

NOTICE OF VIOLATION

New York Power Authority
Indian Point Unit 3

Docket No. 50-286
License No. DPR-64
EA 91-009

During an NRC Augmented Inspection Team (AIT) Inspection conducted between October 24 and November 16, 1990, 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, (1990), the particular violation is set forth below:

10 CFR Part 50, Appendix B, Criterion V, requires activities affecting quality to be prescribed by, and be accomplished in accordance with, procedures of a type appropriate to the circumstances. The procedures shall include appropriate quantitative or qualitative acceptance criteria for determining that important activities have been satisfactorily accomplished.

Contrary to the above, certain activities affecting quality were either not prescribed by, or were not accomplished in accordance with, procedures of a type appropriate to the circumstances, as evidenced by the following examples:

1. For reinstallation of the upper internals package (UIP) in the reactor vessel, Licensee Procedure SOP-RP-1, Rev. 7, (FP-INT-R7, Rev. 0) requires that the measurement for determining that the UIP is properly seated without interference from foreign objects is to be taken in 2 locations 180 degrees apart from each other (East and West). However, during reinstallation of the upper internals in the reactor vessel on November 14, 1990, these measurements were taken approximately 45 degrees apart in a North to South orientation.
2. Licensee Procedure SOP-RP-1, Rev. 6, (FP-INT-R6, Rev. 0) utilized during refueling outage 6/7 in May 1989:
 - a. did not provide criteria for determining when the UIP has safely cleared the storage stand before the UIP is moved laterally towards the reactor vessel for reinstallation; and
 - b. did not provide appropriate instructions for making measurements to determine if the UIP was fully seated in that it did not provide clear reference points as to where the refueling bridge should be located, from where on the refueling bridge the measurements were to be taken, and to where on the reactor vessel flange and upper plate of the UIP the measurements were to be taken;

3. Procedure SOP-RP-1, Rev. 6, Section 9.2.9, (FP-INT-R6, Rev. 0) used during the 6/7 refueling outage in May 1989, requires the operators to make two sets of measurements from the refueling bridge to the upper plate of the UIP using a steel tape with a plumb bob attached. The first set of measurements is taken prior to UIP removal for refueling and the second set is taken after UIP reinstallation following completion of refueling. However, as a result of not establishing measures for identifying and controlling the steel tape measuring device and associated plumb bob used during the 6/7 refueling outage, it was not possible to confirm that measurement discrepancies which occurred between the two measurement sets were due to two different tape measuring plumb bob devices being used.

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

Pursuant to the provision of 10 CFR 2.201, New York Power Authority (Licensee) is hereby required to submit a written statement or explanation to the Director, Office of Enforcement, U.S. Nuclear Regulatory Commission, ATTN: Document Control Desk, Washington, D.C. 20555 with a copy to the Regional Administrator, Region I and a copy to the NRC Resident Inspector within 30 days of the date of the letter transmitting this Notice of Violation (Notice). The reply should be clearly marked as a "Reply to a Notice of Violation" and should include for each alleged violation: (1) the reasons for the violation if admitted, 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. If an adequate reply is not received within the time specified in this Notice, an order may be issued to show cause why the license should not be modified, suspended, or revoked or why such other action as may be proper should not be taken. Where good cause is shown, consideration will be given to extending the response time.

FOR THE NUCLEAR REGULATORY COMMISSION

Original Signed By:

Thomas T. Martin

Thomas T. Martin
Regional Administrator

Dated at King of Prussia, Pennsylvania
this 22 day of February 1991