

NOTICE OF VIOLATION

Niagara Mohawk Power Corporation
Nine Mile Point, Unit 2

Docket No. 50-410
License No. NPF-69
EA 87-187

During a NRC special safety inspection conducted on September 1-8, 1987, NRC inspectors reviewed the circumstances associated with violations identified by the licensee and reported to the NRC, including a violation of a technical specification limiting condition for operation. In accordance with the "General Statement of Policy and Procedure for NRC Enforcement Actions," 10 CFR Part 2, Appendix C (1987), the violations are set forth below:

- A. Technical Specification LCO Action Statement 3.8.1.1.e requires that in operational condition 1 whenever either the Division I emergency diesel generator (EDG*1) or the Division II EDG (EDG*3) is inoperable, action shall be taken within two hours to verify that all systems, subsystems or trains that depend on the remaining operable EDG for emergency power are also operable; otherwise, the plant shall be in HOT SHUTDOWN within 12 hours and in COLD SHUTDOWN within the following 24 hours.

Contrary to the above, on September 1, 1987, in operational condition 1, EDG*3 was removed from service and adequate action was not taken within two hours to verify operability of the A train of the Standby Gas Treatment (SBGT) System, which receives emergency power from EDG*1, and action was not taken to place that unit in HOT SHUTDOWN within 12 hours and COLD SHUTDOWN within the following 24 hours. At the time, the A train of the SBGT System was considered inoperable in that its charcoal adsorber had not been tested at the frequency set forth in Technical Specification Surveillance Requirement 4.6.5.3.c.

Technical Specification Surveillance Requirement 4.6.5.3.c requires that after every 720 hours of Standby Gas Treatment (SBGT) System operation, a sample of the charcoal adsorber be drawn and analyzed to verify it meets certain required criteria. Technical Specification 4.0.2.a allows for a maximum allowable extension of 25% of the specified frequency (1.25 X 720 hours = 900 hours).

Contrary to the above, on September 2, 1987, train A of the SBGT System had operated for greater than 1100 hours since its charcoal adsorber was last sampled and analyzed. (720 hours was exceeded on July 8, 1987 and 900 hours was exceeded on July 29, 1987)

The above examples constitute one Severity Level IV Violation. (Supplement I)

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- B. 10 CFR 50, Appendix B, Criterion XVI, Corrective Action, requires that conditions adverse to quality be promptly identified and corrected. NMPC Quality Assurance Topical Report, Section 16, Corrective Action, also requires for conditions adverse to quality, that corrective action be implemented in a timely manner.

Contrary to the above, an identified condition adverse to quality was not promptly corrected in that the lack of meaningful tracking of SBT system run times was identified during a June 1987 NRC team inspection, highlighted to Niagara Mohawk management during a June 11, 1987 inspection exit meeting, and documented in Inspection Report 50-410/87-16 dated August 5, 1987; yet, corrective actions were not implemented in a timely manner until after this deficiency contributed to a violation of a surveillance requirement and a Technical Specification LCD on September 1-2, 1987.

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

Pursuant to the provision of 10 CFR 2.201, Niagara Mohawk Power Corporation is hereby required to submit a written statement or explanation to the U.S. Nuclear Regulatory Commission, ATTN: Document Control Desk, Washington, DC 20555, with a copy to the Regional Administrator, Region I, and a copy to the NRC Senior Resident Inspector within 30 days of the date of the letter transmitting this Notice. This reply should be clearly marked as a "Reply to a Notice of Violation" and should include for each violation: (1) the reason for the violation if admitted, (2) the correct steps that have been taken and the results achieved, (3) the corrective steps that will be taken to avoid further violations, and (4) the date when full compliance will be achieved. If an adequate reply is not received within the time specified in this Notice, an order may be issued to show cause why the license should not be modified, suspended, or revoked or why such other action as may be proper should not be taken. Consideration may be given to extending the response time for good cause shown.

FOR THE NUCLEAR REGULATORY COMMISSION

William F. Kane, Director
Division of Reactor Projects

Dated at King of Prussia, Pennsylvania,
this 5th day of November 1987

