

ENCLOSURE

Notice of Violation

New York Power Authority
James A. FitzPatrick Nuclear Power Plant

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

As a result of the inspection conducted on January 31 through February 7, 1990, and in accordance with the NPC Enforcement Policy (10 CFR 2, Appendix C), the following violations were identified.

- A. Facility Operating License No. DRP-59, Section 2.C.(1) authorizes NYPA to operate FitzPatrick at a thermal reactor power not to exceed 2436 megawatts (100 percent power of rated power).

Contrary to the above, NYPA operated FitzPatrick at a thermal power in excess of 2436 megawatts between October 1988 and November 1989. Based on calculated errors, NYPA operated the reactor at a power level up to 101.4 percent of rated power. This occurred due to errors in the calculation of feedwater flow transmitter calibration settings regarding static pressurization effects and feed nozzle characteristics.

This violation has been categorized as Severity Level IV (Supplement 1).

- B. 10 CFR 50, Appendix B, Criterion XVI, requires in part that measures shall be established to assure that once identified prompt corrective action is taken for conditions that are adverse to quality.

Contrary to the above, NYPA failed, following identification by GE, to take prompt corrective action on various feed water transmitter calibration errors, known to have existed at similar boiling water reactors. Failure to take action led to the operation of the plant above the licensed core thermal power for an extended period of time. This information, provided by GE in October and November 1988, did not get adequately reviewed until November 1989.

This violation has been categorized as Severity Level IV (Supplement 1).

Pursuant to the provisions of 10 CFR 2.201, the Power Authority of the State of New York 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 will be 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 shown, consideration will be given to extending this response time.

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