

January 30, 1997

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 50-333/96-08 AND NOTICE OF VIOLATION

Dear Mr. Colomb:

On January 4, 1997 the NRC completed an inspection at your FitzPatrick Power Plant. The enclosed report presents the results of that inspection.

Overall, plant operation and major outage activities were conducted safely and were well controlled. However, personnel errors observed during this inspection, indicate that continued strong attention and focus on improving human performance is warranted. For example, a personnel error during surveillance on reactor water level instrumentation resulted in a reactor protection system actuation, assumptions made during high pressure coolant injection system maintenance resulted in the improper installation of hydraulic control system lines, and improper radiological control practices by operators had the potential to result in uncontrolled radioactive material. The NRC notes that you are in the process of implementing corrective actions to address human performance issues as a result of a recent violation.

Based on the results of this inspection, the NRC concluded that your extended operation on November 7, 1995, of all four residual heat removal pumps in the suppression pool cooling mode, prior to performing a formal safety evaluation, was a violation of 10 CFR 50.59. 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 part of your response those corrective actions you intend to take to understand the broader implications of the violation. 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.

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 50-333/96-08

cc w/encls:

C. D. Rappleyea, Chairman and Chief Executive Officer
R. Schoenberger, President and Chief Operating Officer
W. J. Cahill, Jr., Chief Nuclear Officer
H. P. Salmon, Jr., Vice President of Nuclear Operations
W. Josiger, Vice President - Engineering and Project Management
J. Kelly, Director - Regulatory Affairs and Special Projects
T. Dougherty, Vice President - Nuclear Engineering
R. Deasy, Vice President - Appraisal and Compliance Services
R. Patch, Director - Quality Assurance
G. C. Goldstein, Assistant General Counsel
C. D. Faison, Director, Nuclear Licensing, NYPA
T. Morra, Executive Chair, Four County Nuclear Safety Committee
Supervisor, Town of Scriba
C. Donaldson, Esquire, Assistant Attorney General, New York Department of Law
P. Eddy, Director, Electric Division, Department of Public Service, State
of New York
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

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