



UNITED STATES
NUCLEAR REGULATORY COMMISSION
WASHINGTON, D. C. 20555

January 23, 1990

Mr. Thomas J. Saporito, Jr.
Executive Director
Nuclear Energy Accountability Project
1202 Sioux Street
Jupiter, Florida 33458

Dear Mr. Saporito:

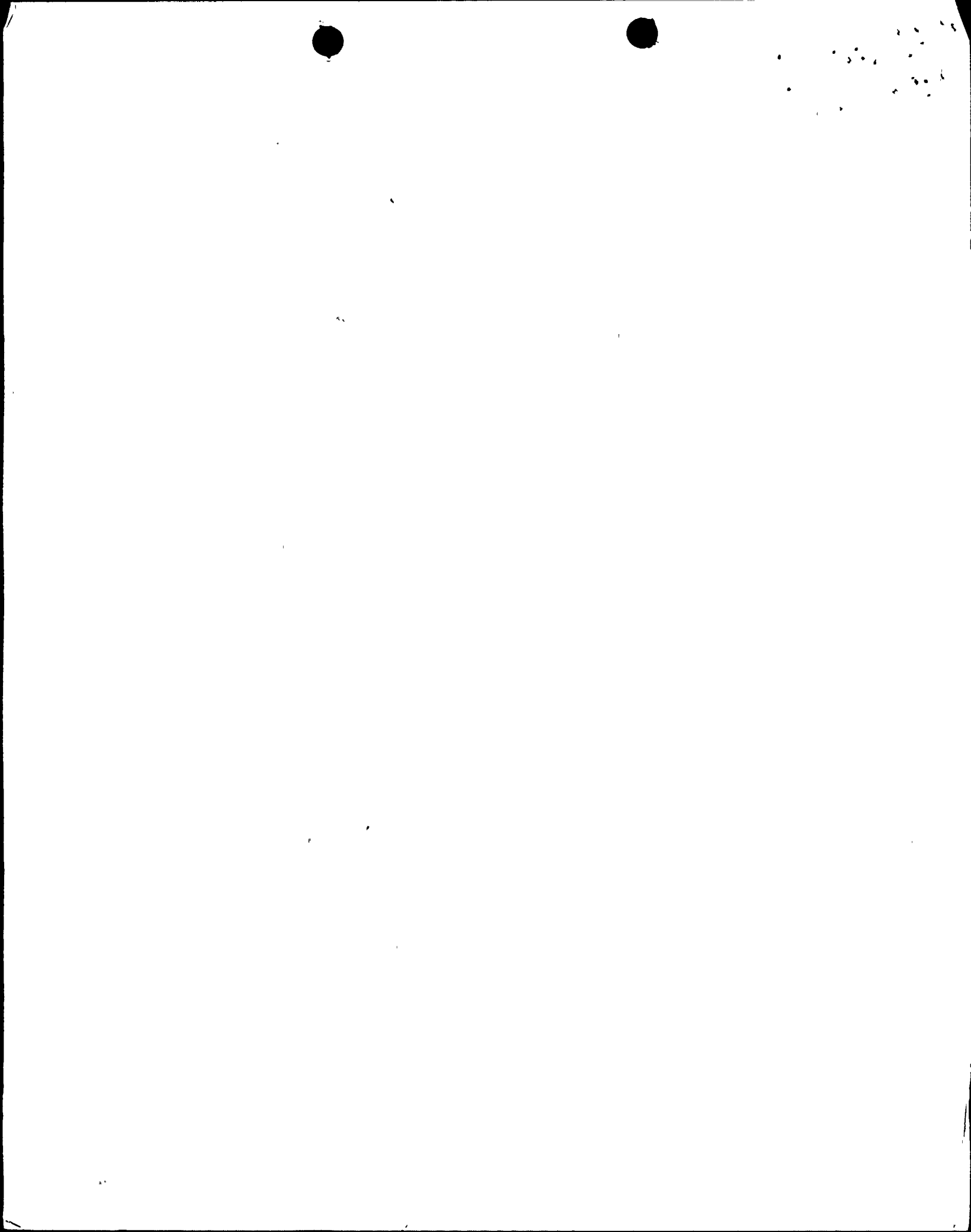
This letter is in response to your Petition filed on December 29, 1989, with the Executive Director for Operations. In your Petition, you request that the NRC: (1) immediately investigate and determine the root cause of the recent trips of Turkey Point Units 3 and 4 on or about December 25, 1989; (2) impose an escalated civil penalty if the investigation reveals that the reactors tripped due to poor maintenance practices or incorrect operation of the plant; and (3) immediately suspend Turkey Point's operating licenses (DPR-31 and DPR-41) if the investigation reveals that these reactor trips could have been prevented through correct maintenance practices or proper operation of the plant. As the basis for your request, you allege that reasonable assurance for the continued safe operation of Turkey Point Units 3 and 4 does not exist due to: (1) loss of administrative controls and significant plant events resulting in reactor trips which evidence deficiencies in the licensee's programmatic overall maintenance of the physical plants; and (2) the licensee's failure to establish a satisfactory operator training program that meets the NRC criteria for such a program.

