

U. S. Atomic Energy Commission
Washington, D.C. 20545

To

Librarians and Library Staffs

Reference: U. S. Atomic Energy Commission (AEC) Local Public Document Room - Nuclear (Atomic) Power Plants and Facilities.

Purpose

The establishment by the AEC of local public document rooms or centers in areas where nuclear (atomic) power plants and facilities are proposed for construction or operation is to provide the public in the vicinity with access to the documentary materials connected with the licensing and the ensuing public hearings involving such power plants and facilities, including information on the environmental and other relevant aspects of the project.

Use and Custody of Materials

These are available to all members of the public for examination and copying* (except that transcripts of proceedings may not be reproduced). It is important, however, that the examination and copying be confined to the library premises subject to observation of library personnel so that the file may be kept intact, and to avoid any of the materials becoming lost.

Filing of AEC Materials

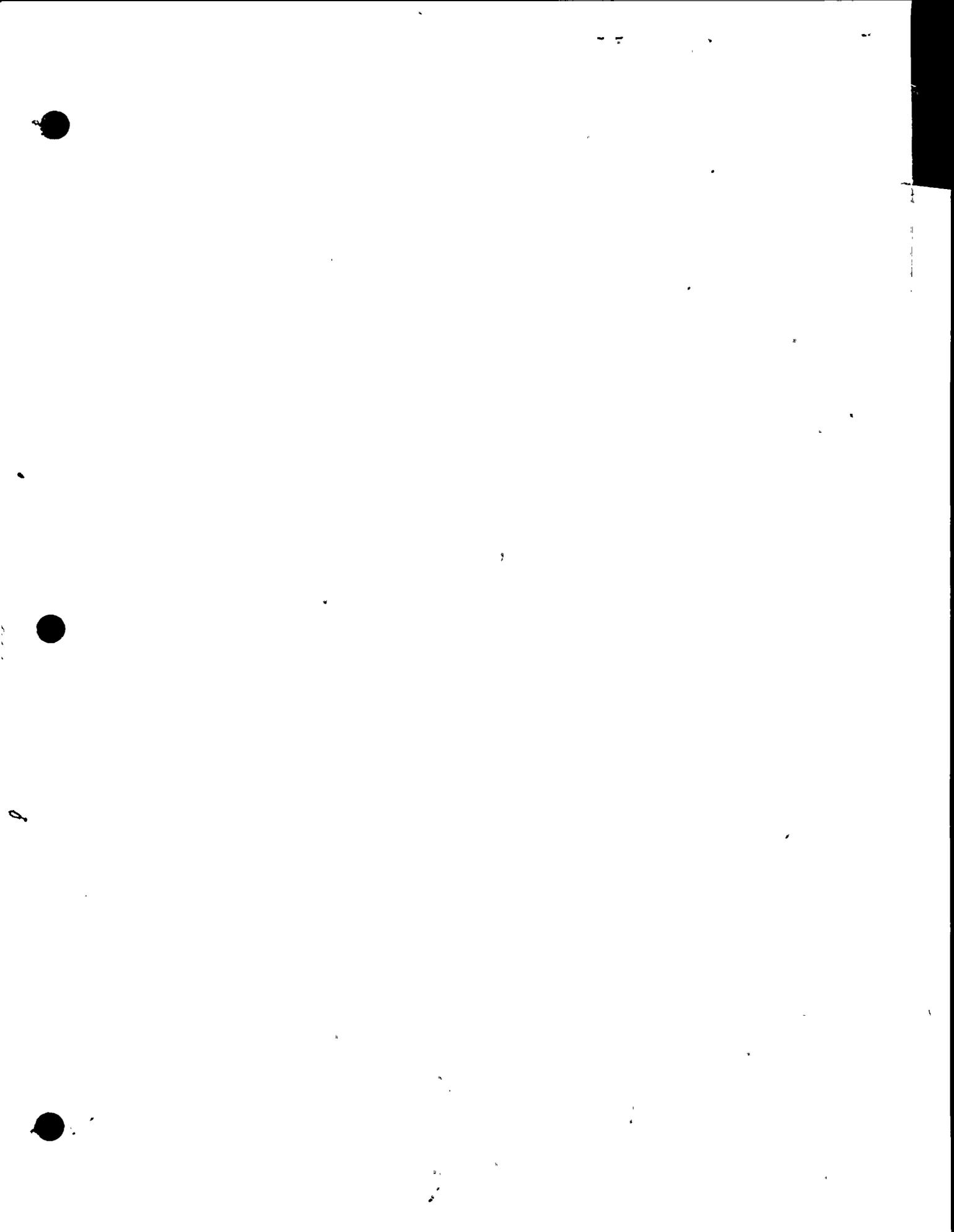
The bulk of the material forwarded to you will usually be contained in binders or in ringed loose-leaf volumes. Additionally, we are supplying you with folders which are containers for other papers and documents sent to you, viz:

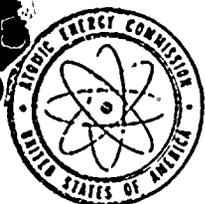
- (1) A folder tabbed "Amendments not included in Volumes or Binders" for the filing of documents that amend other documents in the file but which are unbound. These amending papers will be rubber stamped "Amendments" when you receive them.
- (2) A folder with the tab "Applicant File - Correspondence with Applicant (excluding environmental and antitrust)" for holding material which we send you stamped "Applicant File."
- (3) A folder with the tab "Environmental File - Environmental reports, comments, drafts and statements not included in binders or in ringed loose-leaf volumes" for receiving material stamped "Environmental File."
- (4) A folder with the tab "Antitrust File" for material so stamped.
- (5) A folder with the tab "Adjudicatory file, including notices of hearing, safety evaluation, ACRS report, Initial Decision, and other decisions and orders" for material stamped "Adjudicatory-Safety Eval - ACRS."
- (6) A folder tabbed "Miscellaneous" for all other papers forwarded to you, which will be stamped "Miscellaneous."

Availability of Further Information and Document Copies

If the library staff or any members of the public have any questions or are interested in any further information, they may write to the Director of Regulation, U.S. Atomic Energy Commission, Washington, D.C. 20545, or telephone (301) 973-7333.

* Documents available for copying may also be purchased by any member of the public through the Sales Desk, National Technical Information Service, Springfield, Virginia 22151, Telephone (703) 321-8543.





UNITED STATES
ATOMIC ENERGY COMMISSION
DIRECTORATE OF REGULATORY OPERATIONS
REGION 1
631 PARK AVENUE
KING OF PRUSSIA, PENNSYLVANIA 19406

DR Central files

OCT 24 1974

Niagara Mohawk Power Corporation
Attention: Mr. R. R. Schneider
Vice President - Electric
Operations
300 Erie Boulevard, West
Syracuse, New York 13202

License No. DPR-17
Inspection No. 50-220/74-13

Reference: Your letter dated October 18, 1974
In response to our letter dated September 30, 1974

Gentlemen:

Thank you for informing us of the corrective and preventive actions you documented in response to our correspondence. These actions will be examined during our next inspection of your licensed program.

Your cooperation with us is appreciated.

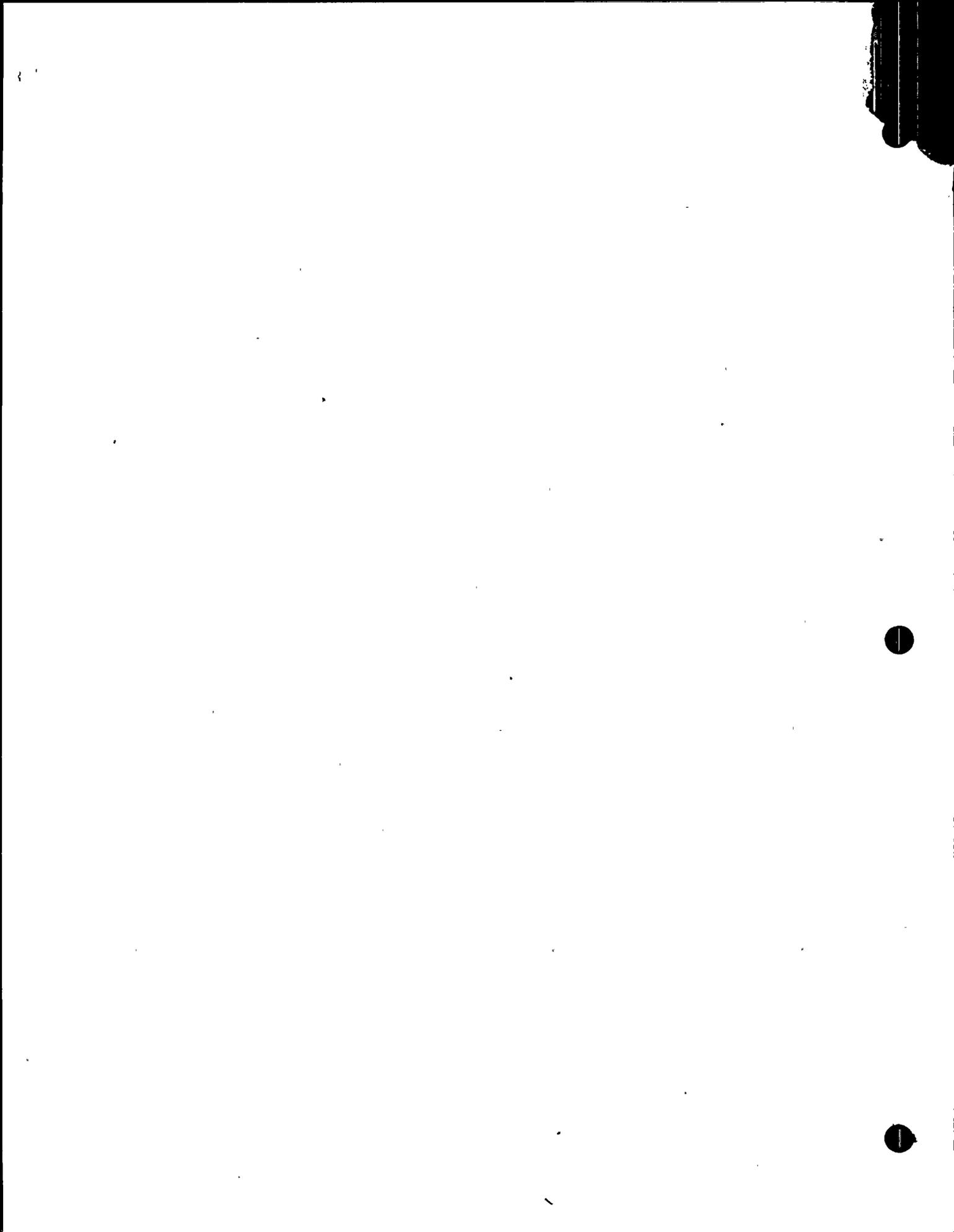
Sincerely,

James P. O'Reilly
James P. O'Reilly
Director

cc: P. A. Burt, General Superintendent, Nuclear Generation
T. J. Perkins, Plant Superintendent
C. L. Stuart, Assistant Plant Superintendent
E. B. Thomas, Jr., Esquire
A. Z. Roisman, Counsel for Citizens Committee for Protection
of the Environment

bcc: RO Chief, FS&EB
RO:HQ
RO Files
Central Mail & Files
DL
RS
PDR
Local PDR
NSIC
TIC

