

# CATEGORY 1

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 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  
 URYC, B.      Region 2 (Post 820201)  
 LIEBERMAN, J.      Ofc of Enforcement (Post 870413)  
 RECIP. NAME      RECIPIENT AFFILIATION

SUBJECT: EN-97-001: on 970110, notice of proposed imposition of civil penalty in amount of \$100,000 issued to licensee. Action based on violations of significant regulatory concern associated w/engineering/mod process & security at plant.

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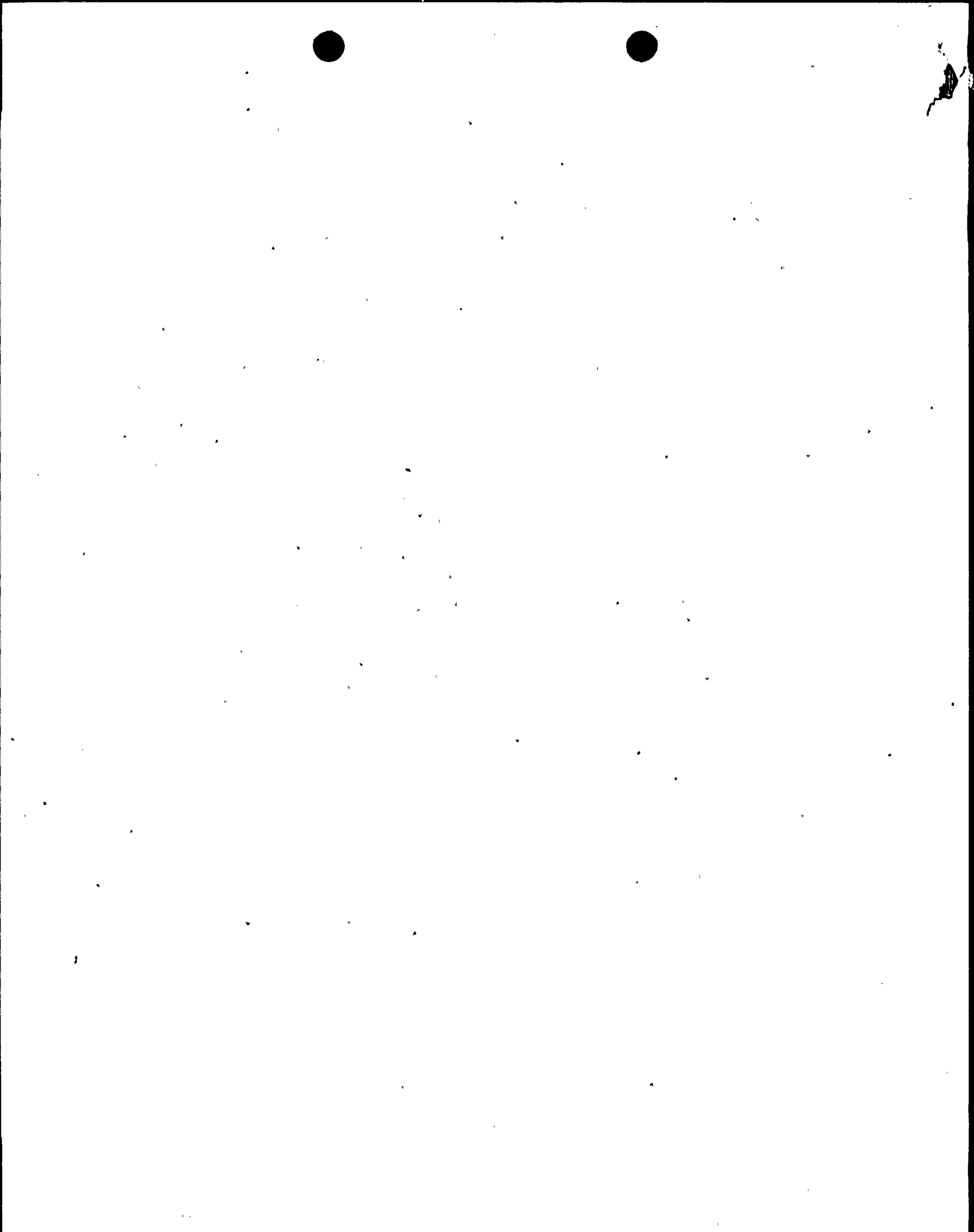
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January 07, 1997  
EN 97-001

OFFICE OF ENFORCEMENT  
NOTIFICATION OF SIGNIFICANT ENFORCEMENT ACTION

Licensee: Florida Power and Light Company (EAs 96-457, 96-458, and 96-464)  
St. Lucie Nuclear Plant  
Docket Nos. 50-335 and 50-389

Subject: PROPOSED IMPOSITION OF CIVIL PENALTIES - \$100,000

This is to inform the Commission that a Notice of Violation and Proposed Imposition of Civil Penalties in the amount of \$100,000 will be issued on or about January 10, 1997, to the Florida Power and Light Company (FPL). The action involves violations of significant regulatory concern associated with the engineering/modification process, security, and emergency preparedness at the St. Lucie Nuclear Plant. The action includes: (1) a Severity Level III problem for inadequate design control and independent review of a modification to excore nuclear instrumentation and software used for calibration of incore nuclear instrumentation, and inadequate resolution of an adverse condition related to miswiring of the excore nuclear instrumentation; (2) a Severity Level III problem for the failure to limit access to plant protected and vital areas and to notify the NRC; and (3) a Severity Level III problem for multiple failures to implement the Radiological Emergency Plan. The violations, although unrelated, are reflective of particularly poor overall licensee performance.

In accordance with the Enforcement Policy, a base civil penalty in the amount of \$50,000 is considered for a Severity Level III problem. In considering the licensee's escalated enforcement history and applying the civil penalty assessment process described Section VI.B.2 of the Enforcement Policy, civil penalties totaling \$100,000 are proposed as follows: (1) no civil penalty for the engineering issues due to the licensee's identification and corrective actions; (2) \$50,000 for the security issues due to the lack of timely corrective action; and (3) \$50,000 for the emergency preparedness issues due to the failure to identify all the violations, particularly given that several of the violations or their precursors were identified to the licensee previously by a concerned employee.

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	January 10, 1997
Telephone Notification of Licensee	January 10, 1997

The State of Florida will be notified.

The licensee has thirty days from the date of the Notice in which to respond. Following NRC evaluation of the response, the civil penalties may be remitted, mitigated, or imposed by Order.

Contacts: B. Uryc, RII, 404-331-5505                      J. Lieberman, OE, 301-415-2741

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

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