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December 30, 1993

Re: Indian Point Unit No. 2  
Docket No. 50-247

Document Control Desk  
US Nuclear Regulatory Commission  
Mail Station P1-137  
Washington, DC 20555

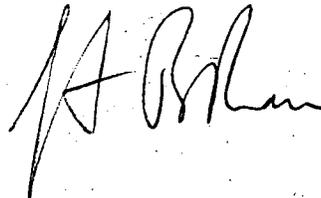
SUBJECT: Reply to a Notice of Violation

REFERENCE: NRC Letter dated November 30, 1993, "Notification  
of Changes in Senior Reactor Operator Status;  
Notice of Violation

This letter responds to the November 30, 1993 Notice of  
Violation (NOV) pertaining to the notification of changes in  
senior reactor operator status. Our reply to the NOV is  
contained in Attachment A.

Should you have any questions regarding this matter, please  
contact Mr. Charles W. Jackson, Manager, Nuclear Safety and  
Licensing.

Very truly yours,



cc: Mr. Thomas T. Martin  
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ATTACHMENT A

REPLY TO NOTICE OF VIOLATION

CONSOLIDATED EDISON COMPANY OF NEW YORK, INC.  
INDIAN POINT UNIT NO. 2  
DOCKET NO. 50-247  
DECEMBER, 1993

REPLY TO NOTICE OF VIOLATION

VIOLATION:

By letter dated November 1, 1993, a violation of NRC requirements was identified. In accordance with the "General Statement of Policy and Procedure for NRC Enforcement Actions," 10 CFR Part 2, Appendix C (1993), the violation was listed below:

10 CFR Part 55, paragraph 55.25 requires that the facility shall notify the Commission within 30 days of learning of a diagnosis that indicates that a licensed operator has a physical condition that does not meet the conditions of his license.

Contrary to the above, three senior reactor operators at Indian Point Unit 2 were diagnosed as having degraded vision such that corrective lenses be worn when performing licensed duties, i.e., a physical condition that did not meet their licenses, on November 23, 1992; December 30, 1992; and May 5, 1993. Yet, Indian Point Unit 2 did not notify the Commission until November 1, 1993, well in excess of the 30 days permitted.

REPLY:

Upon reviewing a group of license renewal applications a spot check of the information on one of the renewals was made against the information on a previous one of six years ago. It was noted that the previous Form 396 indicated no restrictions, while the current NRC Form 396 had a restriction for corrective lenses. There was no indication that this was a change from the previous submittal (i.e., block 5 on Form 396 was not checked). Upon discovering this inconsistency, a complete review of all previous applications was made against the most recent NRC Form 396. This review yielded a total of three individuals in the same situation. The NRC was immediately notified of this license restriction change.

We believe the root cause of this event was a misunderstanding on the part of the medical department as to the purpose of block 5 on the subject form.

Corrective steps taken include the following:

- o Previous license applications were compared with the most recent NRC Forms 396.
- o The Company's medical representative was interviewed to confirm his proper understanding of the process to be utilized in reviewing operator medical conditions and filling out NRC Form 396.
- o A further review of recently renewed licenses in comparison to their previous license renewals was conducted. This review identified four additional individuals whose restrictions had changed from the previous submittal, but whose restrictions are correct on their current license and accordingly require no further notification to the NRC.

Corrective steps to prevent further violation include the following:

- o A protocol has been established within the company Medical Department to ensure changes in restriction status are annotated as such in block 5 on NRC Form 396. In addition, the Medical Department will now promptly notify the Manager of Operator Training upon a restriction change.
- o Notification was sent to each licensed operator to ensure that the requirements of 10 CFR 55.25 are understood and that they are complying with the conditions of their licenses.
- o The next cycle of Licensed Operator Requalification will include a discussion by a medical department representative explaining the requirements of 10 CFR 55.21 and 55.25.

Based upon the results of reviews conducted, we believe compliance with those medical requirements pertaining to operator licenses has now been achieved. Nevertheless, additional confirmatory reviews of the detailed original medical records of affected individuals are currently being conducted by the medical department. These additional confirmatory reviews are scheduled to be finalized by the end of January, 1994.