

DEC 30 1992

Docket No. 50-333

Mr. Harry P. Salmon, Jr.
Resident Manager
New York Power Authority
James A. FitzPatrick Nuclear Power Plant
Post Office Box 41
Lycoming, New York 13093

Dear Mr. Salmon:

Subject: Inspection 50-333/92-82

This letter refers to your December 17, 1992 correspondence, in response to our November 12, 1992 letter.

Thank you for informing us of the corrective and preventive actions documented in your letter. These actions will be examined during a future inspection of your licensed program.

Your cooperation with us is appreciated.

Sincerely,

Original Signed By:

E. H. Gray

for Jacque P. Durr, Chief
Engineering Branch
Division of Reactor Safety

cc:

J. Brons, President
R. Beedle, Executive Vice President - Nuclear
G. Goldstein, Assistant General Counsel
J. Gray, Jr., Director, Nuclear Licensing - BWR
Supervisor, Town of Scriba
C. Donaldson, Esquire, Assistant Attorney General, New York Department of Law
Director, Energy & Water Division, Department of Public Service, State of New York
Public Document Room (PDR)
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Nuclear Safety Information Center (NSIC)
NRC Resident Inspector
State of New York, SLO Designee

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DEC 30 1992

Mr. Harry P. Salmon, Jr.

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bcc:

Region I Docket Room (with concurrences)

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D. Holody, EO

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RI:DRS

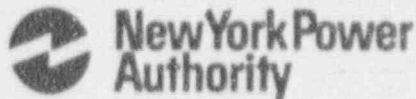
Durr

G/H for JD
12/29/92

OFFICIAL RECORD COPY

A:R50-333.JT

James A. FitzPatrick
Nuclear Power Plant
P.O. Box 41
Lycoming, New York 13093
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Harry P. Salmon, Jr.
Resident Manager

December 17, 1992
JAFF-92-0855

Director, Office of Enforcement
U.S. Nuclear Regulatory Commission
ATTN: Document Control Desk
Washington, D.C. 20555

SUBJECT: James A. FitzPatrick Nuclear Power Plant
Docket No. 50-333
Revision to Notice of Violation Inspection
50-333/92-82

REFERENCES: 1. NRC letter to H.P. Salmon, dated
November 12, 1992, "NRC Inspection Report
50-333/92-82"

Dear Sir:

This letter provides the Authority's written response to NRC
Inspection Report 50-333/92-82 (Reference 1). The
inspection report contained one Notice of Violation during
the NRC's Restart Assessment Team Inspection at the James A.
FitzPatrick Nuclear Power Plant conducted October 5-14,
1992.

If you have any questions, please contact Mr. M. Colomb.

Very truly yours,

HARRY P. SALMON, JR.

HPS:AA:tld
Attachments

9212220315 5 pp.

cc: Regional Administrator
U.S. Nuclear Regulatory Commission
475 Allendale Road
King of Prussia, PA 19406

Office of the Resident Inspector
U.S. Nuclear Regulatory Commission
P.O. Box 136
Lycoming, NY 13093

Mr. Brian C. McCabe
Project Directorate I-1
Division of Reactor Projects - I/II
U.S. Nuclear Regulatory Commission
Mail Stop 14 B2
Washington, D.C. 20555

New York Power Authority

JAMES A. FITZPATRICK NUCLEAR POWER PLANT

ATTACHMENT I TO JAFP-92-0855

NOTICE OF VIOLATION

As a result of the inspection conducted on October 5-14, 1992, and in accordance with the "General Statement of Policy and Procedure for NRC Enforcement Actions," 10CFR Part 2, Appendix C (Enforcement Policy) (1992), the following violation was identified:

Technical Specification 6.8 requires that procedures and written policies shall be established, implemented, and maintained to control activities affecting safety. Procedure PSO-51, Erection of Scaffolds Near Safety-related Equipment, steps 7.3 and 7.68 requires tie-offs for scaffolding greater than seven feet in height, unless located greater than one foot from safety-related equipment.

Contrary to the above, on October 6, the team identified scaffolding installed less than one foot from safety-related Battery Charger 'A' and associated cable trays, without tie-offs installed.

This is a Severity Level IV Violation (Supplement I).

New York Power Authority

JAMES A. FITZPATRICK NUCLEAR POWER PLANT

ATTACHMENT II TO JAFP-92-0855

Page 1 of 2

RESPONSE TO NOTICE OF VIOLATION

VIOLATION

Scaffolding was installed less than one foot from safety-related Battery Charger "A" and associated cable trays, without tie-offs installed.

ADMISSION OR DENIAL OF THE ALLEGED VIOLATION

The Authority agrees with the violation.

THE REASONS FOR THE VIOLATION

Personnel error and procedure deficiency were the primary causes for the failure to provide tie-offs for scaffolding installed less than one-foot from safety-related equipment.

PSO-51 is the procedure for erection of scaffolding near safety-related equipment. The procedure did not have a clear basis for determining the adequacy of installation and NYPA did not have an engineering basis for determining whether scaffolding posed a seismic hazard to safety-related equipment. Also, personnel had not been properly trained to recognize safety-related equipment.

New York Power Authority

JAMES A. FITZPATRICK NUCLEAR POWER PLANT

ATTACHMENT II TO JAFP-92-0855

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RESPONSE TO NOTICE OF VIOLATION

THE CORRECTIVE STEPS THAT HAVE BEEN TAKEN AND THE RESULTS ACHIEVED

NYPA has initiated Adverse Quality Control Report (AQCR) 92-325. Plant personnel inspected installed scaffolding, identified discrepancies, and immediately removed the scaffolding or corrected the deficiencies. In addition, training was provided to individuals responsible for evaluating the acceptability of installed scaffolding.

PSO-51 was revised to: 1) provide guidance to assist plant staff to recognize safety-related equipment by listing safety related equipment types and more thoroughly identifying the areas in the plant that contain safety-related equipment, 2) properly evaluate scaffolding to determine when tie-downs are required, 3) tie-off to the plant structure scaffold installations less than 7'.0" in height to the working platform and within ten feet of safety-related equipment, 4) define materials (rigid poles, steel wire measuring 9 gauge or larger, or rope with a working strength in excess of 1000 pounds) required for adequate rigid support of the scaffolding and 5) changed responsibility to NYPA Operations Department Licensed Plant Operator as the responsible person to review scaffolding installations in safety-related areas of the plant.

In addition, corporate engineering developed a seismic calculation to support the PSO revision.

THE CORRECTIVE STEPS THAT WILL BE TAKEN TO AVOID FURTHER VIOLATIONS

As described above.

THE DATE WHEN FULL COMPLIANCE WILL BE ACHIEVED

Full compliance has been achieved with issuance of Revision 7 to PSO-51, December 5, 1992.