State of New York
Reg Reg Reading Room
OGC



NIAGARA MOHAWK POWER CORPORATION



300 ERIE BOULEVARD WEST
SYRACUSE, N. Y. 13202

October 18, 1974

Mr. James P. O'Reilly, Director
United States Atomic Energy Commission
Directorate of Regulatory Operations
Region 1
631 Park Avenue
King of Prussia, Penn. 19406

Re. Docket No. 50-220
Provisional Operating License DPR-17
Inspection No. 74-13

Dear Mr. O'Reilly:

Regarding your letter of September 30, 1974, concerning the inspection (74-13) conducted by Mr. Plumlee of your office on August 26-30, 1974, at Nine Mile Point Nuclear Station Unit 1, we have concluded, following a staff review, that this report does not contain any information of a proprietary nature and can be placed in the Public Document Room.

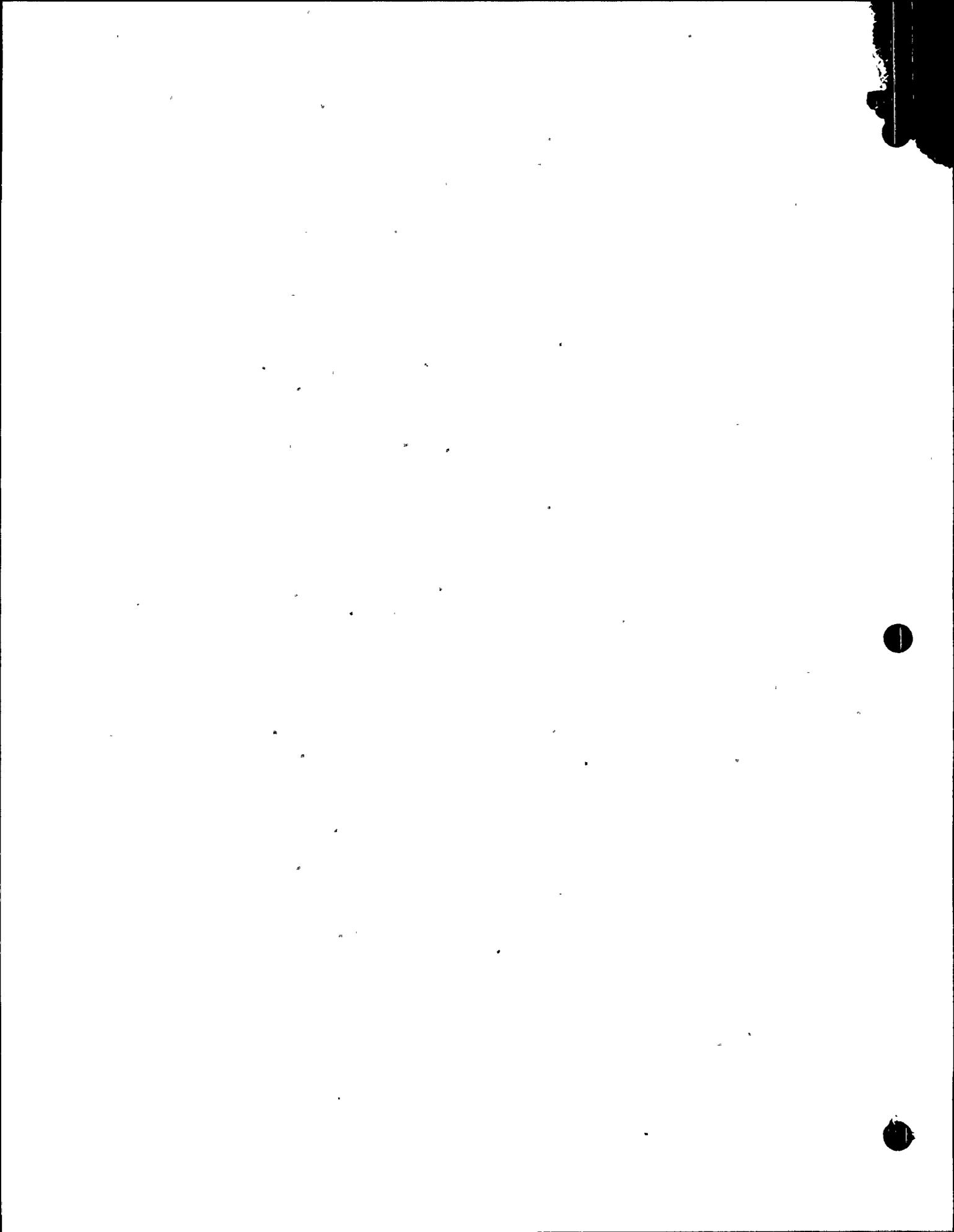
In your letter, you requested the schedule and completion date for review and updating of procedures for surveillance and testing at Nine Mile Point Unit 1. In that regard, we expect that all instrument and control procedures will be completed and approved by the review board by November 30, 1974.

As a clarification of documents which will be maintained for future inspections, your understanding that Safety Review and Audit Board audit guidelines and audit reports, as well as audit reports on qualification of suppliers, will be included is correct.

Concerning the alleged violation of AEC requirements involving the failure of the off site review board to review, approve and evaluate the Technical Specification change during 1971 of the high steam flow isolation condenser trip setting, the following is submitted:

1. During 1972, our Management Control System was overhauled to reflect increased documentation and procedural control. This, in turn, developed the current administrative procedures now in effect for the processing of design changes. These developments will prevent this problem from occurring again.

The Emergency Condenser high steam flow set point is designed to isolate the system in the event tube ruptures occur in the heat exchangers. A nominal value for actuation is 300% steam flow.



During the calculations to determine the necessary setting of the differential pressure instrumentation, a short radius elbow was used. The actual installation had to be made using long radius elbows. During a review of the startup test program it was determined that the calculated differential pressure was, in fact, related to a higher steam flow than 300%. The ratio of short radius elbows to long radius elbows is 1/1.5 or .67. Therefore, the immediate corrective action, based upon detailed analysis, was to change the present differential pressure of 29.5 psid by a factor of .67. This would produce a more conservative set point and be consistent with 300% steam flow. The Technical Specifications indicated a set point of equal to or less than 29.5 psid. Therefore, the corrective action to produce a more conservative trip setting seemed appropriate. A letter from Design Engineering was sent to the site recommending the change, which included the safety analysis. At that time it was felt that this change, because of the "equal to or less than" wording in the Technical Specifications did not constitute a Technical Specification change and that the design of the system itself was not changed. The Safety Review and Audit Board was to review and approve this change at its next meeting. However, that review was never documented in that Board's minutes.

2. In order to assure ourselves that this problem is unique, we are comparing existing surveillance set points with those currently being enforced by Technical Specifications. This action in itself will form the immediate corrective action to prevent a similar problem from developing. Our present management controls and administrative procedures form the basis to avoid further violations.
3. The proposed Technical Specification change to Table 4.6.2c has been prepared and already has been submitted to the Atomic Energy Commission. In addition to the safety analysis presented in (1) above, the detailed calculations are available at the site.

Very truly yours,



R. R. Schneider
Vice President -
Electric Operations

REGISTERED MAIL
RETURN RECEIPT REQUEST



U. S. Atomic Energy Commission
Washington, D.C. 20545

To

Librarians and Library Staffs

Reference: U. S. Atomic Energy Commission (AEC) Local Public Document Room - Nuclear (Atomic) Power Plants and Facilities.

Purpose

The establishment by the AEC of local public document rooms or centers in areas where nuclear (atomic) power plants and facilities are proposed for construction or operation is to provide the public in the vicinity with access to the documentary materials connected with the licensing and the ensuing public hearings involving such power plants and facilities, including information on the environmental and other relevant aspects of the project.

Use and Custody of Materials

These are available to all members of the public for examination and copying* (except that transcripts of proceedings may not be reproduced). It is important, however, that the examination and copying be confined to the library premises subject to observation of library personnel so that the file may be kept intact, and to avoid any of the materials becoming lost.

