

FEB 20 1990

Docket No. 50-333

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

Gentlemen:

Subject: Inspection No. 50-333/89-21

This refers to your letter dated January 29, 1990, in response to our letter dated December 29, 1989.

Thank you for informing us of the corrective and preventive actions documented in your letter. These actions will be examined during a future inspection of your licensed program.

Your cooperation with us is appreciated.

Sincerely,

Original Signed By:
Ronald R. Bellamy

Ronald R. Bellamy, Chief
Facilities Radiological Safety
and Safeguards Branch
Division of Radiation Safety
and Safeguards

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cc w/encl:

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R. Patch, Quality Assurance Superintendent
G. Wilverding, Manager Nuclear Safety Evaluation
G. Goldstein, Assistant General Counsel
R. Beedle, Vice President Nuclear Support
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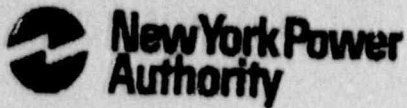
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William Fernandez II
Resident Manager

January 29, 1990
JAFP-90-0095

United State Nuclear Regulatory Commission
Mail Station P1-137
Washington, D.C. 20555

ATTENTION: Document Control Desk

SUBJECT: RESPONSE TO NOTICE OF VIOLATION -
INSPECTION NO. 89-21 (DOCKET 50-33)

Reference: 1) USNRC Letter Dated December 29, 1989,
Subject: Inspection Report No. 50-333/89-21

Enclosures: 1) Response to Notice of Violation (3 pages)
2) Unresolved Item #89-21-01 (1 page)

Gentlemen:

This letter provides the Authority's response (Enclosure 1) to the Notice of Violation transmitted by Reference (1). This refers to the inspection conducted by Mr. Peter O'Connell of your office between November 27, 1989 and December 1, 1989 at the James A. FitzPatrick Nuclear Power Plant.

The Authority's comments on Unresolved Item 89-21-01 are included in Enclosure (2).

Very truly yours,


WILLIAM FERNANDEZ
WF/JAS/bas

Enclosure

CC: R. Beedle, WPO
J. Brons, WPO
R. Liseno, JAF
G. Vargo, JAF
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S. Toth, WPO
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NOTICE OF VIOLATION A

As a result of the inspection conducted on November 27 to December 1, 1989, and in accordance with the "General Statement of Policy and Procedure for NRC Enforcement Actions," 10 CFR Part 2, Appendix C (Enforcement Policy) (1989), the following violations were identified:

10 CFR 20.201 (b) requires, in part, that each licensee shall make or cause to be made such surveys as (1) may be necessary for the licensee to comply with the regulations in this part, and (2) are reasonable under the circumstances to evaluate the extent of radiation hazards that may be present.

Contrary to the above, while touring the Reactor Building on November 28, 1989, the inspector noted that the general area dose rates on the drywell mezzanine were about 100 millirem/hr. Access to this area was not controlled in accordance with Technical Specification 6.11 (a) and the area was not posted as a High Radiation Area in accordance with 10 CFR 20.203(c). The most recent survey of this area was dated November 3, 1989 and indicated the general area dose rate to be 50 millirem/hr. The licensee resurveyed this area and determined the general area dose rate to be 280 millirem/hr.

This is Severity Level IV Violation. (Supplement IV)

NYPA RESPONSE TO NOTICE OF VIOLATION

The Authority agrees with the violation.

1. Reasons for the Violation

The drywell mezzanine was surveyed on a monthly frequency as part of the radiological surveillance program. This area was surveyed on November 3, 1989 and those portions of the area that constituted a high radiation area were properly posted.

As a result of a reactor scram and subsequent isolation of the reactor water cleanup (RWCU) system on November 6, 1989, a pump seal leak developed. Following this scram, a significant amount of activity, predominantly Zn-65, was released to the reactor coolant. RWCU pump seal leakage is routed through nuclear equipment drain piping that passes through the drywell mezzanine area. Operation of the RWCU pump with elevated reactor coolant activity resulted in increased dose rates on this piping observed on November 28, 1989.

The monthly survey frequency for this area was based on historical performance that showed radiation levels to change slowly. FitzPatrick is the first BWR to implement both hydrogen water chemistry (HWC) and feedwater zinc addition. The combination of these two chemistry regimens has produced some unexpected results, such as Zn-65 spiking, that are the subject of ongoing assessment by the Authority and General Electric.

2. Corrective Action Taken and Results Achieved

The immediate corrective action was a comprehensive survey of the mezzanine and proper posting of the high radiation area boundary.

3. Corrective Action Which Will be Taken to Avoid Further Violations

Based on recent experience, the Authority has increased its sensitivity toward the radiological effects of reactor coolant leaks and operational transients such as reactor scrams. The surveillance frequency for the drywell mezzanine has been increased from monthly to weekly. In addition, other routine survey frequencies are being assessed for adequacy.

4. The Date When Full Compliance Will Be Achieved

These items were completed before the Inspection Exit on Friday, December 1, 1989.

NOTICE OF VIOLATION B

Technical Specification 6.11 "Radiation Protection Program" requires, in part, that procedures for personnel radiation protection shall be prepared and adhered to for all plant operations.

Procedure RTP-23 "SAC-4 Scintillation Alpha Counter Operation and Calibration" dated November 23, 1987, requires, in part, in Section 4.6.1 that if the background is greater than 3 counts per 10 minutes, then decontaminate the instrument. Section 4.8 of this procedure also requires notification of a Radiological and Environmental Services (RES) Supervisor if any problems are encountered that cannot be resolved through the use of this procedure.

Contrary to the above, from November 8 to 28, 1989 the background on the SAC-4 (No. 440) in use at the control point ranged from 15 to 42 counts per 10 minutes without the instrument being decontaminated or RES Supervision being notified.

This is a Severity Level IV violation. (Supplement IV)

NYPA RESPONSE TO NOTICE OF VIOLATION E

The Authority agrees with the violation.

1. Reasons for the Violation

The cause of this problem was a failure to follow the procedure (RTP-23) for operation of the SAC-4 Scintillation Alpha Counter. This particular SAC-4 Alpha Counter, with the high background, was inadvertently put into service temporarily as a substitute for the low background counter (LBC) in the Chemistry Laboratory which was out-of-service for repair.

2. Corrective Action Taken and Results Achieved

The instrument was immediately removed from service, and the policy of strict procedural adherence was reaffirmed for the Radiation Protection technician staff.

3. Corrective Action Which Will be Taken to Avoid Further Violations

RES Management will review background instrumentation results on a periodic basis.

4. The Date When Full Compliance Will be Achieved

These items were completed before the Inspection Exit on Friday, December 1, 1989.

NYPA RESPONSE TO UNRESOLVED ITEM 89-21-01

The Quality Assurance Department has taken the following action to resolve the subject item.

A copy of the November, 1988 Radiation Protection Program Audit (Audit 655) has been forwarded to the NRC Inspector for review (memo JAF-QF-89-173). The requirement for periodic audits of the radiation protection program has been added to Quality Assurance Procedure 18.4, "Audit Program Implementation" in Attachment 18.4-1, to assure that the audit will be scheduled as required. Additionally, portions of the radiation protection program will be monitored on a recurring basis through the implementation of the Quality Assurance Department Observation/Monitoring Checklists.