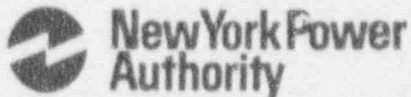


James A. FitzPatrick
Nuclear Power Plant
P.O. Box 41
Lycoming, New York 13093
315 342-3840



Harry P. Salmon, Jr.
Resident Manager

December 17, 1992
JAFP-92-0855

Director, Office of Enforcement
U.S. Nuclear Regulatory Commission
ATTN: Document Control Desk
Washington, D.C. 20555

SUBJECT: James A. FitzPatrick Nuclear Power Plant
Docket No. 50-333
Revision to Notice of Violation Inspection
50-333/92-82

REFERENCES: 1. NRC letter to H.P. Salmon, dated
November 12, 1992, "NRC Inspection Report
50-333/92-82"

Dear Sir:

This letter provides the Authority's written response to NRC Inspection Report 50-333/92-82 (Reference 1). The inspection report contained one Notice of Violation during the NRC's Restart Assessment Team Inspection at the James A. FitzPatrick Nuclear Power Plant conducted October 5-14, 1992.

If you have any questions, please contact Mr. M. Colomb.

Very truly yours,

HARRY P. SALMON, JR.

HPS:AA:tld
Attachments

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9212220315 921217
PDR ADOCK 05000333
G PDR

cert# P381181832

IEO1

cc: Regional Administrator
U.S. Nuclear Regulatory Commission
475 Allendale Road
King of Prussia, PA 19406

Office of the Resident Inspector
U.S. Nuclear Regulatory Commission
P.O. Box 136
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Mr. Brian C. McCabe
Project Directorate I-1
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New York Power Authority

JAMES A. FITZPATRICK NUCLEAR POWER PLANT

ATTACHMENT I TO JAFP-92-0855

NOTICE OF VIOLATION

As a result of the inspection conducted on October 5-14, 1992, and in accordance with the "General Statement of Policy and Procedure for NRC Enforcement Actions," 10CFR Part 2, Appendix C (Enforcement Policy) (1992), the following violation was identified:

Technical Specification 6.8 requires that procedures and written policies shall be established, implemented, and maintained to control activities affecting safety. Procedure PSO-51, Erection of Scaffolds Near Safety-related Equipment, steps 7.3 and 7.68 requires tie-offs for scaffolding greater than seven feet in height, unless located greater than one foot from safety-related equipment.

Contrary to the above, on October 6, the team identified scaffolding installed less than one foot from safety-related Battery Charger 'A' and associated cable trays, without tie-offs installed.

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

New York Power Authority
JAMES A. FITZPATRICK NUCLEAR POWER PLANT
ATTACHMENT II TO JAFP-92-0855

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RESPONSE TO NOTICE OF VIOLATION

VIOLATION

Scaffolding was installed less than one foot from safety-related Battery Charger "A" and associated cable trays, without tie-offs installed.

ADMISSION OR DENIAL OF THE ALLEGED VIOLATION

The Authority agrees with the violation.

THE REASONS FOR THE VIOLATION

Personnel error and procedure deficiency were the primary causes for the failure to provide tie-offs for scaffolding installed less than one-foot from safety-related equipment.

PSO-51 is the procedure for erection of scaffolding near safety-related equipment. The procedure did not have a clear basis for determining the adequacy of installation and NYPA did not have an engineering basis for determining whether scaffolding posed a seismic hazard to safety-related equipment. Also, personnel had not been properly trained to recognize safety-related equipment.

New York Power Authority
JAMES A. FITZPATRICK NUCLEAR POWER PLANT
ATTACHMENT II TO JAFP-92-0855

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RESPONSE TO NOTICE OF VIOLATION

THE CORRECTIVE STEPS THAT HAVE BEEN TAKEN AND THE RESULTS ACHIEVED

NYP&A has initiated Adverse Quality Control Report (AQCR) 92-325. Plant personnel inspected installed scaffolding, identified discrepancies, and immediately removed the scaffolding or corrected the deficiencies. In addition, training was provided to individuals responsible for evaluating the acceptability of installed scaffolding.

PSO-51 was revised to: 1) provide guidance to assist plant staff to recognize safety-related equipment by listing safety related equipment types and more thoroughly identifying the areas in the plant that contain safety-related equipment, 2) properly evaluate scaffolding to determine when tie-downs are required, 3) tie-off to the plant structure scaffold installations less than 7'.0" in height to the working platform and within ten feet of safety-related equipment, 4) define materials (rigid poles, steel wire measuring 9 gauge or larger, or rope with a working strength in excess of 1000 pounds) required for adequate rigid support of the scaffolding and 5) changed responsibility to NYP&A Operations Department Licensed Plant Operator as the responsible person to review scaffolding installations in safety-related areas of the plant.

In addition, corporate engineering developed a seismic calculation to support the PSO revision.

THE CORRECTIVE STEPS THAT WILL BE TAKEN TO AVOID FURTHER VIOLATIONS

As described above.

THE DATE WHEN FULL COMPLIANCE WILL BE ACHIEVED

Full compliance has been achieved with issuance of Revision 7 to PSO-51, December 5, 1992.