

NOTICE OF VIOLATION

Florida Power and Light Company
St. Lucie Nuclear Plant
Units 1 and 2

Docket Nos. 50-335, 59-389
License Nos. DPR-67, NPF-16
EA 98-064

During an NRC inspection conducted on January 23, 1998, a violation of NRC requirements was identified. In accordance with the "General Statement of Policy and Procedures for NRC Enforcement Actions," NUREG-1600, the violation is listed below:

Facility Operating License Nos. DPR-67 and NPF-16, Amendment 151, dated May 16, 1997, require that the licensee shall fully implement and maintain in effect all provisions of the Commission approved physical security, guard training and qualification, and safeguards contingency plans including amendments made pursuant to the provisions of the Miscellaneous Amendments and Search Requirements revisions to 10 CFR 50.90 and 10 CFR 50.54(p).

Section 13.4.4 of the licensee's Physical Security Plan, Revision 50, dated November 24, 1997, states, in part, "Upon notification of the voluntary termination or the termination for cause of an individual authorized unescorted access, the Plant Security Supervision shall ensure that the keycard and hand geometry access capabilities are inactivated."

Section 5.3(d) of the licensee's Physical Security Plan, Revision 50, dated November 24, 1997, states, in part, "Only those individuals with identified need for access and having appropriate authorization, shall be granted unescorted vital area access."

Contrary to the above, on December 31, 1997, plant security supervision failed to implement Section 13.4.4 of the Physical Security Plan to ensure that a voluntarily terminated individual's keycard and hand geometry access capabilities were inactivated. As a result, one unauthorized individual's unescorted access to vital areas continued in violation of the requirements of Section 5.3(d) of the Physical Security Plan between December 31, 1997, and January 2, 1998, and, in fact, the individual entered the protected area on January 2, 1998. In addition, on December 31, 1997, plant security supervision failed to implement Section 13.4.4 of the Physical Security Plan to ensure that a second favorably terminated individual's keycard and hand geometry were inactivated. (01013)

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

Pursuant to the provisions of 10 CFR 2.201, Florida Power & Light Company is hereby required to submit a written statement or explanation to the U.S. Nuclear Regulatory Commission, ATTN: Document Control Desk, Washington, D.C. 20555 with a copy to the Regional Administrator, Region II, and a copy to the NRC Resident Inspector at the St. Lucie facility, 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" and should

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Enclosure 1



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 previous 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 to the Director, Office of Enforcement, United States Nuclear Regulatory Commission, Washington, DC 20555-0001.

Under the authority of Section 182 of the Act, 42 U.S.C. 2232, this response shall be submitted under oath or affirmation.

Because your response will be placed in the NRC Public Document Room (PDR), to the extent possible, it should not include any personal privacy, proprietary, or safeguards information so that it can be placed in the PDR without redaction. 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 2.790(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.

Dated at Atlanta, Georgia
this 3rd day of April 1998

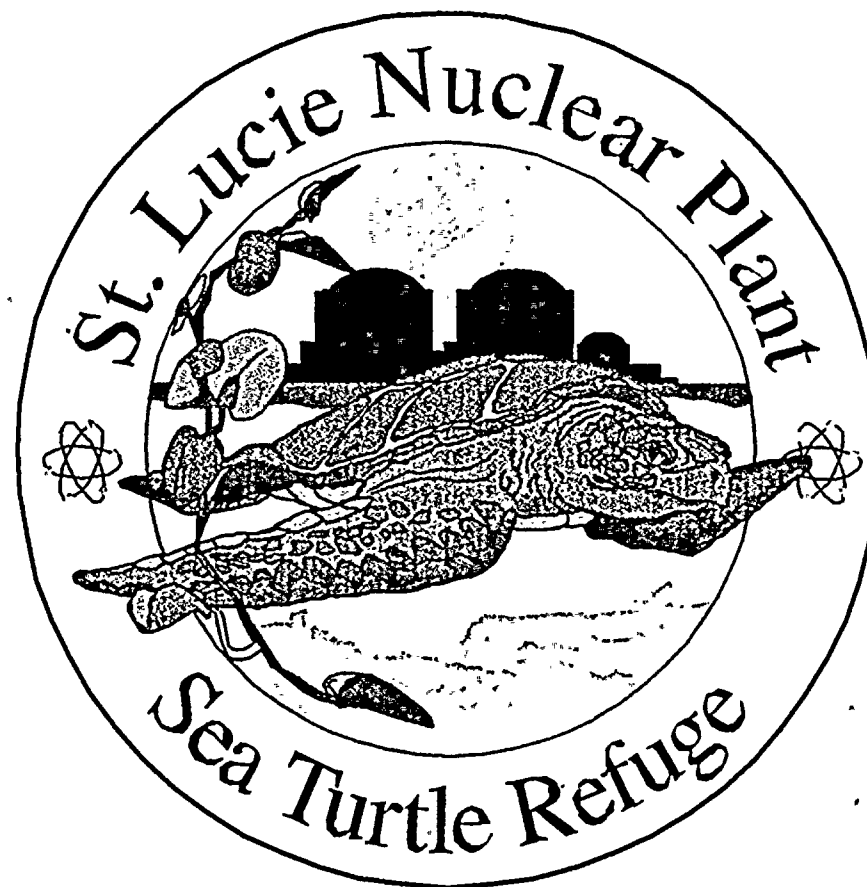
ISSUES TO BE DISCUSSED

Florida Power and Light Company, St. Lucie Physical Security Plan, Revision 50, dated November 24, 1997, states in Section 13.4.4, "Upon notification of the voluntary termination or the termination for cause of an individual authorized unescorted access, the Plant Security Supervision shall ensure that the individual's picture badge and keycard are immediately retrieved and keycard and hand geometry access capabilities are inactivated. Additionally, the Physical Security Plan states in Section 5.3(d) that "Only those individuals with identified need for access and having appropriate authorization, shall be granted unescorted vital area access."

