

CATEGORY 1

REGULATORY INFORMATION DISTRIBUTION SYSTEM (RIDS)

ACCESSION NBR: 9609250288	DOC. DATE: 96/09/12	NOTARIZED: NO		DOCKET #
FACIL: 50-335 St. Lucie Plant, Unit 1, Florida Power & Light Co.				05000335
50-389 St. Lucie Plant, Unit 2, Florida Power & Light Co.				05000389
AUTH. NAME	AUTHOR AFFILIATION			
SATORIUS, M.	Ofc of Enforcement (Post 870413)			
LIEBERMAN, J.	Ofc of Enforcement (Post 870413)			
RECIP. NAME	RECIPIENT AFFILIATION			

SUBJECT: EN-96-066: on or about 960919, staff intends to exercise enforcement discretion per Section VII.B.6 of Enforcement Policy & not propose civil penalty for Severity Level II violation based on insp.

DISTRIBUTION CODE: IE33F COPIES RECEIVED: LTR 0 ENCL 1 SIZE: 1
 TITLE: Enforcement Notice (EN)

NOTES:

	RECIPIENT ID CODE/NAME	COPIES LTTR ENCL	RECIPIENT ID CODE/NAME	COPIES LTTR ENCL
INTERNAL:	AEOD/SPD/RRAB	1	<u>FILE CENTER</u>	1
	NRR/DISP/PIPB	1	NRR/DRPM/PERB	1
	NUDOCS FULL TXT	1	OE DIR	1
	OE FILE 01	1		
EXTERNAL:	LITCO BRYCE, J H	1	NOAC	1
	NRC PDR	1		

NOTE TO ALL "RIDS" RECIPIENTS:
 PLEASE HELP US TO REDUCE WASTE! CONTACT THE DOCUMENT CONTROL DESK,
 ROOM OWFN 5D-5 (EXT. 415-2083) TO ELIMINATE YOUR NAME FROM
 DISTRIBUTION LISTS FOR DOCUMENTS YOU DON'T NEED!

TOTAL NUMBER OF COPIES REQUIRED: LTTR 0 ENCL 10

C
A
T
E
G
O
R
Y

1

D
O
C
U
M
E
N
T

OFFICE OF ENFORCEMENT
NOTIFICATION OF SIGNIFICANT ENFORCEMENT ACTION

Licensee: Florida Power & Light Company (EAs 96-236 and 96-249)
St. Lucie Nuclear Plant
Docket Nos. 50-335, 50-389

Subject: NOTICE OF VIOLATION AND EXERCISE OF ENFORCEMENT DISCRETION

This is to inform the Commission that the staff intends to exercise enforcement discretion per Section VII.B.6 of the Enforcement Policy and not propose a civil penalty for a Severity Level III violation. A letter describing this action and forwarding the Notice of Violation will be issued on or about September 19, 1996. The violation was identified during an inspection at the St. Lucie Nuclear Plant and consists of a Severity Level III violation of the requirements of 10 CFR 50.59. Specifically, the licensee failed to recognize an unreviewed safety question related to the implementation of a valve lineup change to the Emergency Diesel Generator fuel oil transfer system. As a result the licensee did not seek NRC approval prior to implementing the valve lineup change.

Normal application of the Enforcement Policy would result in a \$50,000 civil penalty, due to the NRC having identified this violation. However, discretion is proposed in this case because: 1) the licensee did perform an evaluation pursuant to the requirements of 10 CFR 50.59 and promptly thereafter communicated with the NRC staff and discussed its plans to change the valve lineup and 2) this case had a relatively low risk significance.

It should be noted that the licensee has not been specifically informed of the enforcement action. The schedule of issuance and notification is:

Mailing of Notice	September 19, 1996
Telephone Notification of Licensee	September 19, 1996

The State of Florida will be notified.

The licensee has thirty days from the date of the Notice in which to respond.

Contacts: M. Satorius, OE, 415-3280 J. Lieberman, OE, 415-2741

Distribution

10WFN	OWFN	TWFN	Regional Offices
Chairman Jackson	EDO	OC	RI
Comm. Rogers	DEDR	AEOD	RIV
Comm. Dicus	DEDS	OP CTR	RII
Comm. Diaz	OE	NMSS	RIII
Comm. McGaffigan	OGC	IRM	MAIL
SECY	NRR	OIG	NUDOCS
OCA	OI	RES	PUBLIC
PA	SP	ACRS	
IP			

PRELIMINARY INFORMATION - NOT FOR PUBLIC DISCLOSURE UNTIL
VERIFICATION THAT LICENSEE HAS RECEIVED ACTION

9609250288 960912
PDR I&E
EN-96-066

PDR

ID&R-3-1 Violations

*1833
CH*