



April 20, 1981
L-81-173

Mr. Victor Stello, Director
Office of Inspection and Enforcement
U. S. Nuclear Regulatory Commission
Washington, D. C. 20555

Re: Turkey Point Unit 3
Docket No. 50-250
10 CFR 2.205 Response to Notice of
Violation Dated February 18, 1981

Dear Mr. Stello:

In accordance with 10 CFR 2.205, Florida Power and Light Company submits this response to your letter and Notice of Violation of February 18, 1981. Our reply pursuant to 10 CFR 2.201 has been provided separately as requested.

We disagree with the severity level assigned to the specific violation. We also consider the fine to be inappropriate. This and other regulatory matters were discussed with Messrs. De Young, O'Reilly, and Lewis during their visit to Florida Power and Light on April 7, 1981.

While we consider this enforcement action inappropriate, our interest is in resolving the concerns in an expeditious manner and in enhancing our cooperative efforts to ensure continued safe operation of our nuclear plants. Accordingly, while we request that you reconsider the severity level, we have decided to not pursue the matter further and we agree to pay the fine. A check for \$40,000 is enclosed.

Sincerely yours,

Robert E. Uhrig
Vice President
Advanced Systems and Technology

REU/RAK/gw

Enclosure

cc: Mr. J. P. O'Reilly
Harold F. Reis, Esquire

8106260356



FEB 19 1981

Senior Operator License No. 2330-3
Docket No. 55-5503
EA 81-22

Mr. David H. Taylor
16900 SW 297th Street
Homestead, FL 33030

Dear Mr. Taylor:

I have been informed, from several sources, of your well-deserved reputation as a competent and dedicated professional nuclear reactor operator. As you know, a nuclear reactor operator must be diligent and consistent in his exercise of good judgment in matters relating to nuclear safety. Accordingly, I was surprised to learn that you were involved in a violation of a fundamental tenet of reactor operations.

I understand that on January 29, 1981, you left the boundaries of the Turkey Point control room surveillance area without proper relief, contrary to Commission requirements. Although your absence was of short duration and you were not far away, this does not alter the fact that your actions demonstrate a lack of good judgment on your part.

In your capacity as an NRC Licensed Senior Reactor Operator at the Turkey Point Nuclear Generating Station, you are required to be aware of plant conditions and to ensure that operations are conducted in accordance with station procedures, Technical Specifications and the Commission's rules and regulations. Accordingly, you are advised that similar demonstrations of poor judgment, in the future, may result in NRC enforcement actions.

This warning will be effective until your next license renewal. At that time it will be removed from NRC files.

I have enclosed for your information a copy of the enforcement action the NRC is taking against the Florida Power and Light Company relative to this event. Should you have any questions regarding this matter, I will be pleased to discuss them with you.

Sincerely,

Original signed by
Victor Stello

Victor Stello, Jr., Director
Office of Inspection and Enforcement

Enclosure:
as stated

CERTIFIED MAIL
RETURN RECEIPT REQUESTED

DUPLICATE

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CF

Mr. David H. Taylor
Licensed Operator - Turkey Point

- 2 -

cc: E. A. Adomat, FP&L, Executive Vice President
H. E. Yeager, Turkey Point Site Manager
P. F. Collins, Chief, OLB, NRR

FEB 23 1981

Docket Nos. 50-237
50-249
EA 81-02

Commonwealth Edison Company
Attn: Mr. Cordell Reed
Vice President
Post Office Box 767
Chicago, Illinois 60690

Gentlemen:

This is in response to your letters dated November 24, 1980 in response to the Notice of Violation and Proposed Imposition of Civil Penalty sent to you with our letter dated October 20, 1980.

After careful consideration of your letters dated November 24, 1980, and for the reasons given in the enclosed Order, we have determined that the item of noncompliance did occur as set forth in the Notice of Violation. No adequate reasons have been stated as to why the penalty for this item should not be imposed as proposed. Accordingly, we hereby serve the enclosed Order Imposing Civil Penalty in the amount of Forty Thousand Dollars (\$40,000), on Commonwealth Edison Company. We will review your corrective actions regarding this item of noncompliance in future inspections.

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

Sincerely,

[Signature]
V. Stello

Victor Stello, Jr.
Director
Office of Inspection and Enforcement

Enclosure: Order Imposing
Civil Penalty

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PDR
NSIC
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SECY
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IE FILES
Central Files
CON
VStello, IE
RDeYoung, IE
FIngram, PA
JMurray, ELD
JLieberman, ELD
NMoseley, IE
SBryan, IE
JCrooks, MPA
JCummings, OIA
Enforcement Coordinations,
RI, RII, RIII, RIV, RV
TBrockett, IE
EI Reading File
EDO Reading File
CKerr, SP
RBeavan, NRR

Department of Public Health
ATTN: Maury Neuweg, Chief
Division of Radiological Health
535 West Jefferson Street
Springfield, IL 62761

Commerce Commission
ATTN: Michael V. Hasten, Chairman
527 E. Capitol Avenue
Springfield, IL 62706

Office of the Attorney General
ATTN: Hon. William J. Scott
Attorney General
500 S. Second
Springfield, IL 62701

UNITED STATES OF AMERICA
NUCLEAR REGULATORY COMMISSION

DUPLICATE

IN THE MATTER OF

Commonwealth Edison Company
(Dresden Nuclear Power Facility)

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Docket Nos. 50-237
50-249
EA 81-02

I

Commonwealth Edison Company, Post Office Box 767, Chicago, Illinois, 60690, (the "licensee"), is the holder of Operating Licenses Numbered DPR-19 and DPR-25 (the "licenses") issued by the Nuclear Regulatory Commission (the "Commission") which authorize the operation of the Dresden Nuclear Power Facility (the facility), Units 2 and 3, respectively, located in Grundy County, Illinois. These licenses were initially issued on December 22, 1969 and January 13, 1971, respectively. Units 2 and 3 are boiling water reactors authorized to operate at power levels not in excess of 2527 megawatts thermal (rated power).

II

During an inspection of the licensee's activities at this facility conducted on August 8, 1980, an apparent item of noncompliance was identified with the requirements of 10 CFR, Part 50, "Domestic Licensing of Production and Utilization Facilities." A written Notice of Violation was served upon the licensee by letter dated October 20, 1980, specifying the item of noncompliance in accordance with 10 CFR 2.201. A Notice of Proposed Imposition of Civil Penalty was served concurrently upon the licensee in accordance with Section 234 of the Atomic Energy Act of 1954, as amended (42 USC 2282) and 10 CFR 2.205, incorporating by reference the Notice of Violation which stated the nature of the item of noncompliance and the provisions of the NRC regulations with which the licensee was in noncompliance. Answers from the licensee to the Notice of

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