

ENCLOSURE 1

NOTICE OF VIOLATION

New York Power Authority
James A. FitzPatrick Nuclear Power Plant

Docket No. 50-333
License No. DPR-59

During an NRC inspection conducted on July 28, 1996 through September 28, 1996, a violation of NRC requirements was identified. In accordance with the "General Statement of Policy and Procedure for NRC Enforcement Actions," (60 FR 34381; June 30, 1995), the violation is listed below:

- A. Technical Specification 6.8.(A)1 requires that written procedures and administrative policies shall be established, implemented and maintained that meet or exceed the requirements and recommendations of Section 5 of American National Standards Institute (ANSI) 18.7-1972 "Facility Administrative Policies and Procedures." Section 5.1.2 of ANSI 18.7-1972 states in part, that procedures shall be followed, and the requirements for use of procedures shall be prescribed in writing.

Contrary to the above, on September 16, 1996, during work associated with WR 96-02875-00, to perform calibration of 71-59N-1UPRN05, two instances occurred where procedures were not followed and the failure to follow these procedures resulted in a reactor trip. The following examples were cited:

(1) Administrative Procedure (AP) 10.03, Work Package Planning, step 8.1.5 states where accessible, perform a walkdown of the work site to obtain an understanding of the specific needs and location of the work environment. However, failure to adequately walkdown the work associated with WR 96-02875-00, to perform calibration of 71-59N-1UPRN05, was not performed with adequate detail to identify the high risk involved with performing the maintenance with the plant at power.

(2) Instrument Maintenance Procedure IMP-G20, Generic Troubleshooting and Maintenance Procedure, states, in part, that prior to disconnecting wires, ensure any adverse affects on plant equipment operation or operational status have been discussed with applicable Control Room Operator(s) and Shift Manager. However, during the calibration of 71-59N-1UPRN05, when the technician determined that the work had the potential to adversely affect the operation of the plant, he failed to notify control room operators or the shift manager.

This is a Severity Level IV Violation (Supplement 1).

Pursuant to the provisions of 10 CFR 2.201, New York Power Authority is hereby required to submit a 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 I, and a copy to the NRC Resident Inspector at the facility that is the subject of this Notice, within 30 days of receipt of the letter transmitting this Notice of Violation (Notice). This reply should be clearly marked as a "Reply to a Notice of Violation" and should include for each violation: (1) the reason for the violation, or, if contested the basis for disputing the violation, (2) the corrective steps that have been taken and the results achieved, (3) the corrective steps that will be taken to avoid further violations, and (4) the date when full compliance will be achieved. 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. However, if you find it necessary to include such information, you should clearly indicate the specific information that you desire not to be placed in the PDR, and provide the legal basis to support your request for withholding the information from the public.

Dated at King of Prussia, PA
this 24th day of October, 1996