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AUG 8 0 1990

Docket Nos. 50-325 and 50-324  
License Nos. DPR-71 and DPR 62  
EA 90-130

Carolina Power and Light Company  
ATTN: Mr. Lynn W. Eury  
Executive Vice President  
Power Supply  
Post Office Box 1551  
Raleigh, North Carolina 27602

Gentlemen:

SUBJECT: NOTICE OF VIOLATION AND PROPOSED IMPOSITION OF CIVIL PENALTY - \$62,500  
(NRC INSPECTION REPORT NOS. 50-325/90-25 AND 50-324/90-25)

This refers to the Nuclear Regulatory Commission (NRC) inspection conducted by F. N. Wright on July 9-13, 1990, at the Brunswick Steam Electric Plant. The inspection included a review of activities associated with a traversing incore probe (TIP) event of July 5, 1990, during which two individuals received unplanned radiation exposures. The report documenting this inspection was sent to you by letter dated July 26, 1990. As a result of this inspection, significant failures to comply with NRC regulatory requirements were identified. An Enforcement Conference was held on August 6, 1990, in the Region II office to discuss the violations, their cause, and your corrective action to preclude their recurrence. The letter summarizing this conference was sent to you by letter dated August 14, 1990.

The violations described in the enclosed Notice of Violation and Proposed Imposition of Civil Penalty (Notice) occurred during work activities associated with a TIP system modification that involved the installation of new TIP detectors and cables in Unit 1. On July 5, 1990, with Unit 1 in Mode 1, three Instrumentation and Control (I&C) technicians entered a TIP mechanism contamination control tent in the Reactor Building to complete the modification and, during the calibration of the "D" TIP, the activated detector and cable were removed directly out of the core into the technicians' work area. Although CP&L's subsequent evaluation concluded that no overexposure occurred, this event presented a substantial potential for personnel exposures in excess of 10 CFR Part 20 limits.

The potential for significant exposure resulted from the failure to establish adequate work procedures that should have included those necessary instructions and controls to prevent radiation exposures which had the potential to exceed established limits, and the assignment of a technician who was not provided adequate training for the job. Providing both adequate procedures and training are particularly relevant to work involving TIP systems whether the activities

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include removal of old TIP detectors or installation of new TIP detectors. Therefore, in accordance with the "General Statement of Policy and Procedure for NRC Enforcement Actions," (Enforcement Policy) 10 CFR Part 2, Appendix C (1990), the violations have been categorized in the aggregate as a Severity Level III problem.

To emphasize the importance of ensuring proper work control and job planning, I have been authorized, after consultation with the Director, Office of Enforcement, and the Deputy Director for Nuclear Reactor Regulation, Regional Operations, and Research, to issue the enclosed Notice of Violation and Proposed Imposition of Civil Penalty in the amount of \$62,500 for the Severity Level III problem. The base value of a civil penalty for a Severity Level III problem is \$50,000. The escalation and mitigation factors in the Enforcement Policy were applied as discussed below.

Although this event was self-disclosing, mitigation of 25 percent was applied because you promptly reported the event to the Resident Inspector, even though there was no reporting requirement. Additional mitigation of 50 percent was appropriate because the corrective actions taken were prompt and extensive. Neither escalation nor mitigation was appropriate for past performance in the area of radiological controls, taking into account the SALP 2 ratings in this area and the instances of high radiation area control deficiencies and internal contamination events, as balanced against health physics program improvements, that were discussed during the enforcement conference.

Escalation of 100 percent was appropriate for the factor of prior notice of similar events in that, as your staff acknowledged during the enforcement conference, Information Notice 88-63, High Radiation Hazards From Irradiated Incore Detectors and Cables, dated August 15, 1988, specifically warned licensees about the potential problems associated with maintenance on TIP systems. The other adjustment factors in the Policy were considered and no further adjustment to the base civil penalty is considered appropriate. Therefore, based on the above, the base civil penalty has been increased by 25 percent.

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 of the NRC's "Rules of Practice," a copy of this letter and its enclosure will be placed in the NRC Public Document Room.

AUG 30 1990

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.

Sincerely,

*Original Signed By:*  
Stewart D. Ebnetter

Stewart D. Ebnetter  
Regional Administrator

Enclosure:  
Notice of Violation and Proposed  
Imposition of Civil Penalty

cc w/encl:  
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cc w/encl contd: (see page 4)

AUG 30 1990

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JReyes  
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