

Official

JUL 09 1985

✓ Florida Power and Light Company
ATTN: Mr. J. W. Williams, Jr.
Group Vice President
Nuclear Energy Department
P. O. Box 14000
Juno Beach, FL 33408

Gentlemen:

SUBJECT: REPORT NOS. 50-250/85-17 AND 50-251/85-17

On May 13-17, 1985, the Nuclear Regulatory Commission (NRC) staff inspected activities authorized by NRC Operating License Nos. DPR-31 and DPR-41 for your Turkey Point facility. At the conclusion of the inspection, the findings were discussed with those members of your staff identified in the enclosed inspection report. The NRC's concerns relative to the inspection findings were discussed by myself, members of this office, and C. O. Woody, Vice President - Nuclear Operations, of your office in an enforcement conference held at the NRC Region II Office on June 4, 1985.

During the enforcement conference, you stated that the specific activity of the radioactive material in the package that leaked was less than the exempt concentration stated in 10 CFR 71.10 and that, consequently, no violation of NRC requirements occurred. However, your personnel made no evaluation of this package or its contents for applicability of the exempt concentrations stated in 10 CFR 71.10 prior to the shipment. It is the NRC position that the determination by an ex post facto evaluation that a shipment could have been made under less restrictive requirements than those actually used is not an option available to a shipper of radioactive material. You also stated that the calculated average specific activity in the package was made using the methodology contained in an NRC Branch Technical Position Paper concerning classification of radioactive waste required by 10 CFR 61.55. None of the calculation methods described in the Branch Technical Position Paper are applicable to the shipment you made in that the Branch Technical Position does not address the determination of specific activity for a mixture of contaminated equipment and dewatered, unsolidified resin in the same package. The activity in the package was not homogeneously dispersed; therefore, the determination of the specific activity by dividing the total activity by the total weight waste was inappropriate.

Areas examined during the inspection are identified in the report. Within these areas, the inspection consisted of selective examinations of procedures and representative records, interviews with personnel, and observation of activities in progress.

The inspection findings indicated that certain activities violated NRC requirements. The violations, references to pertinent requirements, and elements to be included in your response are presented in the enclosed Notice of Violation.

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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 its enclosures will be placed in the NRC Public Document Room.

The responses directed by this letter and the enclosures are not subject to the clearance procedures of the Office of Management and Budget issued under the Paperwork Reduction Act of 1980, PL 96-511.

Should you have any questions concerning this letter, please contact us.

Sincerely,

J. Nelson Grace
Regional Administrator

Enclosures:

1. Notice of Violation
2. Inspection Report Nos. 50-250/85-17
and 50-251/85-17

cc w/encls:

- ✓ C. M. Wethy, Vice President
Turkey Point Nuclear Plant
- ✓ C. J. Baker, Plant Manager
Turkey Point Nuclear Plant
- ✓ R. J. Acosta, Plant QA Superintendent

bcc w/encls:

- ✓ NRC Resident Inspector
Document Control Desk
State of Florida

See previous concurrence sheet

RII	RII	RII	RII	RII
RAIbright:bhg	CMHosey	DMCollins	JPStohr	SAElrod
06/ /85	06/ /85	06/ /85	06/ /85	06/ /85
RII	RII	RII	RII	RII
GRJenkins	VLBrownlee	RDWalker	BWJones	JAOrhinski
06/28/85	06/ /85	06/ /85	06/28/85	06/28/85

IL Telephonic concurrence
by G. Klingler on 7-8-85

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State of Florida

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