Filing of AEC Materials

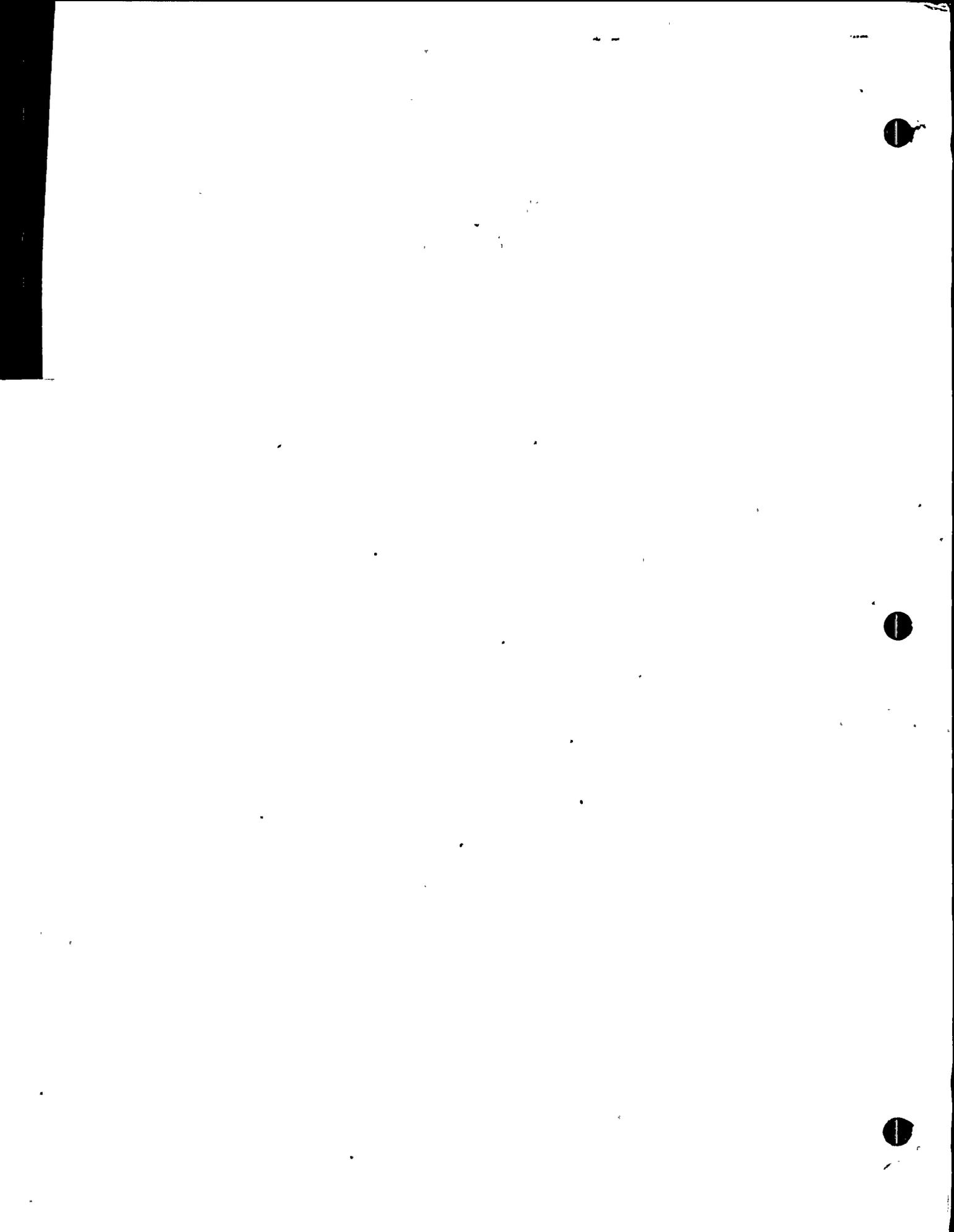
The bulk of the material forwarded to you will usually be contained in binders or in ringed loose-leaf volumes. Additionally, we are supplying you with folders which are containers for other papers and documents sent to you, viz:

- (1) A folder tabbed "Amendments not included in Volumes or Binders" for the filing of documents that amend other documents in the file but which are unbound. These amending papers will be rubber stamped "Amendments" when you receive them.
- (2) A folder with the tab "Applicant File - Correspondence with Applicant (excluding environmental and antitrust)" for holding material which we send you stamped "Applicant File."
- (3) A folder with the tab "Environmental File - Environmental reports, comments, drafts and statements not included in binders or in ringed loose-leaf volumes" for receiving material stamped "Environmental File."
- (4) A folder with the tab "Antitrust File" for material so stamped.
- (5) A folder with the tab "Adjudicatory file, including notices of hearing, safety evaluation, ACRS report, Initial Decision, and other decisions and orders" for material stamped "Adjudicatory-Safety Eval - ACRS."
- (6) A folder tabbed "Miscellaneous" for all other papers forwarded to you, which will be stamped "Miscellaneous."

Availability of Further Information and Document Copies

If the library staff or any members of the public have any questions or are interested in any further information, they may write to the Director of Regulation, U.S. Atomic Energy Commission, Washington, D.C. 20545, or telephone (301) 973-7333.

* Documents available for copying may also be purchased by any member of the public through the Sales Desk, National Technical Information Service, Springfield, Virginia 22151, Telephone (703) 321-8543.



BILL FOR COLLECTION

Bill No. _____

U. S. Atomic Energy Commission
 (Department or Establishment and Bureau or Office)

Date 9-27-74

Washington, D. C. 20545
 (Address)

PAYER:

Niagara Mohawk Power Corporation
 300 Erie Boulevard West
 Syracuse, New York 13202

*This bill should be returned by the payer with his remittance.
 SEE INSTRUCTIONS BELOW.*

Date	DESCRIPTION	Quantity	Unit Price		Amount	
			Cost	Per		
	Civil Penalty imposed by letter dated 9-13-74, copy attached				\$8,000	00
AMOUNT DUE THIS BILL,					\$8,000	00

This is not a receipt

INSTRUCTIONS

Tender of payment of the above bill may be made in cash, United States postal money order, express money order, bank draft, or check, to the office indicated. Such tender, when in any other form than cash, should be drawn to the order of the Department or Establishment and Bureau or Office indicated above.

Receipts will be issued in all cases where "cash" is received, and only upon request when remittance is in any other form. If tender of payment of this bill is other than cash or United States postal money order, the receipt shall not become an acquittance until such tender has been cleared and the amount received by the Department or Establishment and Bureau or Office indicated above.

Failure to receive a receipt for a cash payment should be promptly reported by the payer to the chief administrative officer of the bureau or agency mentioned above.



NIAGARA MOHAWK POWER CORPORATION
 300 ERIE BOULEVARD, W. - SYRACUSE, N.Y. 13202

DATE	OUR NO.	YOUR NO. OR REFERENCE	GROSS AMOUNT		DISCOUNTS	NET AMOUNT
				CREDITS (IN RED)		
9 23 74	9 3084	IN PYMT OF CHARGES ASSESSED PURSUANT TO LETTER OF D KNUTH, DIRECTOR OF REGULATORY OPERATIONS, ATOMIC ENERGY COMMISSION, DATED 9/13/74 L MARTIN-6TH FLR		8,000.00		8,000.00 <hr/> 8,000.00

01

DETACH BEFORE DEPOSITING CHECK

ORM 937-2 R12-70

50-38
213

NIAGARA MOHAWK POWER CORPORATION

300 ERIE BOULEVARD, W. - SYRACUSE, N.Y. 13202

DATE 9/23/74

No. 104568

TO THE ORDER OF PAY \$8,000 DOLLARS 00CENTS

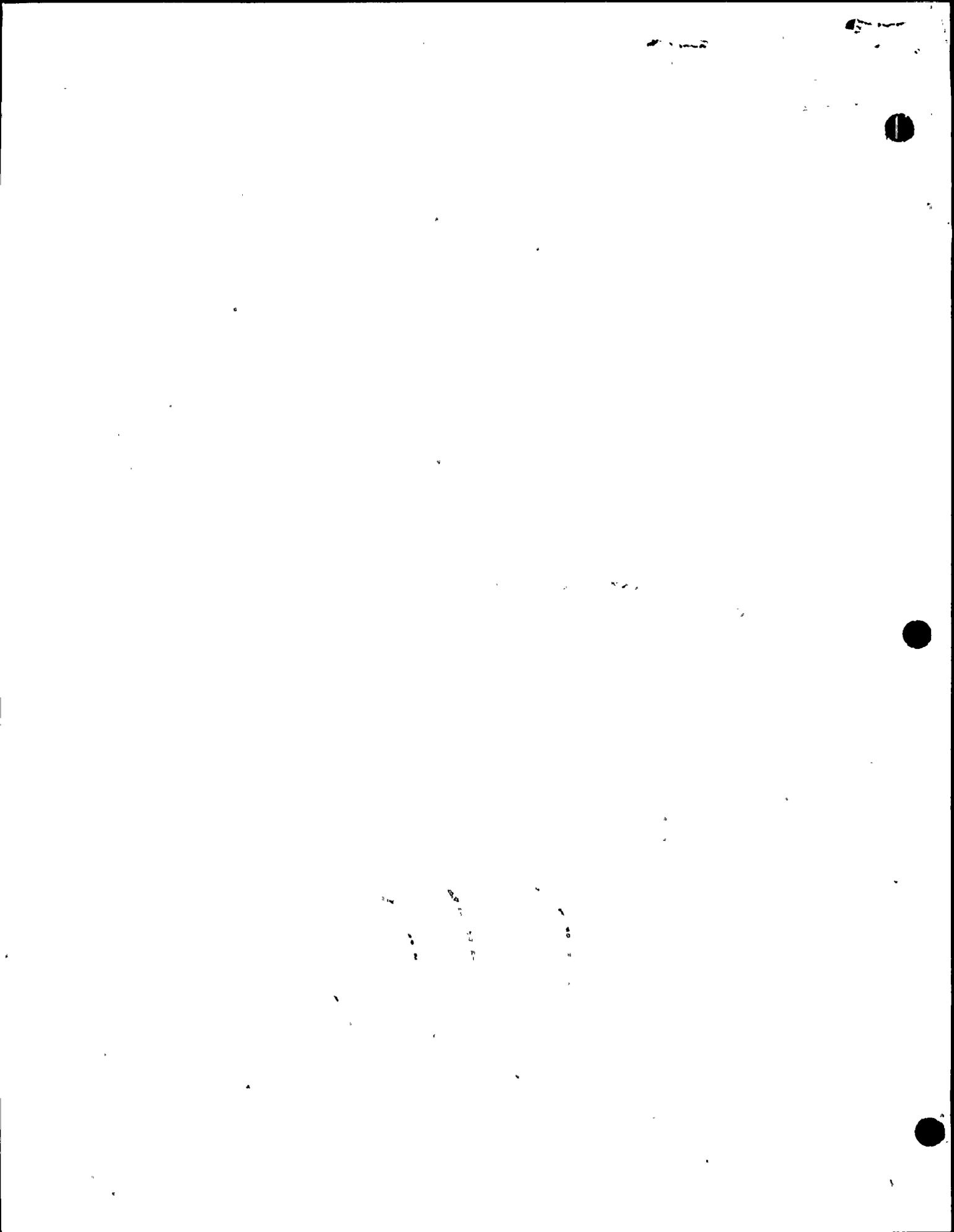
\$8,000.00 DOLLARS

TREASURER OF THE UNITED STATES
 WASHINGTON D C

John W. Powers
 AUTHORIZED SIGNATURE

⑈ 104568 ⑈ ⑆ 0213 ⑆ 0038 ⑆ 090 ⑆ 000322 ⑈

FIRST TRUST AND DEPOSIT COMPANY - SYRACUSE, N.Y.



