

NOTICE OF VIOLATION

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

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

During an NRC inspection conducted on August 10, to September 20, 1997, violations of NRC requirements were identified. In accordance with the General Statement of Policy and Procedures for NRC Enforcement Actions, NUREG-1600, the violations are listed below:

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

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.

Licensee Technical Specification 6.8.1 requires written procedures be established, implemented, and maintained, covering procedures recommended in Appendix A of Regulatory Guide 1.33, Revision 2, February 1978, Sections 5.1 and 5.3 of ANSI N18.7-1972.

Licensee procedure 0-HPS-021.3, "Release of Material from the Radiation Controlled Area," Revision dated August 20, 1997, required in step 6.7, "Tools or equipment painted purple may NOT be released from the RCA until all the purple paint is removed, and the tools or equipment verified free of radioactive contamination."

Contrary to the above, these requirements were not met in that:

1. On August 11, 1997, the licensee failed to survey and control contaminated motor operator valve actuators released to an unrestricted area. The components had fixed byproduct contamination up to approximately 130,000 dpm/100 cm².
2. On September 18, 1997, the licensee failed to follow procedures for the control of byproduct materials for a contaminated temperature gauge released from the licensee's Radiation Control Area and Protected Area, even though the purple paint had not been removed and it was not verified to be free of radioactive contamination. The temperature gauge had fixed byproduct contamination up to approximately 7,500 dpm/100 cm².

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

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- B. Turkey Point Facility Operating License Condition L, Amendment 193 (Unit 3) and Amendment 187 (Unit 4), dated February 11, 1997, state in part that the licensee shall fully implement and maintain in effect all provisions of the Commission-approved Physical Security Plan. The licensee's Physical Security Plan, Revision 10, dated May 19, 1997, states, "Unescorted access to the Protected Area is granted to persons who have a work related need for entry."

Contrary to the above, the licensee continued to grant unescorted access to a terminated employee from June 18, 1997, to August 5, 1997, who no longer had a work related need for entry. The individual was authorized access to the protected area only; however, no entries were made during the 47 days following termination.

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

Pursuant to the provisions of 10 CFR 2.201, Florida Power and Light Company 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 the facility that is the subject of this Notice, 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 previously 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 a 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.

Because your response will be placed in the NRC Public Document Room (PDR), to the extent possible, it should not include any personal privacy, proprietary, or safeguards information so that it can be placed in the PDR without redaction. If personal privacy or proprietary information is necessary to provide an acceptable response, then please provide a bracketed copy of your response that identifies the information that should be protected and a redacted copy of your response that deletes such information. If you request withholding of such material, you must specifically identify the portions of your response that you seek to have withheld and provide in detail the bases for your claim of withholding (e.g., explain why the disclosure of information will create an unwarranted invasion of personal privacy or provide the information required by 10 CFR 2.790(b) to support a request for withholding confidential commercial or financial information). If safeguards information is necessary to provide an acceptable response, please provide the level of protection described in 10 CFR 73.21.

Dated at Atlanta, Georgia
this 20th day of October 1997

