

NOTICE OF VIOLATION

Florida Power Corporation
Crystal River Nuclear Plant
Unit 3

Docket No.: 50-302
License No.: DPR-72
EA 97-094

During a Nuclear Regulatory Commission (NRC) inspection conducted during the period January 27 through March 21, 1997, violations of NRC requirements were identified. In accordance with the "General Statement of Policy and Procedures for NRC Enforcement Actions," NUREG-1600, the violations are listed below:

- A. 10 CFR 50.72 (b)(1) requires, in part, that the licensee notify the NRC as soon as practical and in all cases within one hour of the occurrence of any condition during operation that results in the nuclear power plant being in a condition outside the design basis of the plant.
- 10 CFR 50.73 requires, in part, that the licensee submit a Licensee Event Report, within 30 days after the discovery of the condition, regardless of the plant mode or power level, any condition that resulted in the nuclear power plant being in an unanalyzed condition that significantly compromised plant safety or being in a condition outside the design basis of the plant.
1. Contrary to 10 CFR 50.72 (b)(1) and 50.73, the licensee failed to report to the NRC, within one hour of the occurrence of the condition and within 30 days after the discovery, a condition that the licensee determined was outside the design basis of the plant. In December 1995 (while the plant was operating), a licensee engineer identified that a manual transfer switch, which provides safety-related power to Engineered Safeguards (ES) status lights from two different vital buses, was incorrectly installed as non-safety-related. The licensee made a 10 CFR 50.72 report of this condition on June 13, 1996 and made a 10 CFR 50.73 report on July 15, 1996. (01013)
 2. Contrary to 10 CFR 50.73, the licensee failed to report to the NRC, within 30 days after discovery, an unanalyzed condition that significantly compromised plant safety. The condition was inadequate net positive suction head for the turbine-driven emergency feedwater pump which could have rendered the emergency feedwater system incapable of fulfilling its intended safety and accident mitigation functions. The condition was identified in April 1996 (while the plant was shut down) and had not been reported to the NRC as of January 27, 1997. After NRC identification of this issue, the licensee reported it on February 27, 1997 in Licensee Event Report No. 97-001. (01023)

Enclosure 1

- B. 10 CFR 73.71(b)(1) requires licensees to report to the NRC, within one hour, any discovered vulnerability in a safeguard system that could allow unauthorized or undetected access to a protected area.

Contrary to the above, on January 30, 1997, the licensee failed to report to the NRC a vulnerability in a safeguard system, the protected area boundary, within one hour. Specifically, on January 30, 1997, at 6:45 p.m., the licensee identified a breach in the protected area boundary located at a main condenser circulating waterbox that could allow unauthorized or undetected access to the protected area. At approximately 10:30 p.m. on January 30, 1997, the licensee determined that the breach was in excess of the allowable Security Plan breach size and therefore the breach was a reportable vulnerability. The licensee failed to meet the one hour reporting requirement in that the licensee did not report the breach to the NRC until 1:18 a.m. on January 31, 1997. (01033)

- C. Technical Specification (TS) 5.6.1.1, Procedures, requires that written procedures be established, implemented, and maintained for the activities recommended in Appendix A of Regulatory Guide (RG) 1.33, Quality Assurance Program Requirements, Revision 2, February 1978. Appendix A of RG 1.33 includes administrative procedures required for review of significant safety issues.

Compliance Procedure (CP) 111, Processing of Precursor Cards for Corrective Action Program, Revision 55, Section 3.2.1.2, requires, in part, that the originator of a precursor card (PC) must hand carry it to the Shift Manager for immediate evaluation if it is believed or suspected that the event or condition involves a reportable or safety issue.

Contrary to the above, on January 31, 1997, the licensee failed to ensure that the originator of PC No. 97-055 hand carried the PC to the Shift Manager for immediate evaluation. PC No. 97-055 documented a situation where components were potentially outside their design basis and was annotated by the originator as potentially reportable due to the suspected design basis problem. The PC was sent to the Shift Manager for review via the normal licensee mail system and was received on February 6, 1997. (01043)

These violations represent a Severity Level III problem (Supplement I).

Pursuant to the provisions of 10 CFR 2.201, the Florida Power Corporation (Licensee) is required to submit a supplemental written statement or explanation to the U. S. Nuclear Regulatory Commission, ATTN: Document Control Desk, Washington, D. C. 20555 with a copy to the Regional Administrator, Region II, and a copy to the NRC Resident Inspector at the Crystal River facility, 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 Notice of Violation" and should include the specific information requested in the cover letter to this Notice. Your response may reference or include previously docketed correspondence, if the correspondence adequately

addresses the required response. If an adequate reply is not received within the time specified in this Notice, an order or Demand for Information may be issued as to why the license should not be modified, suspended, or revoked, or why such other action as may be proper should not be taken. Where good cause is shown, consideration will be given to extending the response time.

Because your response will be placed in the NRC Public Document Room (PDR), to the extent possible, it should not include any personal privacy, proprietary, or safeguards information so that it can be placed in the PDR without redaction. If personal privacy or proprietary information is necessary to provide an acceptable response, then please provide a bracketed copy of your response that identifies the information that should be protected and a redacted copy of your response that deletes such information. If you request withholding of such material, you must specifically identify the portions of your response that you seek to have withheld and provide in detail the bases for your claim of withholding (e.g., explain why the disclosure of information will create an unwarranted invasion of personal privacy or provide the information required by 10 CFR 2.790(b) to support a request for withholding confidential commercial or financial information). If safeguards information is necessary to provide an acceptable response, please provide the level of protection described in 10 CFR 73.21.

Dated at Atlanta, Georgia
this 6th day of June 1997

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U.S. Nuclear Regulatory Commission

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