SEP 13 1974

Niagara Mohawk Power Corporation
ATTN: Mr. James A. O'Neill, President
and Chief Executive Officer
300 Erie Boulevard West
Syracuse, New York 13202

50-220

Gentlemen:

This refers to the inspection conducted August 26-30, 1974, by Karl E. Plumlee of our Region I office of activities authorized by AEC Facility Operating License No. DPR-17 at the Nine Mile Point Unit 1 facility and to discussions of the inspection findings held with you on August 28, 1974, and with members of your staff on August 27 and 30, 1974, and to the telephone discussion between Mr. J. P. O'Reilly, Director of RO:I, and Mr. James Bartlett, Executive Vice President of Niagara Mohawk Power Corporation on September 3, 1974.

During the inspection, it was found that two of your activities appeared to be in violation of AEC requirements. The items and references to the pertinent requirements are listed in the Notice of Violation, enclosed herewith as Appendix A. One of the violations occurred on August 27, 1974, and the other occurred on August 29, 1974.

The Violation identified as Item A in Appendix A resulted when a licensed operator left the control console unattended and entered an anteroom to the control room for a cup of coffee. The violation identified in Item B in Appendix A resulted when the entrance to the protected area was left unattended by a security guard. These matters relating to the safety of operations and security of the facility are of concern since both are violations of the same nature and both occurred during the same inspection period.

As you are aware from the "Criteria for Determining Enforcement Action," which was provided to you by letter dated November 1, 1972, the enforcement actions available to the Commission in the exercise of its regulatory responsibilities include administrative actions in the form of written notices of violation, civil monetary penalties, and orders pertaining to the modification, suspension or revocation of a license. After careful evaluation of the violations identified in Appendix A, this office proposes to impose civil penalties, pursuant to Section 234 of the Atomic Energy Act of 1954, as amended, (42 USC-2282) and 10 CFR 2.205, in the cumulative amount of Eight Thousand Dollars (\$8,000) as set forth in the "Notice of Proposed Imposition of Civil Penalties,"

Insp

enclosed herewith as Appendix B.

OFFICE▶

SURNAME▶

DATE▶

SEP 1 1974

TO: DIRECTOR, FBI
FROM: SAC, [illegible]
SUBJECT: [illegible]

[Illegible typed text block]

[Illegible typed text block]

[Illegible typed text block]

[Illegible typed text block]

In addition to the need for corrective action to avoid further violations of the type identified in Appendix A, we are concerned about the effectiveness of your management control system in that it did not prevent these deficiencies from occurring. Consequently, in your reply you should describe those actions taken or planned to improve the effectiveness of your management control system to assure that procedures affecting safety and security are properly implemented.

Your reply to this letter will be considered in determining whether any further enforcement action, such as modification, suspension, or revocation of the license, is appropriate.

Sincerely,

Original signed by
D.F. Knuth

Donald F. Knuth, Director
of Regulatory Operations

Enclosures:

1. Appendix A, Notice of Violation
2. Appendix B, Notice of Proposed Civil Penalties

cc: P. A. Burt, Gen. Supt. Nucl. Gen.
T. J. Perkins, Plant Supt.
C. L. Stuart, Asst. Plant Engineer
Niagara Mohawk Power Plant
P. O. Box 32
Lycoming, New York 13093

R. R. Schneider, Vice Pres.
Electric Operations

James Bartlett, Executive
Vice Pres. for Engineering,
Operations & Employee Relations

bcc: L.M. Muntzing, DR
L.V. Gossick, ADR
E.G. Case, L
A. Giambusso, L
J.M. Hendire, L
D.F. Knuth, RO

RP considers this somewhat extreme, but has no objection.

PDR
Local PDR
NSIC
TIC
DR Central Files
J.G. Davis, RO
DR Reading Files
Regional Directors
L.Reeder, RO
J. Murray, OGC
F. Ingram, IS
J. Fouchard, IS
H. Harris, IS
R.F. Fraley, ACRS(3)
G. Roy, RO
R. C. DeYoung, L
B. H. Grier, RO
P. A. Morris, RO
W. P. Ellis
bcc w/o encl:
A. E. Roisman
Council for Citizens Comm. for
Protection of Environ.
Berlin, Roisman & Kessler
1712 N. St. N.W. K. J. E.

GRESS W/ OFFICED	RO:FS&EB	RO:FS&EB	RODDFO	AP Washinton, D.C. 20036	RO:DIR
879-564jj	WPEllis:cls	HDThornburg	JGDavis	EGC	DFKnuth
SURNAMED	W P E	HD	JG	JMurray	DF
9/10/74	9/10/74	9/10/74	9/13/74	9/12/74	9/13/74
DATED					

APPENDIX A

Niagara Mohawk Power Corporation
ATTN: Mr. R. R. Schneider
Vice President
Electric Operations
300 Erie Boulevard West
Syracuse, New York 13202

NOTICE OF VIOLATION

Gentlemen:

Based on the results of an AEC inspection conducted on August 26-30, 1974, it appears that certain of your activities were not conducted in full compliance with AEC regulations and the requirements of your license as indicated below:

- A. 10 CFR 50.54(k) requires that an operator or senior operator licensed pursuant to Part 55 of 10 CFR be present at the controls at all times during the operation of the facility.

Contrary to this requirement, the licensed operator was observed to leave the operator control station and the Control Room for approximately one minute on August 27, 1974, when the reactor was in operation.

(Severity Category II)
(Civil Penalty = \$4,000)

- B. 10 CFR 73.40 requires that the security plan submitted by the licensee shall be followed after March 6, 1974. The licensee's Security Plan, Supplement I, as submitted on November 23, 1973; the "Industrial Security Plan for Nine Mile Point dated March 15, 1974; the "Revised Security Plan," Subsection D; and your letter to the Directorate of Licensing dated June 12, 1974, all state that a guard will be posted at the entrance to protected areas at all times.

Contrary to this requirement, the AEC inspector observed the guard station at the entrance to a protected area was unmanned for about five minutes on August 29, 1974.

(Severity Category II)
(Civil Penalty = \$4,000)

OFFICE▶						
SURNAME▶						
DATE▶						

ANNEX

MEMORANDUM FOR THE RECORD
SUBJECT: [Illegible]

MEMORANDUM FOR THE RECORD

[Illegible text]

This notice is sent to you pursuant to the provisions of Section 2.201 of the AEC's "Rules of Practice," Part 2, Title 10, Code of Federal Regulations. Section 2.201 requires you to submit to this office within twenty (20) days of your receipt of this notice a written statement or explanation in reply including: (1) corrective steps which have been taken by you 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.

FOR THE ATOMIC ENERGY COMMISSION

Donald F. Knuth, Director
of Regulatory Operations

OFFICE▶						
SURNAME▶						
DATE▶						

1950

1. The first part of the report is a general introduction to the subject of the study. It discusses the importance of the problem and the objectives of the research.

2. The second part of the report is a detailed description of the methods used in the study. It includes a description of the experimental design, the data collection procedures, and the statistical methods used for data analysis.

3. The third part of the report is a presentation of the results of the study. It includes a description of the data, a discussion of the findings, and a comparison of the results with previous research.

4. The fourth part of the report is a conclusion and a discussion of the implications of the study. It includes a summary of the main findings, a discussion of the limitations of the study, and suggestions for further research.

1950

DR Central files



UNITED STATES
ATOMIC ENERGY COMMISSION
DIRECTORATE OF REGULATORY OPERATIONS
REGION I
631 PARK AVENUE
KING OF PRUSSIA, PENNSYLVANIA 19406

SEP 26 1974

Niagara Mohawk Power Corporation
Attention: Mr. R. R. Schneider
Vice President
Electric Operations
300 Erie Boulevard West
Syracuse, New York 13202

License No. DPR-17
Inspection No. 50-220/74-12

Gentlemen:

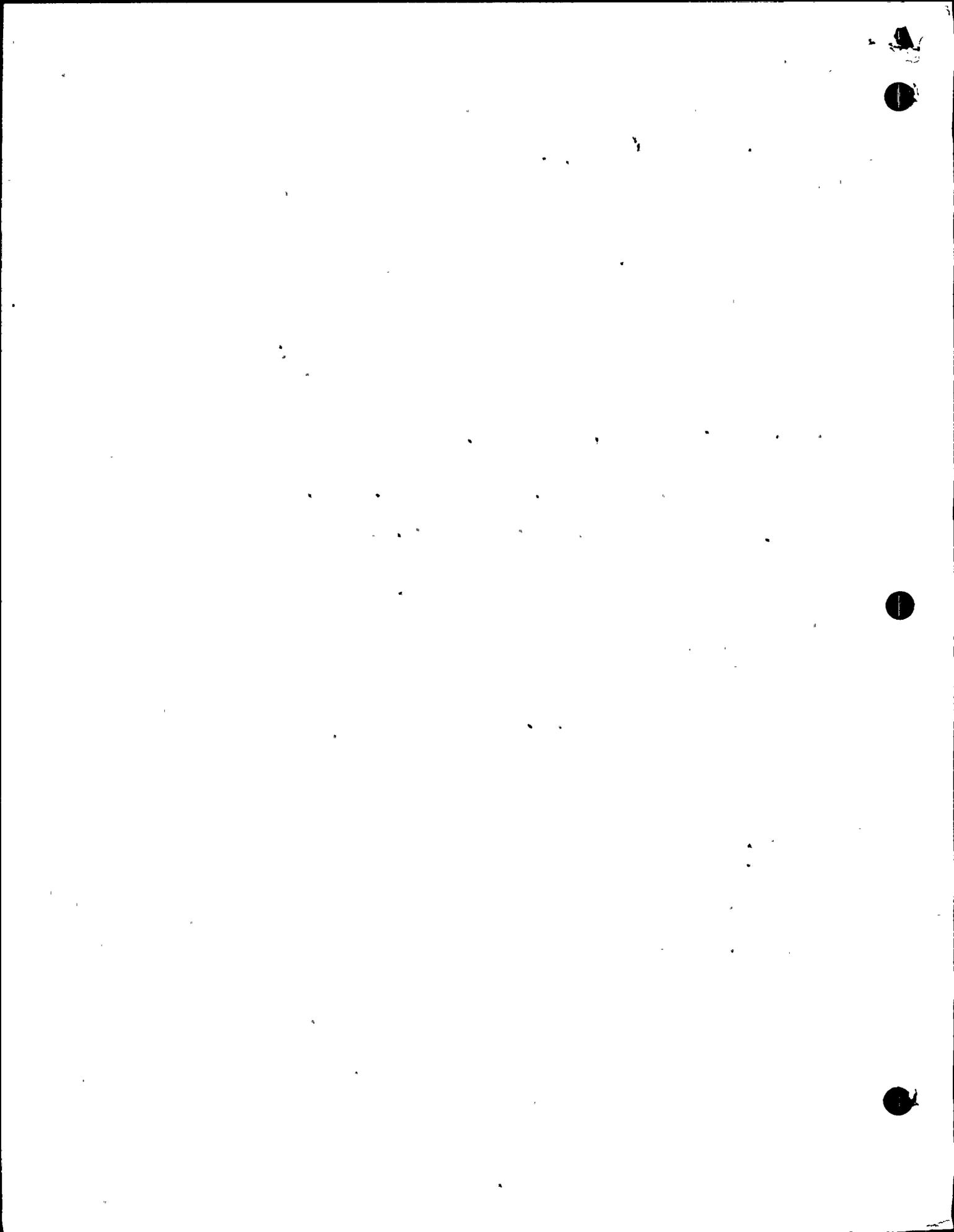
This refers to the inspection conducted by Mr. Plumlee of this office on August 26-30, 1974, at the Nine Mile Point 1 Station, of activities authorized by AEC License No. DPR-17 and to the discussions of our findings held by Mr. Plumlee with Mr. Burt and Mr. Stuart of your staff at the conclusion of the inspection.

