

POWER AUTHORITY OF THE STATE OF NEW YORK

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January 7, 1980

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Mr. Boyce H. Grier, Director
United States Nuclear Regulatory Commission
Region I
631 Park Avenue
King of Prussia, Pa. 19406

Subject: James A. FitzPatrick Nuclear Power Plant
Docket No. 50-333
NRC I&E Inspection No. 79-13

Indian Point 3 Nuclear Power Plant
Docket No. 50-286
NRC I&E Inspection No. 79-20

Dear Mr. Grier:

With reference to the inspection conducted by Mr. D. Kehoe and Mr. G. Napuda of your office on September 10-14 and 17-20, 1979 at the FitzPatrick and Indian Point 3 Plants and the Authority's New York Office, and in accordance with the provisions of Section 2.201 of Part II of Title 10 of the Code of Federal Regulations, we are submitting our response to Appendix A, Notice of Violation, to the Subject NRC Inspections. The responses are attached to this letter.

These Inspection Reports were received in our New York Office on December 17, 1979.

Very truly yours,

George T. Berry
President and
Chief Operating Officer

cc: Mr. T. Rebelowski w/att.

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J. A. FitzPatrick

Deficiency A:

10 CFR 50.59 states, in part, "The licensee shall maintain records of changes in the facility ... These records shall include a written safety evaluation ... The licensee shall furnish to the appropriate NRC Regional Office ... annually ... a brief description of ... changes ... including a summary of the safety evaluation of each."

Contrary to the above, the licensee did not submit a report of changes to the facility including a brief summary of their safety evaluations for the following modifications completed during 1978.

- Fl-76-55, Install Automated Trip Transmitter Units for Reactor Pressure
- Fl-76-59, HPCI/RCIC Control Modifications
- Fl-78-23, Install the Thermal Power Monitor
- Fl-78-36, Replace Feedwater Spargers
- Fl-78-48, Install New Second Stage Safety Relief Valves
- M-6-384, Remove Density Compensation Circuitry from Feed Flow Input to Feedwater Control GE-FDI-RKGE
- M-27-1519, Install Test Tees and Valves in Panel 04-01 and 04-02 to Allow Sampling and Calibration
- M-71-2714, Rewire T2, T3, and T4 Low Nitrogen Pressure Alarms

Response:

The inspector's findings regarding noncompliance Item A listed in the Notice of Violation was correct. While implementing a change to the Nuclear Regulatory Commission reporting system, the requirements to furnish this information annually to the Regulatory Commission was inadvertently deleted. The plant administration again placed this requirement in our internal reporting system and in addition, we immediately submitted the required information on October 10, 1979 by letter to your office. (Serial JAFP-79-546).

J. A. FitzPatrick and Indian Point No. 3

Infraction B:

The J. A. FitzPatrick Technical Specifications, Section 6.1 states that the Resident Manager reports to the General Manager and Chief Engineer (a single position). The Indian Point No. 3 Technical Specifications, Section 6.2.1 states that the organization shall be as shown on figure 6.2.1 which shows the Resident Manager reporting to the General Manager and Chief Engineer.

Contrary to the above, the Resident Managers at J. A. FitzPatrick and Indian Point No. 3 were reporting to the Director of Power Operations, who is administratively, at a lower level than the General Manager and Chief Engineer. A formal request for a change in Technical Specifications was not submitted for FitzPatrick and NRC approval was not granted for either facility.

Response:

In a memorandum dated September 25, 1979, the President and Chief Operating Officer (formerly General Manager and Chief Engineer) directed that the Resident Manager of J. A. FitzPatrick and Indian Point 3 report administratively to the President and Chief Operating Officer and functionally to the Manager of Nuclear Operations. This memorandum brought the Authority's organization into compliance with the facilities existing Technical Specification requirements.

On October 2, 1979, the Authority submitted to the NRC an application for amendment to the operating licenses for the J. A. FitzPatrick and Indian Point 3 facilities to correct changes in management titles and to request approval of the administrative reporting of the Resident Managers to the Executive Vice President and Director of Power Operations (formerly Director of Power Operations).

In order to prevent further items of noncompliance in this area, the Chairman and Chief Executive Officer of the Authority issued a memorandum on January 3, 1980 to all Authority Departments stating that any future organizational changes affecting the nuclear projects should be submitted to on - and off-site Safety Committees for review and comment. The Chairman directed that a Safety Evaluation be prepared and approved by the Safety Committees prior to implementation. If the organization change affects the Technical Specifications, the Chairman directed that in accordance with 10 CFR 50.59(c) prior NRC approval must be obtained before the change can be implemented.

