NOTICE OF VIOLATION AND PROPOSED IMPOSITION OF CIVIL PENALTY

Florida Power and Light Company Turkey Point Plant Units 3 and 4

8504160439 850228 PDR ADOCK 05000250

PDR

.

Docket Nos. 50-250 and 50-251 License Nos. DPR-31 and DPR-41 EA 84-121

As a result of the special inspection conducted from August 30 through September 29, 1984, several violations of NRC requirements were identified. The inspection included a review of the circumstances surrounding the failure to satisfy a Technical Specification (TS) Limiting Condition for Operation (LCO) for the Unit 4 Intake Cooling Water (ICW) system where the appropriate action statement was not satisfied within the required time period. Other failures to comply with NRC regulatory requirements were also identified.

To emphasize the importance of compliance with administrative controls governing the operation of safety-related equipment, the Nuclear Regulatory Commission proposes to impose a civil penalty in the amount of Twenty-five Thousand Dollars (\$25,000). In accordance with the "General Statement of Policy and Procedure for NRC Enforcement Actions," 10 CFR Part 2, Appendix C, as revised, 49 FR 8583 (March 8, 1984), and pursuant to Section 234 of the Atomic Energy Act of 1954, as amended, 42 U.S.C. 2282, PL 96-295, and 10 CFR 2.205, the particular violations and associated civil penalty are set forth below:

 Technical Specification (TS) 3.4.5.a requires three Intake Cooling Water (ICW) pumps and two headers to be operable prior to taking the reactor critical. TS 3.4.5.b allows one of the two headers to be placed out-ofservice for a period of 24 hours during power operations. If the header cannot be returned to service within 24 hours, then the reactor shall be placed in the hot shutdown condition.

Contrary to the above, on August 24, 1984, at 11:15 a.m., the 4B ICW strainer was removed from service for cleaning which disabled a portion of the B ICW header. On August 29, 1984, at 8:50 p.m., the licensee discovered that only one of two headers was in service and returned the 4B ICW strainer and the B ICW header to service at 8:54 p.m. Thus, the 4B ICW header was out of service for more than 24 hours (over five days), and the unit was not placed in the hot shutdown condition as required by the action statement of TS 3.4.5.

This is a Severity Level III violation (Supplement I) (Civil Penalty \$25,000) This violation applies to Unit 4 only.

 10 CFR 50.59 requires that evaluations be conducted to determine if an unreviewed safety question exists prior to a facility change or procedure change being accomplished for any system previously described in the Final Safety Analysis Report (FSAR).

Contrary to the above, as of September 29, 1984, the following changes in the facility were in effect, and an unreviewed safety question evaluation was not conducted.

a. The flow of Intake Cooling Water through the Component Cooling Water heat exchangers was altered when the system was operated differently than the FSAR assumptions for a period in excess of five years, and no evaluation was made. This flow was found to be less than FSAR assumptions concerning accident heat removal capability in FSAR Chapter 14.3.4, "Containment Integrity Evaluation."

b. In January 1983, the Unit 3 Intake Cooling Water discharge piping from the Component Cooling Water heat exchangers was found to be leaking from a through-wall crack in a tee between the heat exchangers and the discharge piping. A "temporary" patch of epoxy-like material was applied. This patch and the degraded system were not evaluated to consider the potential for and the consequences of pipe failure, including whether the piping and nearby components were still within margins for seismic design as described in the FSAR.

This is a Severity Level IV violation (Supplement I).

 Technical Specification (TS) 3.5.4 requires that prior to taking the reactor critical that three Component Cooling Water (CCW) pumps, three CCW heat exchangers and valves, interlocks, and piping associated with the above components be operable.

TS 3.5.5 requires that prior to taking the reactor critical that three Intake Cooling Water (ICW) pumps, two headers and valves, interlocks, and piping required for post accident operation be operable.

TS 1.4 states that a system, subsystem, train, component, or device shall be operable or have operability when it is capable of performing its specified function(s). Necessary attendant instrumentation, controls, normal and emergency electrical power sources, cooling or seal water, lubrication, or other auxiliary equipment that are required for the system, subsystem, train, component, or device to perform its function(s) shall also be capable of performing their related support function(s).

Contrary to the above, the reactor was taken critical prior to September 29, 1984, without first demonstrating the operability of the ICW and CCW systems in that:

- a. Tests for TS operability of the ICW and CCW systems were not conducted. The system performance was degraded so that three CCW heat exchangers per unit were required to be on line instead of two in order to provide the equivalent performance assumed by the analysis in FSAR Chapters 6 and 14.3.4.
- b. Valves 3(4)-CV-2201, which isolate flow from each unit's turbine plant cooling water heat exchangers, had not been tested and were not known to be operable.
- c. Valves 3(4)-CC-626, which isolate the CCW return's low pressure piping from each unit's RCP thermal barriers and high pressure piping, had neither been calibrated nor tested and were not known to be operable.

Notice of Violation

· . .

