

APR 24 1984

Florida Power Corporation  
ATTN: Mr. W. S. Wilgus  
Vice President Nuclear Operations  
P. O. Box 14042, M.A.C. H-2  
St. Petersburg, FL 33733

Gentlemen:

SUBJECT: REPORT NO. 50-302/84-05

Thank you for your response of April 6, 1984, to our Notice of Violation issued on March 8, 1984, concerning activities conducted under NRC Operating License No. DPR-72. We have evaluated your response and found that it meets the requirements of 10 CFR 2.201. We will examine the implementation of your corrective actions to Violations 2 and 3 during future inspections.

With respect to Violation 1, we have concluded, for the reasons presented in the enclosure to this letter, that the violation occurred as stated in the Notice of Violation. Therefore, in accordance with 10 CFR 2.201(a), please submit to this office within 30 days of the date of this letter a written statement that, for Violation 1, describes the corrective steps which have been taken and the results achieved, the corrective steps which will be taken to avoid further violations, and the date when full compliance will be achieved.

Additionally, concerning Violation 1, your letter of January 10, 1984, addressed only the security hoax occurring on April 28, 1983, and not the related security access control failures occurring on April 22. In your response you are requested to furnish this office with your understanding of this chronology, as detailed in the enclosure to this letter, and specifically, your reason for omitting the April 22 incident from the reporting requirements of 10 CFR 73.71(c).

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

Should you have any questions concerning this letter, please contact us.

( Sincerely,

ORIGINAL SIGNED BY  
ROBERT G. MARTIN

James P. O'Reilly  
Regional Administrator

Enclosure: (See Page 2)

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PDR ADOCK 05000302  
G PDR

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Enclosure:  
Staff Assessment of Licensee  
Response

cc w/encl:  
E. M. Howard, Director  
Site Nuclear Operations  
P. F. McKee, Nuclear Plant Manager  
G. R. Westafer, Manager Nuclear  
Licensing and Fuel Management

bcc w/encl:  
Document Control Desk  
IE File  
NMSS/SGPL  
NRR/DL/SSPB  
NRC Resident Inspector  
State of Florida

RII  
WTobin:dr  
4/19/84

RII  
DPMcGuire  
4/19/84

RII  
JPuckett  
4/19/84

RII  
KBarr  
4/19/84

RII  
JPStohr  
4/20/84

RII  
VPanciera  
4/20/84

RII  
HCDance  
4/20/84

RII  
RCLewis  
4/23/84

~~RII  
RMartin  
4/23/84~~  
NA  
RM

7700  
REF 3  
4/10/84

STAFF ASSESSMENT OF LICENSEE RESPONSE  
DATED APRIL 6, 1984, TO REGION II  
SECURITY INSPECTION #50-302/84-05

Licensee's Position -

Florida Power Corporation maintains that the report, dated May 3, 1983, was mailed within the required five days of the discovery date, April 28, of a security incident occurring on April 22. In the response, the licensee states that they are confident the report was submitted as required by 10 CFR 73.71(c), and that they are not certain any postal mishandling can be attributed to their personnel. Nonetheless, licensee personnel responsible for handling correspondence have been made aware of the importance of accurate handling of such future correspondence.

Region II Position -

On December 14, 1983, W. Tobin, Region II Safeguards Staff, contacted J. Brandley, Crystal River, Nuclear Security Superintendent, regarding corrective actions to the April 22 security incident and the absence of the 5-day report. Mr. Brandley advised W. Tobin that the report had been sent to Region II by Florida Power Corporation, Nuclear Operations Licensing Staff, on May 3.

On December 16, 1983, W. Tobin contacted R. Bright of the licensee's Nuclear Operations Licensing Staff who advised W. Tobin that due to an internal error the letter had never been sent to Region II. Mr. Bright was certain that all Safeguards Information relative to this letter could be accounted for. Mr. Bright stated a current cover letter and the report would be promptly mailed. On January 3, 1984 W. Tobin and V. Panciera, Region II, contacted Mr. Bright and were advised the cover letter and report would be mailed that same day.

On January 11, 1984, a copy of the May 3, 1983, report was received in Region II, and was followed on January 17 with a licensee cover letter dated January 10 enclosing a second copy of the May 3 report. Significantly, the "cc" to the May 3 letter sent to the USNRC, Document Control Desk, was never received until receipt of the January 10 licensee cover letter.

We note the May 3 report speaks of a threat made on April 28 but does not report the access control failure at the protected area which occurred on April 22. In September 1983, Region II learned of the access control failure through the concluded F.B.I investigation of the threat incident.

Conclusion -

Considering the above, we continue to believe the regulation was not met by the licensee and the violation remains as cited.