J. A. FitzPatrick and Indian Point No. 3

Infraction C:

10 CFR 50 Appendix B, Criterion XVI, states that measures shall be established to assure that conditions adverse to quality are promptly corrected.

The FSAR, Appendix D, Section D.2.2.0 states that the QA Program complies with WASH 1283, dated May 24, 1974. WASH 1283 endorses ANSI N45.2.12-1974.

ANSI N45.2.12-1974 states that the audited organization shall respond to an audit report within 30 days of the receipt of the results of the audit. The response shall clearly state the corrective action taken or a scheduled date by which corrective action will be completed.

Contrary to the above, the Engineering Department has not responded to Audit Report No. 1 of the Implementation of Engineering Department Procedures as of September 19, 1979. The results of Audit Report No. 1 were forwarded to the Engineering Department on October 5, 1978.

Response:

The Authority's New York Office Engineering Department will complete its response to the Authority in-house audit by January 18, 1980. Some revisions to the Engineering Department Procedures will be required as a result of the audit and these will be completed by July 1, 1980. To prevent similar occurrences in the future, the Authority's Executive Vice President and Chief Engineer has directed by memo dated January 7, 1980 that the New York Office Engineering Department respond to in-house audits within 30 days, as required by ANSI N45.2.12-1974.

J. A. FitzPatrick

Deficiency D:

10 CFR 50, Appendix B, Criterion V, Instruction, Procedures, and Drawings, states, in part, "Activities affecting quality shall be prescribed by documented instructions, procedures, and drawings, of a type appropriate to the circumstances and shall be accomplished in accordance with these instructions, procedures, and drawings."

The Quality Assurance Program Manual, Section 5, states, in part, "Quality affecting activities shall be based on ... drawings ... as appropriate."

Contrary to the above, the drawings used to conduct plant operations (FMs and OPs) were inconsistent. The following examples are several of the discrepancies noted by the inspector between the OPs and FMs:

- FM-22A shows four containment isolation valves on instrumentation lines which are not shown on OP 19/19-1 even though both drawings depict the same piping
- FM-16A shows an air operated valve between the offgas filters and the stack but OP 24A-1/24-1 does not, even though both drawings depict the same piping
- FM-48A shows Damper D-8 that is not shown on OP-20/20-1 even though the drawings depict the same system

Response:

The inspector's findings were correct in that some confusion existed in the minds of some operators regarding which drawings should be used in resolving discrepancies on plant configuration. It was reiterated to the operators that the Operating Procedure (OP) drawings were simplified drawings to show basic system configurations in order to aid the operators in the performance of their duties. It was also reiterated that the Flow and Machinery (FM) Layout drawings along with current modification drawings for those incomplete modifications or completed modifications from Architect Engineer should be used for detailed resolution of discrepancies or problems involving plant systems. Further, as committed verbally in the exit interview with the inspectors, the OP drawings were revised by November 29 to reflect the as built condition of the plant.

Indian Point No. 3

Infraction E:

10 CFR 50, Appendix B, Criterion XVII, states, in part, "...Consistent with applicable Regulatory Requirements, the applicant shall establish requirements concerning record retention, such as duration, location, and assigned responsibility."

Amendment 12 to the Facility Operating License, which incorporates the original submittal of Chapter 17.2 (March 1, 1977) to the FSAR, states, in part (17.2.2.1), "...The program complies with the guidance set forth in... WASH-1309... dated May 10, 1974..."

ANSI N45.2.9-1974 (15 Draft, Revision 0), Requirements for Collection, Storage, and Maintenance of Quality Assurance Records for Nuclear Power Plants, is contained within WASH-1309. Paragraph 5.6, Facility, delineates the physical storage requirements for single copy record storage.

Contrary to the above, the storage facilities for single copy records does not comply with the construction requirements of ANSI N45.2.9, Paragraph 5.6 (e.g., the temporary "vault", 1 hour fire rated cabinets in the site warehouse administrative area and corporate record storage facilities).

Response:

At Indian Point Unit #3 records have been and are presently stored in accordance with Regulatory Guide 1.88 which recognizes the use of fire rated file cabinets in lieu of a storage vault. The Power Authority, however, committed in Amendment No. 12 to the Facility Operating License to store records in accordance with ANSI-N45.2.9 which only addresses a record storage vault. This difference was later noted and the subject of conversation between our Mr. G. M. Wilverding and your Mr. T. V. Wambach. It was concluded between these two parties, in light that these are temporary facilities until the records vault in the new Administration Building is completed, that the method of record storage was acceptable provided we perform an acceptable 10 CFR 50.59 evaluation and report same to the Commission in the annual report. This evaluation will be performed by January 30, 1980 and reported in the next 10 CFR 50.59 annual report.