This report relates to the absence of the reactor operator from the reactor controls on August 27, 1974, and to the absence of a guard from the entrance to the protected area on August 29, 1974.

In accordance with Section 2.790 of the AEC's "Rules of Practice", Part 2, Title 10, Code of Federal Regulations, a copy of this letter and the enclosed inspection report will be placed in the AEC's Public Document Room. If this report contains any information that you (or your contractor) believe to be proprietary, it is necessary that you make a written application within 20 days to this office to withhold such information from public disclosure. Any such application must include a full statement of the reasons on the basis of which it is claimed that the information is proprietary, and should be prepared so that proprietary information identified in the application is contained in a separate part of the document. If we do not hear from you in this regard within the specified period, the report will be placed in the Public Document Room.

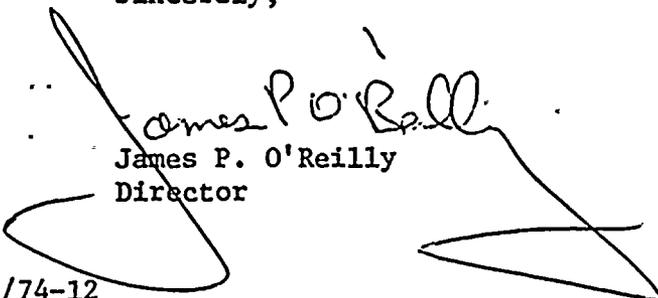
LB

OFFICE ▶	CRESS				
SURNAME ▶	Plumlee/by	Caphton		O'Reilly	
DATE ▶	9/25/74	9/25/74			



No reply to this letter is required; however, should you have any questions concerning this inspection, we will be pleased to discuss them with you.

Sincerely,


James P. O'Reilly
Director

Enclosure:
RO Inspection Report No. 50-220/74-12

cc: P. A. Burt, General Superintendent, Nuclear Generation
T. J. Perkins, Plant Superintendent
C. L. Stuart, Assistant Plant Superintendent
E. B. Thomas, Jr., Esquire
A. Z. Roisman, Counsel for Citizens Committee for
Protection of the Environment (Without Report)

bcc:
RO Chief, FS&EB
RO:HQ (4 cys ltr, 5 cys report)
RO Files
Central Mail & Files
Directorate of Licensing (4 cys ltr, 13 cys report)
Regulatory Standards (1 cy ltr, 3 cys report)
PDR
Local PDR
NSIC
TIC
RO:I Regulatory Reading Room
RO Directors (II, III, IV) (Report Only)
A. Z. Roisman, Counsel for Citizens Committee for
Protection of the Environment
OGC
State of New York



U.S. ATOMIC ENERGY COMMISSION

DIRECTORATE OF REGULATORY OPERATIONS

REGION I

RO Inspection Report No: 50-220/74-12

Docket No: 50-220

Licensee: Niagara Mohawk Power Corporation

License No: DPR-17

Nine Mile Point Unit 1

Priority: _____

Category: C

Location: Scriba, New York

Type of Licensee: 1850 Mwt BWR (610 MWe-Net)

Type of Inspection: Routine

Dates of Inspection: August 26-30, 1974

Dates of Previous Inspection: June 24-28, 1974

Reporting Inspector: K. E. Plumlee

9/25/74

K. E. Plumlee, Reactor Inspector

Date

Accompanying Inspectors: _____

Date

Date

Date

Date

Other Accompanying Personnel: _____

Date

Reviewed By: Mary P. Snyder

9-25-74

acting for D. L. Capton, Chief, BWR Section

Date



SUMMARY OF FINDINGS*

Enforcement Action

A. Violations

1. 10 CFR 50.54(k) requires that an operator or senior operator licensed pursuant to Part 55 of 10 CFR be present at the controls at all times during the operation of the facility.

Contrary to this requirement, the licensed operator was observed to leave the operator control station and the Control Room for approximately one minute on August 27, 1974, when the reactor was in operation.

2. 10 CFR 73.40 requires that the security plan submitted by the licensee shall be followed after March 6, 1974. The licensee's Security Plan, Supplement I, as submitted on November 23, 1973; the "Industrial Security Plan for Nine Mile Point dated March 15, 1974; the "Revised Security Plan," Subsection D; and your letter to the Directorate of Licensing dated June 12, 1974, all state that a guard will be posted at the entrance to protected areas at all times.

Contrary to this requirement, the AEC inspector observed the guard station at the entrance to a protected area was unmanned for about five minutes on August 29, 1974.

B. Safety

None

Licensee Action on Previously Identified Enforcement Items

Not inspected.

Design Changes

Not inspected.

*This report addresses that portion of the inspection relating specifically to the matters listed under Violations. Other matters covered during the inspection will be covered by Inspection Report No. 50-220/74-13.



Unusual Occurrences

Not inspected, .

Other Significant Findings

None

Management Interview

The management interview was conducted on August 30, 1974 with the following attendees:

P. A. Burt, General Superintendent, Nuclear Generation
C. L. Stuart, Operations Supervisor
G. R. Leskiw, Assistant Quality Assurance Supervisor
J. Kerfien, Quality Control Technician

This was a routine inspection of the conduct of station operations, the physical security of the facility, abnormal occurrences, records and document control, design changes, procurement and audits.

The interview covered the following apparent violations:

A. Absence of reactor operator from controls

The inspector stated that 10 CFR 50.54(K) and the Technical Specifications requires that an operator be at the controls of the facility, but contrary to these requirements the operator was away for a minute or two during reactor operation when the inspector was present in the control room on August 27, 1974.

The licensee's representative acknowledged that the operator was allowed to move about within boundaries extending some distance from the controls, including the kitchen. The boundaries were defined by the licensee's control room procedures.* (Details, Paragraph 2)

B. Absence of armed guard from post

The inspector stated that he did not find any guard at the entrance to the protected area when leaving at 6:20 PM on August 29, 1974. The importance of the security plan was stated (Details, Paragraph 3)

By a telephone call to P. A. Burt on September 4, 1974 the licensee's representative was informed that a requirement to post an armed guard at the entrance to the protected area appeared to have been violated.

*By telephone on September 13, 1974, E. J. Brunner informed R. R. Schneider that the procedure was not responsive to 10 CFR 50.54(K). Subsequently, by letter dated September 16, 1974 the licensee transmitted procedure revisions which have been reviewed and found acceptable.



DETAILS

1. Persons Contacted

R. R. Schneider, Vice President, Electric Operations
P. A. Burt, General Superintendent, Nuclear Generation
C. L. Stuart, Jr., Assistant Station Superintendent
R. Baker, Assistant Instrument and Control Supervisor
C. Hawksley, Shift Operating Foreman
J. H. Shea, Station Shift Supervisor

2. Absence of operator from controls

The inspector visually observed during routine observation of operations that the operator left the controls for a period of a minute or two at about 11 AM on August 27, 1974. The reactor was operating at 98% power. The inspector was the only person in the control room.

When questioned, the operator stated that his duty station was the entire control room including a small adjoining kitchen area, for access to coffee. He stated that the door was left open and he could respond quickly to audible alarms. He stated that an auxiliary operator could be called when needed for relief.

Discussion of this matter with supervision in respect to the requirements of 10 CFR 50.54(K) identified the following control room procedure:

"4.3.3 At least one licensed Reactor Operator or Senior Reactor Operator shall be in the Control Room at all times there is fuel in the reactor vessel. For the purposes of this procedure, the "Control Room" is defined as all Control Room area on elevation 277' in front and rear of Control Room panels with the exception of the Control Room lavatory."

This item was identified as an apparent violation of 10 CFR 50.54(K). The inspector discussed this matter with the Vice President Electric Generation on August 27, 1974.

3. Absence of armed guard from entrance to protected area

The licensee's security plan and letters to Licensing dated March 15,



and June 12, 1974 state that an armed guard controls the entrance to the protected area.

