

ENCLOSURE 1

NOTICE OF VIOLATION

New York Power Authority  
Indian Point 3 Nuclear Power Plant

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

During an NRC inspection completed on February 16, 1997, violations of NRC requirements were identified. In accordance with the "General Statement of Policy and Procedure for NRC Enforcement Actions," NUREG-1600, the violations are listed below:

- A. Section 70.24(a) of Title 10 of the Code of Federal Regulations, requires, in part, each licensee authorized to possess special nuclear material (SNM) in a quantity exceeding those identified, to maintain a radiation monitoring system in each area where SNM is handled, used or stored that will alarm if accidental criticality occurs. Furthermore, applicable emergency procedures must be maintained to ensure personnel are withdrawn to an area of safety when the alarms sounds.

Contrary to the above, as of February 16, 1997, the licensee never installed a radiation monitoring system in the Indian Point 3 new fuel storage areas capable of alarming should an accidental criticality occur. Furthermore, the licensee's initial exemptions from the requirements of 10.CFR 70.24(a) (contained as part of its original NRC Materials License for possessing SNM) expired when the Indian Point 3 construction permit was converted to an operating license in 1975. At that time, the licensee failed to install a radiation monitoring system and implement appropriate emergency procedures, or renew its exemptions. Since then, new storage areas have been used to handle, use and store new fuel assemblies on a regular basis prior to each refueling outage.

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

- B. Indian Point 3 Technical Specification 6.8.1 requires written procedures be implemented covering activities referenced in Appendix A of Regulatory Guide 1.33, "Quality Assurance Program Requirements," November 1972. Appendix A, Section I, of Regulatory Guide 1.33 requires general procedures for the control of maintenance work. These general procedures are covered in part by AP-10.1, revision 13, "Protective Tagging," and SPO-SD-01, revision 2, "Work Control Process."

1. AP-10, section 3.4.1, states that the shift manager or designee shall generate a clearance when required.

Contrary to the above, on February 6, 1997, eight work packages for preventive maintenance on the 31 and 32 fan cooler units were authorized for work by the field support supervisor without a clearance generated.

2. SPO-SD-01, section 4.10.2, states that work packages may be released by the work control center on the completion of the operational impact review.

Contrary to the above, on February 6, 1997, an adequate operational impact review had not been performed prior to release of preventive maintenance work of the 31 and 32 fan cooler units. The operational impact review performed by the work control center did not evaluate the full scope of work and did not identify necessary electrical isolation.

3. AP-10.1, section 3.4.7, states that the clearance holder shall agree by personal observation that the protection for the work activity is satisfactory prior to commencement of work.

Contrary to the above, on February 4, 1997, the clearance holder did not personally observe that the protection was satisfactory for the 32 charging pump packing replacement.

4. SPO-SD-01, section 4.6.1, states that a problem identification description (PID) review committee consisting of department representatives including engineering, shall meet daily to review PIDs.

Contrary to the above, on February 7, 1997, a PID review committee met to review PIDs without an engineering representative present.

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

- C. 10 CFR 50, Appendix B, Criterion XVI requires that measures shall be established to assure conditions adverse to quality are promptly identified and corrected.

Contrary to the above requirements, from October 21, 1996, to January 16, 1997, the field support supervisors documented deficiencies on operations/work control feedback forms, which indicated that the work control center did not adequately develop protective tagouts and operational impact sheets, and that this barrier to ensuring that work was conducted safely was ineffective. However, measures were not established to assure that this ineffective barrier was identified and corrected.

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

Pursuant to the provisions of 10 CFR 2.201, the 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 a copy to the NRC Resident Inspector at the facility that is the subject of this Notice, within 30 days of receipt of the letter transmitting 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 that will be taken to avoid further violations, and (4) the date when full compliance will be achieved. Your response may reference or include previous docketed correspondence, if the correspondence adequately

addresses the required response. Where good cause is shown, consideration will be given to extending the response time.

Because your response will be placed in the NRC Public Document Room (PDR), to the extent possible, it should not include any personal privacy, proprietary, or safeguards information so that it can be placed in the PDR without redaction. However, if you find it necessary to include such information, you should clearly indicate the specific information that you desire not to be placed in the PDR, and provide the legal basis to support your request for withholding the information from the public.

Dated at King of Prussia, PA  
this 18th day of March 1997