On December 31, 1997, Plant Security Supervision failed to immediately inactivate two voluntarily terminated individuals' keycards and hand geometry. As a result, one individual gained unauthorized unescorted access to the protected area, and one individual had the opportunity to gain access to protected and vital areas.

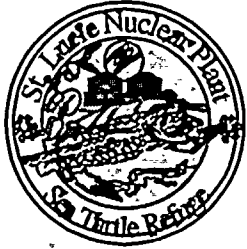
NOTE: The apparent violations discussed in this PREDECISIONAL enforcement conference are subject to further review and are subject to change prior to any resulting enforcement action.





NRC Inspection Report No. 50-335, 389/98-01
Pre-Decisional Enforcement Conference
March 31, 1998
Atlanta, Ga.





Agenda

Introduction

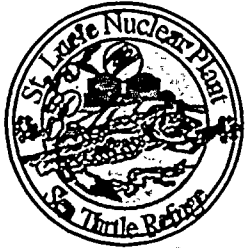
- **J. A. Stall, Vice President, St. Lucie Plant**

Discussion of Event, Corrective Actions, and Safety Significance

- **D. L. Fadden, Services Manager, St. Lucie Plant**

Closing Remarks

- **T. F. Plunkett, President, FPL Nuclear Division**



Overview

One Unauthorized Access to the Protected Area Occurred

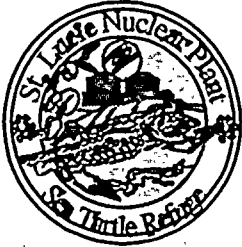
Violation Self-Identified

Root Cause - Personnel Error

Prompt Corrective Actions Taken Upon Discovery

No Safety Significance





Event Description

~2100 Individuals Badged for Steam Generator Replacement Project

Phased Demobilization of Contract Employees Began in December

Security Notified of 102 Contract Employee Terminations (Routine Layoffs) on December 31, 1997

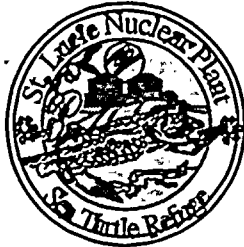
Security Officer Processed Terminations in Badging Office

Security Officer Failed to Unassign Badges for Two Individuals

One Individual Accessed Site on January 2, 1998

- **Not Informed of Layoff**
- **Reporting for Normal Work**





Event Description (Cont.)

Individual Escorted Off Site by Supervisor

Supervisor Notified Security of Unauthorized Site Access

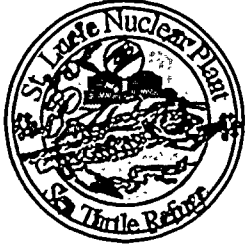
Security Immediately Removed Site Access Authorization

Investigation of Causes Initiated

- **Identified Second Individual as Improperly Retaining Access Authorization**
- **Security Immediately Removed Site Access Authorization for Second Individual (Who Had Not Entered Protected Area)**

Event Promptly Reported to NRC





Cause

Human Error - Procedure Non-Compliance

- **Security Officer Violated Plant Procedures by Failing to Unassign Badges**

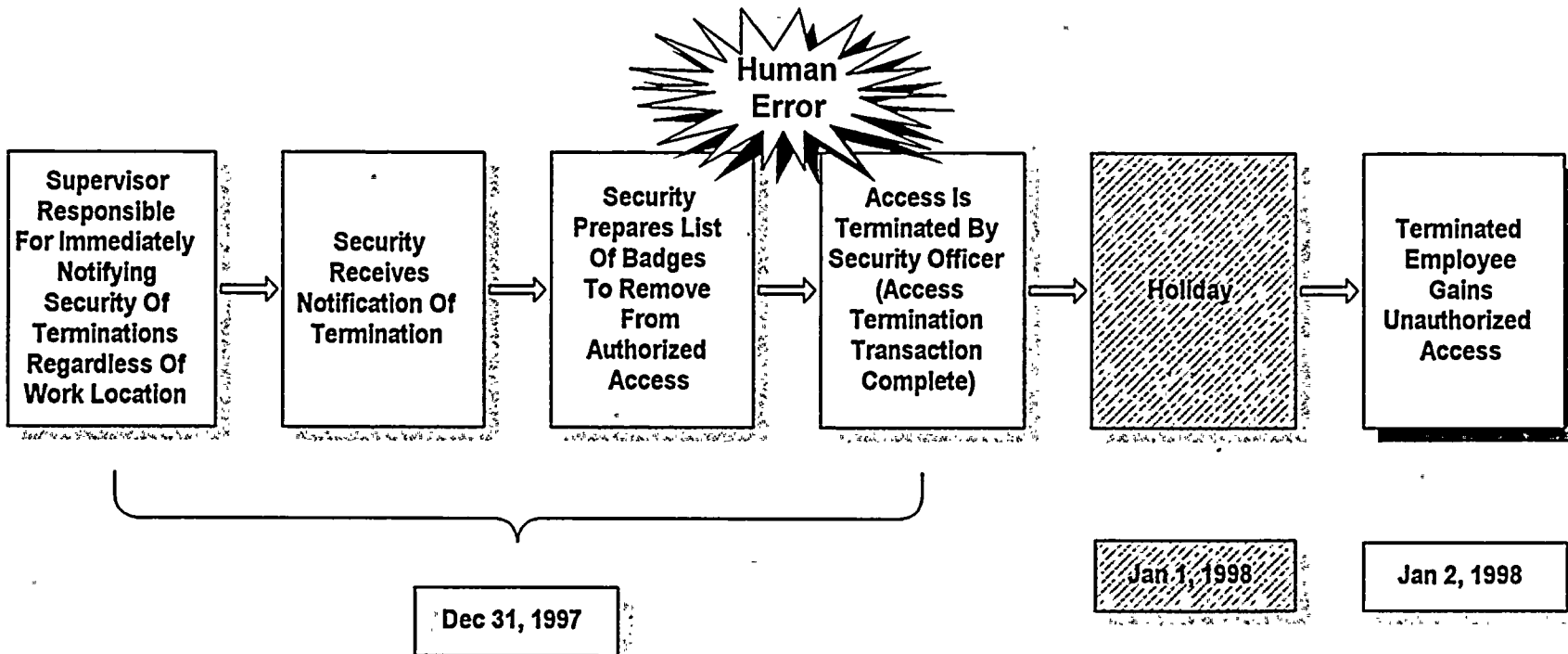
Root Cause For August 1996 Event Was Faulty Corporate Procedures Regarding Access Terminations - Not Personnel Error