Your Petition has been referred to me for response pursuant to 10 C.F.R. §2.206 of the Commission's regulations. We have reviewed your Petition and find that you have presented no specific facts in support of your allegations, and have not raised any new information which is not already being reviewed by the NRC. Since you have not set forth the factual basis for your request with the specificity required by 10 C.F.R. §2.206, further action need not be taken on your request. See Philadelphia Electric Co. (Limerick Generating Station, Units 1 and 2), DD 85-11, 22 NRC 149, 154 (1985). Nevertheless, let me clarify the events that occurred at Turkey Point Units 3 and 4 to which you refer. On December 23, 1989, Turkey Point Unit 4 experienced a reactor trip due to the closure of a main steam isolation valve (MSIV) caused by water intrusion and corrosion within the MSIV's terminal box. As a result, Florida Power and Light Company (FPL) inspected the other MSIV terminal boxes at the site and found two other boxes associated with Unit 3 MSIVs that had also experienced water intrusion and corrosion. FPL declared these MSIVs inoperable and shut down Unit 3 to make the necessary repairs. Therefore, only Unit 4 experienced a reactor trip due to this event. However, the issue of water intrusion and corrosion within terminal boxes is a concern for both Turkey Point Units 3 and 4. FPL is performing a detailed inspection of terminal boxes at the plant for this problem and is preparing a root-cause analysis.

In your Petition, you request that the NRC immediately investigate the trips at Turkey Point (actually only one trip) and determine the root cause. The NRC is aware of the circumstances of the event and is currently monitoring FPL's inspections and root cause analysis as part of its ongoing inspection program at the site. If the NRC determines that a violation of its regulations or the conditions of FPL's licenses has occurred, the NRC will consider taking

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appropriate enforcement action. The documentation associated with NRC inspection and enforcement actions will be filed and available to you in the Local Public Document Room at the Environmental and Urban Affairs Library, Florida International University, Miami, Florida.

With regard to your allegations concerning deficiencies in the licensee's maintenance and operator training programs, the adequacy of the licensee's maintenance, operation, and training activities was raised by you in your Petition submitted pursuant to 10 C.F.R §2.206, dated December 21, 1988 (as supplemented). In my Partial Director's Decision DD-89-05, dated July 12, 1989, I responded to these issues and found that no substantial basis was provided for taking the actions requested in your December 21, 1988, Petition. You have not provided any new evidence which would cause me to reconsider this conclusion. In addition, the issues you raise are the subject of NRC inspection activities at Turkey Point and are also evaluated as part of the NRC's Systematic Assessment of Licensee Performance (SALP). As stated above, should the NRC identify any violations in these areas, the NRC will consider taking such enforcement action as may be appropriate.

Based on the above, I have concluded that you have presented no new information concerning this event that is not already being considered by the NRC. Therefore, there is no basis at this time to take the actions you request in your Petition.