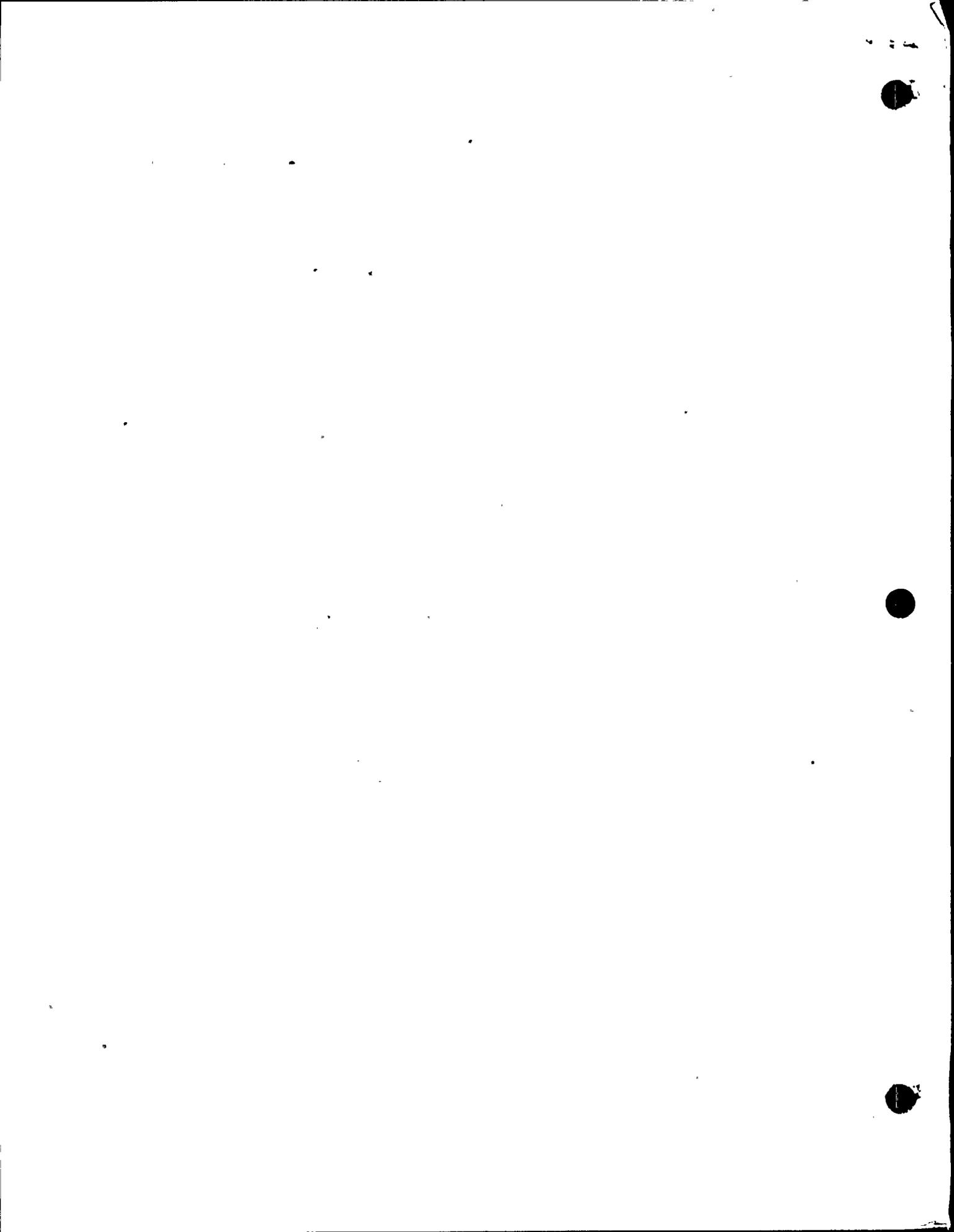
During August 26 through the morning of August 29 the inspector observed that an armed uniformed guard* controlled one route of ingress and egress to the protected area, and that a record was kept of visitor's names, times in and out, and the names of the persons authorizing visitors to enter the protected area.

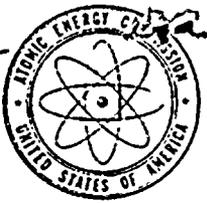
At approximately 6:20 PM on August 29, 1974 the inspector left the protected area but was unable to find a guard at the entrance. The inspector partially opened the door to the guard post and did not see any occupant.

The inspector spent an estimated five minutes in looking for the guard including the time required to walk to the inspector's vehicle and to drive back through the parking lot to the guard post before leaving the parking area.

The inspector requested the Assistant Superintendent, at about 8:15 AM on August 30, 1974, to provide an explanation of the guard's absence. This matter was again discussed during the Management Interview commencing 1 PM. No explanation was provided.

*Burns Protective Agency





UNITED STATES
ATOMIC ENERGY COMMISSION
WASHINGTON, D.C. 20545

D.R. Central

September 13, 1974

Niagara Mohawk Power Corporation
ATTN: Mr. James A. O'Neill, President
and Chief Executive Officer
300 Erie Boulevard West
Syracuse, New York 13202

Gentlemen:

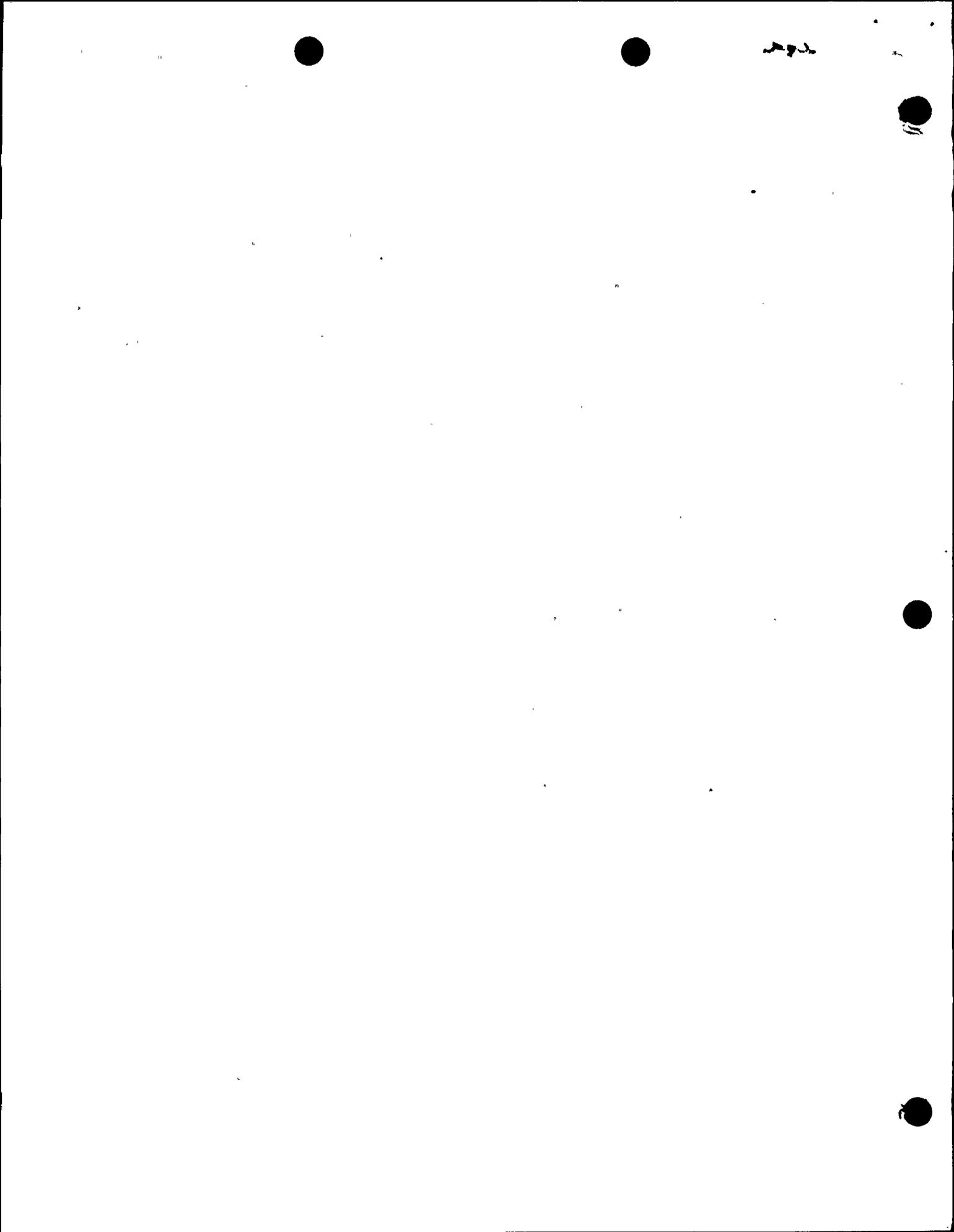
This refers to the inspection conducted August 26-30, 1974, by Karl E. Plumlee of our Region I office of activities authorized by AEC Facility Operating License No. DPR-17 at the Nine Mile Point Unit 1 facility and to discussions of the inspection findings held with you on August 28, 1974, and with members of your staff on August 27 and 30, 1974, and to the telephone discussion between Mr. J. P. O'Reilly, Director of RO:I, and Mr. James Bartlett, Executive Vice President of Niagara Mohawk Power Corporation on September 3, 1974.

During the inspection, it was found that two of your activities appeared to be in violation of AEC requirements. The items and references to the pertinent requirements are listed in the Notice of Violation, enclosed herewith as Appendix A. One of the violations occurred on August 27, 1974, and the other occurred on August 29, 1974.

The Violation identified as Item A in Appendix A resulted when a licensed operator left the control console unattended and entered an anteroom to the control room for a cup of coffee. The violation identified in Item B in Appendix A resulted when the entrance to the protected area was left unattended by a security guard. These matters relating to the safety of operations and security of the facility are of concern since both are violations of the same nature and both occurred during the same inspection period.

As you are aware from the "Criteria for Determining Enforcement Action," which was provided to you by letter dated November 1, 1972, the enforcement actions available to the Commission in the exercise of its regulatory responsibilities include administrative actions in the form of written notices of violation, civil monetary penalties, and orders pertaining to the modification, suspension or revocation of a license. After careful evaluation of the violations identified in Appendix A, this office proposes to impose civil penalties, pursuant to Section 234 of the Atomic Energy Act of 1954, as amended, (42 USC-2282) and 10 CFR 2.205, in the cumulative amount of Eight Thousand Dollars (\$8,000) as set forth in the "Notice of Proposed Imposition of Civil Penalties," enclosed herewith as Appendix B.