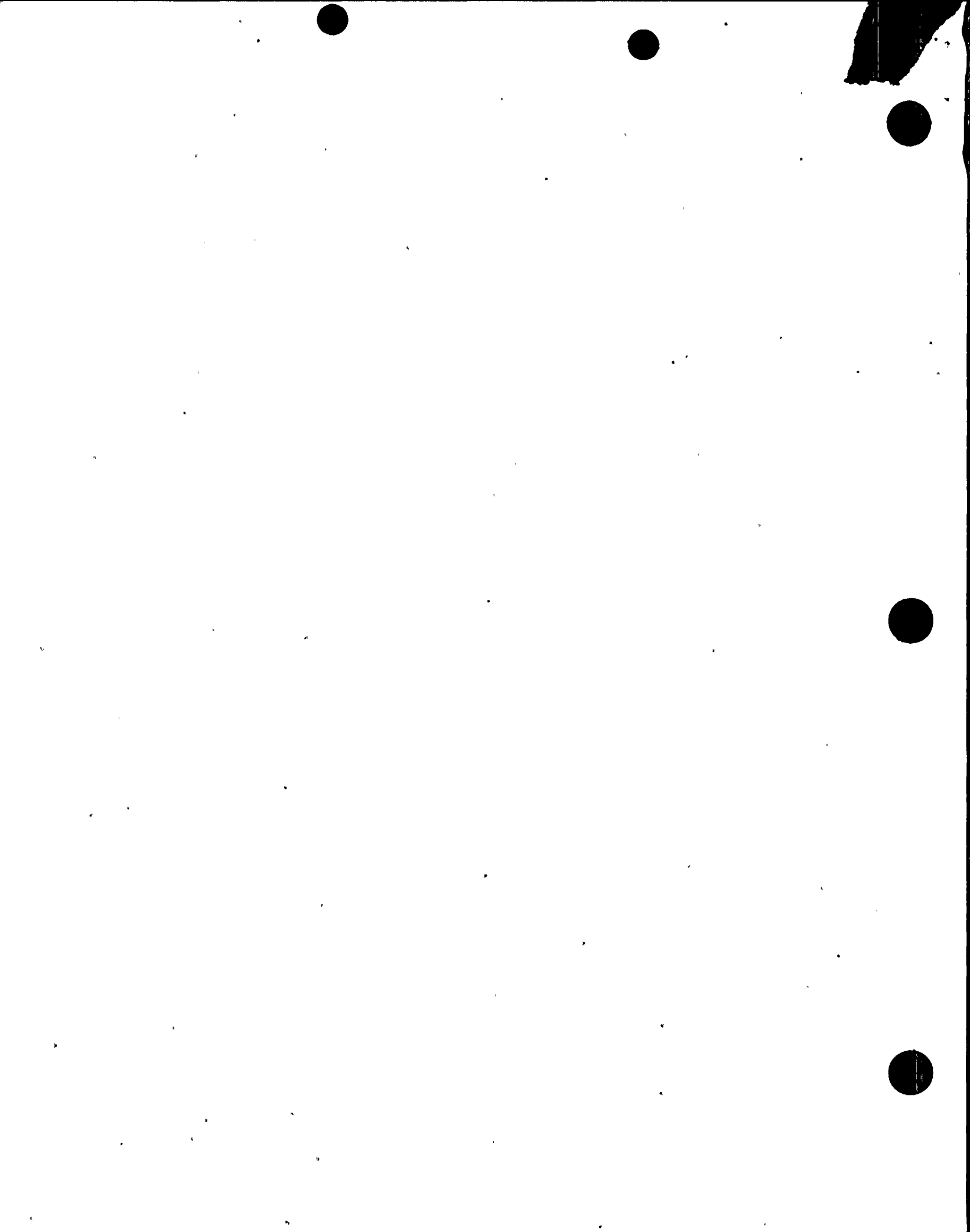
- **Off-Site Supervisor Responsibilities For Access Terminations Inadequately Defined**
- **Process Revised and Personnel Trained on New Procedures**