- d. CCW pump operability criteria did not include all elements which might affect performance. Pressures across the strainers in the suction of five CCW pumps were not evaluated. The strainers were not shown on operating drawings and were not known to exist by the operations staff.
- e. CCW heat exchanger outlet temperature control valves on the ICW discharge, CV-2202, were operated in the "manual" rather than the "automatic" mode. No operability test of this automatic mode of operation was conducted, and the valves were not demonstrated to be operable.

This is a Severity Level IV violation (Supplement I).

 Technical Specification (TS) 6.5.1.6.f requires that the Plant Nuclear Safety Committee (PNSC) review facility operations to detect potential safety hazards.

Contrary to the above, as of September 29, 1984, the PNSC did not adequately review facility operations in that potential safety hazards in the Intake Cooling Water (ICW) system, Component Cooling Water (CCW) system, Emergency Containment Coolers (ECC), 120 Volt AC Vital Bus Inverters, and remote shutdown instrumentation were not detected. The following are specific examples:

- a. Operating criteria for differential pressures across the ICW strainers were not adequate, and no review was conducted to detect this inadequacy. These pressures were required to be taken by a PNSC approved procedure, but no acceptance criteria was specified.
- b. Solenoid operating valves which control the main CCW supply and return valves (4-2905 & 4-2907) were not operating properly, and no review was conducted by the PNSC.
- c. Flow through valve 4-2814, which during normal and accident conditions allows 200 GPM of CCW miniflow, was blocked from May 24, 1984 until at least September 29, 1984. The PNSC did review the lack of miniflow but did not review it to the FSAR assumptions.
- d. Valves 4-4668A and 4-4668B, containment isolation valves on the discharge of the Unit 4 Reactor Coolant Drain Tank pump, are 200 psi designed but leak when 112 psi is applied. This was known by PNSC members, but no evaluation was made or corrective action taken.
- e. Loss of 120 Volt AC Vital Bus procedure was not available on September 20, 1984, when the 4A inverter was lost, a Unit 4 reactor trip occurred, and the standby inverter could not be placed in service. The post trip review did not address these known inadequacies, and the PNSC did not review these inadequacies in facility operations.

Notice of Violation

· ·

f. Unit 4 Pressurizer Level indication in the charging pump room was found failed low. No maintenance was requested nor was an evaluation made by the PNSC.

This is a Severity Level IV violation (Supplement I).

Pursuant to the provisions of 10 CFR 2.201, Florida Power and Light Company is hereby required to submit to the Director, Office of Inspection and Enforcement, USNRC, Washington, D.C. 20555, and a copy to the Regional Administrator, USNRC, Region II, 101 Marietta Street, Suite 2900, Atlanta, Georgia 30323, within 30 days of the date of this Notice a written statement or explanation including for each alleged violation: (1) admission or denial of the alleged violations, (2) the reasons for the violations if admitted, (3) the corrective steps which have been taken and the results achieved, (4) the corrective steps which will be taken to avoid further violations, and (5) the date when full compliance will be achieved. Consideration may be given to extending the response time for good cause shown. Under the authority of Section 182 of the Act, 42 U.S.C. 2232, the response shall be submitted under oath or affirmation.

Within the same time as provided for the response required above under 10 CFR 2.201, Florida Power and Light Company may pay the civil penalty in the amount of Twenty-five Thousand Dollars (\$25,000) for the violations, or may protest imposition of the civil penalty in whole or in part by a written answer. Should Florida Power and Light Company fail to answer within the time specified. the Director, Office of Inspection and Enforcement, will issue an order imposing the civil penalty proposed above. Should Florida Power and Light elect to file an answer in accordance with 10 CFR 2.205 protesting the civil penalty, such answer may: (1) deny the violations listed in this Notice in whole or in part, (2) demonstrate extenuating circumstances, (3) show error in this Notice, or (4) show other reasons why the penalty should not be imposed. In addition to protesting the civil penalty in whole or in part, such answer may request remission or mitigation of the penalty. In requesting mitigation of the proposed penalty, the five factors addressed in Section V(B) of 10 CFR Part 2, Appendix C, should be addressed. Any written answer in accordance with 10 CFR 2.205 should be set forth separately from the statement or explanation in reply pursuant to 10 CFR 2.201, but may incorporate by specific reference (e.g., citing page and paragraph numbers) to avoid repetition. Florida Power and Light Company's attention is directed to the other provisions of 10 CFR 2.205, regarding the procedure for imposing a civil penalty.

Upon failure to pay the penalty due which has subsequently been determined in accordance with the applicable provisions of 10 CFR 2.205, this matter may be referred to the Attorney General, and the penalty, unless compromised, remitted, or mitigated may be collected by civil action pursuant to Section 234c of the Act, 42 U.S.C. 2282.

FOR THE NUCLEAR REGULATORY COMMISSION

DRIGINAL SIGNED BY

J. Nelson Grace Regional Administrator

Dated at Atlanta, Georgia this 28 HL day of February 1985