



Carolina Power & Light Company

January 5, 1982

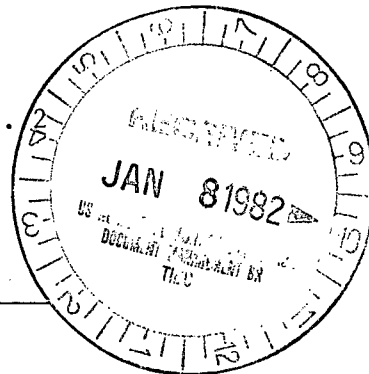
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Serial No.: NO-82-018

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Mr. Richard C. DeYoung, Director
Office of Inspection and Enforcement
United States Nuclear Regulatory Commission
Washington, D.C. 20555

H. B. ROBINSON STEAM ELECTRIC PLANT, UNIT NO.
DOCKET NO. 50-261
LICENSE NO. DPR-23
ANSWER TO NOTICE OF VIOLATION
AND PROPOSED IMPOSITION OF CIVIL
PENALTY (EA-82-07)



Dear Mr. DeYoung:

Pursuant to 10CFR2.205, Carolina Power & Light Company ("CP&L") answers the above Notice of Violation and Proposed Imposition of Civil Penalty ("Notice") as follows:

1. CP&L's Response to the Notice of Violation dated January 5, 1982, enclosed, is hereby incorporated by reference.
2. CP&L admits that the information identified in paragraphs A, B, and C of the Notice occurred, subject to the qualification set forth in the Response.
3. CP&L denies that the identified infractions reflect a failure to institute appropriate corrective measures in response to prior incidents or that the infractions are indicative of a programmatic defect, as implied in the transmittal letter accompanying the Notice, for the reasons set forth in the Company's Response to the Notice.
4. CP&L acknowledges that Infraction B as set forth in the Notice constitutes a Severity Level III infraction pursuant to the guidelines contained in the proposed General Statement of Policy and Procedure for Enforcement Actions published at 45 Federal Register 66754 ("Proposed Enforcement Policy"), but submits that Infraction A was improperly classified as a Severity Level III event since it involved only an isolated failure to follow a recently promulgated (June 22, 1981) procedure (Infractions A-1 and A-4) and an isolated failure to

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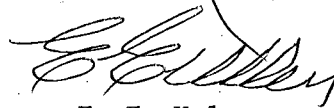
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January 5, 1982

follow special Plant procedure SP-319 (Infraction A-2). CP&L has denied the alleged failure to follow Special Radiation Work Permit SRWP816-6 and Section 7.2 of MRS 2.2.2 Gen-12 (Infraction A-3). Although this failure to follow procedures was the direct cause of Infraction B, which was categorized as a Severity Level III occurrence, it is improper to also categorize Infraction A as a Severity Level III event. Supplement IV of the Proposed Enforcement Policy clearly classifies a "failure to follow procedures that has other than minor safety or environmental significance" as a Category V violation. The maximum penalty for a Severity Level V infraction is \$5,000. Accordingly, the \$15,000 penalty proposed for Infraction A violates the Proposed Enforcement Policy which was followed in assessing penalties in this case.

5. As demonstrated in the Response, the event which gave rise to Infractions A, B, and C was not a repetition of a previous violation nor did it stem from the failure to adopt proper procedures. It arose out of an isolated failure to follow a new procedure which in itself is adequate to prevent over-exposures of the type experienced in this and prior incidents. Accordingly, CP&L submits that it is improper to increase the total penalty 25% in this case.
6. CP&L respectfully requests that the penalty in this case be reduced to a maximum of \$5,000 (\$6,250 less 20%) for Infraction A, \$20,000 (\$25,000 less 20%) for Infraction B, and \$8,000 (10,000 less 20%) for Infraction C. In requesting this reduction, CP&L further asks that recognition be given to the fact that the Company promptly reported the over-exposure; promptly retrained all HP and other necessary personnel in the proper application of HP-12 (Rev. 8); and has implemented extensive measures to assure that all steam generator work is performed in strict compliance with all applicable procedures.

Yours very truly,

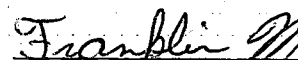


E. E. Utley
Executive Vice President
Power Supply and
Engineering & Construction

EEU/bw (823-865a)

cc: Mr. J. P. O'Reilly

Sworn to and subscribed before me this 5th day of January, 1982.


Notary Public

My commission expires: Oct. 4, 1986

