



UNITED STATES  
NUCLEAR REGULATORY COMMISSION  
REGION II  
101 MARIETTA STREET, N.W.  
ATLANTA, GEORGIA 30303

*Yellow*

AUG 15 1983

Florida Power & Light Company  
ATTN: Mr. E. A. Adomat  
Executive Vice President  
P. O. Box 14000  
Juno Beach, FL 33408

Gentlemen:

SUBJECT: PROPOSED CIVIL PENALTY: EA 83-49  
(REFERENCE INSPECTION REPORT 50-250/83-15 AND 50-251/83-15)

A special inspection was conducted by this office on April 19-28, 1983, of activities authorized by NRC Operating License Nos. DPR-31 and DPR-41 for your Turkey Point facility. This inspection was supplemented by an investigation into specific aspects of the event by the NRC Office of Investigation. The inspection included a detailed review of the circumstances surrounding the inoperability of the auxiliary feedwater (AFW) system on Unit 3 while the unit was at full power operation. At the time of the violation, Unit 4 was shut down for plant modifications and refueling.

The events related to the disabling of the AFW system were discussed with your facility management at the Turkey Point site on April 19, 1983. In addition, NRC concerns about this event were discussed in detail during an enforcement conference held in the Region II Office in Atlanta, Georgia on April 28, 1983, between the Administrator of Region II and your Executive Vice President, Mr. E. A. Adomat, and members of their staffs. During the enforcement conference, you presented the results of Florida Power and Light Company's (FP&L) investigation into this matter. Your investigation ascertained that on April 14, 1983, a nuclear turbine operator (NTO) was sent to close two specific valves and to place the corresponding clearance tags on two newly installed valves on the redundant steam supply line to the turbine-driven AFW pumps. You also concluded that on April 14, 1983, the NTO incorrectly closed two important valves which isolated the only sources of steam to drive the AFW pumps which were capable of serving Unit 3. However, uncertainties exist with regard to whether the valves were actually closed on April 14, 1983. Contributing to the uncertainty is the fact that contrary to your written plant procedure and NRC requirements, the clearance tagging operation was not independently verified.

CERTIFIED MAIL  
RETURN RECEIPT REQUESTED

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Consistent with the results of your investigation and the findings of the NRC, we have assumed that the valves were improperly closed on April 14, 1983. The NRC considers reactor operation at power for five days without the availability of the AFW system to be a serious violation involving the loss of a major safety function. Accordingly, the violation has been categorized at Severity Level II (Supplement I) pursuant to the NRC Enforcement Policy published at 10 CFR Part 2, Appendix C. As prescribed in the NRC Enforcement Policy, each of the five days of operation in violation of your technical specifications could be considered a separate violation in a case of this type. The base civil penalty for a Severity Level II violation, \$64,000, could be multiplied by a factor of five for a total civil penalty of \$320,000. However, in recognition of the uncertainty relating to the duration of this event and after consultation with the Director, Office of Inspection and Enforcement, I am exercising my discretion and proposing a civil penalty of \$100,000.

I have been authorized to issue the enclosed Notice of Violation and Proposed Imposition of Civil Penalty in the amount of One Hundred Thousand Dollars. This action is being taken to emphasize the need for operation with meticulous attention to detail, particularly in the manipulation of components which can disable safety-related systems required by technical specifications to be operable to mitigate the consequences of an accident.

You are required to respond to the Notice and should follow the instructions specified therein when preparing your response. In your response, you may refer to other documents which you have already submitted that relate to this matter. It is further requested that you include in your response any actions you have taken, or plan to take, in the following areas: the upgrading of surveillance procedures to ensure that instructions to all operators meet requirements and are understandable; the upgrading of training of all operators on procedural adherence and regulatory requirements; and the review of your systems for control of safety-related systems and components during maintenance and modification with special attention devoted to system restoration.

Your reply to this letter and the results of future inspections will be considered in determining whether further action is appropriate. This required response is in addition to your letter of April 21, 1983, in which you described immediate corrective actions taken when this event was identified. In the prompt report submitted to the NRC on May 3, 1983, Mr. Joseph W. Williams, Jr., Vice President, Nuclear Energy, identified further actions taken in response to the AFW isolation event and specifically committed FP&L to perform monthly walkdowns of safety systems as provided by Standard Technical Specifications. The NRC recommends that you consider taking the additional step of amending your technical specifications to appropriately reflect this commitment.

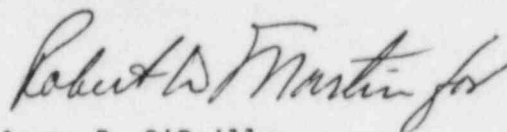
In accordance with 10 CFR 2.790 of the NRC's "Rules of Practice", Part 2, Title 10, Code of Federal Regulations, a copy of this letter and the enclosure will be placed in the NRC's Public Document Room.

Florida Power & Light Company

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

Sincerely,



James P. O'Reilly  
Regional Administrator

Enclosure:  
Notice of Violation and Proposed  
Imposition of Civil Penalty

cc w/encl:  
R. E. Uhrig, Vice President  
Advance Systems and Technology  
H. E. Yaeger, Site Manager