

July 14, 1997

EA 97-176
EA 97-328

Florida Power and Light Company
ATTN: Mr. T. F. Plunkett
President - Nuclear Division
P. O. Box 14000
Juno Beach, FL 33408-0420

SUBJECT: NRC INTEGRATED INSPECTION REPORT NOS. 50-335/97-05, 50-389/97-05,
NOTICE OF VIOLATION AND EXERCISE OF ENFORCEMENT DISCRETION

Dear Mr. Plunkett:

On June 14, 1997, the NRC completed an inspection at your St. Lucie 1 and 2 reactor facilities. The enclosed report presents the results of that inspection.

Based on the results of this inspection, the NRC has determined that violations of NRC requirements occurred. The violations are of concern because they indicate that plant processes are still not being implemented as described in plant procedures. In the case of the Foreign Material Exclusion issue, an example was identified in which the program was invoked but not carried out to completion to control material being brought into containment. In the case of the Work Order level-of-detail issue, the planning process failed to include instructions in a Work Order consistent with the requirements of the work control process.

These violations are cited in the enclosed Notice of Violation, and the circumstances surrounding the violations are described in detail in the enclosed report. Please note that 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.

A non-cited violation is identified in this report relating to an overpower condition on Unit 1 in February. We acknowledge your identification of this issue and found your corrective actions (both completed and proposed) to be satisfactory. Nonetheless, we are concerned that this event, combined with a Unit 2 event also described in this report and problems identified in 1996 with respect to the installation of the Beacon computer system on Unit 1, indicate repeated weaknesses in the control of software. We would encourage you to ensure that corrective actions taken or planned in this area are sufficient to establish positive control over this area. Enclosed in this report is a summary of corrective actions you have taken or planned with respect to Digital Data Processing System. For those items not yet completed, we have enclosed scheduled completion dates, provided by your staff. We would request that you review these scheduled dates for accuracy and notify us

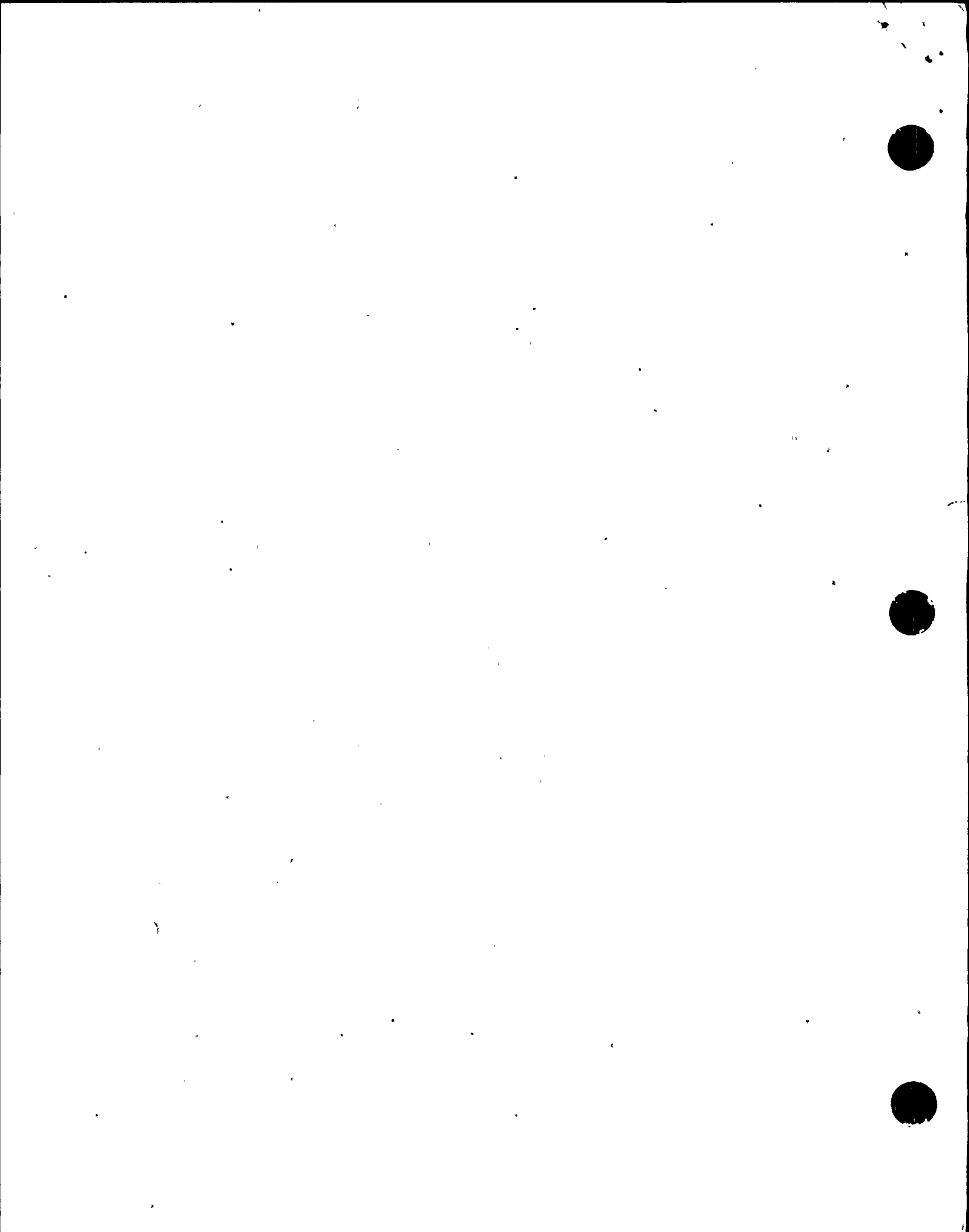
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should any of the dates be exceeded or changed, or if the nature of the corrective actions change.

In addition, the following clarification is provided regarding a previously dispositioned enforcement issue. On April 28, 1997, a non-cited violation (NCV 50-389/97-03-04) was identified in Inspection Report No. 50-335,389/97-03 involving a violation of 10 CFR 50.59 for the failure of the facility to conform to the description in the Final Safety Analysis Report with respect to Unit 2 reactor coolant pump penetration fault protection. The issue was dispositioned as an NCV in the referenced report. The report neglected to state which provision of the "General Statement of Policy and Procedures for Enforcement Action" (Enforcement Policy), NUREG-1600 was applicable for such discretion. The design issue involved an unreviewed safety question which is normally categorized as a Severity Level III violation. However, based on the circumstances of the violation described in detail in the aforementioned Inspection Report, we have now concluded that enforcement discretion continues to be appropriate in accordance with Section VII.B.3 of the Enforcement Policy and issuance of a Notice of Violation is not appropriate in this case. This clarifies NRC's disposition of this matter, and no further action is required.

In accordance with 10 CFR 2.790 of the NRC's "Rules of Practice," a copy of this letter and its enclosures will be placed in the NRC Public Document Room (PDR).

Sincerely,

Orig signed by Kerry D. Landis

Kerry D. Landis, Chief
Reactor Projects Branch 3
Division of Reactor Projects

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

Enclosures: 1. Notice of Violation
2. Inspection Report Nos. 50-335/97-05, 50-389/97-05

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cc w/encls: Continued see page 3

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NAME	SRudisall	JHunday <i>for per</i>	DLanyi <i>for per</i>	Miller <i>for per</i>	S. Rudisall <i>FWright</i>	HThomas
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DATE	07/18/97	07/17/97	07/05/97	07/ / / 97	07/ / / 97	07/ / / 97
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