

September 14, 1992  
EN 92-071

DCS

OFFICE OF ENFORCEMENT  
NOTIFICATION OF SIGNIFICANT ENFORCEMENT ACTION

Licensee: New York Power Authority (EA 92-033)  
(Fitzpatrick Nuclear Power Plant)  
Docket No. 50-333

Subject: PROPOSED IMPOSITION OF CIVIL PENALTY - \$500,000

This is to inform the Commission that a Notice of Violation and Proposed Imposition of Civil Penalty in the amount of \$500,000 will be issued on or about September 15, 1992 to New York Power Authority (Fitzpatrick). This action is based on violations in five areas: (1) inadequate post-modification testing of Reactor Protection System relays, (2) inadequate corrective actions, (3) fire protection program implementation, (4) 10 CFR Part 50, Appendix R, requirements, and (5) the submittal of inaccurate information. In accordance with SECY 92-293, the staff is exercising discretion and limiting the civil penalty to \$100,000 for each area. By staff Requirements Memorandum of September 14, 1992, the Commission has approved this action.

It should be noted that the licensee has not been specifically informed of the enforcement action. The schedule of issuance and notification is:

Mailing of Notice September 15, 1992  
Notification of Licensee September 15, 1992

The State of New York will be notified.

The licensee has thirty days from the date of the Notice in which to respond. Following NRC evaluation of the response, the civil penalty may be remitted, mitigated, or imposed by Order.

Contact: W. Troskoski, OE, 504-3281 J. Lieberman, OE, 504-2741

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PRELIMINARY INFORMATION - NOT FOR PUBLIC DISCLOSURE UNTIL  
PUBLICLY ANNOUNCED

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