

UNITED STATES
NUCLEAR REGULATORY COMMISSION

In the Matter of)	Docket Nos.	50-250
)		50-251
FLORIDA POWER AND LIGHT COMPANY)	License Nos.	DPR-31
)		DPR-41
(Turkey Point Nuclear Plant)	EA 87-85	
Units 3 and 4))		

ORDER (EFFECTIVE IMMEDIATELY)

I

Florida Power and Light Company is the holder of operating Licenses No. DPR-31 and DPR-41 issued by the Nuclear Regulatory Commission (NRC/Commission) on July 19, 1972 and April 10, 1973 respectively. The licenses authorize the licensee to operate Turkey Point Nuclear Plant Units 3 and 4 in accordance with conditions specified therein.

II

Between July 1983 and May 1987, the licensee has been cited for 32 violations for failure to implement or to follow procedures. Lack of management controls in these and other areas has resulted in multiple escalated enforcement actions including seven civil penalties since July 20, 1984 and two additional civil penalties in the brief period since July 21, 1987. Overall poor performance by the licensee additionally resulted in the Turkey Point Performance Enhancement Program. A Confirmatory Order was issued on July 13, 1984 to confirm the implementation of this program. Subsequently to that, numerous additional violations were identified and the Phase II Assessment Program was developed by FP&L to be implemented in conjunction with the Performance Enhancement Program. This was addressed in the Confirmatory Order issued on August 12, 1986.

8710210142 871019
PDR ADDCK 05000250
Q PDR

Routine inspections of the licensee's activities were conducted during May 18 - July 20, 1987. The results of these inspections indicated that the licensee again had not conducted its activities in full compliance with NRC requirements. In conjunction with this Order, a written Notice of Violation and Proposed Imposition of Civil Penalty is being served upon the licensee. The Notice of Violation details a number of examples of the failure to adhere to approved procedures and maintain configuration control over safety-related systems.

III

The first two violations described in the Notice detail a number of occasions where plant personnel manipulated valves without the use of approved procedures or approval of licensed supervisory personnel. The major areas of concern included operations personnel departing from approved procedures, failing to notify the control room of changes in system lineups, the loss of configuration control over the safety-related emergency boration system, and system engineers directing plant operators to perform valve operations without first obtaining the proper authorization from the control room staff and without using approved procedures. These failures to adequately establish or implement procedures to assure configuration control of the safety-related emergency boration system resulted in the loss of boric acid flow paths which were required by Technical Specifications. Additionally, a turbine operator closed valves which he thought were misaligned. The operator was unaware of the proper valve lineup configuration, failed to report the system realignment to the control room, failed to implement the approved system lineup procedure, and failed to document



the perceived misalignment and his subsequent realignment. At least one plant operator also failed to identify or promptly inform the control room staff of the status of the valves. The improper manipulation of these valves resulted in the isolation of the nitrogen backup system for the Auxiliary Feedwater System (AFW) flow control valves. The AFW flow control valves normally use the non-safety-related, non-seismic instrument air system for automatic valve positioning; therefore, the failure to have the nitrogen back-up system available is unlikely to have prevented the AFW system from operating. Nevertheless, these failures by plant personnel indicate a lack of appreciation for procedural compliance, system configuration control, and receiving appropriate authorization for realignments from the control room.

The third violation described in the Notice addresses an event involving operation of the Intake Cooling Water (ICW) system outside the plant design basis, another example where communications of required information to supervisory personnel was a contributing factor. On December 1, 1986, a performance test conducted on the Unit 3 Component Cooling Water (CCW) heat exchangers indicated degraded performance. Revised data and proposed immediate cleaning schedule were forwarded to the Shift Technical Advisors on December 4, 1986, but the changes required by the revised performance data were not implemented and the cleaning schedule was not adhered to. As a result of this failure to perform corrective action, with the 3B CCW heat exchanger out of service for cleaning during a seventeen hour period on December 11, 1986, the two CCW heat exchangers remaining in service would not have been able to dissipate the maximum hypothetical heat load even with the ICW flow provided by two ICW



pumps as described in safety evaluation JPE-L-85-38, Rev. 2, and the turbine plant cooling system isolated.

