

DC

OCT 15 1993

Docket Nos. 50-220/92-16
50-410
License Nos. DPR-63
NPF-69

Mr. B. Ralph Sylvia
Executive Vice President - Nuclear
Niagara Mohawk Power Corporation
301 Plainfield Road
Syracuse, New York 13212

Dear Mr. Sylvia:

Subject: FALSIFICATION OF PLANT RECORDS

This refers to the NRC inspection conducted from July 5 through August 15, 1992, at Nine Mile Point to review, in part, the actions taken by you to determine the potential for record falsification at your facility. Information Notice (IN) 92-30, "Falsification of Plant Records," was issued on April 23, 1992, to alert all licensees of the NRC's concern that plant mechanics, technicians, and operators may have falsified plant records at several nuclear plants. As a result of your review, you identified several records that you determined were incomplete or inaccurate.

The NRC is concerned about the apparent misconduct on the part of the plant personnel involved with those records. Because the NRC must be able to rely on the professionalism and integrity of personnel who perform safety-related activities, including log taking and record keeping, such misconduct cannot be tolerated. Therefore, the NRC is issuing the enclosed Notice of Violation (Notice) to document that concern and to emphasize your management's responsibility to assure that your records are complete and accurate. However, after considering the facts of this case, including your identification of the violation and the corrective actions taken (both disciplinary action against the offending individuals and program upgrades to improve the log keeping process), the NRC has decided not to assign a severity level to the violation, nor require a response to the Notice.

In the future, similar violations may result in escalated enforcement action. In addition, enforcement action can be taken against not only the facility licensee for the inaccurate or incomplete information (see 10 CFR 50.9(a)), but also against any individual who engages in deliberate misconduct that causes, or but for detection, would have caused a licensee to be in violation of a requirement for providing accurate information to you or the NRC (see 10 CFR 50.5).

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Mr. B. Ralph Sylvia

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In accordance with 10 CFR 2.790 of the Commission's regulations, a copy of this letter will be placed in the NRC's Public Document Room.

Sincerely,

ORIGINAL SIGNED BY

B William

L. Kane

Thomas T. Martin

Regional Administrator

Enclosure: Notice of Violation

cc w/encl:

C. Terry, Vice President - Nuclear Engineering

M. McCormick, General Manager, Safety Assessment, Licensing and Training

K. Dahlberg, Unit 1 Plant Manager

J. Mueller, Unit 2 Plant Manager

D. Greene, Manager, Licensing

J. Warden, New York Consumer Protection Branch

G. Wilson, Senior Attorney

M. Wetterhahn, Winston and Strawn

Director, Energy & Water Division, Department of Public Service, State of New York

C. Donaldson, Esquire, Assistant Attorney General, New York Department of Law

K. Abraham, PAO (2)

Public Document Room (PDR)

Local Public Document Room (LPDR)

Nuclear Safety Information Center (NSIC)

NRC Resident Inspector

State of New York, SLO Designee

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Mr. B. Ralph Sylvia

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- bcc w/encl:
- Region I Docket Room (with concurrences)
- C. Cowgill, DRP
- L. Nicholson, DRP
- B. Norris - Nine Mile Point
- V. McCree, OEDO
- R. Capra, NRR
- J. Menning, NRR
- D. Brinkman, NRR
- D. Holody, EO

RI:DRP*
LNicholson

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RI:DRP*
CCowgill

08/ 193

RI:DRP*
RCooper

08/ 193

RI:DRP*
W.Kane

10/15/93

RI:DRP*
T.Martin

10/15/93

*SEE PREVIOUS CONCURRENCE

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C. Cowgill, DRP

L. Nicholson, DRP

J. Yerokun, DRP

D. Weaver, DRP

W. Schmidt - Nine Mile Point

V. McCree, OEDO

R. Capra, NRR

J. Menning, NRR

D. Brinkman, NRR

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W. Schmidt
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W. Name

¹⁰08/15/93

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T. Martin

¹⁰08/15/93

*SEE PREVIOUS CONCURRENCE

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Mr. B. Ralph Sylvia

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R. Capra, NRR

J. Menning, NRR

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RI:DRP *RI:DRP* RI:RA
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