

No. 93-101
Tel. 301-504-2240

FOR IMMEDIATE RELEASE
(Thursday, July 22, 1993)

NRC STAFF PROPOSES \$300,000 FINE AGAINST NYPA FOR ALLEGED
VIOLATIONS OF NRC REQUIREMENTS AT INDIAN POINT 3 NUCLEAR PLANT

The Nuclear Regulatory Commission staff has cited the New York Power Authority (NYPA) for a number of alleged violations of NRC requirements at the Indian Point Unit 3 power plant in Buchanan, NY. The staff proposes a \$300,000 fine.

The alleged violations were found during inspections in early 1993.

The first set of alleged violations involve NRC requirements that pressurized water reactors, such as Indian Point 3, have equipment to automatically start the auxiliary feedwater system and to automatically stop the turbine generator, under certain conditions, when the reactor has not shut down as expected. The system, known as AMSAC, should automatically shutdown the plant if other automatic shutdown systems fail. This AMSAC system is required by NRC to be tested periodically to ensure its reliability. In late 1992 and early 1993, NRC inspectors found the system had not been adequately designed, installed and sufficiently tested since it was originally placed in service in June 1989, and the operators could not be assured that the system would function as intended, if it were called on to operate in an emergency.

In a letter to NYPA, Thomas T. Martin, Regional Administrator, NRC Region I, said, "the equipment...is intended to serve an important safety function and your failure to ensure proper functioning and reliability of this system since the original installation is a significant regulatory concern."

For this set of violations, the staff proposes a \$100,000 fine.

The second set of alleged violations occurred during testing of the reactor coolant system (RCS) with the water level in the reactor intentionally lowered from its normal level. During power operation, the vessel is completely filled with water. But, to accomplish repair or maintenance on parts of the RCS normally filled with water, the plant is shut down and the level is

lowered enough to drain the equipment on which work is to be done. NRC regulations require that procedures, instructions or drawings be provided, and followed, for all activities considered to affect quality. On March 19, with the plant shut down and the reactor water level lowered, the operators shut off the only available means of measuring water level in the RCS. Thus, they had no way of knowing if the reactor water level was maintained at a safe level, or not. A requirement that operators notify operations management when level indications from two independent water level measuring devices are inconsistent was not followed. These alleged violations of requirements led to a temporary loss of all reactor water level indication.

Mr. Martin said this violation is of significant safety concern because the activities were conducted outside of the work control program, and failure to properly monitor and control the RCS level with the reactor partially emptied of water could result in a loss of heat-removal capacity.

For the second set of alleged violations, the staff proposes a \$100,000 fine.

During the inspections at the plant, NRC inspectors found seven other alleged violations of the plant's technical specifications, including: bringing the plant from a cold shut-down condition to a hot shut-down condition without first ensuring that the control room ventilation system was capable of operating; not shutting down the plant when auxiliary boiler feedwater pumps and boric acid pumps were inoperable for a period longer than permitted in the plant's technical specifications; failing to perform periodic tests of the radwaste and radioactive machine shop building effluent measuring devices; and numerous violations of plant procedures.

In his letter to NYPA, Mr. Martin said, "These violations reflect an inadequate surveillance testing program, inadequate procedures, failure to follow procedures, and an overall inattention to detail by plant personnel. NYPA management failed to address the root causes of these violations despite numerous violations and several civil penalties issued in the last two years involving similar issues. Management's failure to correct these problems is of significant concern to the NRC."

For this third set of violations, the staff proposes a \$100,000 fine.

The NRC staff could have increased the monetary penalty for each set of violations, but did not do so because of NYPA's decision to shut down the plant and to implement an extensive improvement program to address the underlying root causes of the problems.

NYPA has 30 days either to pay the proposed fine or to request in writing that part or all of it be withdrawn, giving its reasons for any such request. NYPA also has 30 days to admit or deny the alleged violations, to give reasons for them if admitted, to describe the actions it has taken or plans to take to prevent their happening in the future, and to give the date by which it expects to be in full compliance with NRC requirements.

The State of New York has been informed of this enforcement action.

#