy of this letter, its enclosure, and your response (if you choose to provide one) will be placed in the NRC Public Document Room (PDR). To the extent possible, your response should not include any personal privacy, proprietary, or safeguards information so that it can be placed in the PDR without redaction.

Sincerely,

ORIGINAL SIGNED BY
J. JAUDON

Johns P. Jaudon, Director
Division of Reactor Safety

Docket Nos. 50-325, 50-324, 50-400
and 50-261

License Nos. DPR-71, DPR-62, NPF-63
and DPR-23

Enclosure: Inspection Report

cc w/encl: (See page 3)

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cc w/encl:

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(cc w/encl cont'd)

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(cc w/encl cont'd - See page 5)

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(cc w/encl cont'd - See page 6)

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(cc w/encl cont'd)

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Distribution w/encl cont'd
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