



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

Docket No. 50-333

SEP 03 1980

Power Authority of the State of New York  
James A. FitzPatrick Nuclear Power Plant  
ATTN: Mr. R. J. Pasternak  
Resident Manager  
P. O. Box 41  
Lyccming, New York 13093

Gentlemen:

Subject: Inspection No. 50-333/80-14 (15000039/80-14)

This refers to an unannounced inspection conducted by Mr. T. C. MacArthur of our Region II office on June 19, 1980. A shipment of radioactive waste shipped from your facility was inspected upon arrival at the Chem-Nuclear Systems, Inc., Barnwell, South Carolina disposal site.

Areas examined during the inspection and our findings are discussed in the enclosed inspection report. Within these areas, the inspection consisted of a review of the shipping papers, placarding and labeling requirements, radiation measurements, selective contamination surveys, and observations by the inspector.

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.

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 enclosures 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

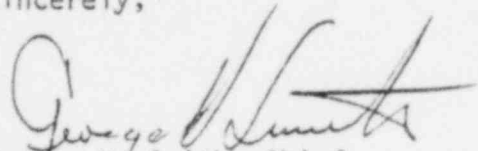
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considered by the Commission as listed in subparagraph (b) (4) of Section 2.790. The information sought to be withheld shall be incorporated as far as possible into a separate part of the affidavit. If we do not hear from you in this regard within the specified period, the report will be placed in the Public Document Room.

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

Sincerely,

  
George H. Smith, Chief  
Fuel Facility and Materials Safety  
Branch

Enclosures:

1. Appendix A, Notice of Violation
2. Office of Inspection and Enforcement Inspection  
Report No. 50-333/80-14 (15000039/80-14)

cc w/encl:

George T. Berry, President and Chief Operating Officer  
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