



UNITED STATES
NUCLEAR REGULATORY COMMISSION
REGION I
631 PARK AVENUE
KING OF PRUSSIA, PENNSYLVANIA 19406

APR 23 1980

Docket No. 50-333

Power Authority of the State of New York
James A. FitzPatrick Nuclear Power Plant
ATTN: Mr. J. D. Leonard, Jr.
Resident Manager
P. O. Box 41
Lycoming, New York 13093

Gentlemen:

Subject: Inspection No. 50-333/80-02

This refers to the inspection conducted by Mr. T. Stetka of this office on March 3-14, 1980 of activities authorized by NRC License No. DPR-59 and to the discussions of our findings held by Mr. Stetka with yourself and other members of your staff at the conclusion of the inspection.

Areas examined during this inspection are described in the Office of Inspection and Enforcement Inspection Report which is enclosed with this letter. Within these areas, the inspection consisted of selective examinations of procedures and representative records, interviews with personnel, and observations by the inspector.

Our inspector also verified the steps you have taken to correct the items of noncompliance brought to your attention in letters dated December 28, 1977, March 14, 1978, and August 24, 1979. We have no further questions regarding your action at this time.

Based on the results of this inspection, it appears that one of your activities was not conducted in full compliance with NRC requirements, as set forth in the Notice of Violation, enclosed herewith as Appendix A. This item of noncompliance has been categorized into the levels as described in our correspondence to you dated December 31, 1974. This notice is sent to you pursuant to the provisions of Section 2.201 of the NRC's "Rules of Practice", Part 2, Title 10, Code of Federal Regulations. Section 2.201 requires you to submit to this office, within twenty (20) days of your receipt of this notice, a written statement or explanation in reply including: (1) corrective steps which have been taken by you and the results achieved; (2) corrective steps which will be taken to avoid further items of noncompliance; and (3) the date when full compliance will be achieved.

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In accordance with Section 2.790 of the NRC's "Rules of Practice", Part 2, Title 10, Code of Federal Regulations, a copy of this letter and the enclosed inspection report will be placed in the NRC's Public Document Room. If this report contains any information that you (or your contractor) believe to be proprietary, it is necessary that you make a written application within 20 days to this office to withhold such information from public disclosure. Any such application must be accompanied by an affidavit executed by the owner of the information, which identifies the document or part sought to be withheld, and which contains a statement of reasons which addresses with specificity the items which will be considered by the Commission as listed in subparagraph (b)(4) of Section 2.790. The information sought to be withheld shall be incorporated as far as possible into a separate part of the affidavit. If we do not hear from you in this regard within the specified period, the report will be placed in the Public Document Room.

Additionally, and in accordance with Section 2.790(d) of the NRC's "Rules of Practice," Part 2, Title 10, Code of Federal Regulations, documentation of findings of your control and accounting procedures for safeguarding special nuclear materials and your facility security procedures are exempt from disclosure; therefore, the pertinent section of the inspection report and Appendix A, will not be placed in the Public Document Room and will receive limited distribution.

Should you have any questions concerning this inspection, we will be pleased to discuss them with you.

Sincerely,

E. C. Brunner, Jr.

Eldon J. Brunner, Chief
Reactor Operations and Nuclear
Support Branch

Enclosures:

1. Appendix A, Notice of Violation (Contains 2.790 Information)
2. Office of Inspection and Enforcement Inspection
Report Number 50-333/80-02 (Contains 2.790 Information)

cc w/encls:

George T. Berry, Executive Director
P. W. Lyon, Manager - Nuclear Operations
A. Klausmann, Director, Quality Assurance
M. C. Cosgrove, Quality Assurance Supervisor
J. F. Davis, Chairman, Safety Review Committee
V. J. Pratt, Assistant General Counsel
G. M. Wilverding, Licensing Supervisor