

April 8, 1987

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Docket No: 50-250/251

Mr. C. O. Woody, Group Vice President
Nuclear Energy Department
Florida Power and Light Company
Post Office Box 14000
Juno Beach, Florida 33408

Dear Mr. Woody:

During the past several weeks, our staffs have been working closely to resolve some operational difficulties that have impacted the application of international safeguards at your facility. Such events at licensed facilities that are under International Atomic Energy Agency (IAEA) safeguards indicate that the basic requirements and the consequences associated with a breach of the IAEA safeguards system may not be fully understood by all levels of facility management. As you know, the US/IAEA Safeguards Agreement or treaty has been in force since July 31, 1980. The commitments by the U.S. in this treaty, which carries the force of law, are defined in a series of documents including Part 75 of Title 10 of the Code of Federal Regulations, the treaty itself, the subsidiary arrangements to the treaty, and site-specific Facility Attachments. These Facility Attachments explain in detail how international safeguards will be applied at an IAEA selected facility such as yours.

Some of the specific requirements that are critical in complying with the US/IAEA Agreement and also in meeting the IAEA safeguards criteria are summarized below for your future reference.

a. Any loss of or interference with IAEA surveillance or containment equipment, e.g., broken seals, camera interruption, or loss of surveillance lighting, will require a reinventory of the area where the event occurred, whether or not the NRC or the IAEA were notified in advance, unless an IAEA inspector is present at the time of the event.

b. Notification requirements (facility to NRC) are specified in Facility Attachments for events such as operational program changes, inventory taking, and refueling. In addition, notifications are required in advance, except under emergency situations, for any activity that will interfere with the application of international safeguards, e.g., breaking of IAEA seals, interfering with surveillance equipment, or extinguishing of lights required for surveillance.

The purpose of these notifications is to provide the information necessary for the NRC and the IAEA to arrange for inspectors to arrive at the facility in time to observe the breach of the containment or surveillance and to assure the integrity of the inventory. The minimum time needed for an IAEA inspector to travel from the field office in Toronto, Canada, to a U.S. facility is 24 hours. More time is needed if an inspector has to travel from IAEA headquarters in Vienna, Austria. Therefore, notification for these events is required at least 24 hours in advance.

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c. The facility point of contact for the NRC and the IAEA is specified in the Design Information Questionnaire and the Facility Attachment. The points of contact within NRC were provided to your utility in NRC correspondence dated May 27, 1986. All operational matters, communications, and decisions affecting IAEA safeguards should be coordinated through these specified contacts and documented in writing.

d. Any activity that would interfere with the application of international safeguards but does not pose an immediate threat to the health and safety of the public or to the reactor operations staff must be scheduled to provide the IAEA a reasonable opportunity to arrange for an inspector to travel to the facility in time to witness the activity.

Failure to satisfy the IAEA safeguards criteria by a selected NRC facility results in a failure of the U.S. to comply with its international treaty obligations and can have a serious impact on U.S. foreign nuclear policy, the U.S. nuclear industry, and how the U.S. support to non-proliferation is perceived. From an international perspective, such a failure could preclude the IAEA from concluding unambiguously that the U.S. was not diverting nuclear material from peaceful purposes into its nuclear weapons program. Obviously it is in the interest of all parties to assure that the U.S. is in full compliance with its treaty obligations.

If you need further information or clarification please call me (301-492-7980).

Sincerely,

/s/

Thomas M. Novak, Acting Director
Division of PWR Licensing-A
Office of Nuclear Reactor Regulation

*Change in May 16
to May 27 date
per E. Ten Eyck*

** See Previous Correspondence*

OFC	:SGMI	:SGMI	:SG	:SG	:NMSS:	:OGC	:NRR
NAME	:Sparks/Wirfs:WBBrown	:ETen Eyck	:RFBurnett	:HThompson	:TDorian	:TNovak	
DATE	:4/2/87:	:4/4/87	:4/2/87	:4/2/87	:4/3/87	:4/2/87	:4/18/87

1. The first part of the report is a summary of the work done during the year. It is a brief statement of the results of the work, and is intended to give a general impression of the progress made.

2. The second part of the report is a detailed account of the work done during the year. It is a full and complete statement of the work, and is intended to give a detailed account of the progress made.

3. The third part of the report is a summary of the work done during the year. It is a brief statement of the results of the work, and is intended to give a general impression of the progress made.

4. The fourth part of the report is a summary of the work done during the year. It is a brief statement of the results of the work, and is intended to give a general impression of the progress made.

5. The fifth part of the report is a summary of the work done during the year. It is a brief statement of the results of the work, and is intended to give a general impression of the progress made.

6. The sixth part of the report is a summary of the work done during the year. It is a brief statement of the results of the work, and is intended to give a general impression of the progress made.

7. The seventh part of the report is a summary of the work done during the year. It is a brief statement of the results of the work, and is intended to give a general impression of the progress made.

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Thomas M. Novak, Acting Director
Division of PWR Licensing-A
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OFC :SGMI	:SGMI	:SG	:SG	:NMSS	:OGC	:NRR
NAME :Sparks/Wirfs	:WBBrown	:ETen Eyck	:RFBurnett	:HThompson	:TDorian	:TNovak
DATE :4/2/87	:4/14/87	:4/2/87	:4/2/87	:4/2/87	:4/2/87	:4/8/87



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Mr. C. O. Woody
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