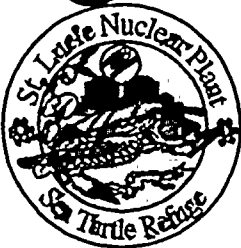




Timeline

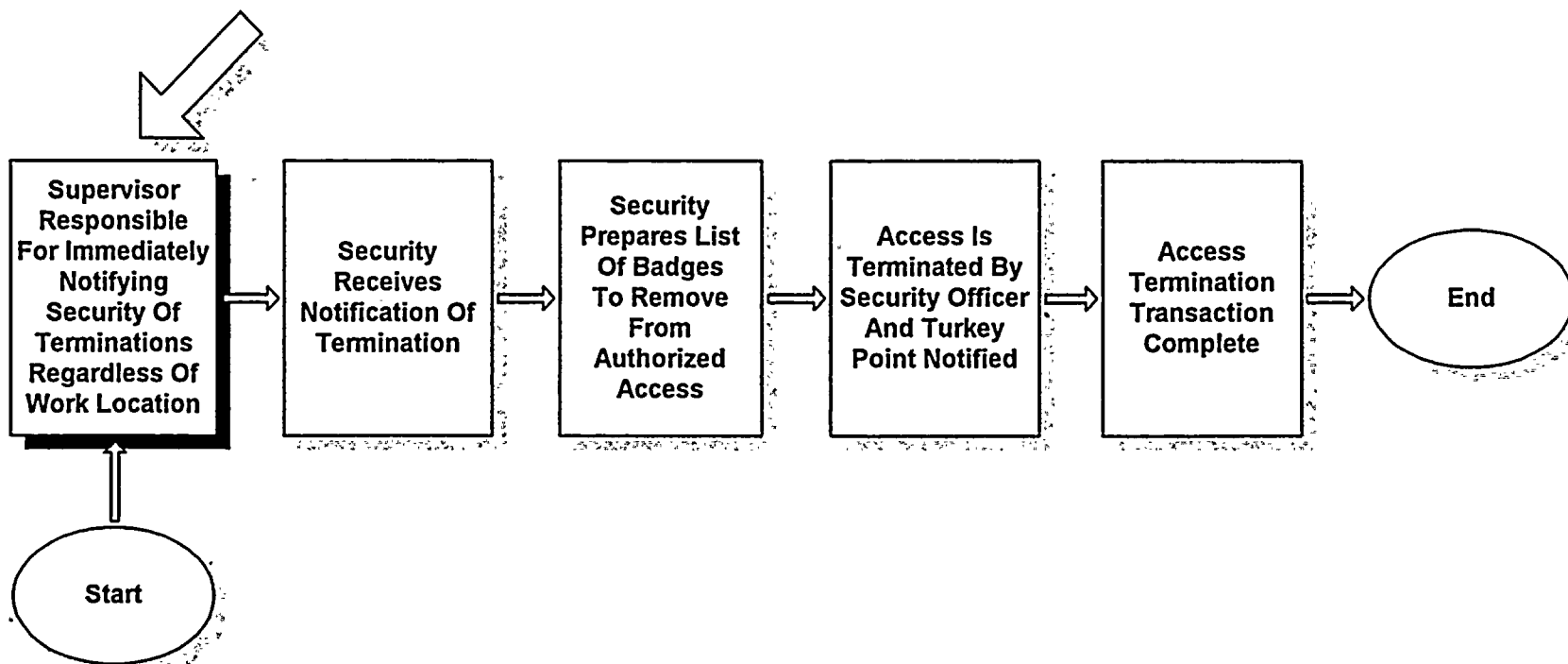






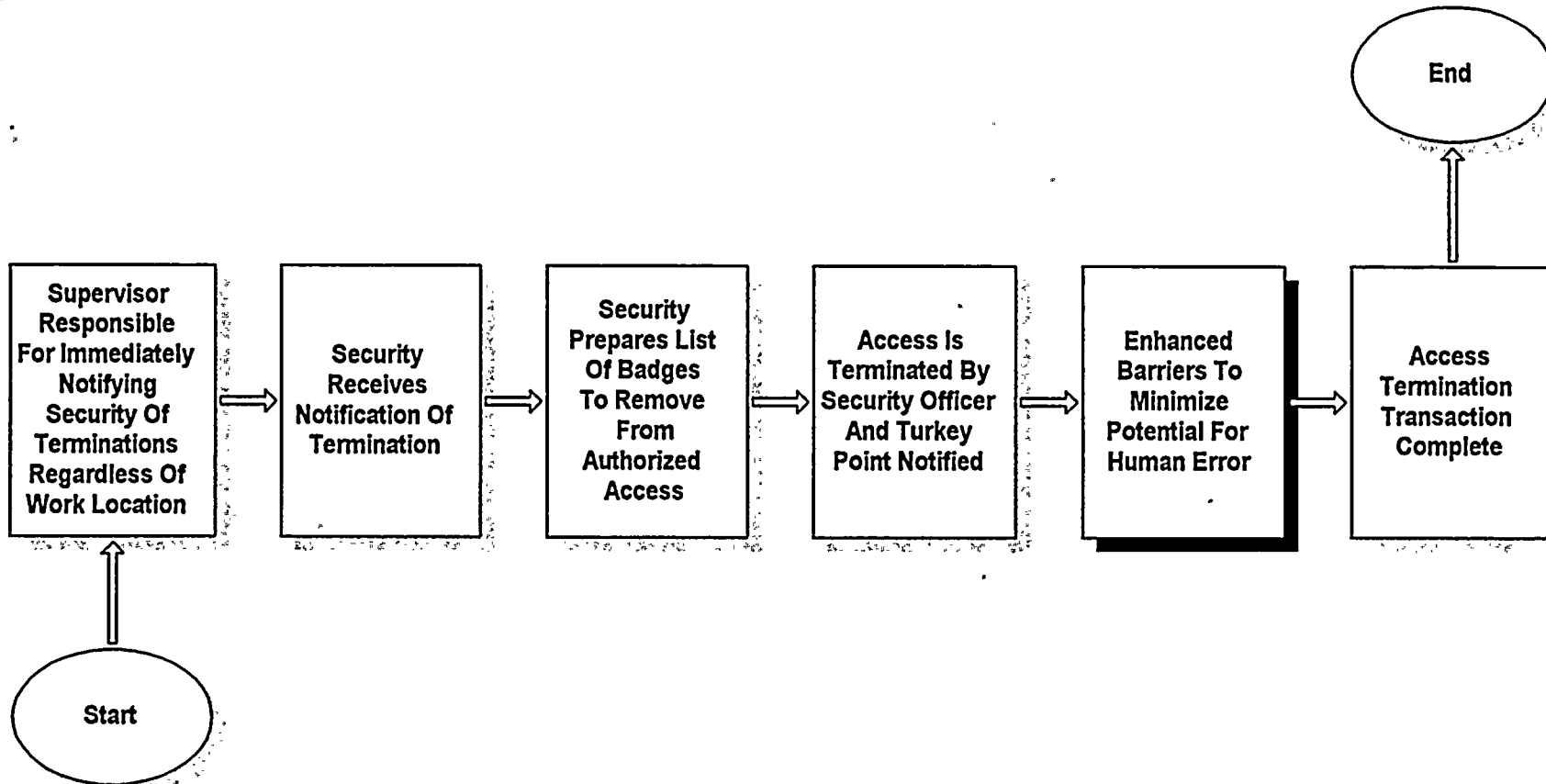
Access Termination Process In-Place at Time of Event

