

NOTICE OF VIOLATION

Florida Power Corporation
Crystal River Nuclear Plant
Unit 3

Docket No. 50-302
License No. DPR-72
EA 93-226

Based on the results of an investigation and administrative hearings conducted by the U.S. Department of Labor (DOL) related to DOL Case No. 88-ERA-29 that involved employee discrimination, and the resulting Order of the Secretary of Labor dated August 25, 1993, the NRC has determined that a violation of its regulations occurred. In accordance with the "General Statement of Policy and Procedure for NRC Enforcement Actions," 10 CFR Part 2, Appendix C, the violation is listed below:

Section 210 (now 211) of the Energy Reorganization Act of 1974, as amended, and 10 CFR 50.7 prohibit discrimination by a Commission licensee, permittee, an applicant for a Commission license or permit, or a contractor or subcontractor of a Commission licensee, permittee, or applicant against an employee for engaging in certain protected activities. Discrimination includes discharge or other actions relating to the compensation, terms, conditions, and privileges of employment. The activities which are protected include, but are not limited to, the reporting of safety concerns by an employee to his employer or to the NRC.

Contrary to the above, as determined by the Secretary of Labor in a decision issued on August 25, 1993, Douglas A. Tritt, a former employee of the Fluor Constructors International, Inc., a contractor of the Florida Power Corporation, who was employed as an electrician at the Crystal River 3 Nuclear Plant during the 1987 outage, was discharged from his employment on December 3, 1987, by the Fluor Constructors International, Inc., for engaging in protected activities (88-ERA-29). These protected activities included reporting safety concerns to the union representative and Mr. Tritt's supervisors related to health physics requirements for work being performed in the reactor building during the outage. (01013)

This is a Severity Level III violation (Supplement VII).

Pursuant to the provisions of 10 CFR 2.201, Florida Power Corporation is hereby required to submit a written statement or explanation to the U.S. Nuclear Regulatory Commission, ATTN: Document Control Desk, Washington, DC 20555, with a copy to the Regional Administrator, Region II, and a copy to the NRC Resident Inspector at the Crystal River 3 Nuclear Plant, within 30 days of the date of the letter transmitting this Notice of Violation (Notice). This reply should be clearly marked as a "Reply to a Notice of Violation" and should include for each violation: (1) the reason for the violation or, if contested, the basis for disputing the violation, (2) the corrective steps that have been taken and the results achieved, (3) the corrective steps that will be taken to avoid further violations, and (4) the date when full compliance will be achieved. If an adequate reply is not received within the time specified in this Notice, an order or a Demand for Information may be issued to show cause why the license should not be modified, suspended, or revoked, or why such other action as may be proper should not be taken. Where

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good cause is shown, consideration will be given to extending the response time. Under the authority of Section 182 of the Act, 42 U.S.C. 2232, this response shall be submitted under oath or affirmation.

Dated at Atlanta, Georgia
this 16th day of February 1994