In addition, on September 13, 1987, a licensed operator permitted an unauthorized, non-licensed individual to manipulate the reactor dilution controls in Unit 3 control room, and although a management representative on shift observed and reported the incident, neither the Site Vice-President nor management at the Corporate Office were informed of the event until a week later. The NRC is continuing to evaluate the circumstances surrounding this event, but it is clear that an attitude that permits an unauthorized, non-licensed individual to perform such actions is unacceptable. The NRC will consider whether further action is necessary on this issue subsequent to the completion of our evaluation.

IV

The nature and number of deficiencies that have been identified over the past few years at Turkey Point described in Section II together with the more recent issues in Section III raise questions regarding the ability of Florida Power and Light to adequately control activities at Turkey Point. In contrast, the licensee's St. Lucie facility has performed well with few of the weaknesses evident at Turkey Point. Continued operation of the Turkey Point facility may require significant personnel and procedural changes at both Turkey Point and the Florida Power and Light corporate office in order to ensure a consistent level of adequate performance.

Florida Power and Light has taken the initiative in developing a number of programs designed to improve performance, including a review of the design

basis of selected systems, a review and revision of all operating procedures, making a number of management changes, a management on-shift program and contracting with an outside consultant to review its activities. The last two initiatives which the licensee committed to in a letter dated October 7, 1987 and further described in meetings on September 25, 1987 and October 8, 1987, as well as in a letter dated October 19, 1987 appear necessary to provide assurance that proper controls are in place, along with qualified and committed management, and staff to properly perform licensed activities. Therefore, I have determined that public health and safety require that Florida Power and Light's plan for an independent evaluation be confirmed as revised by this Order. Pending the NRC evaluation of the results of the independent evaluation, I have also determined that the public health and safety requires that an on-shift oversight program be confirmed as revised by this Order.

v

In view of the foregoing pursuant to Section 103, 161(f), 161(o) and 182 of the Atomic Energy Act of 1954, as amended, and the Commission's regulations in 10 CFR 2.204 and 10 CFR Part 50, IT IS HEREBY ORDERED EFFECTIVE IMMEDIATELY THAT:

- A. Within 30 days of the date of this Order, the licensee shall submit to the Region II Administrator for review and approval a plan for an independent written appraisal of site and corporate organizations and activities that would develop recommendations, where necessary, for improvements in management controls and oversight to provide assurance that personnel will comply with required procedures. Upon approval of the plan, it shall be implemented and scheduled milestone completion



dates shall not be extended without good cause and the concurrence of the Region II Administrator. The appraisal shall be completed as called for in the above plan, but in any case, within six months of the date this Order. The plan shall include at least the elements itemized below:

- 1) An independent organization retained by the licensee shall evaluate current organizational responsibilities, management controls, improvement and upgrade programs, staffing levels and competence, communications, the safety review process, and operating practices both at Turkey Point and the corporate office. The licensee's programs for personnel motivation such as incentive and disciplinary programs shall be examined in the appraisal. Where applicable, the practices at the St. Lucie facility shall be reviewed and compared with those at Turkey Point.
- 2) The appraisal shall include a review of the licensee's site and corporate management supervisory personnel as well as a representative number of site working level personnel to determine their understanding of both regulatory and administrative requirements in the areas of procedural implementation and compliance. Additionally, a determination of the level of commitment of the personnel to such goals should be made.
- 3) The appraisal report shall include the views of the independent organization on the causes of the past failures to meet regulatory requirements referenced in Section II and III of the Order and an evaluation of the adequacy of the current improvement and upgrade

programs and management changes to achieve lasting safety improvements in compliance with Commission requirements. Past efforts to improve procedures relating to security and operations shall be reviewed. Recommendations shall be made for procedural, organizational, personnel, or other changes to improve the safety of plant operations and compliance with Commission requirements.

- 4) A description of the appraisal program, the qualification of the appraisal team, a discussion of how the appraisal is to be documented, and a schedule with appropriate milestones.
- 5) Periodic meetings shall be provided between the outside organization and the licensee to alert the licensee of potential safety issues that may need immediate correction.

