

# SAFEGUARDS INFORMATION

APR 21 1987

Docket Nos. 50-250 and 50-251  
License Nos. DPR-31 and DPR-41  
EA 87-40

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. 50-250/87-05, 50-251/87-05, 50-250/87-11  
AND 50-251/87-11)

This refers to the Nuclear Regulatory Commission (NRC) inspections conducted by Mr. A. Tillman at Turkey Point on January 20-21 and March 3-4, 1987. The inspections included a review of the circumstances surrounding a security guard being found asleep on post by the NRC Resident Inspector and an NRC Regional Inspector discovering a visitor without an escort in a vital area. The reports documenting these inspections were sent to you by letters dated February 10, 1987 and March 20, 1987. The inspection findings were discussed by Mr. M. L. Ernst, Deputy Regional Administrator, NRC, Region II, with Mr. J. W. Dickey, Vice President, Nuclear Operations, during an Enforcement Conference held on February 23, 1987.

The violations described in the enclosed Notice of Violation are of particular concern because a review of Licensee Irregularity Reports during subsequent inspections confirmed the occurrence of six additional instances of security personnel being found asleep and identified eight additional instances where visitors were discovered without an escort. These violations demonstrate a lack of management oversight and involvement in response to the continued occurrence of similar or identical problems. The repetitious nature of the violations also indicates an apparent weakness in your employee training for the security area.

To emphasize the importance of ensuring that physical security commitments are fully implemented and the integrity of the protected and vital areas is maintained, I have been authorized, after consultation with the Director, Office of Enforcement and the Deputy Executive Director for Regional Operations, to issue the enclosed Notice of Violation and Proposed Imposition of Civil Penalty in the amount of Seventy-Five Thousand Dollars (\$75,000) for the violations described in the enclosed Notice. In accordance with the "General Statement of Policy and Procedure for NRC Enforcement Actions," 10 CFR Part 2, Appendix C (1987), the violations have been categorized in the aggregate as a Severity Level III problem.

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The base civil penalty for a Severity Level III violation or problem is \$50,000. The escalation and mitigation factors in the Enforcement Policy were considered; and although prompt and extensive corrective actions were taken after the events were identified by NRC inspectors, the base civil penalty amount has been increased by 50 percent because of your prior poor performance in the area of concern and your prior notice based on Licensee Irregularity Reports which identified similar problems.

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. Your response to the Notice should also address the actions you plan to take to improve your security program to assure that positive access control to the protected and vital areas is maintained and that continuous escort for visitors is provided within the protected and vital areas. In addition, you should specifically address the issue of work hours as they impact on the alertness of security personnel. 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 10 CFR 2.790(d) and 10 CFR 73.21, safeguards activities and security measures are exempt from public disclosure; therefore, the enclosure to this letter, with the exception of the report cover page which represents a nonexempt summary, will not be placed in the NRC Public Document Room.

The responses directed by this letter and its enclosures 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,

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J. Nelson Grace  
Regional Administrator

Enclosure: (See page 3)

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Florida Power and Light Company

Distribution w/o safeguards

PDR

LPDR

SECY

CA

JTaylor, DEDRO

JLieberman, EO

JNGrace, RII

PRObinson, EO w/Safeguards

Enforcement Coordinators

RI, RII, RIII, RIV, RV

Fingram, PA

BHayes, OI

SConnelly, OIA

JCrooks, AEOD

RBurnett, NMSS

OE Files

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