

November 25, 1996

Mr. B. Ralph Sylvia
Executive Vice President Generation Business
Group and Chief Nuclear Officer
Niagara Mohawk Power Corporation
Nuclear Learning Center
450 Lake Road
Oswego, New York 13126

SUBJECT: NOTICE OF VIOLATION AND NRC COMBINED INSPECTION REPORT
NOS. 50-220/96-10 AND 50-410/96-10

Dear Mr. Sylvia:

This report transmits the findings of safety inspections conducted by NRC inspectors at the Nine Mile Point Nuclear Station, Units 1 and 2, from July 28 through September 7, 1996. At the conclusion of the inspection, the findings were discussed with members of your staff.

During this period, your staff operated both units safely. In particular, we noted good management oversight of the Unit 1 plant startup on August 20, 1996. However, we also noted some problems with the planning and control during the Unit 1 shutdown on July 28 that resulted in a high reactor vessel water level and challenged the operators. In addition, we noted poor maintenance practices during work on the Unit 1 shaft driven feedwater pump which resulted in damage to the dental clutch and the potential for personal injury.

Based on the results of this inspection, the NRC has determined that violations of NRC requirements occurred. The violations are cited in the enclosed Notice of Violation (Notice), and the circumstances surrounding the violations are described in the enclosed report. Specifically, the violations involved (1) a temporary change to a procedure without the required approval of a licensed senior reactor operator and (2) several examples of workers not properly implementing maintenance/surveillance procedures.

You are required to respond to this letter and should follow the instructions specified in the enclosed Notice when preparing your response. The NRC will use your response, in part, to determine whether further enforcement action is necessary to ensure compliance with regulatory requirements.

With respect to the first violation, we noted your program allowed a procedure change to be implemented without the required approvals. As discussed in NRC Inspection Report 50-220/96-01 and 50-410/96-01, we previously noted that your program for temporary modifications allowed changes to be made to the plant design prior to the approval of the necessary safety evaluation. We are concerned that this is the second weakness that we identified, in which the requirements of the license were not adequately translated into the approved procedures for implementation of required processes. It appears that a thorough

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procedure review and approval process would have identified these problems before the NRC did. Consequently, your response to the violation should also address our concern that your procedure review process did not identify these problems earlier.

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.

We appreciate your cooperation.

Sincerely,

Original Signed by:

Lawrence T. Doerflein, Chief
Projects Branch 1
Division of Reactor Projects

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

Enclosures:

1. Notice of Violation
2. NRC Inspection Report Nos. 50-220/96-10 and 50-410/96-10

cc w/enclosures:

R. Abbott, Vice President & General Manager - Nuclear
C. Terry, Vice President-Nuclear Engineering
M. McCormick, Vice President - Safety Assessment and Support
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
J. Rettberg, New York State Electric and Gas Corporation
Director, Electric Division, Department of Public Service, State of New York
C. Donaldson, Esquire, Assistant Attorney General, New York Department of Law
J. Vinqvist, MATS, Inc.
P. Eddy, Power Division, Department of Public Service, State of New York
F. Valentino, President, New York State Energy Research
and Development Authority
J. Spath, Program Director, New York State Energy Research
and Development Authority



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