

February 22, 1995

EA 95-016

Mr. P. M. Beard Jr.
Senior Vice President, Nuclear Operations
ATTN: Manager, Nuclear Operations Licensing, NA21
Florida Power Corporation
15760 West Power Line Street
Crystal River, FL 34428-6708

SUBJECT: NOTICE OF VIOLATION
(NRC INSPECTION REPORT NO. 50-302/95-02)

Gentlemen:

This refers to the inspection conducted by Ross Butcher of this office on January 8 through February 4, 1995. The inspection included a review of activities authorized for your Crystal River facility. At the conclusion of the inspection, the findings were discussed with those members of your staff identified in the enclosed report.

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. The purpose of the inspection was to determine whether activities authorized by the license were conducted safely and in accordance with NRC requirements.

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 (Notice). In addition, the enclosed Inspection Report identifies activities that violated NRC requirements that will not be subject to enforcement action because the licensee's efforts in identifying and correcting the violation meet the criteria specified in Section VII.B of the Enforcement Policy.

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.

Also, based on the results of this inspection, one apparent violation was identified and is being considered for escalated enforcement action in accordance with the "General Statement of Policy and Procedure for NRC Enforcement Actions" (Enforcement Policy), 10 CFR Part 2, Appendix C. The apparent violation involved your failure to properly and adequately incorporate safety-related instrumentation setpoints, as specified by

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Technical Specifications, resulting in operation outside allowable Technical Specification limits. Accordingly, no Notice of Violation is presently being issued for these inspection findings. In addition, please be advised that the number and characterization of apparent violations described in the enclosed inspection report may change as a result of further NRC review.

A closed enforcement conference to discuss these apparent violations has been scheduled for March 3, 1995. The decision to hold an enforcement conference does not mean that the NRC has determined that a violation has occurred or that enforcement action will be taken. The purposes of this conference are to discuss the apparent violation, its causes and safety significance; to provide you the opportunity to point out any errors in our inspection report; and to provide an opportunity for you to present your corrective actions. In your discussion, you should include a description of your setpoint methodology including the relationship between the technical specifications and installed instrument setpoints. In addition, this is an opportunity for you to provide any information concerning your perspectives on 1) the severity of the violation, 2) the application of the factors that the NRC considers when it determines the amount of a civil penalty that may be assessed in accordance with Section VI.B.2 of the Enforcement Policy, and 3) any other application of the Enforcement Policy to this case, including the exercise of discretion in accordance with Section VII. You will be advised by separate correspondence of the results of our deliberations on this matter. No response regarding the apparent violation is required at this time.

In accordance with 10 CFR 2.790 of the NRC's "Rules of Practice", a copy of this letter, its enclosures, and any reply 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,

Original signed by
Jon R. Johnson (for)

Ellis W. Merschoff, Director
Division of Reactor Projects

Docket No. 50-302
License No. DPR-72
EA 95-016

Enclosures: 1. Notice of Violation
2. NRC Inspection Report

cc w/encls: See page 3

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cc w/encls:

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G. Hallstrom, RII

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