

LPDR



UNITED STATES
NUCLEAR REGULATORY COMMISSION
WASHINGTON, D. C. 20555

OCT 29 1980

Docket No. 50-333
EA-80-44

Power Authority of the State of New York
ATTN: Mr. George T. Berry
President and Chief Operating Official
10 Columbus Circle
New York, New York 10019

Gentlemen:

Subject: Inspection No. 50-333/80-06

We have received your letter dated September 12, 1980, which enclosed your Response to the Notice of Violation sent to you with our letter dated August 18, 1980. The Notice of Violation accompanying our August 18, 1980 letter identified nineteen items of noncompliance found during a Nuclear Regulatory Commission inspection on April 14-18, and April 23-25, 1980 of the implementation of your physical security program at the James A. FitzPatrick Nuclear Power Plant, Scriba, New York.

During a Region I inspection conducted on August 18-22, 1980 (Office of Inspection and Enforcement Inspection Report No. 50-333/80-13), the corrective steps taken, the corrective steps proposed to avoid further items of noncompliance, and the results achieved to date, were reviewed and found to be in accord with your Response dated September 12, 1980. We have no further questions regarding your actions in this regard at this time.

In our letter of August 18, 1980, we also requested that you address actions taken or planned to improve the effectiveness of the management of your physical security system. You have responded adequately to this concern. The measures undertaken by you to improve the security program management will be examined during subsequent inspections of your licensed program.

In your Response to the Notice of Violation enclosed with your letter dated September 12, 1980, it is admitted that each item of noncompliance occurred as stated. Further, you chose not to protest the proposed imposition of civil penalties by a written answer as permitted in Appendix B, Notice of Proposed Imposition of Civil Penalties, sent to you with our letter of August 18, 1980. After careful review of this matter, we have concluded that there is no basis for mitigation. Accordingly, we hereby serve the enclosed Order on the Power Authority of the State of New York imposing civil penalties in the aggregate amount of Forty-eight Thousand Dollars.

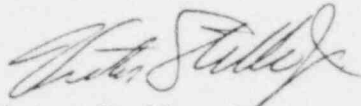
CERTIFIED MAIL
RETURN RECEIPT REQUESTED

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In accordance with Section 2.790(d) of the NRC's "Rules of Practice," Part 2, Title 10, Code of Federal Regulations, control and accounting procedures for safeguarding special nuclear materials and facility security measures for physical protection are deemed to be commercial or financial information within the meaning of 10 CFR 9.5(a)(4) and are subject to disclosure only in accordance with the provisions of 10 CFR 9.12. Therefore, the enclosure to your letter dated September 12, 1980 will not be placed in the Public Document Room and will receive limited distribution.

Sincerely,



Victor Stello, Jr.,
Director
Office of Inspection
and Enforcement

Enclosure:
Order Imposing Civil
Monetary Penalties

cc w/encl:

- R. J. Pasternak, Resident Manager
- J. P. Bayne, Senior Vice President-Nuclear Generation
- A. Klausmann, Director, Quality Assurance
- M. C. Cosgrove, Site Quality Assurance Engineer
- J. F. Davis, Chairman, Safety Review Committee
- C. M. Pratt, Assistant General Counsel
- G. M. Wilverding, Manager-Nuclear Licensing
- M. J. Maltese, Director, Security and Safety