B. The final report, as well as interim findings, will be communicated to a senior-level review board consisting of the FP&L Chairman and Chief Executive Officer, the President and Chief Operating Officer, and the Group Vice President Nuclear Energy Department.

C. The licensee shall direct the outside organization to submit to the Region II Administrator a copy of the report of the appraisal recommendations resulting from the appraisal, and any and all drafts thereof, at the same time they are sent to the licensee or any of its employees or contractors. Prior notice shall be given the Region II Administrator of any meeting between the licensee and the organization to discuss the results, recommendations, or progress made on the appraisal. The Region II



Administrator may designate a member of his staff to attend any such meetings as an observer. In addition the licensee shall consider the recommendations resulting from the appraisal and provide to Region II Administrator within 30 days of the receipt of the appraisal an analysis of each such recommendation and the action to be taken in response to recommendation. The licensee shall also provide at that time a schedule for accomplishing these actions. Justification shall be provided for any recommendation of the appraisal not adopted.

- D. Pending the completion of the review of the results of the above independent appraisal program, the licensee shall implement a continuous on-shift oversight program to monitor the safety of plant operations, both in and out of the control room. The oversight program shall be implemented prior to either unit entering Mode 2 (Startup) following the current outages.
- 1) At least one evaluator, whether licensee employee or contractor, on each shift shall have held a senior reactor operator license or have experience in auditing or appraising commercial nuclear plant operations and not have been an employee at the Turkey Point facility within the last two years.
 - 2) A guidance document will be issued which identifies the purpose of the program, the responsibilities of the personnel assigned to the program, reporting requirements, and the authority given to the evaluators to act where necessary to prevent personnel error and to assure quality performance. A copy of such duties and responsibilities

shall be provided to the NRC. At a minimum the evaluators shall report observations of immediate safety significance to the shift supervisor and his direct supervisor. Daily reports of all activities addressing questionable operating practices shall be made to the Site Vice President with same day copies provided to the President of FP&L. The President of FP&L shall be directly responsible for the oversight program. A weekly summary report along with a compilation of daily reports shall be provided to the Region II Administrator.

- 3) Following the licensee's review of the results of the independent appraisal program the licensee may seek to terminate the oversight program. Written justification of the termination shall be provided to the Region II Administrator, explaining the basis for termination after considering the significance of any appraisal or oversight findings in the area of plant operations.

F. The Regional Administrator, Region II, may relax or terminate in writing any of the preceding provisions for good cause.

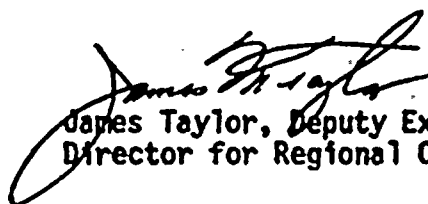
VI

The licensee or any person adversely affected by this Order may request a hearing within 30 days of the date of this Order. A request for hearing should be clearly marked as a "Request for Hearing" and shall be addressed to the Director, Office of Enforcement, U.S. Nuclear Regulatory Commission, ATTN: Document Control Desk, Washington, D.C. 20555, with copies to the Assistant General Counsel for

Enforcement, Regional Administrator, Region II, and the NRC Resident Inspector, Turkey Point Nuclear Plant.

If a hearing is requested, the Commission will issue an Order designating the time and place of the hearing. If a hearing is held, the issue to be considered shall be whether this Order should be sustained. If a person other than the licensee requests a hearing, that person shall set forth with particularity the manner in which the petitioner's interest is adversely affected by this Order and should address the criteria set forth in 10 CFR 2.714(d). Upon the failure of the licensee and any other person adversely affected by this Order to answer or request a hearing within the specified time, this Order shall be final without further proceedings. AN ANSWER TO THIS ORDER OR A REQUEST FOR HEARING SHALL NOT STAY THE IMMEDIATE EFFECTIVENESS OF THIS ORDER.

FOR THE NUCLEAR REGULATORY COMMISSION


James Taylor, Deputy Executive
Director for Regional Operations

Dated at Bethesda, Maryland
This 19th day of October 1987