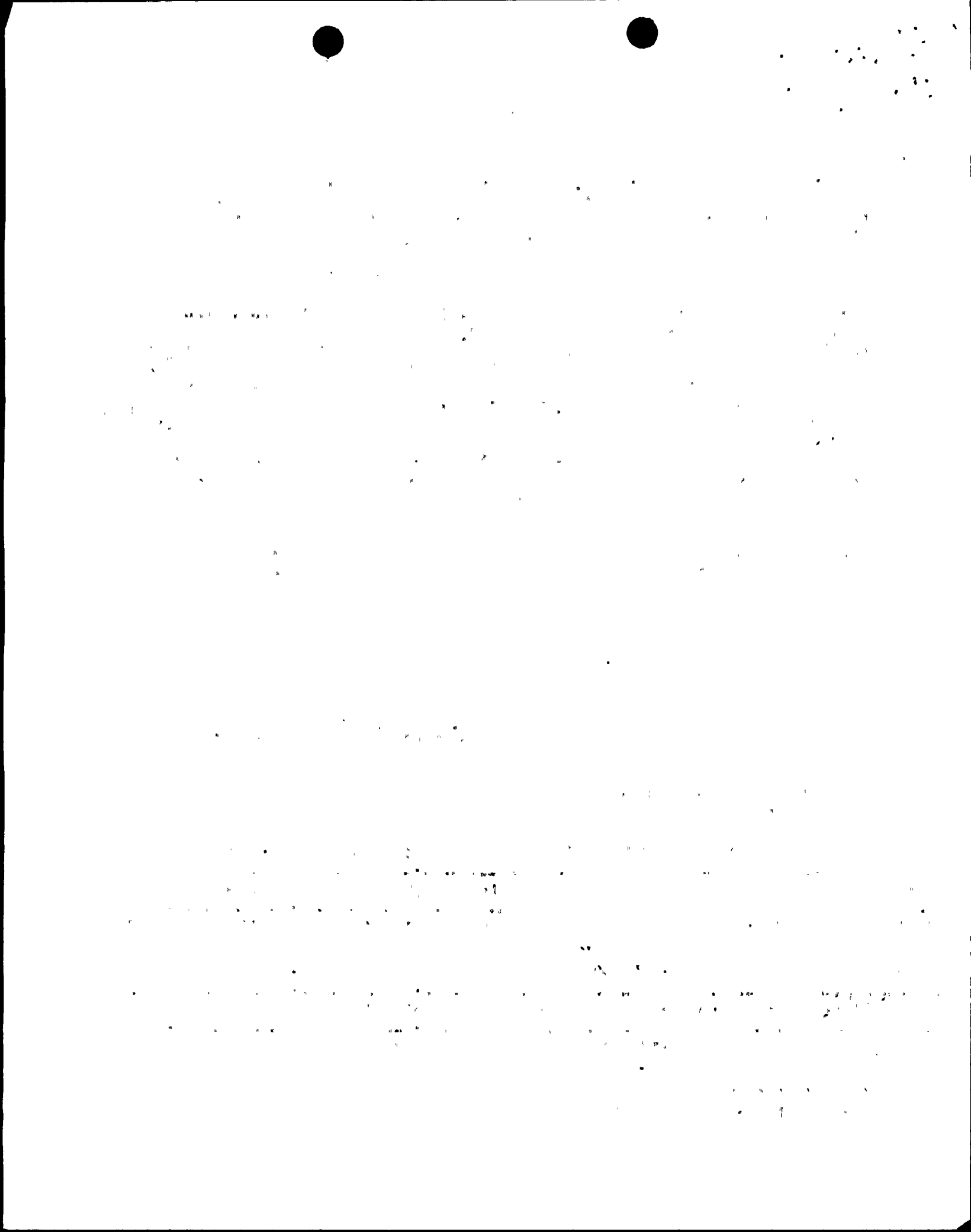
Sincerely,

[Original signed by Frank P. Gillespie]

