

NOTICE OF VIOLATION

Florida Power and Light Company
Turkey Point, Units 3 and 4

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

During an NRC inspection completed on June 28, 1997, a violation of NRC requirements was identified. In accordance with the "General Statement of Policy and Procedures for NRC Enforcement Actions, NUREG-1600," the violation is listed below:

Title 10 CFR Part 20.1801 requires the licensee to secure from unauthorized removal or access licensed materials that are stored in controlled or unrestricted areas.

Title 10 CFR Part 20.1802 requires the licensee to control and maintain constant surveillance of licensed material that is in a controlled or unrestricted area and that is not in storage.

10 CFR Part 20.1003, defines Survey as an evaluation of the radiological conditions and potential hazards incident to the production, use, transfer, release, disposal, or presence of radioactive material or other sources of radiation. When appropriate, such an evaluation includes a physical survey of the location of radioactive material and measurements or calculations of levels of radiation, or concentrations or quantities of radioactive material present.

Title 10 CFR Part 20.1501(a), requires, in part, that "each licensee shall make or cause to be made, surveys that - (1) may be necessary for the licensee to comply with the regulations in this part; and (2) are reasonable under the circumstances to evaluate (i) the extent of radiation levels; and (ii) concentrations or quantities of radioactive material; and (iii) the potential radiological hazards that could be present."

Contrary to the above, on March 25, 1997, the licensee failed to control licensed byproduct materials and make adequate contamination surveys of contaminated painting equipment released from the licensee's Radiation Control Area.

Contrary to the above, on June 3, 1997, the licensee failed to control licensed byproduct materials and make adequate contamination surveys of 3A Component Cooling Water Heat Exchanger tubes released from the licensee's Radiation Control Area.

The regulations applicable to nuclear power reactor licensees do not provide for release of materials for unrestricted use that are known to be radioactively contaminated at any level.

This is a Severity Level IV violation (Supplement IV).



Pursuant to the provisions of 10 CFR 2.201, Florida Power & Light Co. is hereby required to submit a written statement or explanation to the U.S. Nuclear Regulatory Commission, ATTN: Document Control Desk, Washington, D.C. 20555 with a copy to the Regional Administrator, Region II, and a copy to the NRC Resident Inspector at Turkey Point Nuclear Plant, within 30 days of the date of the letter transmitting this Notice of Violation (Notice). This reply should be clearly marked as a "Reply to a Notice of Violation" and should include for each violation: (1) the reason for the violation, or, if contested, the basis for disputing the violation, (2) the corrective steps that have been taken and the results achieved, (3) the corrective steps that will be taken to avoid further violations, and (4) the date when full compliance will be achieved. Your response may reference or include previous docketed correspondence if the correspondence adequately addresses the required response. If an adequate reply is not received within the time specified in this Notice, an order or Demand for Information may be issued as to why the license should not be modified, suspended, or revoked, or why such other action as may be proper should not be taken. Where good cause is shown, consideration will be given to extending the response time.

Dated at Atlanta, Georgia
this 25 day of July 1997