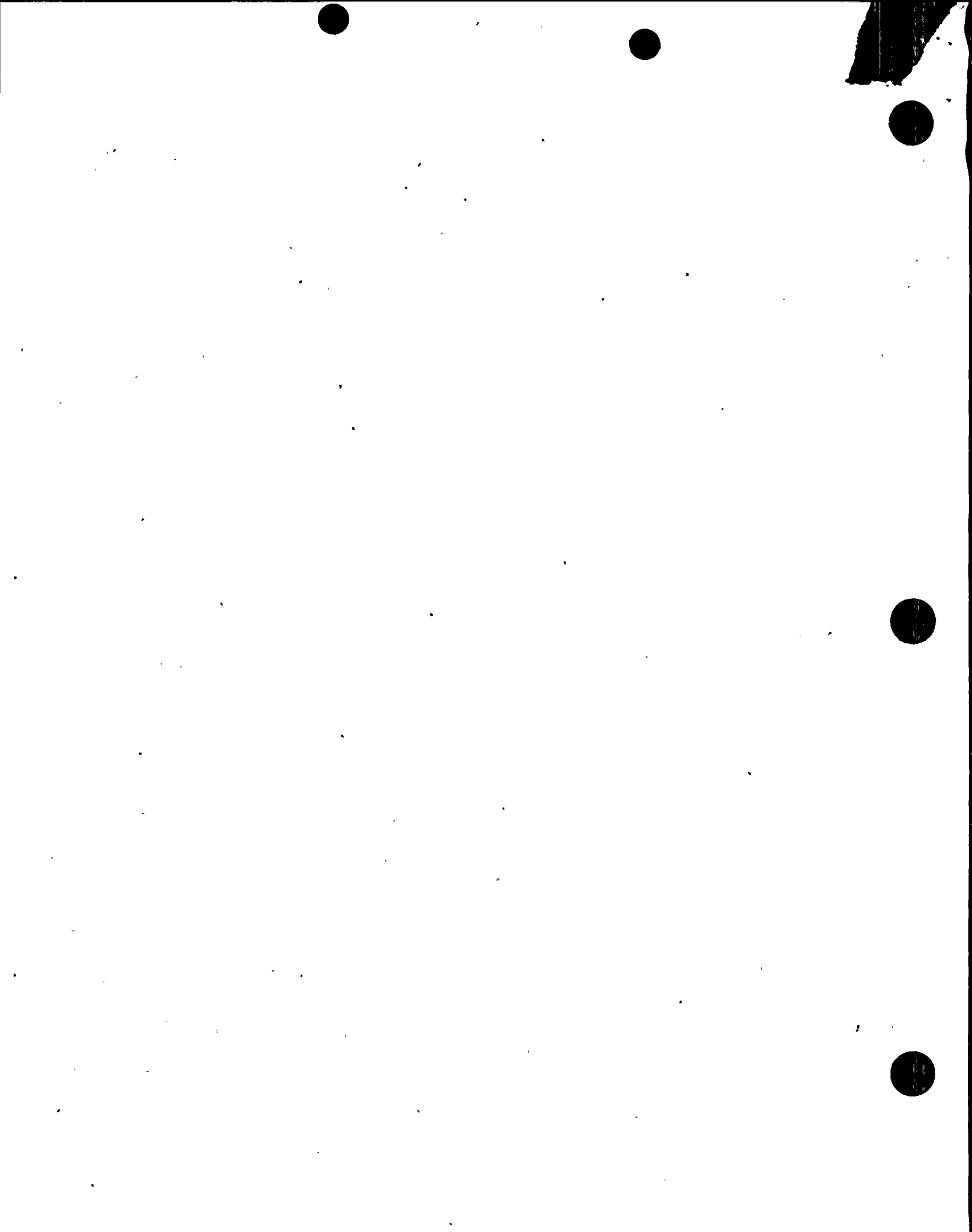
Corrective Action Addressed
Corporate Procedural And Program
Inadequacies

