



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

JAN 1 1990

MEMORANDUM FOR: Thomas E. Murley, Director
Office of Nuclear Reactor Regulation

FROM: Jack R. Goldberg
Deputy Assistant General Counsel
for Enforcement
Office of the General Counsel

SUBJECT: THOMAS J. SAPORITO, JR., 2.206 PETITION
REGARDING TURKEY POINT UNITS 3 AND 4

Enclosed is a copy of a Petition dated December 29, 1989, filed by Thomas J. Saporito, Jr., requesting that the Commission take action with regard to Turkey Point Units 3 and 4. Specifically, Mr. Saporito requests that the NRC immediately investigate and determine the root cause of reactor trips which he alleges occurred on or about December 25, 1989, at Turkey Point Units 3 and 4; impose an escalated civil penalty on the licensee if the investigation reveals that the reactors tripped off-line due to poor maintenance practices or incorrect operations of the plants; and immediately suspend the operating licensees for Turkey Point Units 3 and 4 if the investigation reveals that these reactor trips could have been prevented through correct maintenance practices or proper operation.

Mr. Saporito alleges, as bases for these requests, that reasonable assurance for the continued safe operation of Turkey Point Units 3 and 4 does not exist because of loss of administrative controls and significant plant events resulting in reactor trips, which evidence deficiencies in the overall maintenance of the plants; and because the licensee has failed to establish a satisfactory operator training program. These bases do not appear to have been set forth with the specificity required by 10 C.F.R. 2.206. For this reason, it may be appropriate to deny the Petition in a letter. In any event, as the Petition requests that escalated enforcement action be taken, the response to the Petition should be coordinated with the Office of Enforcement.


I have enclosed drafts of a letter of acknowledgment to the Petitioner for your signature, in the event that a determination is made to respond to the petition with a formal Decision rather than by letter, and a Notice of Receipt of the Petition for publication in the Federal Register. If you want the licensee to respond regarding these matters, we will assist your staff in drafting an appropriate letter.

Contact: Susan Chidake1
492-1688

9001300487 900123
PDR ADOCK 05000250
A PDC



Please inform Susan Chidake1 of my staff of the technical contact who will be involved in preparing a response to the Petition. Please ensure that I am provided copies of all correspondence related to the Petition and that I am asked to concur on all staff correspondence.


Jack R. Goldberg
Deputy Assistant General Counsel
for Enforcement
Office of the General Counsel

Enclosures:

1. Copy of Petition
2. Draft Letter of Acknowledgement
3. Draft Federal Register Notice

cc w/Enclosures: J. Scinto, OGC
L. Chandler, OGC
J. Lieberman, OE
S. Ebnetter, RII
R. Goddard, RII



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ACTION

EDO Principal Correspondence Control

FROM:

DUE: 01/23/90

EDO CONTROL: 0005025
DOC DT: 12/29/89
FINAL REPLY:

Thomas J. Saporito, Jr.
Nuclear Energy Accountability Project

TO:

EDO

FOR SIGNATURE OF:

** GRN **

CRC NO:

DESC:

ROUTING:

2.206 PETITION CONCERNING RECENT TRIPS OF THE
TURKEY POINT NUCLEAR UNITS 3 & 4

Murley, NRR
Ebnetter, RII

DATE: 01/02/90

ASSIGNED TO:

CONTACT:

OGC

Scinto

SPECIAL INSTRUCTIONS OR REMARKS:

9000003