

## APPENDIX A

### NOTICE OF VIOLATION

New York Power Authority  
James A. FitzPatrick Nuclear Power Plant

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

During an NRC inspection conducted from October 10 through November 20, 1993, two violations of NRC requirements were identified. In accordance with the "General Statement of Policy and Procedure for NRC Enforcement Actions," 10 CFR Part 2, Appendix C, the violations are listed below.

- A. Technical Specification 6.8(A) states, in part, that written procedures and administrative policies shall be established, implemented, and maintained that meet or exceed the requirements and recommendations of Section 5, "Facility Administrative Policies and Procedures" of ANSI 18.7-1972.

ANSI 18.7-1972, section 5.1.2 states, in part, that procedures shall be followed, and the requirements for use of procedures shall be prescribed in writing.

Contrary to the above, a number of instances were identified where procedures were not followed. The following examples were cited:

- 1) Operating Procedure 34, Resin Transfer, Regeneration and Cleaning, step G.2.7 states close spent resin tank inlet valve, 20 AOV-311. However, during a resin transfer on November 13, 1993, 20 AOV-311 was not closed and resulted in a resin spill during a subsequent resin transfer operation.
- 2) Instrumentation Maintenance Procedure (IMP)-12.6, Reactor Water Cleanup High Temperature (12 TIS-99) Test/Calibration, step 9.2.28 states, in part, request operations to reset the PCIS isolation. However, on October 28, 1993, during the performance of IMP-12.6, the PCIS isolation signal was not reset and resulted in an inadvertent valve closure.
- 3) Administrative Procedure 12.01, Equipment and Personnel Protective Tagging, section 7.2.1 states, in part, review impact of instrumentation valving which may cause a plant trip or system initiation. However, on November 5, 1993, the impact of instrumentation valving was not adequately reviewed and an unplanned PCIS isolation and scram occurred when tags on the reactor vessel refueling level instrument test drain valves were released.

- 4) Administrative Procedure 10.01, Problem Identification and Work Control, section 8.2.7 states, in part, work request approvers shall approve work requests before the required date and ensure step texts are accurate. However, on October 28, 1993, work request 93-02261-00 was performed using unapproved work instructions.

This is a Severity Level IV violation (Supplement 1).

- B. Technical Specification Table 4.12.3, Manual Fire Hose Station Tests, requires a flow/hydrostatic test to be performed every three years.

Contrary to the above, a flow test has never been performed on the manual fire hose stations.

This is a Severity Level IV violation (Supplement 1).

Pursuant to the provisions of 10 CFR 2.201, New York Power Authority is hereby required to submit a written statement or explanation to the U.S. Nuclear Regulatory Commission, ATTN: Document Control Desk, Washington, D.C. 20555 with a copy to the Regional Administrator, Region I, and a copy to the NRC Resident Inspector at the facility that is the subject of this Notice, within 30 days of the date of the letter transmitting this Notice of Violation (Notice). This reply should be clearly marked as a "Reply to a Notice of Violation" and should include for each violation: (1) the reason for the violation, or, if contested the basis for disputing the violation, (2) the corrective steps that have been taken and the results achieved, (3) the corrective steps that will be taken to avoid further violations, and (4) the date when full compliance will be achieved. If an adequate reply is not received within the time specified in this Notice, an order or a Demand for Information may be issued to show cause why the licensee should not be modified, suspended, or revoked, or why such other action as may be proper should not be taken. Where good cause is shown, consideration will be given to extending the response time.

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