

# CATEGORY 1

## REGULATORY INFORMATION DISTRIBUTION SYSTEM (RIDS)

ACCESSION NBR:9807280367 DOC.DATE: 98/07/22 NOTARIZED: NO DOCKET #  
FACIL:50-250 Turkey Point Plant, Unit 3, Florida Power and Light C 05000250  
50-251 Turkey Point Plant, Unit 4, Florida Power and Light C 05000251  
AUTH.NAME PLUNKETT,T.F. AUTHOR AFFILIATION Florida Power & Light Co.  
RECIP.NAME RECIPIENT AFFILIATION  
Records Management Branch (Document Control Desk)

SUBJECT: Forwards response to violations noted in insp repts  
50-250/98-06 & 50-251/98-06. Corrective actions: event has  
been reviewed w/security dept personnel in order to ensure,  
they aware of correct interpretation of 10CFR73.55

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TITLE: Safeguards Inspection Rpt/NOV Response (50 DKT) -Publicly Available

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FPL

~~JUL 15 1998~~ <sup>CM</sup>  
L-98-186  
10 CFR 2.201  
JUL 22 1998

U. S. Nuclear Regulatory Commission  
Attn: Document Control Desk  
Washington, D. C. 20555

Re: Turkey Point Units 3 and 4  
Docket Nos. 50-250 and 251  
Reply to a Notice of Violation 98-06-01

Florida Power & Light Company has reviewed the subject notice of violation and, pursuant to 10 CFR 2.201, the required response is attached.

If there are any questions, please contact us.

Very truly yours,

T. F. Plunkett  
President  
Nuclear Division

CLM

Attachment

cc: Regional Administrator, Region II, USNRC  
Senior Resident Inspector, USNRC, Turkey Point Plant

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### REPLY TO A NOTICE OF VIOLATION

RE: Turkey Point Units 3 and 4  
Docket Nos. 50-250 and 50-251  
NRC Inspection Report 98-06  
Notice of Violation 98-06-01

"During an NRC inspection conducted on May 21-22 and June 1-3, 1998, a violation of NRC requirements was identified. In accordance with the 'General Statement of Policy and Procedures for NRC Enforcement Actions,' NUREG-1600, the violation is listed below:

10 CFR 73.21 (b)(1)(xi) requires that the size, armament, and disposition of on-site reserve forces be protected as Safeguards Information.

Contrary to the above, from February 16 to May 28, 1998, the licensee failed to protect the size of the onsite reserve force as Safeguards Information when that number was disclosed in a Condition Report.

This is a Severity Level IV violation (Supplement III)."

### RESPONSE TO FINDING

1. FPL concurs with the violation.
2. Reason for the violation:

A Condition Report was written to document the cause and responses to a steam pipe break that occurred on February 16, 1998. In the portion of the Condition Report which addressed Security Department actions, a reference was made to the Physical Security Plan commitment regarding the security response force. The Physical Security Plan information was similar to that in 10 CFR 73.55, and thus was not believed to be Safeguards information. This belief was based on NUREG 0794, Protection of Unclassified Safeguards Information, which lists, under types of information not included in the rule, "any information already in the public domain."



3. Corrective steps which have been taken and the results achieved:

- a) All copies of the Condition Report and associated paperwork were accounted for and destroyed. The Condition Report was reissued without the Physical Security Plan quote.
- b) Security Force operating instructions were reviewed, and it was verified that they contained no similar Physical Security Plan quotes.
- c) This event has been reviewed with Security Department personnel in order to ensure that they are aware of the correct interpretation of 10 CFR 73.55.

4. Corrective actions which will be taken to prevent further violations:

- a) The plant administrative procedure on Safeguards information will be revised to include a warning not to quote any information from a Safeguards document.
- b) Security Department will ensure that all safeguards controllers are made aware of this event.

5. The date when full compliance was or will be achieved:

Full compliance was achieved on May 28, 1998, when all copies of the original Condition Report were destroyed.

1

