

**ENCLOSURE 1**

**NOTICE OF VIOLATION**

Niagara Mohawk Power Corporation (NMPC)  
Nine Mile Point Units 1 and 2

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

During an NRC inspection conducted from October 20 through November 30, 1996, a violation of NRC requirements was identified. In accordance with the NRC "General Statement of Policy and Procedure for NRC Enforcement Actions" (Enforcement Policy), NUREG 1600, the violation is listed below:

The Unit 1 Technical Specification, Section 4.2.6.a.2, requires inservice inspection (ISI) of piping identified in Generic Letter 88-01.

The Unit 2 Technical Specification, Section 4.0.5.f., requires, that the inservice inspection program for piping identified in Generic Letter 88-01 be performed in accordance with the staff position on schedules, methods, personnel and sample expansion.

Generic Letter 88-01, "NRC Position on IGSCC [Intergranular Stress Corrosion Cracking] in BWR [Boiling Water Reactor] Austenitic Stainless Steel Piping," Table 1, "Summary of Inspection Schedules for BWR Piping Weldments," states that Category D welds are to be inspected every two refueling cycles. In addition, the NRC safety evaluation, dated June 24, 1991, for NMPC's response to Generic Letter 88-01, states that Unit 1 had an augmented ISI program to inspect six of the thirty welds between the pumps or valves and the recirculation system piping each refueling outage.

Contrary to the above, NMPC failed to adequately implement the Unit 1 and Unit 2 ISI programs for piping identified in Generic Letter 88-01, as evidenced by the following:

On or before November 5, 1996, Unit 1 failed to perform required inspections of five Category D core spray (CS) system welds at the required frequency. One CS weld was not inspected during refueling outages (RFO) 11 and RFO12, and four CS welds were not inspected during either RFO12 or RFO13. In addition, on or before November 5, 1996, Unit 1 failed to perform required inspections of eight reactor recirculation system (RCS) welds at the required frequency. One RCS weld was not inspected during RFO11, four RCS welds were not inspected during RFO12, and three RCS welds were not inspected during RFO13.

On or before October 30, 1996, Unit 2 failed to perform required inspections on sixteen Category D welds in the reactor water cleanup (RWCU) system. None of the sixteen welds were inspected during either RFO2 or RFO3, and only four of the sixteen welds were inspected during RFO4.

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



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Pursuant to the provisions 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, D.C. 20555, with a copy to the Regional Administrator, Region I, and a copy to the NRC Resident Inspector at the facility that is the subject of this Notice of Violation (Notice), 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, or, if contested, the basis for disputing the violation; (2) the corrective 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 of a Demand for Information may be issued as to why the license should not be modified, suspended, or revoked, or why such other action as may be proper should not be taken. Where good cause is shown, consideration will be given to extending the response time.

Because your response will be placed in the NRC Public Document Room (PDR), to the extent possible, it should not include any personal privacy, proprietary, or safeguards information so that it can be placed in the PDR without redaction. However, if you find it necessary to include such information, you should clearly indicate the specific information that you desire not to be placed in the PDR, and provide the legal basis to support your request for withholding the information from the public.

Dated at King of Prussia, Pennsylvania  
this 16th day of January, 1997.

