APR 28 1986

Docket Nos. 50-250 and 50-251
License Nos. DPR-31 and DPR-41
EA 86-38

Florida Power and Light Company
ATTN: Mr. C. O. Woody
Group Vice President
Nuclear Energy Department
P. O. Box 14000
Juno Beach, FL 33408

Gentlemen:

SUBJECT: NOTICE OF VIOLATION AND PROPOSED IMPOSITION OF CIVIL PENALTY (NRC INSPECTION REPORT NOS. 50-250/86-04 AND 50-251/86-04)

This refers to the Nuclear Regulatory Commission (NRC) inspection conducted on January 15-16, 1986, at the Florida Power and Light Company (FP&L) Turkey Point Nuclear Power Plant. The inspection was conducted to review the circumstances associated with an unauthorized entry of a plant worker into a high radiation area. The individual received an unplanned occupational radiation exposure of 0.5 rem. The event, which occurred on January 8, 1986, when the individual entered the Traversing Incore Probe (TIP) area to perform maintenance on a TIP drive unit, was reported to the NRC by a member of your staff the following day. During the entry, the worker's survey instrument malfunctioned as a result of radiation levels in excess of 1 R/hr in the area, the maximum radiation level measurable by the instrument. Although the exposure received by the individual during the entry was not in excess of the regulatory limit, a substantial potential for such an exposure existed. An Enforcement Conference was held on January 31, 1986, with you and members of your staff during which the exposure, associated violations, the causes, and your corrective actions were discussed.

Numerous procedural violations occurred before and during the worker's entry. The violations included failure to notify health physics personnel prior to operation of the incore detectors, performing work outside the scope of the plant work order, failure to have two persons present during the entry, and failure to keep the worker's exposure within the limits established by the radiation work permit for the job. Further, the worker's foreman failed to provide adequate instructions on the plant work order for the maintenance tasks to be performed by the worker. The worker also received inadequate training in the use of the radiation survey instrument issued to him to control his exposure while in containment. As a result of inadequate

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instructions given to the worker, he failed to recognize that the instrument malfunctioned when the radiation levels exceeded the upper limits of the instrument. Consequently, the worker received a whole body exposure of approximately 0.5 rem while working in a radiation field of 6 R/hr. The worker was within a foot of an estimated radiation field of 65-70 R/hr and potentially could have received a much higher exposure.

In February 1984, a Notice of Violation and Proposed Imposition of Civil Penalty was issued for a similar incident at your facility involving two workers entering the reactor sump area (reactor cavity) at a time when the retractable incore detector thimbles were withdrawn and the sump was classified as a locked high radiation area. One worker received 1.3 rem and the other worker received 0.20 rem during their stay in the area (about 1 minute). Subsequently, the civil penalty was mitigated completely because your corrective actions appeared to be extensive and comprehensive. However, it appears that implementation of these corrective actions was not as effective as it should have been.

Adherence to procedures forms a basic framework for providing effective, consistent radiological controls for work in high radiation areas. Short of providing direct, continuous health physics coverage for each and every task, these procedures serve as the formal mechanism for initiating necessary communications between various plant workers and the health physics support group. This communication results in appropriate radiological support for the maintenance/surveillence activities. Bypassing these procedures and thus failing to comply with the radiological precautions in them seriously weakens the health physics control program established to protect the workers. It is the licensee's responsibility to ensure that these procedures are adhered to.

To emphasize the importance of proper instruction and supervision of individuals performing work activities in high radiation areas, I have been authorized, after consultation with the Director, Office of Inspection and Enforcement, to issue the enclosed Notice of Violation and Proposed Imposition of Civil Penalty in the amount of Fifty Thousand Dollars ($50,000) for the violations set forth in the enclosed Notice. In accordance with the "General Statement of Policy and Procedure for NRC Enforcement Actions," 10 CFR Part 2, Appendix C (1985) (Enforcement Policy), the violations described in the enclosed Notice have been categorized as a Severity Level III violation or problem.

The base civil penalty for a Severity Level III problem is $50,000. The staff considered increasing the base civil penalty amount because of the similarity of this most recent event to the 1984 incident and to incidents against which the NRC previously has cautioned all licensees to take preventive measures (e.g., Information Notice 82-51 "Overexposure in Reactor Cavities," December 1982). However, because FP&L reported the event upon its discovery, even though it was not required to be reported, and has apparently taken extensive corrective actions, I have decided not to escalate the base civil penalty. Strong enforcement action will be taken if further violations in this area occur.

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You are required to respond to this letter and should follow the instructions specified in the enclosed Notice when preparing your response. In your response, you should document the specific actions taken and any additional actions you plan to prevent recurrence. After reviewing your response to this Notice, including your proposed corrective actions, the NRC will determine whether further NRC enforcement action is necessary to ensure compliance with NRC regulatory requirements.

In accordance with Section 2.790 of the NRC's "Rules of Practice," Part 2, Title 10, Code of Federal Regulations, a copy of this letter and its enclosures will be placed in the NRC's Public Document Room.

The responses directed by this letter and the enclosed Notice are not subject to the clearance procedures of the Office of Management and Budget as required by the Paperwork Reduction Act of 1980, PL 96-511.

Sincerely,

Original signed by
J. Nelson Grace

J. Nelson Grace
Regional Administrator

Enclosures:
1. Notice of Violation and Proposed Imposition of Civil Penalty
2. Inspection Report Nos. 50-250/86-04 and 50-251/86-04

cc w/encls:
C. M. Wethy, Vice President
Turkey Point Nuclear Plant
C. J. Baker, Plant Manager
Turkey Point Nuclear Plant
R. J. Acosta, Plant QA Superintendent
J. Arias, Jr., Regulatory and Compliance Supervisor

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