



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

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Docket No. 50-333

APR 10 1981

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
Lycoming, New York 13093



Gentlemen:

Subject: Inspection 50-333/81-01

This refers to the routine inspection conducted by Dr. L. Bettenhausen of this office on January 26-30, 1981 at the James A. FitzPatrick Nuclear Power Plant, Scriba, New York, of activities authorized by NRC License No. DPR-59 and to the discussions of our findings held by Dr. Bettenhausen with Mr. Pasternak of your staff at the conclusion of the inspection, and to a subsequent telephone discussion between Mr. Baker and Dr. Bettenhausen on February 6, 1981.

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 had taken to correct an item of noncompliance brought to your attention in a letter dated November 9, 1979. With regard to item A, this item was not fully corrected.

Based on the results of this inspection, it appears that certain of your activities were not conducted in full compliance with NRC requirements as set forth in the Notice of Violation, enclosed herewith as Appendix A. These items of noncompliance have been categorized into the levels described in the Federal Register Notice (45 FR 66754) dated October 7, 1980. You are required to respond to this letter and in preparing your response, you should follow the instructions in Appendix A. In addition to the need for corrective action regarding these specific items of noncompliance, we are concerned about the implementation of your management control systems that permitted them to occur. Consequently, in your reply, you should describe in particular, those actions taken or planned to improve the effectiveness of your management control systems.

Item A in the Notice of Violation enclosed with this letter was identified during a previous inspection of your licensed activities on September 18-21, 1979, and was documented in the enclosure to our letter dated November 9, 1979. Your letter to this office dated December 1, 1979 stated "...a complete review of Special Procedures will be performed...and a program for documentation and

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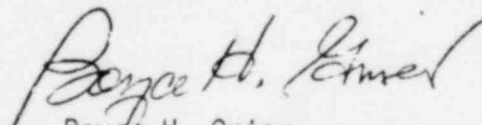
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audit of the review of these procedures will be implemented to insure compliance." From our January 26-30, 1981 inspection it appears that the stated corrective actions were not effective since this item has recurred. Recurrent and uncorrected items of noncompliance are given additional weight in the consideration and selection of appropriate enforcement action. Therefore, in your response to this letter, you should give particular attention to those actions taken or planned to ensure that identified items of noncompliance will be completely corrected and will not recur.

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.

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

Sincerely,


Boyce H. Grier
Director

Enclosures:

1. Appendix A, Notice of Violation
2. Office of Inspection and Enforcement Inspection
Report Number 50-333/81-01

cc w/encls:

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
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