

December 13, 1996

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

SUBJECT: NRC INTEGRATED INSPECTION REPORT 50-333/96-07 AND NOTICE
OF VIOLATION

Dear Mr. Colomb:

On November 16, 1996 the NRC completed an inspection at your FitzPatrick Power Plant. 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. The enclosed report presents the results of that inspection.

Overall, plant operation and major outage activities were conducted safely and were well controlled with good management oversight. However, the event that resulted in the incorrect control rod drive to be removed is of concern to the NRC. The event was compounded by several problems in your organization, including poor communications among departments, inadequate questioning by operators and inadequate review by the engineering staff at FitzPatrick. In this example, when faced with unexpected conditions, there were several opportunities for plant and contractor personnel to stop work and investigate the anomalies, but this was not initially done.

In addition, weaknesses were identified with your control of design, test, and corrective action programs. Collectively, these examples represent a lack of rigor and weaknesses in communication involving some engineering design activities.

Based on the results of this inspection, the NRC concluded that violations 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. Please include as a part of your response those corrective actions you intend to take to understand the broader implications of these violations. 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, its enclosures, and your response 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 III, 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 50-333/96-07

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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P. Eddy, Director, Electric Division, Department of Public Service, State
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G. T. Goering, Consultant, New York Power Authority
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