

APPENDIX A
NOTICE OF VIOLATION

Power Authority of the State of New York

Docket No. 50-333

As a result of the inspection conducted on January 26-30, 1981, and in accordance with the Interim Enforcement Policy, 45 FR 66754 (October 7, 1980), the following violations were identified:

- A. 10 CFR 55, Appendix A, under Requalification Program Requirements, states, in part:

"3. On-the-job training...

- d. Each licensed operator reviews the contents of all abnormal and emergency procedures on a regularly scheduled basis...

4. Evaluation...

- a. Annual written examinations which determine areas in which retraining is needed to upgrade licensed operator and senior operator knowledge...
- c. Systematic observation and evaluation of the performance and competency of licensed operators and senior operators..."

These regulatory requirements are implemented by James A. FitzPatrick Nuclear Power Plant Indoctrination and Training Procedure No. 5, Licensed Operator Requalification, Revision 4, dated August 7, 1980, which states, in part:

"5.5.6 Special Procedures Review

Each licensed operator and each licensed senior operator shall review the contents of the Special Procedures once each requalification year...

5.5.10 Written Examinations...

- b. Written examinations shall be graded and maintained in training files.

5.5.11 Systematic Evaluation

Systematic evaluation of the performance and competency of licensed operators and senior operators shall be performed..."

Contrary to the above,

1. In the calendar year 1979, seven licensed operators and licensed senior operators did not complete the required review of special procedures for abnormal and emergency operations;
2. One licensed operator's written examination taken early in 1980 remained ungraded as of January 27, 1981. The individual was a training staff member during 1980; and,
3. In the calendar year 1979, the systematic evaluation of performance and competency for three licensed operators was not performed.

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

B. Technical Specification 6.5.2.8, states, in part:

"Audits of facility activities shall be performed... These audits shall encompass...:

- b. The performance, training and qualifications of the entire facility staff..."

10 CFR 50, Appendix B, Criterion XVIII, Audits, states, in part, "A comprehensive system of planned and periodic audits shall be carried out..." and Criterion XVI, Corrective Action, states, in part, "that conditions adverse to quality, such as...nonconformances are promptly identified and corrected."

Contrary to the above, no audits or management controls of requalification training were observed at the James A. FitzPatrick Plant during this inspection. A training review conducted by New York Office staff December 1-5, 1980, and presented to plant staff and the inspector January 30, 1981, did not result in management review or self-audit by the Training Department nor in prompt correction of identified deficiencies.

This is a Severity Level V Violation (Supplement I).

C. 10 CFR 50, Appendix B, Criterion XVII, Quality Assurance Records, states, in part:

"Sufficient records shall be maintained to furnish evidence of activities affecting quality.

Technical Specification 3.3.B.3.d. states, "Control rod withdrawal sequence shall be established such that the drop of any in-sequence control rod would not result in a peak fuel enthalpy greater than 280 calories/gm."

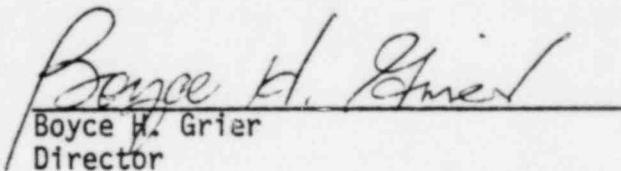
Contrary to the above, on January 26-27, 1981, the Reactor Analyst Supervisor, with the concurrence of the Shift Supervisor, changed the established rod withdrawal sequence during a startup in progress without adequate documentation that the revised sequence would meet the Technical Specification Requirement.

This is a Severity Level V Violation (Supplement I).

Pursuant to the provisions of 10 CFR 2.201, Power Authority of the State of New York is hereby required to submit to this office within twenty-five days of the date of this notice, a written statement or explanation in reply, including: (1) the corrective steps which have been taken and the results achieved; (2) corrective steps which will be taken to avoid further violations and; (3) the date when full compliance will be achieved. Under the authority of Section 183 of the Atomic Energy Act of 1954, as amended, this response shall be submitted under oath or affirmation.

Date _____

APR 10 1981


Boyce H. Grier
Director