

NOTICE OF VIOLATION
AND
PROPOSED IMPOSITION OF CIVIL PENALTY

Florida Power & Light Company
Turkey Point Unit 3

Docket No. 50-250
License No. DPR-31
EA 83-49

There are three turbine-driven auxiliary feedwater (AFW) pumps (A, B, & C) in common to both Turkey Point Units 3 and 4 which may be aligned to either unit for steam supply to the turbines. During the period of isolation, Unit 3 was operating at 100% power. Unit 4 was in an outage for refueling and steam generator repair, and the "A" AFW pump was out of service for modifications. Under these operating conditions, Unit 3 AFW steam isolation valves 3-084A and 3-086B, for AFW pumps "B" and "C," respectively, are required to be open.

At approximately 6:05 a.m. on April 19, 1983, a nuclear turbine operator (NTO) reported to the nuclear plant supervisor (NPS) that he had discovered valves 3-084A and 3-086B were closed, rendering the AFW system inoperable per Technical Specifications. A nuclear watch engineer (NWE) and the NTO were dispatched from the control room to investigate the status of the AFW system. The NWE confirmed that the two safety-related valves were closed and the AFW pumps "B" and "C" inoperable. Under the direction of the NWE, the two manually operated valves were opened and system alignment was verified. By 7:35 a.m., the licensee had successfully completed an operability test of the AFW pumps.

Concurrent with this test, the licensee notified the NRC Region II resident inspector of the incident at 6:30 a.m., and the NRC Emergency Operation Center at 7:00 a.m., April 19, 1983.

During the time of the feedwater system isolation, modifications were being performed on the AFW system which consisted of adding redundant steam supply lines to each AFW pump turbine. Manual valves 001B, 002B, and 001C are the new AFW pump turbine steam isolation valves on these lines for the "B" and "C" AFW pump turbines, respectively. On March 26, 1983, a clearance number was issued to close valves 001B, 002B, and 001C because of the on-going modifications. On April 11, 1983, a temporary lift of the clearance was issued to open 001B and 001C to perform a hydrostatic test on the redundant lines. On the morning of April 14th, an NTO was given two clearance tags and instructed to close and retag valves 001B and 001C. The clearance tags refer to valves 001B and 001C, but the tags also refer to the AFW steam isolation valves 3-084A and 3-086B.

On April 19, 1983, the NTO reported the apparent valve misalignment. Valve 001B was found closed with the clearance tag removed. This tag was found on valve 3-084A which was closed. Valve 001C was found open and its tag was hung on valve 3-086B, which was found closed.

The NTO who discovered the closed valves on the morning on April 19th was the same NTO who had been instructed to close two different valves on the morning of April 14th. Independent verification of the retagging was required but was

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never conducted and so there is no way of verifying what in fact the NTO had done on the morning of April 14. It was concluded by the licensee and NRC that during this period AFW valves 3-084A and 3-086B were closed.

The AFW system, in the event of a loss of main feedwater, supplies sufficient feedwater to the steam generators to remove primary system stored and residual core energy. It may also be required in other circumstances (such as cooldown after a loss-of-coolant accident for a small break, and maintaining a water head in the steam generators following a loss-of-coolant accident).

To emphasize the importance of operation of nuclear power reactors with meticulous attention to detail (particularly in the manipulation of critical components that can disable a safety-related system required by technical specifications to be operable to mitigate the consequences of an accident), the Nuclear Regulatory Commission proposes to impose a civil penalty in the amount of One Hundred Thousand Dollars for this Severity Level II violation. The base penalty for a Severity Level II violation is \$64,000. Each day the violation continued could be considered to be a separate violation and a separate civil penalty could be proposed for each day. If it were assumed that the valves were closed from April 14 through April 19, 1983, a cumulative civil penalty of \$320,000 could be proposed. However, in view of uncertainties surrounding the duration of the violation, a civil penalty of \$100,000 is being proposed. In accordance with the NRC Enforcement Policy 47 FR 9987 (10 CFR Part 2, Appendix C) (March 9, 1982), and pursuant to Section 234 of the Atomic Energy Act of 1954, as amended ("Act"), 42 U.S.C. 2282, PL 96-295, and 10 CFR 2.205, the particular violation and associated civil penalty are set forth below:

Technical Specification 3.8.4 requires two operable AFW pumps and associated flow paths when the reactor is above 350 degrees F.

Contrary to the above, with Unit 3 in power operation, all AFW pumps were found inoperable on April 19, 1983 at approximately 6:30 a.m. A contributing factor to this violation was a retagging operation on April 14, 1983 of two AFW steam supply valves which was accomplished without independent verification, as required by Procedure AP 103.4, "In Plant Equipment Clearance Orders," Step 4.8 and Figure 3, which implements Technical Specification 6.8.1.

This is a Severity Level II violation (Supplement I).
(Civil Penalty - \$100,000)

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, U.S. Nuclear Regulatory Commission, Washington, DC 20555, and a copy to the Regional Administrator, U.S. Nuclear Regulatory Commission, Region II, 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 violation; (2) the reasons for the violation, 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, U.S.C. 2232, this 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 penalties in the amount of \$100,000 or may protest imposition of the civil penalties 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 penalties proposed above. Should Florida Power and Light Company elect to file an answer in accordance with 10 CFR 2.205 protesting the civil penalties, such answer may: (1) deny the violations presented 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 penalties should not be imposed. In addition to protesting the civil penalties, in whole or in part, such answer may request remission or mitigation of the penalties. In requesting mitigation of the proposed civil penalties, the five factors contained in Section IV(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 statements or explanations 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 procedures for imposing a civil penalty.

Upon failure to pay any civil penalties due, which have been subsequently determined in accordance with the applicable provisions of 10 CFR 2.205, this matter may be referred to the Attorney General, and the penalties 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



James P. O'Reilly
Regional Administrator

Date in Atlanta, GA
this 15 day of August 1983