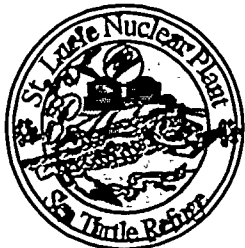




Enhanced Requirements







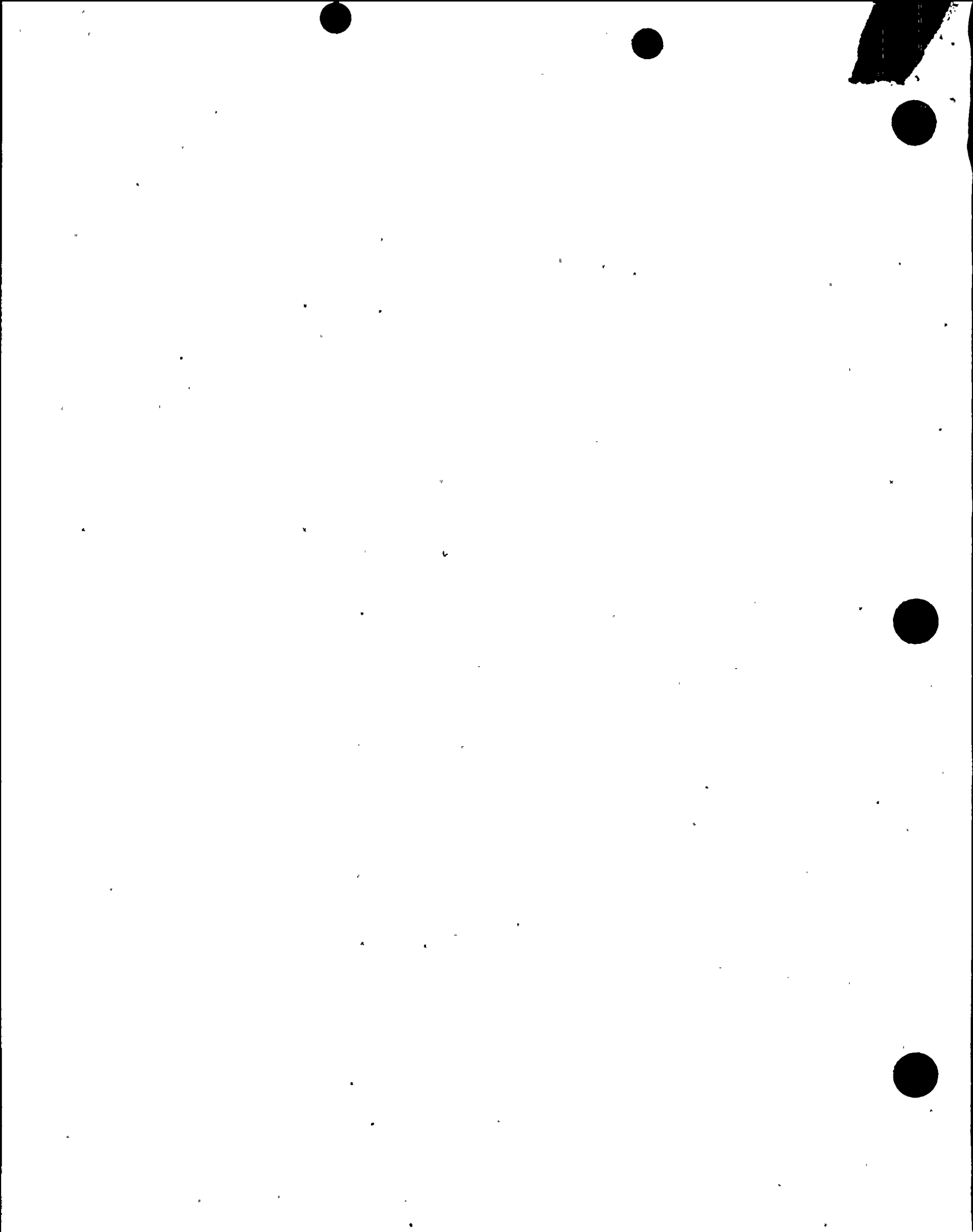
Corrective Actions

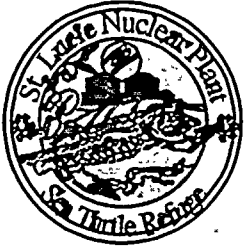
Immediately Removed Access Authorization for the Two Terminated Individuals

Full Compliance Achieved January 2, 1998, With Access Removal

Stopped Access Terminations in Badging Office

Conducted All Access Termination Transactions at Security Operations Center (Secondary Alarm Station)



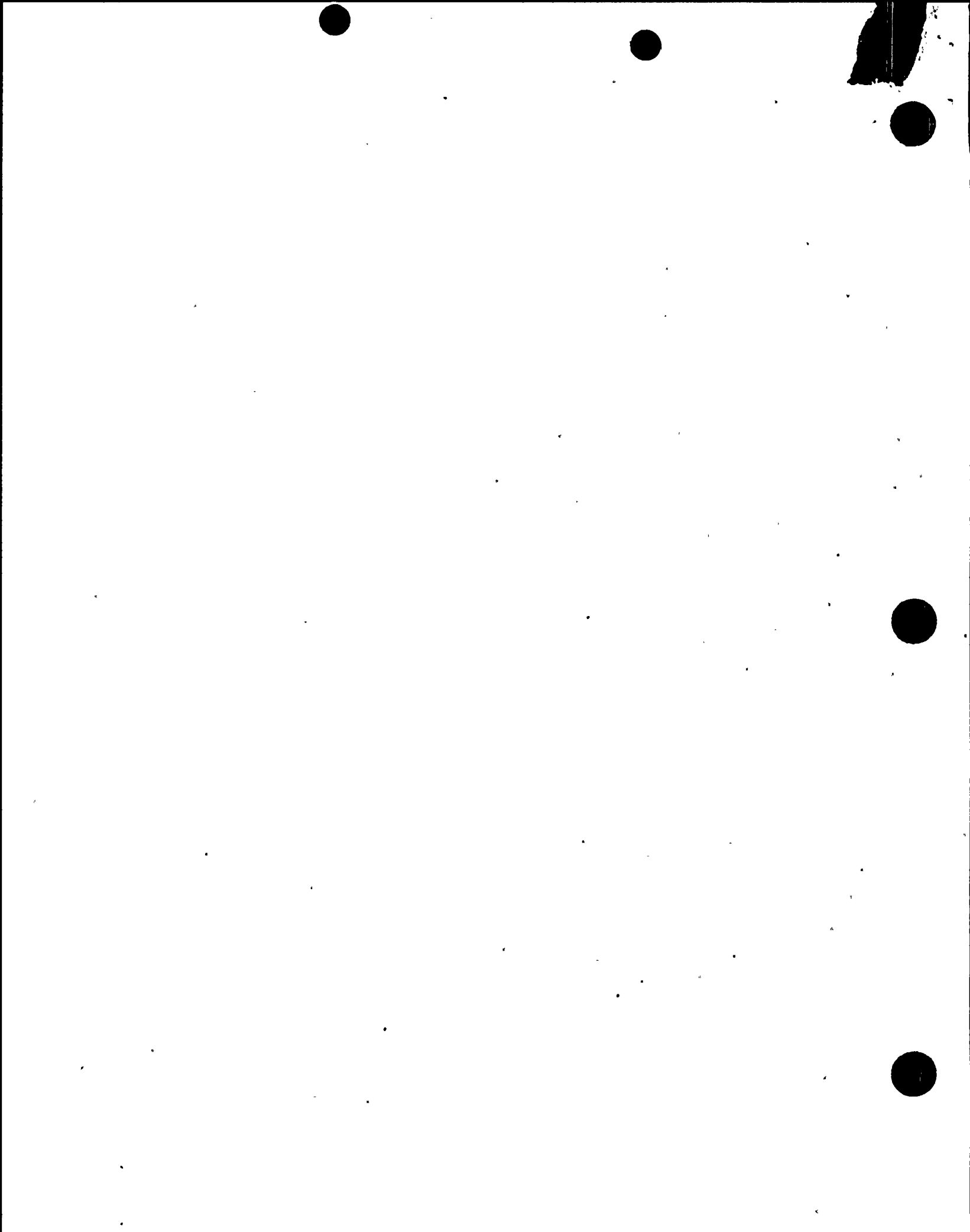


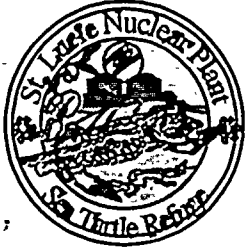
Corrective Actions (Cont.)

