

APPENDIX A
NOTICE OF VIOLATION

New York Power Authority
Indian Point, Unit 3

Docket No. 50-286
License No. DPR-64

As a result of the inspection conducted on March 19 through April 19, 1991, and in accordance with the "General Statement of Policy and Procedure for NRC Enforcement Actions," 10 CFR Part 2, Appendix C (Enforcement Policy) (1991), the following violations were identified:

- I. 10 CFR 50, Appendix B, Criterion III, requires, in part, that "design control measures shall provide for verifying or checking the adequacy of design, such as by the performance of design reviews..." and that "Design changes shall be subject to design control measures commensurate with those applied to the original design...." Design change control and design verification are required by Quality Assurance Procedure QAP 3.1 of the IP3 QA manual.

Contrary to the above, on April 19, 1991, the team determined that the safety related batteries had been replaced with larger size ones without verifying that the fault current did not exceed the interrupting rating of the existing DC circuit breakers.

This is a Severity Level IV Violation (Supplement I)

- II. 10 CFR 50, Appendix B, Criterion XVI, requires, in part, that "Measures shall be established to assure that conditions adverse to quality, such as failures, malfunctions, deficiencies, deviations, defective material and equipment, and nonconformances are promptly identified and corrected." Prompt identification and correction of conditions adverse to quality are required by Quality Assurance Procedure 16.1 of the IP3 QA manual.

Contrary to the above, on April 19, 1991, the following examples of identified deficiencies were not promptly corrected:

- a. A computerized data base, maintained to track bus loads, identified several buses (e.g., IB-31) for which the load is expected to exceed their rating under safety injection and/or loss of offsite power conditions. The identified deficiency was neither corrected nor justified.

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- b. No analysis or justification was prepared to confirm the capability of RHR and SI pump motors and other safety related equipment to withstand an ambient temperature that was found to be approximately 10°F above the design temperature stated in SCEW sheets.
- c. No work requests had been issued to correct and no justification had been prepared for three deficiencies identified in September 1986, February 1987, and February 1989, according to the deficiency tags attached to equipment. One of the deficiencies involved the seismic installation of a safety related service water valve with single failure implications.

These items collectively constitute a Severity Level IV Violation (Supplement I)

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, and, if applicable, a copy to the NRC Resident Inspector, within thirty days of the receipt of the letter which transmitted 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 which will be taken to avoid further violations; and (4) the date when full compliance will be achieved. Where good cause is shown, consideration will be given to extending this response time. Under the authority of Section 182 of the Act, 42 U.S.C. 2232, this response shall be submitted under oath or affirmation.