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 ACCESSION NBR: 9604290265 DOC.DATE: 96/04/22 NOTARIZED: NO DOCKET #
 AUTH.NAME AUTHOR AFFILIATION
 CONTE, R.J. Region 1 (Post 820201)
 RECIP.NAME RECIPIENT AFFILIATION
 SYLVIA, B.R. Niagara Mohawk Power Corp.

SUBJECT: Forwards insp repts 50-220/96-01 & 50-410/96-01 on 960107-0217 & NOV.

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April 22, 1996

Mr. B. Ralph Sylvia
Executive Vice President - Generation Business Group
Niagara Mohawk Power Corporation (NMPC)
Nine Mile Point Nuclear Station
P. O. Box 63
Lycoming, NY 13093

**SUBJECT: NOTICE OF VIOLATION AND NRC COMBINED INSPECTION REPORT
NOS. 50-220/96-01 AND 50-410/96-01**

Dear Mr. Sylvia:

This letter transmits the results of the resident safety inspection led by Mr. B. Norris, from January 7 through February 17, 1996, at the Nine Mile Point Nuclear Station, Units 1 and 2, Scriba, New York. The inspectors based their findings on observations of activities in progress, interviews with personnel, and examinations of selected procedures and representative records. The resident inspectors discussed their findings with Mr. Richard B. Abbott, Vice President and General Manager, Nuclear, and other members of your staff, at the exit meeting conducted on April 4, 1996. The overall conclusions are reflected in the Executive Summary.

Your staff operated both units safely during the inspection period. The inspectors observed that senior management was frequently seen in the control rooms and that proper communications amongst the operators continues to be the norm. We recognized that the quick actions of the Unit 1 operators prevented a plant scram when a feedwater pump tripped. We considered the trial maintenance program at Unit 2, the Fix-It-Now (FIN) team, to be an effective, multi-disciplined work group that has responded well to emergent issues and has also helped in reducing the backlog of maintenance items. Also, your actions related to a potential problem with the Unit 2 emergency diesel generators were timely and appropriate.

However, the inspectors did identify that you installed an emergency temporary modification prior to the completion of the required safety evaluation. As described in the enclosed Notice of Violation (Notice), this constituted a violation of 10 CFR 50.59, which requires a written safety evaluation when changes are made to the facility, as described in the Updated Final Safety Analysis Report. A contributing factor was that a common site procedure GAP-DES-03, "Control of Temporary Modifications," allowed the modification to be installed prior to the completion of the safety evaluation. You are required to respond to this letter and should follow the instructions in the Notice.

The inspectors also identified that in the Unit 2 licensee event report (LER) 95-12, "Automatic Actuation of the Standby Gas Treatment System Because of Inadequate Corrective Action for Snow Plugging of the Filters," the corrective actions described within the LER did not address the root cause of "inadequate

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corrective actions." Although the inspectors ascertained from your staff that corrective actions were taken to address the root cause of inadequate corrective actions through the development of your deviation/event report (DER) process, the failure to document these corrective actions in the LER makes the report incomplete. Therefore, the LER remains open and we request that you submit a supplement to the LER that describes completely the corrective actions to address all root causes.

In accordance with 10 CFR 2.790 of the NRC's "Rules of Practice," a copy of this letter and its enclosures, and your response will be placed in the NRC Public Document Room. The responses directed by this letter and the enclosed Notice are not subject to the clearance procedures of the Office of Management and Budget, as required by the Paperwork Reduction Act of 1980, Public Law Number 96.511.

We regret the untimely issuance of this report but it was due to unanticipated staff work and illness of a staff member. Please be advised that our timeliness should not diminish the importance of the violation and performance issues documented herein. Your cooperation with us is appreciated.

Sincerely,

ORIGINAL SIGNED BY:

Richard J. Conte, Chief
Projects Branch 5
Division of Reactor Projects

Docket Nos. 50-220, 50-410
License Nos. DPR-63, NPF-69

Enclosures:

1. Notice of Violation
2. NRC Combined Inspection Report Nos. 50-220/96-01 and 50-410/96-01

cc w/encls:

- R. Abbott, Vice President & General Manager-Nuclear
- C. Terry, Vice President-Nuclear Engineering
- M. McCormick, Vice President-Safety Assessment and Support
- K. Dahlberg, General Manager-Projects
- N. Rademacher, Unit 1 Plant Manager
- J. Conway, Unit 2 Plant Manager
- D. Wolniak, 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
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- J. Vinquist, MATS, Inc.
- J. Spath, President, New York State Energy Research
and Development Authority



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