(for) Thomas E. Murley, Director
Office of Nuclear Reactor Regulation

cc: See next page
Florida Power and Light
*SEE PREVIOUS CONCURRENCE

OFC	:LA:PDII-2	:PM:PDII-2	:PM:PDII-2*	:D:PDII-2	:Tech Ed*	:AD:DRP*	:D:DRP*
NAME	:DM Miller	:SHoffman	:GEDison	:HBerkow	:RSanders	:GLainas	:SVarga
DATE	:1/17/90	:1/22/90	:1/22/90	:1/22/90	:1/18/90	:1/17/90	:1/17/90
OFC	:OGC	:OE BY PHONE	:ADP:NRR	:NRR	:NRR	:	:
NAME	:JGoldberg	:JLieberman	:JPartlow	:JSniezek	:TMurley	:	:
DATE	:1/23/90	:1/22/90	:1/22/90	:1/22/90	:1/24/90	:	:



Mr. Thomas J. Saporito

- 2 -

appropriate enforcement action. The documentation associated with NRC inspection and any enforcement action will be filed and available to you in the Local Public Document Room at the Environmental and Urban Affairs Library, Florida International University, Miami, Florida.

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Office of Nuclear Reactor Regulation

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NAME	:DMiller	:SHoffman	:s1	:GEdison	:HBerkow	:RSanders	:GLainas
DATE	:1/2/90	:1/22/90	:1/22/90	:1/ /90	:1/18/90	:1/17/90	:1/17/90
OFC	:OGC	:OE	:ADP:NRR	:NRR	:NRR	:	:
NAME	:JGoldberg	:JLieberman	:JPartlow	:JSniezek	:TMurley	:	:
DATE	:1/ /90	:1/2/90	:1/ /90	:1/ /90	:1/ /90	:	:

OFFICIAL RECORD COPY
Document Name: GREEN TICKETSAPORITO

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You also raise the issues of poor maintenance and operation of the plants and request both a civil penalty and suspension of Turkey Point's operating licenses if the investigation warrants it. Later in your Petition, you also allege that FPL has failed to establish a satisfactory operator training program. The adequacy of the licensee's maintenance, operation and training activities were also raised by you in your Petition submitted pursuant to 10 CFR §2.206, dated December 21, 1988, (as supplemented). Partial Director's Decision DD-89-05, dated July 12, 1989, responded to these issues and found that no substantial basis was found for taking the actions requested in your December 21, 1988, Petition. You have not provided any new evidence which would cause us to reconsider this conclusion and the position stated in Director's Decision DD-89-05 still stands. In addition, the issues you raise are the subject of normal NRC inspection activities at Turkey Point and are also contained in the functional areas that are evaluated as part of the NRC's Systematic Assessment of Licensee Performance (SALP). As stated above, should the NRC's normal inspection programs identify any violations in these areas, the NRC will take the appropriate enforcement action.

Based on the above, I have concluded that you have presented no new information concerning this event which is not already being considered by the NRC's normal inspection program. Therefore, there is no basis at this time to take the actions you request in your Petition.

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Thomas E. Murley, Director
Office of Nuclear Reactor Regulation

cc: See next page

OFC	:LA:PDII-2	:PM:PDII-2	:PM:PDII-2	:D:PDII-2	:Tech Ed	:AD:DRP	:D:DRP
NAME	:D Miller	:S Hoffman	:S Edison	:H Berkow	:	:G Lainas	:S Varga
DATE	:1/14/90	:1/16/90	:1/17/90	:1/17/90	:1/ /90	:1/17/90	: 1/17/90

OFC	:OGC	:OE	:ADP:NRR	:NRR	:NRR	:	:
NAME	:	:	:JPartlow	:JSniezek	:TMurley	:	:
DATE	:1/ /90	:1/ /90	:1/ /90	:1/ /90	:1/ /90	:	:

DISTRIBUTION FOR GREEN TICKET 0005025 DATED: January 23, 1990

Docket File w/incoming

NRC & Local PDRs w/incoming
EDO (0005025)
EDO Reading (0005025)
TMurley/JSniezek
JPartlow
FMiraglia
DCrutchfield
FGillespie
SEbnetter, RII
SVarga
GLainas
HBerkow
HSilver
MSinkule, RII
GPA/PA
DMossburg, PMAS (0005025)
PDII-2 Reading
JTaylor, EDO
CCater, SECY
MMalsch, OGC
JGoldberg, OGC
LChandler, OGC
ASLAB
ASLBP
ACRS(10)
DMiller
GEdison w/incoming
SHoffman

