

ENCLOSURE 1

NOTICE OF VIOLATION

Florida Power and Light Company
St. Lucie

Docket Nos. 50-335, 50-389
License Nos. DPR-67, NPF-16

During the Nuclear Regulatory Commission (NRC) inspection conducted on March 2-6, 1987, violations of NRC requirements were identified. The violations involved failure to label containers containing licensed radioactive material, failure to properly solidify sludge and to conduct an adequate quality control program for waste characterization, and failure to comply with Department of Transportation (DOT) requirements regarding transportation of licensed material. In accordance with the "General Statement of Policy and Procedure for NRC Enforcement Actions," 10 CFR Part 2, Appendix C (1986), the violations are listed below:

- A. 10 CFR 20.311(d)(1) requires any generating licensee who transfers radioactive waste to a land disposal facility to prepare all wastes so that the waste is classified according to 10 CFR 61.55 and meets the waste characteristic requirements in 10 CFR 61.56.

10 CFR 61.56(b)(1) states that waste must have structural stability which will generally maintain its physical dimensions and its form under expected disposal conditions.

10 CFR 61.56(b)(2) states that in no case shall the liquid exceed 1 percent of the volume of the waste when the waste is in a disposal container designed to ensure stability, or 0.5 percent of the volume of the waste for waste processed to a stable form.

10 CFR 20.311(d)(3) states that any generating licensee who transfers radioactive material to a land disposal facility shall conduct a quality control program to assure compliance with 10 CFR 61.55 and 61.56 which must include management evaluation of audits.

Contrary to the above, the licensee failed to adequately prepare radioactive waste for disposal as follows:

- 1) The requirements for structural stability and minimum volume of liquid in waste were not met in that, on November 24, 1986, Radioactive Waste Shipment No. 86-61 consisting of sludge solidified with cement, packaged in two steel liners was improperly solidified in that approximately fifteen percent of the contents of one liner had failed to solidify while the entire contents of the second liner were paste like in consistency.

- 2) The licensee's quality control program to assure appropriate characterization of waste was inadequate in that it contained no requirements for licensee evaluation and/or verification of vendor activities and as a consequence, on November 24, 1986, the contents of the two steel liners described above were not solid as required.

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

- B. 10 CFR 71.5(a) requires each licensee who transports licensed material outside of the confines of its plant or other place of use; or who delivers licensed material to a carrier for transport, to comply with the applicable requirements of the regulations appropriate to the mode of transport of the DOT in 49 CFR Parts 170 through 189.

49 CFR 173.475(i) states that before each shipment of any radioactive materials package, the shipper shall ensure by examination or appropriate tests that external radiation and contamination levels are within allowable limits.

Contrary to the above, the licensee failed to comply with the requirements of the DOT in that no surveys of the underside of the transport vehicles were performed for radioactive material shipments: No. 86-46 on September 23, 1986; No. 86-47 on October 2, 1986; No. 86-49 on October 9, 1986; No. 86-52 on October 14, 1986; No. 86-53 on October 21, 1986; and No. 86-54 on October 23, 1986.

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

- C. 10 CFR 20.203(f)(1) states that, except as provided by 10 CFR 20.203(f)(3), each container of licensed material shall bear a durable, clearly visible label identifying the radioactive contents.

Contrary to the above, containers of licensed material were not properly labeled in that, on March 3, 1987, 28 B-25 metal boxes located in a temporary storage area behind Unit 2 and 12 B-25 metal boxes located adjacent to the Steam Generator Blowdown Treatment Facility did not bear durable, visible labels identifying the radioactive contents. The exemptions of 10 CFR 20.203(f)(3) did not apply.

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

Pursuant to the provisions of 10 CFR 2.201, Florida Power and Light is hereby required to submit to this Office within 30 days of the date of the letter transmitting this Notice a written statement or explanation in reply including

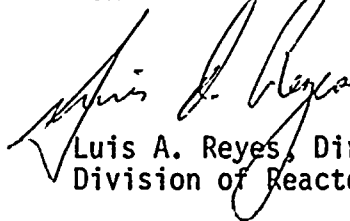
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for each violation: (1) admission or denial of the violation, (2) the reason for the violation if admitted, (3) the corrective steps which have been taken and the results achieved, (4) the corrective steps which will be taken to avoid further violations, and (5) the date when full compliance will be achieved. Where good cause is shown, consideration will be given to extending the response time.

FOR THE NUCLEAR REGULATORY COMMISSION



Luis A. Reyes, Director
Division of Reactor Projects

Dated at Atlanta, Georgia
this 27 day of March 1987