

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 May 1 through May 26, 1989, and in accordance with the "General Statement of Policy and Procedure for NRC Enforcement Action," 10 CFR Part 2, Appendix C, 53 Fed. Reg. 40019 (October 13, 1988), the following violations were identified:

1. a. 10CFR 50, Appendix A, Criterion 10 (1967 issue), Containment, requires that "The containment structure shall be designed to sustain the initial effects of gross equipment failures, such as a loss of coolant boundary break, without loss of required integrity and, together with the other engineered safety features as may be necessary, to retain for as long as the situation requires the functional capability to protect the public."
- b. 10CFR 50, Appendix A, Criterion 40 (1967 issue), Missile Protection, requires that "Protection for engineered safety features [such as the containment and its appurtenances] shall be provided against dynamic effects and missiles that might result from plant equipment failures."
- c. 10CFR 50, Appendix A, Criterion 42 (1967 issue), Engineered Safety Features Performance Capability, requires that "Engineered safety features shall be designed so that the capability of each component and system to perform its required function is not impaired by the effects of a loss-of-coolant-accident."
- d. 10CFR 50, Appendix A, Criterion 56 (issue as amended October 27, 1978), Primary Containment Isolation, requires that "Each line that connects directly to the containment atmosphere [at any time, particularly during a LOCA] and penetrates primary reactor containment shall be provided with containment isolation valves. Isolation valves outside containment shall be located as close to the containment as practical and upon loss of actuating power, automatic isolation valves shall be designed to take the position that provides greater safety."

The reactor building closed loop cooling water system piping inside containment and the components supplied by this piping form a closed system inside containment during normal operation that is an extension of the reactor containment boundary. Contrary to the requirements of a, b, and c above, the original plant design did not provide for the protection of this piping and equipment from the dynamic effects of a loss-of-coolant-accident. Therefore, the system may not remain closed following a loss-of-coolant-accident.

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Contrary to criterion 56 (1978), in the modifications made to the system in 1984, the isolation valves located outside containment were not made automatic; the isolation valves outside containment were not located as close to the containment as practical; and the isolation valves were not designed to take the position that provides greater safety (closed) upon loss of actuating power.

This is a Severity Level IV violation (Supplement 1).

- 2.0 10CFR 50 Appendix B Criterion V requires that activities affecting quality shall be prescribed by procedures appropriate to the circumstances.

Contrary to the above:

(2.1) On May 22, 1989 the Emergency Diesel Generator Day tank level calibration procedure F-1MP-93.6 Revision 2, dated October 2, 1985 and entitled, Fuel Oil Day Tank Level Functional Test did not appropriately address the calibration of the level switches to a standard.

(2.2) On May 22, 1989 procedure No. F-OP-22, Revision 16, dated December 12, 1988, Diesel Generator Emergency Power was not prescribed by procedures appropriate to the circumstance in that instructions for the connecting of the back up air bank did not address the isolation of the defective bank of starting air.

(2.3) Operations Department Standing Order ODSO-17 "Auxiliary Operator Plant Tour and Operator Logs", Revision 6, was not prescribed by procedures appropriate to the circumstance in that the minimum acceptable voltage of 90 Volts for the Class 1E 125V battery could render the equipment inoperable.

(2.4) Annunciator Procedure ARP-09-8-4-11, Revision 2, EDG B engine trouble or shutdown and ARP-09-8-4-4 Revision 1, EDG B fuel tank level or transfer pump switch off normal procedures were not prescribed by appropriate procedures in that no specific directions were given to the operator to respond to the abnormality.

This is a Severity Level IV Violation.

- 3.0 10CFR 50 Appendix B Criterion VI requires that measures be established to control the issuance of documents, such as drawings, which prescribe activities affecting quality to assure these documents are reviewed for adequacy, distributed and used at the location where the activity is performed. NYPA QA Program Section 17.2.5 requires that activities affecting quality be prescribed by controlled drawings and accomplished with these drawings.

Contrary to the above:

(3.1) Drawing 11825-FE-IAJ, Rev. 6, indicated circuit breaker ratings for loads 23P-141, 23MOV-122 and 23MOV-25 as 20, 20 and 20 A, respectively. However, on May 22, 1989 field installations for these loads were 15, 30 and 40 A respectively.

(3.2) Drawing 11825-FE-IAJ, Rev. 6, indicated motor horsepower ratings for loads 23P-141 and 23MOV-122 as 1.0 and 0.66 hp, respectively. However, on May 22, 1989 field installations for these loads were 1.3 and 2.89 hp, respectively.

(3.3) Drawing 11825-FD-15, Rev. 15 indicated motor horsepower rating for loads 10MOV-012B, 10MOV-089 and 10MOV-026B as 1.3, 4.0 and 2.9 hp, respectively. However, on May 22, 1989 field installations for these loads were 1.6, 1.0 and 2.0 hp, respectively.

This is a Severity Level IV Violation.

- 4.0 Fitzpatrick Technical Specification Section 6.8A requires that written procedures be established, implemented and maintained that meet or exceed the requirements and recommendations of ANSI N18.7-1972 and Appendix A of NRC Regulatory Guide (RG) 1.33. ANSI N18.7-1972, Section 5.3.6 requires that procedures be provided for periodic calibration and testing of safety related alarm devices, sensors and protective circuits.

Contrary to the above:

(4.1) On May 22, 1989, Class 1E 125 Vdc circuit breakers and battery charger voltage sensing relays had not been subjected to periodic testing and calibration as required.

(4.2) On May 22, 1989, no periodic testing was done on the air system check valve for the reactor building closed cooling water isolation valve.

This is a Severity Level IV Violation.

- 5.0 10CFR 50, Appendix B, Criterion III requires that measures shall be established to assure that applicable regulatory requirements and design bases are correctly translated into specifications and instructions.

Contrary to the above:

(5.1) On May 22, 1989, measures were not established to ensure that applicable design bases are correctly translated into the instruction for plugging the floor drains in the emergency diesel generator rooms in that plugging all the floor drains left the potential for spreading an oil fire to adjacent diesel rooms.

(5.2) On May 22, 1989, measures were not established to ensure that applicable design bases are correctly translated into the instruction for the Heating Ventilation and Air Conditioning (HVAC) design for the switchgear enclosures in that the HVAC system would not have functioned during a high energy line break accident.

This is a Severity Level IV Violation.

Pursuant to the provisions of 10 CFR 2.201, 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.