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JUL 20 1984

Florida Power and Light Company
ATTN: Mr. J. W. Williams, Jr.
Vice President, Nuclear
Energy Department
P. O. Box 14000
Juno Beach, FL 33408

Gentlemen:

SUBJECT: PROPOSED IMPOSITION OF CIVIL PENALTIES EA 84-41
LOSS OF AUXILIARY FEEDWATER IN TWO INSTANCES AND INEFFECTIVE MANAGEMENT
CONTROL OF OPERATIONS
(REFERENCE INSPECTION REPORT NOS. 50-250/84-04, 50-251/84-04,
50-250/84-09 AND 50-251/84-09)

Routine safety inspections were conducted by this office during the period of January 8-26, and February 22-29, 1984, of activities authorized by NRC Operating License Ncs. DPR-31 and DPR-41 for the Turkey Point facility. The inspections included a review of the circumstances surrounding three instances of Limiting Condition for Operation (LCO) violations concerning the inoperability of the auxiliary feedwater (AFW) system, of which the licensee identified only one instance. Additionally, actions to correct and prevent recurrence of unreviewed safety-related electrical equipment modifications were documented in a Confirmation of Action Letter issued by Region II on February 16, 1984. On February 17, 1984 matters relating to the violations were discussed in an enforcement conference held at the Region II Office.

The violation described as Item 1.a in the enclosed Notice of Violation and Proposed Imposition of Civil Penalties (Enclosure 1) involves the licensee's discovery that the 'A' and 'C' AFW pumps were inoperable and had apparently been so for approximately 21 days. An inadequate procedure was used to place the pumps back into service. As a result, the pump speed control was not returned to the proper setting. Additionally, the procedure did not require independent verification in the steps involving adjustment of the AFW pump governor manual speed control knob.

Item 1.b in the enclosed Notice involves another unsatisfactory aspect of AFW system operations. After heatup of Unit 3 on January 4 and 5, 1984, operators discovered that the minimum number of AFW pumps were not operable, but management did not take action to lower the Unit temperature to an allowed value. Similarly, during the heatup of Unit 3 on February 23, 1984, plant operators determined that two of the required three AFW pumps were inoperable. Despite this, the heatup continued until the Plant Nuclear Safety Committee (PNSC) completed its review of the relevant circumstances and terminated the startup.

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The NRC is concerned that these violations of regulatory requirements could have led to consequences not contemplated by the FSAR during a credible accident scenario. Specifically, although it appears that sufficient core cooling could have been supplied to both units by the single operable AFW pump in each event, had the power history of the Unit been different, a single pump could have been inadequate. NRC is also concerned about FP&L's inadequate implementation of its independent verification program described in your December 26, 1980 letter to NRC. It appears that effective implementation of the independent verification program could have precluded both instances of inoperability. Therefore, a Notice of Deviation is enclosed as Enclosure 2 for the failure to satisfy your commitment of December 26, 1980 that was augmented by your letter of June 12, 1981 to have operation verification procedures implemented by July, 1982.

Item 2 in the enclosed Notice contains numerous examples of failures to follow procedures including failure to perform adequate post-trip reviews, failure to conduct adequate evaluations of unreviewed safety questions, and failure to control activities affecting quality. This item contains eight separate instances where regulatory requirements were not met.

Item 3 in the enclosed Notice involves a failure to conduct an adequate review of a design change as required by Technical Specifications and failure to control maintenance activities and operational activities which led to a degradation of electrical equipment which contributed to events on February 12 and 16, 1984 involving losses of off-site power.

These events are attributed to insufficient management oversight and have been the subject of several senior level management meetings. As a result, the licensee has devoted a significant amount of attention to the development of the "Turkey Point Plant Performance Enhancement Program." The licensee's commitments with regard to this program are being confirmed by Order. The implementation of this program will be examined during future inspections.

To emphasize the need for effective control of all phases of operation at the Turkey Point facility, I have been authorized, after consultation with the Director, Office of Inspection and Enforcement, to issue the enclosed Notice of Violation and Proposed Imposition of Civil Penalties in the amount of One Hundred and Fifty Thousand Dollars (\$150,000) for the violations described in the enclosed Notice. All of the violations have been categorized at Severity Level III in accordance with the NRC Enforcement Policy, 10 CFR 2, Appendix C.

The base civil penalty for a Severity Level III violation is \$40,000. Item 1 in the Notice has been increased 25% because of the multiple examples cited. Additionally, a similar event was the subject of a civil penalty action on August 25, 1983 (see Inspection Report 50-250/83-15 and Enforcement Action, EA 83-49). Because of this previous enforcement action involving both the AFW system and independent verification, I have increased the civil penalty an additional 25%, for a total penalty for Item 1 of \$60,000. Item 2 in the Notice, has also been increased 25% because of the multiple examples cited. The base civil penalty of \$40,000 has been proposed for Item 3.

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You are required to respond to the enclosed Notice and you should follow the instructions specified therein when preparing your response. Your response should specifically address the corrective actions taken or planned with regard to the violations described in the Notice of Violation. In your response, appropriate reference to previous submittals is acceptable.

In accordance with 10 CFR 2.790 of the NRC's "Rules of Practice," Part 2, Title 10, Code of Federal Regulations, a copy of this letter and the enclosure will be placed in the NRC's Public Document Room.

The response directed by this letter and accompanying Notice is not subject to the clearance procedures of the Office of Management and Budget as required by the Paperwork of Reduction Act of 1980, PL 96-511.

Should you have any questions concerning this letter, we will be glad to discuss them with you.

Sincerely,

ORIGINAL SIGNED BY
ROBERT D. MARTIN */fa*

James P. O'Reilly
Regional Administrator

Enclosures:

1. Notice of Violation and Proposed Imposition of Civil Penalties
2. Notice of Deviation
3. Report Nos. 50-250/84-04, 50-251/84-04, 50-250/84-09, and 50-251/84-09)

cc w/encls:

- K. N. Harris, Vice President
Turkey Point Nuclear Plant
- C. J. Baker, Plant Manager
Turkey Point Nuclear Plant

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