

December 10, 1996

EA No. 96-475

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: NINE MILE POINT MOTOR-OPERATED VALVE INSPECTION 96-15

Dear Mr. Sylvia:

This letter transmits the report of an inspection conducted by Mr. Douglas A. Dempsey and others at Nine Mile Point Units 1 and 2 between October 7 and November 15, 1996. The inspection was focused on areas important to health and safety, and consisted of an independent assessment of the motor-operated valve (MOV) programs at both units associated with NRC Generic Letter (GL) 89-10, "Safety-Related Motor-Operated Valve Testing and Surveillance." Most of our inspection concentrated upon the Unit 2 MOV program, since it was committed to be completed in September 1995, while Unit 1 is scheduled for completion in 1997. At the conclusion of the inspection, the preliminary findings were discussed with Mr. Carl Terry, Vice President-Engineering, and other members of your staff.

A significant number of MOVs at Unit 2 (NMP-2) were modified and refurbished to enhance capability, and an attempt was made to test a reasonable sample of valves under design-basis conditions. However, the NRC was unable to close its review of the NMP-2 GL 89-10 program, because of insufficient engineering justifications for certain important design inputs pertaining to MOV performance. Other elements (such as the trending program) also need to be addressed before program closure.

We also note that your staff committed to dynamically test NMP-2 high pressure core spray valve 2CSH*MOV110 during the first quarter of 1997 to strengthen the load sensitive behavior assumption applied to this valve. Please notify us promptly if your understanding of this commitment differs from ours.

Calculations used to estimate the ability of four NMP-2 risk-significant valves in the high pressure core spray, reactor core isolation cooling and residual heat removal-containment spray systems to overcome pressure locking forces were based on an incorrect assumption, specifically motor-actuator run efficiency. The valves were found by the NRC to be questionable in their ability to open under design-basis conditions. Failure of these

9612200109 961210
PDR ADOCK 05000220
G PDR

91

Dep 1



Mr. Ralph B. Sylvia

2

valves to operate would have degraded significantly the performance of the associated core and containment cooling systems. The invalid design input represented an apparent violation of 10 CFR 50, Appendix B, Criterion III, "Design Control," that requires design inputs to be verified or checked for adequacy.

The violation is being considered for escalated enforcement action in accordance with the "General Statement of Policy and Procedure for NRC Enforcement Action" (Enforcement Policy), NUREG 1600. A predecisional enforcement conference to discuss the apparent violation will be determined at a later date. The decision to hold a predecisional enforcement conference does not mean that the NRC has determined that a violation has occurred or that enforcement action will be taken. The conference is being held to obtain information to enable the NRC to make an enforcement decision, such as a common understanding of the facts, root causes, missed opportunities to identify the apparent violation sooner, corrective actions, significance of the issues, and the need for lasting and effective corrective action. In addition, this is an opportunity for you to point out any errors in our inspection report and for you to provide any information concerning your perspectives on: (1) the severity of the violation, (2) the application of the factors that the NRC considers when it determines the amount of a civil penalty that may be assessed in accordance with Section VI.B.2 of the Enforcement Policy, and (3) any other application of the Enforcement Policy to this case, including the exercise of discretion in accordance with Section VII.

You will be advised by separate correspondence of the results of our deliberations on these matters. No response regarding the apparent violation is required at this time. In accordance with 10 CFR 2.790 of the NRC's "Rules of Practice," a copy of this letter, its enclosure, and your response will be placed in the NRC Public Document Room (PDR). We appreciate your cooperation in this matter, and I would be pleased to discuss the conclusions of our inspection with you.

Sincerely,

James T. Wiggins, Director
Division of Reactor Safety

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

Enclosure: Inspection Report Nos. 50-220/96-15; 50-410/96-15



Mr. Ralph B. Sylvia

3

cc w/enclosure:

- R. Abbott, Vice President and 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. Vinquist, 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

Distribution w/encl:

- J. Wiggins, DRS
- D. Screnci, PAO
- Region I Docket Room (with concurrences)
- Nuclear Safety Information Center (NSIC)
- PUBLIC
- NRC Resident Inspector
- R. Correia, NRR
- R. Frahm, Jr., NRR
- L. Cunningham, NRR
- D. Barss, NRR
- DRS File

Distribution w/encl: (VIA EMAIL)

- W. Dean, OEDO
- B. Norris - Nine Mile Point
- S. Bajwa, NRR
- D. Hood, NRR
- K. Cotton, NRR
- M. Champion, RI
- Inspection Program Branch (IPAS)

DOCUMENT NAME: A:NM29615.INS

To receive a copy of this document, indicate in the box: "C" = Copy without attachment/enclosure "E" = Copy with attachment/enclosure "N" = No copy

OFFICE	RI/DRS	RI/DRS	E	NRR/ENEB	E	RI/DRP	E
NAME	EKELLY	DDEMPSEY		T. Scarborough		L. Dorflein	
DATE	12/06/96	12/6/96		12/10/96		12/9/96	12/ /96

OFFICIAL RECORD COPY

STW 12/10/96

Copy report!

