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NRC STAFF PROPOSES \$200,000 FINE FOR ALLEGED VIOLATIONS
AT THE NINE MILE POINT NUCLEAR POWER PLANT, AT OSWEGO, NY

The Nuclear Regulatory Commission staff has cited Niagara Mohawk Power Corporation for two alleged violations at the Nine Mile Point nuclear plant Unit 1, at Oswego, NY, and is proposing to fine the utility \$200,000.

During routine testing on February 21, 1992, Unit 1's cooling water systems from Lake Ontario, the principal means of removing excess heat from the plant, were inadvertently isolated when a screen house gate stuck closed. Those systems were inoperable for six minutes. An Augmented Inspection Team (AIT) inspection of the causes of this event determined that plant personnel failed to follow established procedures while doing maintenance on one of the screen house gates on February 10, and on a number of other occasions before the February 21 incident. The AIT determined that was the cause of the incident.

In a letter to Niagara Mohawk, Thomas T. Martin, Regional Administrator, NRC Region I, said, "This event demonstrated a significant breakdown in the control of an activity at the facility which resulted in the plant being placed in a seriously degraded condition for a short period."

The normal fine for such a violation is \$50,000. However, in this case, the fine was escalated by 50 percent, to \$75,000, after considering Niagara Mohawk's poor record in the area of procedural compliance and because Niagara Mohawk could have, but did not, identify the violation through its own quality assurance department surveillances.

The second apparent violation also occurred at Unit 1, and involved the failure of the operators to take certain actions that are required when the plant is being operated outside the plant's technical specification. Technical specifications allow the operators to automatically bypass certain automatic shutdown (scram) functions when reactor power is less than 45 percent of rated power. In this case, though, while reducing reactor power only to 70 percent of rated power, control room annunciators indicated certain scram functions had been bypassed. But, operators took no action to reduce power to under 45 percent or

to insert rods into the core to reduce power, as required by the technical specifications.

This problem could have been identified sooner by doing more troubleshooting during an opportunity that occurred on the day of the apparent violation, January 10, 1992, Mr. Martin said.

The normal fine for such a violation is \$50,000. However, it was increased by 150 percent, to \$125,000, because the violations were identified by the NRC, and not the Licensee, and because of the duration of the violation, in light of the prior opportunities to identify the violation.

The utility now has 30 days to either pay the proposed fine or to request in writing that all or part of it be withdrawn, giving reasons for any such request. It also has 30 days to admit or deny the alleged violations, to give reasons for them, if admitted, to describe the actions it has taken or plans to take to prevent their happening in the future, and to give the date by which it will be in full compliance with NRC requirements.

The State of New York has been informed of this enforcement action.

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