Security Badging Personnel Trained on Event

Implemented Secondary Alarm Station Access Termination Process at Badging Office January 5, 1998

Appropriate Personnel Actions Administered to Accountable Licensee and Contractor Individuals.





Programmatic Assessments

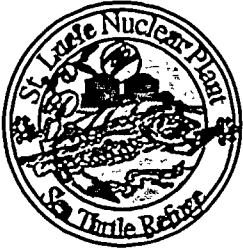
Benchmarked Physical Security Plan Favorable Termination Access Removal Requirements With Region II Licensees

- **Allow 48 Hours to Terminate Access for Favorable Terminations**
- **Unfavorable Access Terminations Immediately Processed**

Outside Security Contractor Assessed St. Lucie Access Program

Quality Assurance Audit of the St. Lucie Access Authorization Program In-Progress

Comparing Access Programs at South Texas and Indian Point 3



Safety Significance

Individual Did Not Access Vital Area During Period of Unauthorized Access (Eight Minutes)

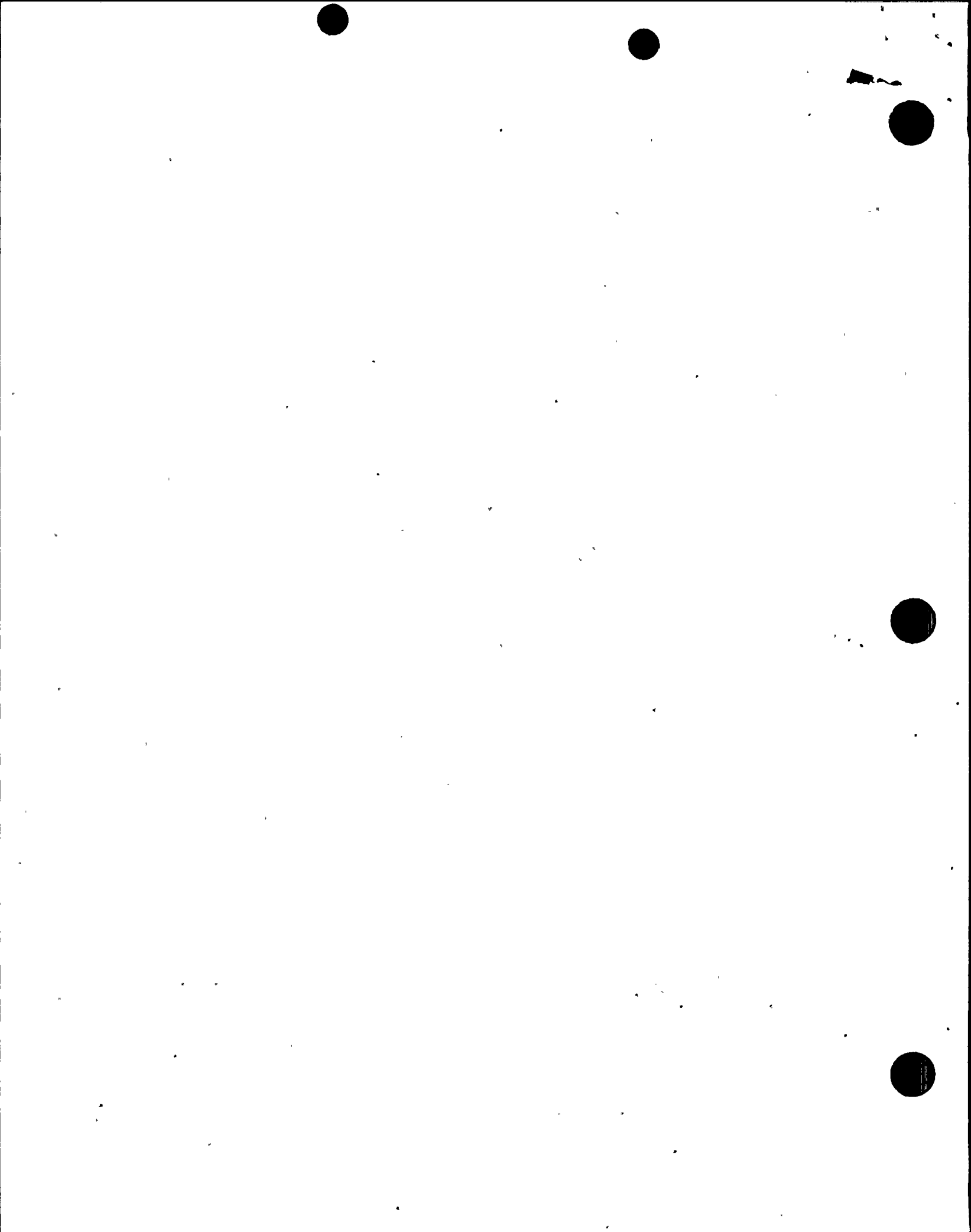
Individual Was Terminated Under Favorable Conditions

