

September 28, 1998

Mr. Michael J. Colomb
Site Executive Officer
New York Power Authority
James A. FitzPatrick Nuclear Power Plant
Post Office Box 41
Lycoming, NY 13093

SUBJECT: NRC INSPECTION REPORT 50-333/98-05 and NOTICE of VIOLATION

Dear Mr. Colomb:

This refers to the NRC engineering team inspection that was conducted at the FitzPatrick Nuclear Power Plant for two weeks during the period of July 27 to August 14, 1998. The inspection evaluated engineering activities to support plant operation, including a very detailed review of the design and licensing bases of two plant systems. The inspection also evaluated the effectiveness of the plant staff in identifying, evaluating, and correcting problems. The enclosed report presents the results of this inspection; preliminary results had been provided to Mr. Harry Salmon and members of your staff at an exit meeting held at the site on August 14, 1998.

The team judged the engineering activities at the FitzPatrick plant to be generally good, and the team concluded that the two reviewed systems had accurate design and licensing bases, which were consistently implemented in operating and testing procedures. The engineering methods and results were generally sound and correct, and engineering backlogs were manageable. Degraded but operable conditions on some plant systems were being monitored by the maintenance and operations staff with proper input and oversight by engineering. Although none of the degraded conditions reviewed by the inspection team were determined to represent inoperable components or systems, there were issues that had not been fully questioned or evaluated by engineering. Review of these additional issues did not reverse the existing operability determinations, but the team judged that the scope of engineering review had sometimes been narrow and could be improved.

The failure to analyze the effects of a LOCA plus LOOP on containment penetration protection is a violation of NRC requirements where no written response to NRC is required. The NRC has concluded that information regarding the reason for the violation, the corrective actions taken and planned to correct the violation and prevent recurrence is already adequately addressed on the docket in this inspection report. Therefore, you are not required to respond to this letter unless the description therein does not accurately reflect your corrective actions or your position. In that case, or if you choose to provide additional information, you should follow the instructions specified in the enclosed Notice.

In accordance with 10 CFR 2.790 of the NRC's "Rules of Practice," a copy of this letter and its enclosures will be placed in the NRC Public Document Room.

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Should you have any questions concerning this inspection, please contact the team leader Mr. Harold Gray at (610) 337-5325.

We appreciate your cooperation.

Sincerely,

ORIGINAL SIGNED BY:

James T. Wiggins, Director
Division of Reactor Safety

Docket Nos.: 50-333

Enclosure: NRC Inspection Report 50-333/98-05 and Notice of Violation

cc w/encl:

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