Edward
BN

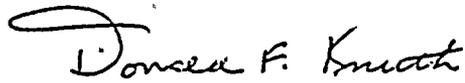


September 13, 1974

In addition to the need for corrective action to avoid further violations of the type identified in Appendix A, we are concerned about the effectiveness of your management control system in that it did not prevent these deficiencies from occurring. Consequently, in your reply you should describe those actions taken or planned to improve the effectiveness of your management control system to assure that procedures affecting safety and security are properly implemented.

Your reply to this letter will be considered in determining whether any further enforcement action, such as modification, suspension, or revocation of the license, is appropriate.

Sincerely,


Donald F. Knuth, Director
of Regulatory Operations

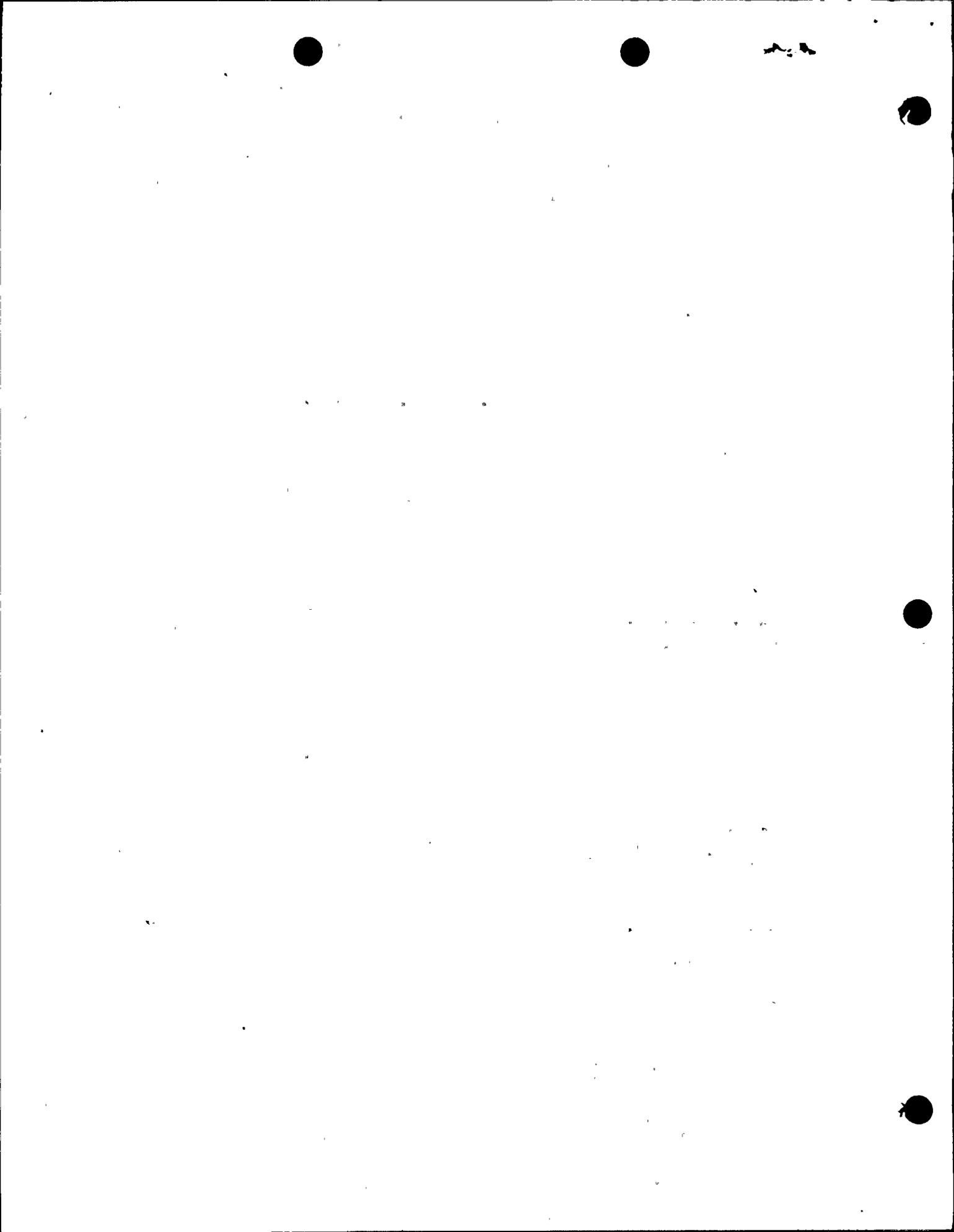
Enclosures:

1. Appendix A, Notice of Violation
2. Appendix B, Notice of Proposed
Civil Penalties

cc: P. A. Burt, Gen. Supt. Nucl. Gen.
T. J. Perkins, Plant Supt.
C. L. Stuart, Asst. Plant Engineer
Niagara Mohawk Power Plant
P. O. Box 32
Lycoming, New York 13093

R. R. Schneider, Vice Pres.
Electric Operations

James Bartlett, Executive
Vice Pres. for Engineering,
Operations & Employee Relations



SEP 13 1974

APPENDIX A

Niagara Mohawk Power Corporation
ATTN: Mr. James A. O'Neill, President
and Chief Executive Officer
300 Erie Boulevard West
Syracuse, New York 13202

NOTICE OF VIOLATION

Gentlemen:

Based on the results of an AEC inspection, conducted on August 26-30, 1974, it appears that certain of your activities were not conducted in full compliance with AEC regulations and the requirements of your license as indicated below:

- A. 10 CFR 50.54(k) requires that an operator or senior operator licensed pursuant to Part 55 of 10 CFR be present at the controls at all times during the operation of the facility.

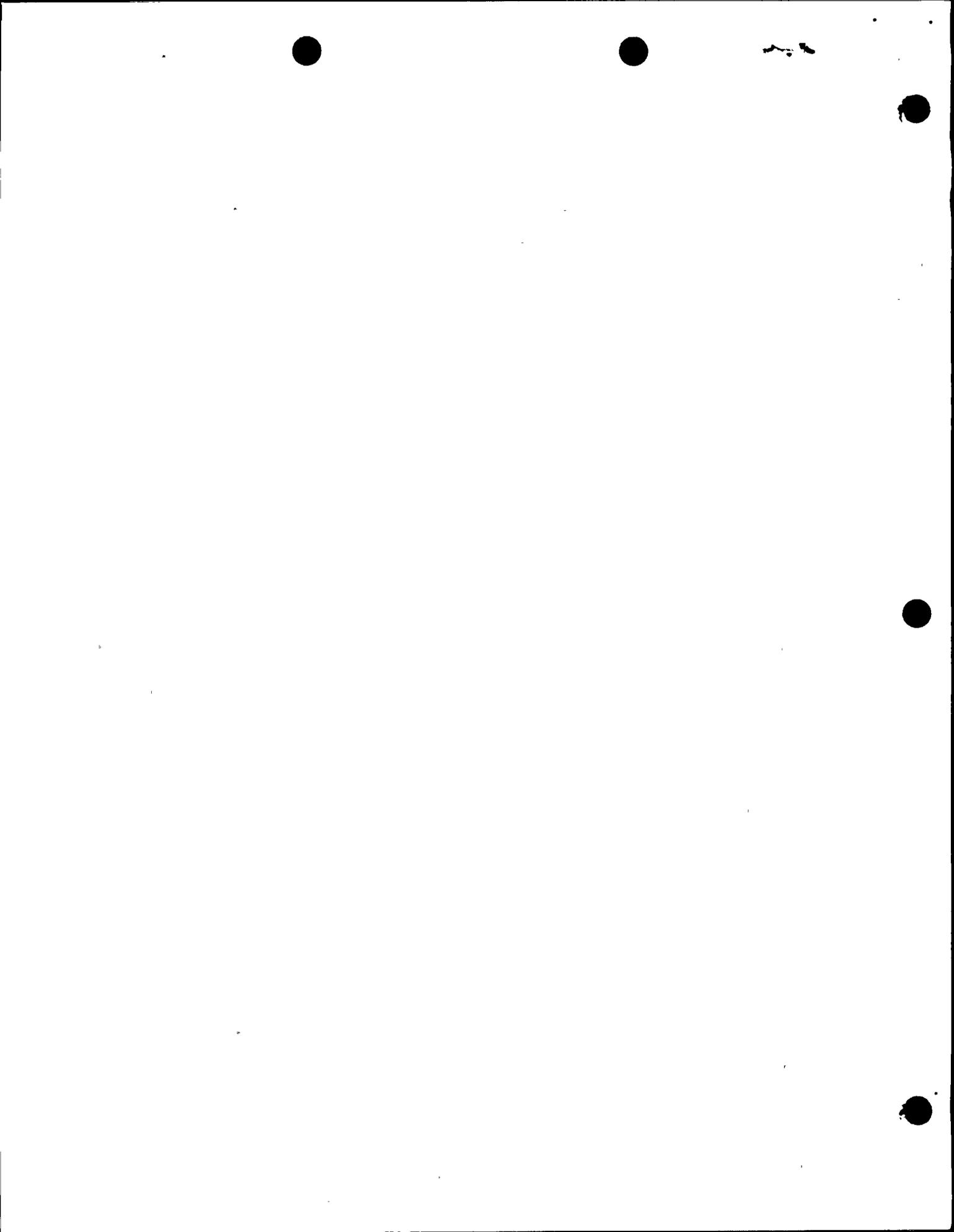
Contrary to this requirement, the licensed operator was observed to leave the operator control station and the Control Room for approximately one minute on August 27, 1974, when the reactor was in operation.

(Severity Category II)
(Civil Penalty = \$4,000)

- B. 10 CFR 73.40 requires that the security plan submitted by the licensee shall be followed after March 6, 1974. The licensee's Security Plan, Supplement I, as submitted on November 23, 1973; the "Industrial Security Plan for Nine Mile Point dated March 15, 1974; the "Revised Security Plan," Subsection D; and your letter to the Directorate of Licensing dated June 12, 1974, all state that a guard will be posted at the entrance to protected areas at all times.

Contrary to this requirement, the AEC inspector observed the guard station at the entrance to a protected area was unmanned for about five minutes on August 29, 1974.

