

UNITED STATES
NUCLEAR REGULATORY COMMISSION

In the Matter of)	
FLORIDA POWER AND LIGHT COMPANY)	Docket Nos. 50-250
(Turkey Point Nuclear Plant)	50-250-1
Units 3 and 4))	License Nos. DPR-31
)	DPR-41
)	EA 84-55

CONFIRMATORY ORDER

I

The Florida Power and Light Company (FPL, the "licensee") is the holder of Facility Operating License Nos. DPR-31 and DPR-41 (the "licenses") which authorize the operation of the Turkey Point Nuclear Plant Units 3 and 4 at steady state power levels not in excess of 2200 megawatts thermal (rated power). The licenses were originally issued on July 19, 1972 for Unit 3 and April 10, 1973 for Unit 4. The facility consists of two pressurized water reactors (PWRs), located at the licensee's site in Dade County, Florida.

II

Based on the results of recent Nuclear Regulatory Commission (NRC) inspections and the recent enforcement history at the Turkey Point Plant, the NRC has concluded that FPL has not given sufficient management attention to ensuring adherence to regulatory requirements for testing, surveillance, maintenance and operating activities at the Turkey Point Nuclear Plant. This concern has been expressed to FPL management during various management and enforcement conferences.

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Licensee weaknesses in controlling plant activities have been prevalent. The Systematic Assessment of Licensee Performance (SALP) evaluation for the period July 1, 1982 through June 30, 1983 classified the operations area as Category 3. (A Category 3 rating indicates that both NRC and licensee attention should be increased). During this SALP period, twenty-two violations of NRC requirements occurred, including seven violations pertaining directly to plant operations. Since March 1983, four enforcement conferences and three management meetings have been held. From the start of the current SALP period on July 1, 1983 to the end of calendar year 1983, additional violations occurred regarding failures to follow procedures for plant operations and in the areas of health physics, security and fire protection. In 1984, procedural violations have continued.

Because of NRC concerns regarding the extent of problems at the Turkey Point Plant, FPL presented information on January 13, 1984 describing management actions taken to improve operational performance at the site. A more comprehensive FPL program was developed and presented to the NRC on February 17, 1984. The program was again revised and presented to the NRC on April 11, 1984. The commitments of the licensee reflected in this program are responsive to the concerns of the NRC regarding the licensee's poor history of regulatory compliance. In view of the number of operational deficiencies identified during the past few years and their continuing nature despite previous efforts to correct them, I have determined that the public health, safety and interest require that the actions set forth below be confirmed by an immediately effective Order to ensure that they are implemented expeditiously.

III

Accordingly, pursuant to Sections 103, 161i, 161o, and 182 of the Atomic Energy Act of 1954, as amended, and the Commission's regulations in 10 CFR Part 2 and 10 CFR Part 50, IT IS HEREBY ORDERED EFFECTIVE IMMEDIATELY THAT:

1. The licensee shall implement the Turkey Point Performance Enhancement Program (TPPEP) (Revision 1) and the commitments outlined in the forwarding letter dated April 11, 1984 which are included in the Enclosures. The licensee shall not extend the scheduled times for completing the tasks described in the TPPEP without the approval of the Region II Administrator. The licensee shall notify the Region II Administrator, within 20 days following the effective date of this Order, of any action item tasks for which scheduled completion dates preceding the date of this Order were not met, and establish for those tasks new completion dates which are acceptable to the Region II Administrator.
2. The licensee shall periodically (approximately quarterly) present a written status report to the Region II Administrator on the TPPEP. This status report shall address the implementation of the existing program tasks, including the plans and schedules for completing each section of the task elements. The licensee shall also include all plans and schedules for implementing each recommendation resulting from the implementation of the TPPEP. For any recommendation which the licensee decides not to implement, an evaluation which supports that decision shall also be included. The licensee shall notify the Region II Administrator if it

intends to alter any of the plans and schedules for implementation of the recommendations resulting from the TPPEP.

IV

The licensee may request a hearing on this Order. Any request for hearing on this Order shall be submitted within 20 days of its issuance to the Director, Office of Inspection and Enforcement, U. S. Nuclear Regulatory Commission, Washington, DC 20555. A copy of the request shall also be sent to the Executive Legal Director at the same address. A REQUEST FOR A HEARING SHALL NOT STAY THE IMMEDIATE EFFECTIVENESS OF THIS ORDER.

If a hearing is to be held, the Commission will issue an Order designating the time and place of any such hearing. If a hearing is held, the issue to be considered at such hearing shall be:

Whether, on the basis of the matters set forth in Section II of this Order, this Order should be sustained.

FOR THE NUCLEAR REGULATORY COMMISSION

Original Signed By
R. C. DeYoung

Richard C. DeYoung, Director
Office of Inspection and Enforcement

Dated at Bethesda, Maryland
this 11th day of July 1984