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NUCLEAR REGULATORY COMMISSION
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1202 Sioux Street
Jupiter, Florida 33458

? Executive Director
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In your Petition, you request that the NRC immediately investigate the trips at Turkey Point (actually only one trip) and determine the root cause. The NRC has reviewed the circumstances of the event and is currently monitoring FPL's inspections and root-cause analysis as part of its ongoing inspection program at the site. If the NRC's review determines that enforcement action is warranted (including consideration of civil penalty and/or license suspension), the NRC will initiate the action in accordance with its normal enforcement policies. Documentation associated with NRC inspection and enforcement activities will be filed and available to you in the Public Document Room.

↑
? Tell Saporito
about his
local PDR
or
give address of
DC PDR



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Office of Nuclear Reactor Regulation

cc: See next page

OFC	:LA:PDII-2	:PM:PDII-2	:PM:PDII-2	:D:PDII-2	:Tech Ed	:AD:DRP	:D:DRP
NAME	:Miller	:SHoffman	:GEdison	:HBerkow	:RS	:GLajinas	:SVarga
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OFC	:OGC	:OE	:ADP:NRR	:NRR	:NRR	:	:
NAME	:	:JPartlow	:JSniezek	:TMurley	:	:	:
DATE	:1/ /90	:1/ /90	:1/ /90	:1/ /90	:1/ /90	:	:

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Document Name: GREEN TICKETSAPORITO



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DUE TO
MURLEY 1/23

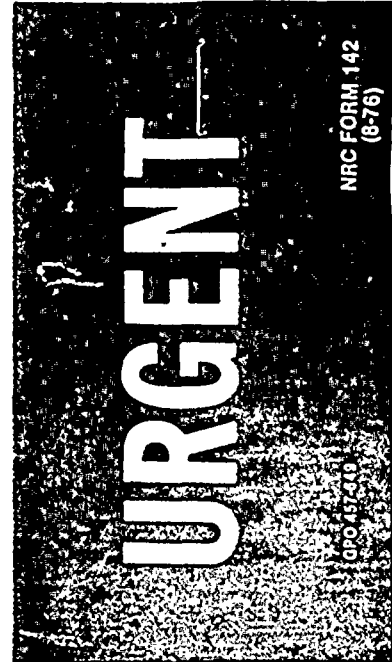
DOCUMENT NAME: GREEN TICKET-SAPORITO

ORIGINATOR NAME *: S. HOFFMAN

SECRETARY NAME: S. LITTLE

SUBJECT: GREEN TICKET NO. 0005025 - 2.206 REQUEST ON TURKEY POINT
BY T. SAPORITO

	<u>NAME</u>	<u>DATE</u>
1.	<u>DMiller</u> <i>DM</i>	<u>1/16/90</u>
2.	<u>SHoffman</u> <i>STH</i>	<u>1/16/90</u>
3.	<u>GEEdison</u>	<u>1/17</u>
4.	<u>HBerkow</u>	<u>1/17</u>
5.	<u>GLainas</u>	
6.	<u>Tech Ed</u>	<u>RS 1/18/90</u>
7.	<u>SVarga</u>	
8.	<u>OGC</u>	
9.	<u>OE</u>	
10.	<u>JPartlow</u>	
11.	<u>JSniezek</u>	
12.	<u>TMurley</u>	



PLEASE DO NOT REMOVE THIS SHEET FROM PACKAGE

* CAN THIS DOCUMENT BE DELETED FROM SYSTEM? YES _____ NO _____
SHOULD THIS DOCUMENT BE ARCHIVED? YES _____ NO _____

Mr. Thomas J. Saporito
Florida Power and Light Company

Turkey Point Plant

cc:

Harold F. Reis, Esquire
Newman and Holtzinger, P.C.
1615 L Street, N.W.
Washington, DC 20036

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Department of Environmental
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Power Plant Siting Section
State of Florida
2600 Blair Stone Road
Tallahassee, Florida 32301

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and Review
Office of Planning & Budget
Executive Office of the Governor
The Capitol Building
Tallahassee, Florida 32301

