

APPENDIX A

Notice of Violation

New York Power Authority  
James A. FitzPatrick Nuclear Power Plant

Docket No. 50-333  
License No. DRP-59

As a result of the inspection conducted on January 25 through March 11, 1990 and in accordance with NRC Enforcement Policy (10 CFR 2, Appendix C) the following violation was identified.

10 CFR 50, Appendix B, Criterion XVI states in part, that corrective actions shall be taken to address significant conditions adverse to quality to preclude repetitions.

Contrary to the above, the corrective actions taken by NYPA, in response to an August 3, 1989 NRC discovery where an SRO failed to maintain control room command were not adequate to prevent repetition. Specifically on February 4, 1990, the responsible SRO was found to not have proper command of control room activities.

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

Pursuant to the provisions of 10 CFR 2.201, the New York Power Authority is hereby required to submit to this office within thirty days of the date of the letter which transmitted 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. Where good cause is known, consideration will be given to extending this response time.