

NOTICE OF VIOLATION

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

Docket No. 50-250, 50-251
License No. DPR-31, DPR-41
EA 98-190

During an NRC Office of Investigations (OI) investigation conducted from September 24, 1997 through February 25, 1998, 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:

10 CFR 55.49, Integrity of Examinations and Tests, requires that applicants, licensees, and facility licensees shall not engage in any activity that compromises the integrity of any application, test or examination required by this part.

Contrary to the above, on September 9, 1997, the facility licensee engaged in an activity that compromised the integrity of an examination of two senior reactor operator license candidates. Specifically, a Training Department employee divulged to the two sequestered candidates information regarding a portion of the simulator examination. The employee stated to the candidates that the crew just examined received a loss of charging scenario. This in effect provided the two candidates with the knowledge that they would not be receiving the loss of charging scenario. This statement constituted an activity that compromised the integrity of a licensing examination required by 10 CFR Part 55, and resulted in a need to modify the originally planned simulator portion of the examination.

This is a Severity Level IV Violation (Supplement I).

Pursuant to the provisions of 10 CFR 2.201, Florida Power and Light 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 Turkey Point facility, 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 Demand for Information may be issued as to why the license should 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.

Enclosure 1

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If you contest this enforcement action, you should also provide a copy of your response to the Director, Office of Enforcement, United States Nuclear Regulatory Commission, Washington, DC 20555-0001.

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 29th day of May 1998

SYNOPSIS

This investigation was initiated by the U.S. Nuclear Regulatory Commission, Office of Investigation, Region II, on September 24, 1997, to determine whether a senior reactor operator (SRO) upgrade examination at the Florida Power and Light Company, Turkey Point Nuclear Plant, was compromised as the result of comments made by a Training Department employee to two SRO candidates.

The evidence developed during the investigation substantiated the allegation that the Training Department employee willfully violated a license agreement that prohibited him from divulging any information about the examination to any unauthorized persons. The evidence did not substantiate the allegation that the Training Department employee provided the information with the intention of compromising the SRO examination.

~~NOT FOR PUBLIC DISCLOSURE WITHOUT APPROVAL OF
FIELD OFFICE DIRECTOR, OFFICE OF INVESTIGATIONS, REGION II~~

Case No. 2-97-025

1

APPROVED FOR RELEASE ON 4/29/98

Enclosure 2



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