

APPENDIX A

NOTICE OF VIOLATION

Power Authority of the State of New York  
James A. FitzPatrick Nuclear Power Plant

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

As a result of the inspection conducted on June 14-18, 1982, and in accordance with the NRC Enforcement Policy, 10 CFR 2 Appendix C (47 FR 9987 March 9, 1982), the following violations were identified:

- A.1 10 CFR 20.103(b)(1) requires each licensee to use process or other engineering controls, to the extent practicable, to limit concentrations of airborne radioactive materials in an area to levels below 25 percent of the amounts specified in 10 CFR 20 Appendix B, Table I, Column I, when averaged over the number of hours in any week during which individuals are in the area.

Contrary to the above, on November 1, 1981, process and engineering controls were not used to the extent practicable during work controlled by Radiation Work Permit No. 4883(s) in that an auxiliary ventilation filter unit was installed, but not properly operated during approximately 60 percent of the job. This resulted in an average concentration of radioactive material of more than one hundred times the amounts specified in 10 CFR 20 Appendix B, Table I, Column I, when averaged over the number of hours in the week when individuals were in the area.

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

- A.2 10 CFR 20.201(b)(2) requires each licensee to make such surveys as are reasonable under the circumstances to evaluate the extent of radiation hazards that may be present. 10 CFR 20.201(a) defines survey as an evaluation of radiation hazards, including measurement of concentrations of radioactive material.

Contrary to the above, on December 28, 1981, workers were required to use respiratory protective equipment due to the expected presence of airborne radioactive material on a job covered by Radiation Work Permit No. 8824(s), but no measurement of the concentration of airborne radioactivity was made, as was reasonable under the circumstances, to evaluate the extent of radiation hazard from airborne radioactivity.

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

- A.3 10 CFR 20.203(e)(1) requires that any area where any radioactive material (other than natural uranium or thorium) is stored in quantities greater than 10 times the amount specified in 10 CFR 20 Appendix C be posted with

a sign or signs bearing the radiation caution symbol and the words: Caution (or Danger), Radioactive Material(s).

Contrary to the above, on June 16, 1982, an unposted area adjacent to the building housing Auxiliary Boiler "C" was used to store boxes (labeled condenser tubes) which contained radioactive material in quantities greater than 10 times the amount specified in 10 CFR 20 Appendix C.

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

Pursuant to 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 this Notice, a written statement or explanation in reply including the corrective steps which have been taken and results achieved, corrective steps which will be taken to avoid further violations, and the date when full compliance will be achieved. Where good cause is shown, consideration will be given to extending your response time.