

October 23, 1996

Michael J. Colomb
Plant Manager
New York Power Authority
James A. FitzPatrick Power Plant
Post Office Box 41
Lycoming, NY 13093

**SUBJECT: NRC INTEGRATED INSPECTION REPORT 50-333/96-06 AND NOTICE
OF VIOLATION**

Dear Mr. Colomb:

On September 28, 1996, the NRC completed an inspection at your FitzPatrick Power Plant. The enclosed report presents the results of that inspection. Please note that this report is written in accordance with the new NRC standardized reactor inspection report outline and, as such, will typically not address all of the outline topics established by that outline. This report also incorporates the results of the special inspection team conducted to review the circumstances surrounding the September 16, 1996, reactor scram event.

Overall, NRC inspectors noted good performance by the operations, engineering and maintenance staff. In addition, the areas included in plant support were improving. However, the September 16th event revealed several personnel performance problems and concerns with your work control process related to the conduct of risk significant activities. Of particular concern was that a fundamental principle of good work practices was not adhered to in that a technician proceeded to continue a task when faced with a condition that was acknowledged to be risk significant. In addition, equipment deficiencies related to safety related breakers and containment isolation valves were identified. The event led to a substantial disruption in plant activities and a significant challenge to operators.

Based on the results of this inspection, the NRC concluded that a violation of NRC requirements occurred. You are required to respond to this letter and should follow the instructions specified in the enclosed Notice of Violation (Notice) when preparing your response. In your response, you should document the specific actions taken and any additional actions you plan to prevent recurrence. Your response may reference previous docketed correspondence if the correspondence adequately addresses the required response. After reviewing your response to this Notice, including your proposed corrective actions and the results of future inspections, the NRC will determine whether further NRC enforcement action is necessary to ensure compliance with NRC regulatory requirements.

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In accordance with 10 CFR 2.790 of the NRC's "Rules of Practice," a copy of this letter and its enclosures will be placed in the NRC Public Document Room (PDR). To the extent possible, your response should not include any personal privacy, proprietary, or safeguards information so that it can be placed in the PDR without redaction.

We appreciate your cooperation.

Sincerely,

Original Signed by:

Curtis J. Cowgill, Chief
Projects Branch 2
Division of Reactor Projects

Docket No.: 50-333

License No.: DPR-59

Enclosures:

1. Notice of Violation
2. Inspection Report Number 50-333/96-06

cc w/encls:

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W. J. Cahill, Jr., Chief Nuclear Officer
H. P. Salmon, Jr., Vice President of Nuclear Operations
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G. C. Goldstein, Assistant General Counsel
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C. Donaldson, Esquire, Assistant Attorney General, New York Department of Law
P. Eddy, Director, Electric Division, Department of Public Service, State
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G. T. Goering, Consultant, New York Power Authority
J. E. Gagliardo, Consultant, New York Power Authority
F. William Valentino, President, New York State Energy Research
and Development Authority
J. Spath, Program Director, New York State Energy Research
and Development Authority

Michael J. Colomb

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