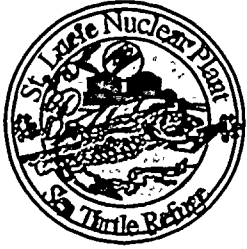
Individual Unaware of Termination

Individual Entered Protected Area Without Malevolent Intent

Individual Would Be Considered for Future Employment and Site Access

No Threat to Public Health and Safety





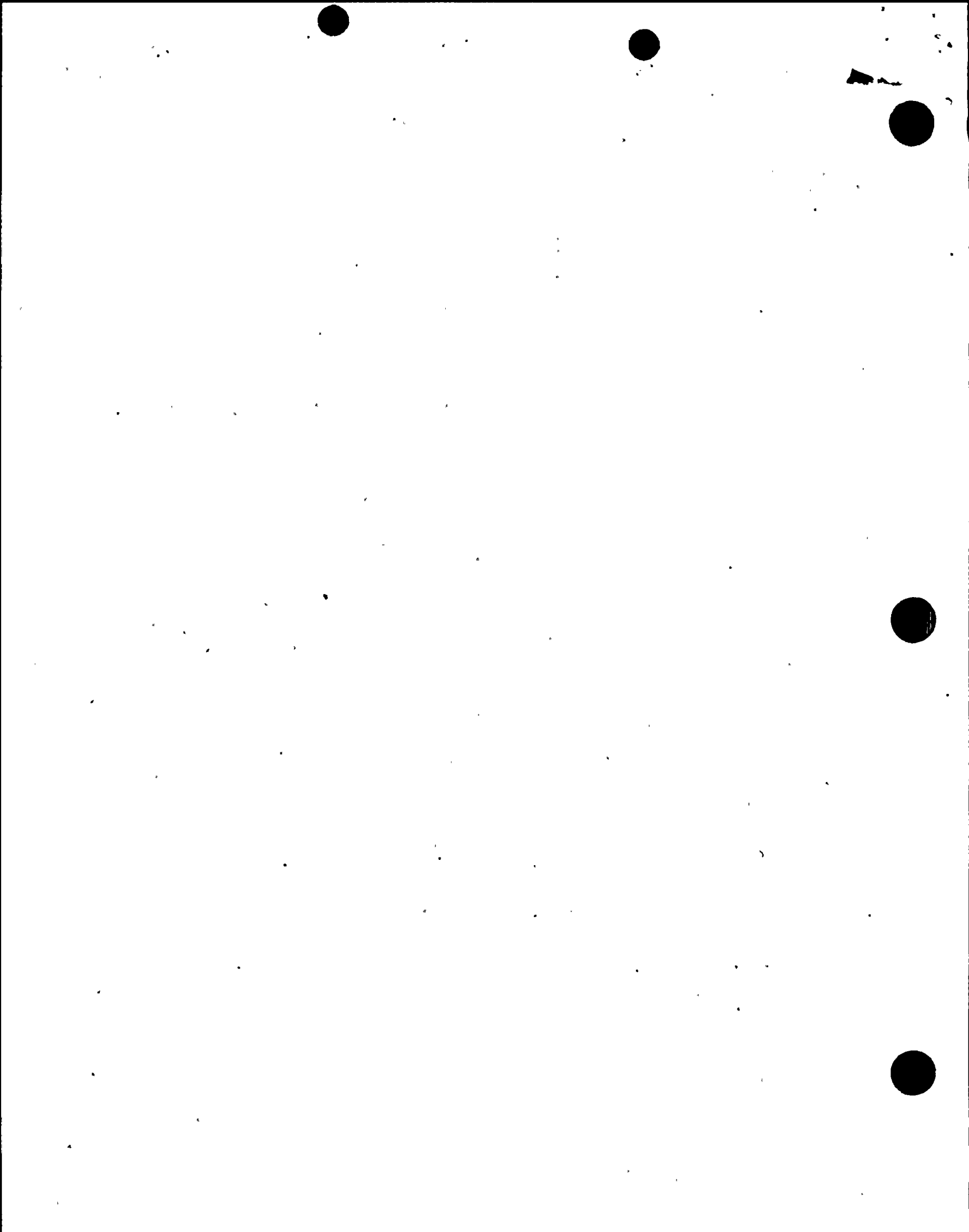
1996 Event and Corrective Actions

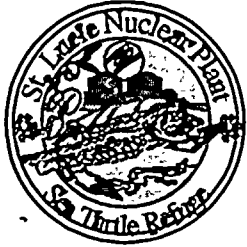
Event

- **Failure to Process Timely Condition Report**
- **Failure to Notify NRC Within One Hour as Required by 10 CFR 73.71**
- **Failure of Supervisor to Notify Security of Employee Termination**

Corrective Actions

- **Developed Processing Checklist Specifying Required Actions on Employment Termination**
- **Developed FPL Nuclear Division Guidance to Outline Interface Between Human Resources, Security, and Supervisors**
- **Trained Supervisors on Processing Checklist and Nuclear Division Guidance**
- **Implemented 31 Day Supervisor Review for Continued Personnel Site Access Requirements**





Summary

Violation Was Self-Identified

Root Cause of Current Event (Personnel Error) Different Than Previous Event (Procedural Requirements)

Unauthorized Access to the Protected Area Occurred

Prompt Corrective Actions Taken Upon Discovery of Event

No Safety Significance or Consequences

LIST OF PREDECISIONAL ENFORCEMENT CONFERENCE ATTENDEES
March 31, 1998

Florida Power & Light Company (FP&L)

T. Plunkett, President, Nuclear Division, Florida Power and Light Company
J. Stall, Vice President, St. Lucie
M. Ross, Counsel
D. Fadden, Services Manager,
E. Weinkam, Licensing Manager, St. Lucie
R. Czarnecki, Plant Security Supervisor (Acting), St. Lucie

Nuclear Regulatory Commission

J. Johnson, Deputy, Regional Administrator
C. Evans, Regional Counsel
J. Jaudon, Director, Division of Reactor Safety (DRS)
G. Belisle, Chief, Special Inspection Branch, DRS
C. Casto, Deputy Director, Division of Reactor Projects (DRP)
T. Johnson, Acting Chief, Reactor Projects Branch 4, DRP
A. Boland, Director, Enforcement and Investigations Coordination Staff (EICS)
L. Watson, Enforcement Coordinator, EICS,
S. Rudisail, Project Engineer, DRP
L. Stratton, Safeguards Inspector, DRS
W. Stansberry, Safeguards Inspector, DRS
B. Cleaves*, Project Manager, Office of Nuclear Reactor Regulation
J. Lusher*, Enforcement Specialist, Office of Enforcement

*By phone



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