(Severity Category II)
(Civil Penalty = \$4,000)



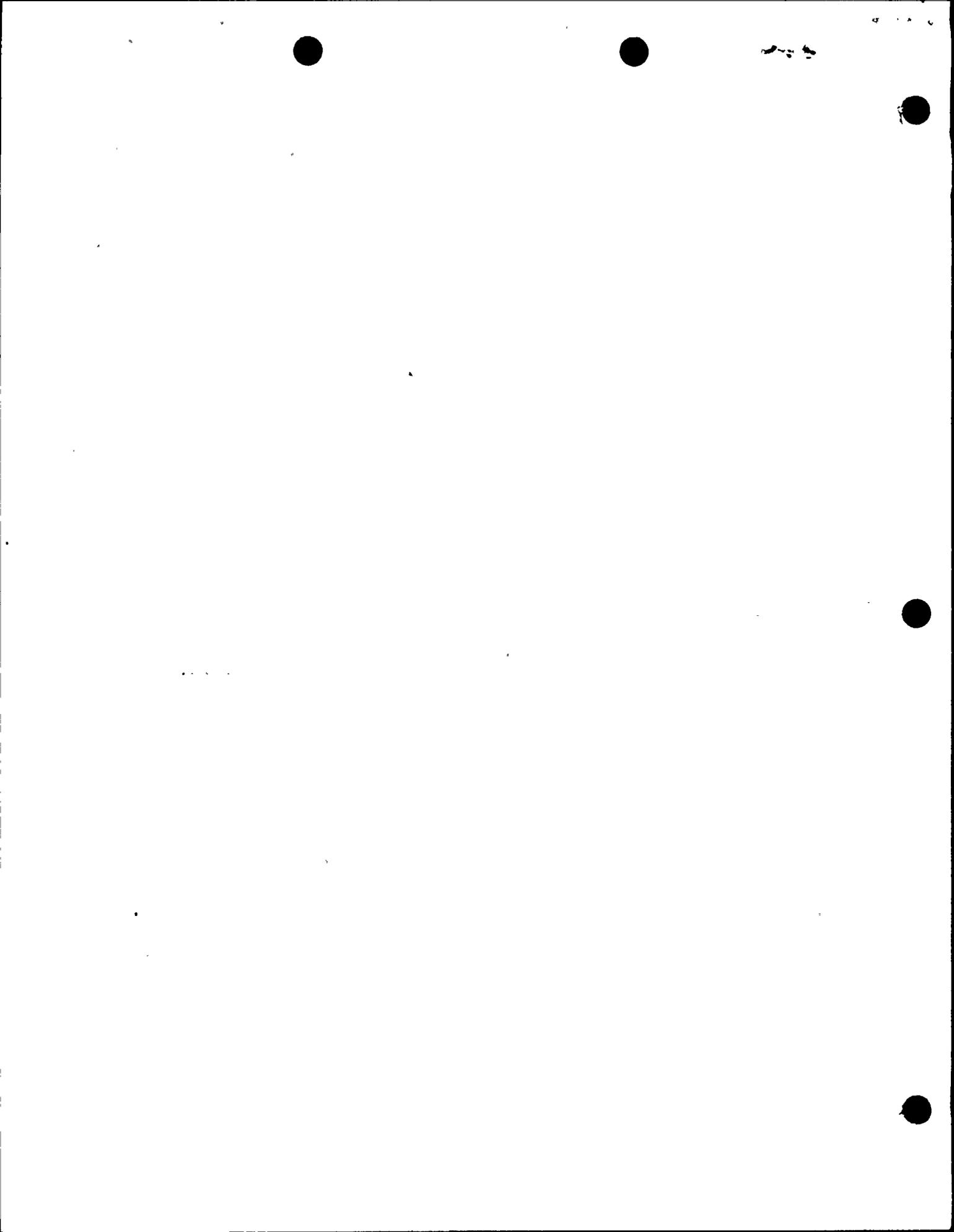
SEP 13 1974

This notice is sent to you pursuant to the provisions of Section 2.201 of the AEC's "Rules of Practice," Part 2, Title 10, Code of Federal Regulations. Section 2.201 requires you to submit to this office within twenty (20) days of your receipt of this notice a written statement or explanation in reply including: (1) corrective steps which have been taken by you 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.

FOR THE ATOMIC ENERGY COMMISSION

Donald F. Knuth

Donald F. Knuth, Director
of Regulatory Operations



SEP 13 1971

License No: DPR-17

APPENDIX B

Niagara Mohawk Power Corporation
ATTN: Mr. James A. O'Neill, President
and Chief Executive Officer
300 Erie Boulevard West
Syracuse, New York 13202

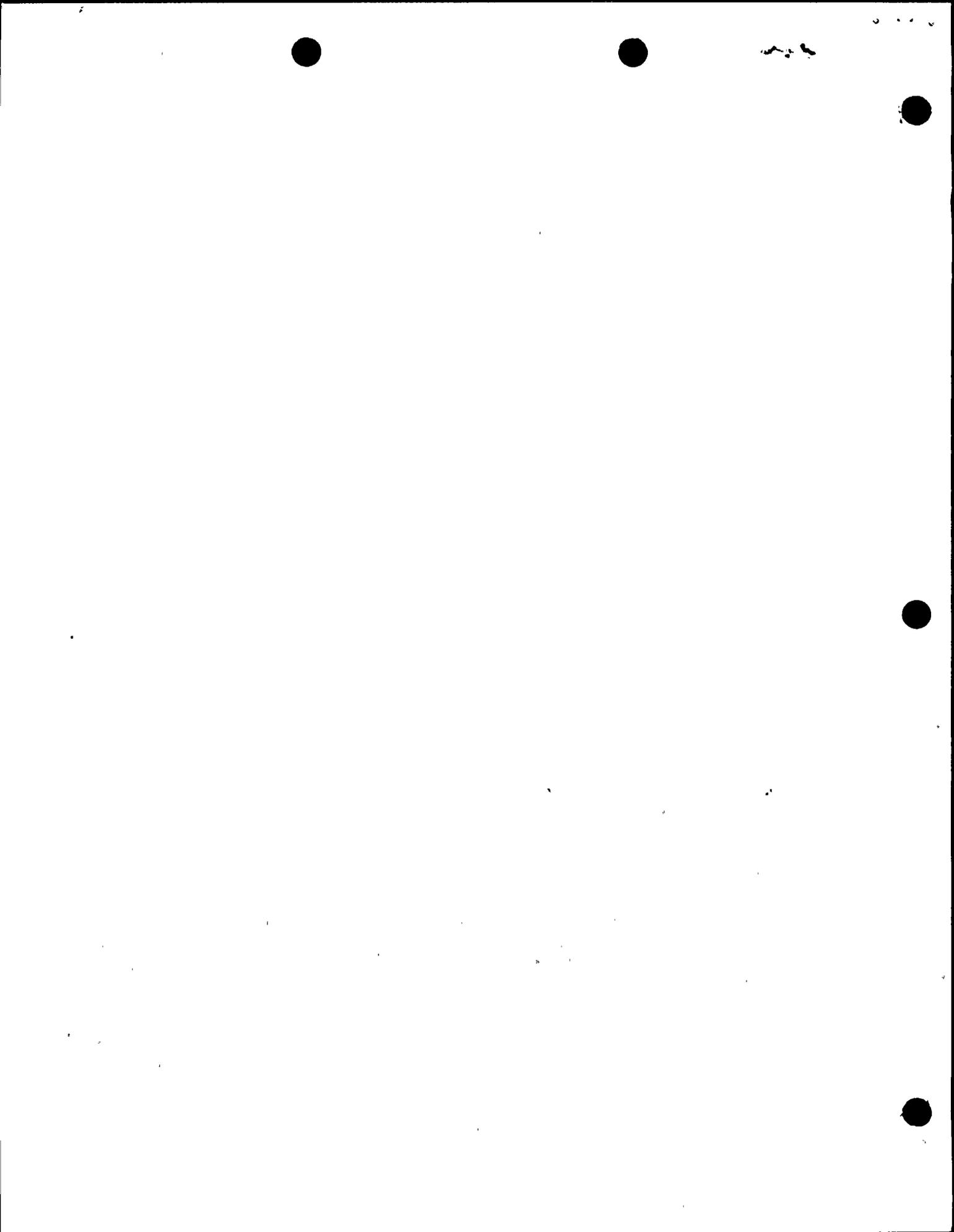
NOTICE OF PROPOSED IMPOSITION OF CIVIL PENALTIES

Gentlemen:

This office proposes to impose civil penalties pursuant to Section 234 of the Atomic Energy Act of 1954, as amended (42 USC 2282), and to 10 CFR 2.205 in the amount of Eight Thousand Dollars (\$8,000) for the specific violations set forth in Appendix A to the cover letter. In proposing to impose civil penalties pursuant to this Section of the Act and fixing the proposed amount of the penalties, the factors identified in the statement of considerations published in the Federal Register with the rule making action which adopted 10 CFR 2.205 (36 FR 16894) August 26, 1971, have been taken into account.

You may, within twenty (20) days of the date of this notice, pay the civil penalties in the cumulative amount of Eight Thousand Dollars (\$8,000) or you may protest the imposition of the civil penalties in whole, or in part, by a written answer. Should you fail to answer within the time specified, this office will issue an order imposing the civil penalties in the amount proposed above. Should you elect to file an answer protesting the civil penalties, such answer may (a) deny the violations listed in the Notice of Violation in whole or in part, (b) demonstrate extenuating circumstances, (c) show error in the Notice of Violation or (d) show other reasons why the penalties should not be imposed. In addition to protesting the civil penalties in whole or in part, such answer may request remission or mitigation of the penalties.

Any written answer in accordance with 10 CFR 2.205 should be set forth separately from your statement or explanation in reply pursuant to 10 CFR 2.201, but you may incorporate by specific reference (e.g., giving page and paragraph numbers) of avoid repetition.



SEP 13 1974

- 2 -

Your attention is directed to the provisions of 10 CFR 2.205 regarding, in particular, failure to answer and ensuing orders; answer, consideration by this office, and ensuing orders; request for hearings, hearings and ensuing orders; compromise; and collection. Upon failure to pay any civil penalty due, which has been subsequently determined in accordance with the applicable provisions of 10 CFR 2.205, this matter may be referred to the Attorney General, and the penalty, unless compromised remitted, or mitigated, may be collected by civil action pursuant to Section 234c of the Atomic Energy Act of 1954, as amended (42 USC 2282).

FOR THE ATOMIC ENERGY COMMISSION

Donald F. Knuth

Donald F. Knuth, Director
of Regulatory Operations

