

APPENDIX A

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 November 5 to 9, 1990, and in accordance with the NRC Enforcement Policy (10 CFR 2, Appendix C), the following violation was identified.

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

- A. Licensee procedure RES-SO-09, "High Radiation Area Key Control", states, in Section 7.1.10, that High Radiation Area "keys are not to be taken from site."

Contrary to the above, on November 7, 1990, the inspector conducted an inventory of the High Radiation Area key locker, noted that two High Radiation Area keys were missing, and subsequently determined that the keys had been taken from the site. An individual had taken the two keys home at the end of his shift.

- B. Licensee procedure RPP-5, "Plant Radiological Surveillance Program", specifies, in part, in Section 6.3.2, to perform a survey of each of the areas listed in Table 1. Table 1 requires a neutron radiation survey in addition to a gamma radiation survey of the drywell entrance mezzanine whenever the reactor is critical. This survey is required on a weekly basis.

Contrary to the above, upon review of seven of the weekly surveys for the period from August 14, 1990 through October 29, 1990, it was noted that neutron surveys had not been done during the weekly surveys dated August 14, October 22, and October 29, 1990.

- C. Licensee procedure RPP-9, "Radiological Survey Techniques", designates, in part, in Section 6.5.2, that "the charcoal cartridge (is) unsuitable for noble gas sampling." It allows noble gas samples to be collected "either by opening an evacuated Marinelli beaker or by emptying and recapping a collection bottle filled with water in the area to be sampled."

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Contrary to the above, on October 31, 1990 the licensee sampled for noble gas using a charcoal cartridge at the Hydrogen Analyzer in the Turbine Building. The area was posted as an Airborne Radioactivity Area based on a value of 75% MPC calculated from a sample collected on a charcoal cartridge. The licensee also assigned personnel intakes based on the charcoal cartridge sample.

These examples, in the aggregate, constitute a Severity Level IV Violation. (Supplement IV)

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 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 shown, consideration will be given to extending this response time.