

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 from April 13 to May 25, 1997, a violation of NRC requirements was identified. In accordance with the "General Statement of Policy and Procedure for NRC Enforcement Actions," (Enforcement Policy), NUREG 1600, the violation is listed below:

Technical Specification 6.11 requires, in part, that procedures for personnel radiation protection shall be prepared and adhered to for all plant operations. Administrative Procedure (AP)-07.00 (Rev. 0), Radiation Protection Program, Section 6.1.5, states that radiation workers shall comply with radiation protection instructions.

Contrary to the above, radiation workers did not comply with radiation protection instructions as identified in the following examples:

- (1) On December 7, 1996, two radiation workers did not adhere to the radiation work permit, disregarded radiological posting requirements and one worker improperly used the portal monitor. These practices resulted in an individual becoming contaminated; and
- (2) On April 16, 1997, in two separate incidents, radiation workers escorted three visitors into the plant cable tunnel which is a radiologically controlled area (RCA). The entrance to the cable tunnel was posted with a yellow and magenta sign which stated "Caution Radioactive Material" that the area was an RCA, that only authorized personnel were to enter, and that a thermoluminescent dosimeter (TLD) was required for entry. The visitors were not authorized or monitored for radiation exposure as required by procedure.

This is a Severity Level IV violation (Supplement IV).

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, 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. Your response may reference or include previous docketed correspondence, if the correspondence adequately addresses the required response. 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, Pennsylvania
this 13th day of June 1997