

Official

AUG 16 1991

Docket Nos. 50-250, 50-251  
License Nos. DPR-31, DPR-41

Florida Power and Light Company  
ATTN: Mr. J. H. Goldberg  
President - Nuclear Division  
P. O. Box 14000  
Juno Beach, FL 33408-0420

Gentlemen:

SUBJECT: NOTICE OF VIOLATION  
(NRC INSPECTION REPORT NOS. 50-250/91-26 AND 50-251/91-26)

This refers to the inspection conducted by G. B. Kuzo of this office on July 8-12, 1991. The inspection included a review of activities authorized for your Turkey Point facility. At the conclusion of the inspection, the findings were discussed with those members of your staff identified in the report, and in a subsequent teleconference on July 16, 1991, between Mr. J. Potter of this office and Mr. L. Pearce of your staff.

Areas examined during the inspection are identified in the report. Within these areas, the inspection consisted of selective examinations of procedures and representative records, interviews with personnel, and observation of activities in progress.

Based on the results of this inspection, certain of your activities appeared to be in violation of NRC requirements, as specified in the enclosed Notice of Violation. We are concerned about the violations because the failure to follow procedures for proper labeling, respirator qualification, and certification of breathing air may result in unnecessary exposure of personnel to radiological and other hazardous conditions. In addition, the inability to reliably reach the 24-hour emergency telephone number listed on the radioactive waste shipping papers could result in an unacceptable delay in making available knowledgeable persons who could provide emergency information for personnel responding to an incident involving the material in transport.

Violation A described in the enclosed Notice is similar to a violation contained in the Notice sent to you by our letter dated April 19, 1991. Recurring violations are of particular concern because the NRC expects licensees to learn from their past failures and to take effective corrective actions. Although the NRC does not normally consider monetary civil penalties for Severity Level IV violations, the Enforcement Policy states that such penalties may be imposed for Severity Level IV violations that are similar to

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previous violations for which the licensee did not take effective corrective action. In this case, we have decided not to hold an enforcement conference nor to propose a civil penalty, because of the low safety significance of the violation and the adequacy of your immediate and long-term corrective actions as detailed during the July 16, 1991, teleconference.

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. After reviewing your response to this Notice, including your proposed corrective actions and the results of future inspections, 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(a), a copy of this letter and its enclosures will be placed in the NRC Public Document Room.

The responses directed by this letter and the enclosed Notice are not subject to the clearance procedures of the Office of Management and Budget as required by the Paperwork Reduction Act of 1980, Pub. L. No. 96.511.

Should you have any questions concerning this letter, please contact us.

Sincerely,



J. Philip Stohr, Director  
Division of Radiation Safety  
and Safeguards

Enclosures:

1. Notice of Violation
2. NRC Inspection Report

cc w/encls:

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*SK*  
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7/13/91

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RII:DRSS

*J*  
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RII:DRSS

*DMC*  
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*BSm*  
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