

February 21, 1997

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, NY 13126

SUBJECT: NRC INSPECTION REPORT NO. 50-220/96-14 AND 50-410/96-14  
AND NOTICE OF VIOLATION

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 December 1, 1996, through January 11, 1997. At the conclusion of the inspection, the findings were discussed with you and other members of your staff.

During this period, your staff operated both units safely. The actions taken by your staff to shutdown Unit 2 upon identification of the missed Updated Final Safety Analysis Report required control rod drive housing support gap inspections demonstrated a good safety perspective. However, several examples were identified where your staff failed to comply with written procedures. Although the significance of the individual failures was minimal, the NRC is concerned with the recurring failure to follow procedures. For example, at Unit 1, we identified unaccounted for material within the foreign material exclusion (FME) area surrounding the spent fuel pool, and improperly secured ladders located close to safety-related and important-to-safety equipment. Based on these findings, it appears increased management attention to housekeeping and FME controls is warranted.

Based on the results of this inspection, the NRC has determined that a violation of NRC requirements occurred. The violation is cited in the enclosed Notice of Violation (Notice), and the circumstances surrounding the violation are described in the enclosed report. Specifically, the violation involved a failure to adhere to your radiation protection procedures, in that on two occasions, we identified the same Unit 1 high radiation area access gate to be unlocked. Furthermore, the corrective actions for the first occurrence were ineffective to prevent recurrence.

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.

9703050272 970221  
PDR ADOCK 05000220  
G PDR



OFFICIAL RECORD COPY

IE:01

10/10/10



Mr. B. Ralph Sylvia

2

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. 50-220/96-14 and 50-410/96-14

cc w/enclosures:

- R. Abbott, Vice President & General Manager - Nuclear
- C. Terry, Vice President - Nuclear Safety Assessment and Support
- M. McCormick, Vice President - Nuclear Engineering
- 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



Mr. B. Ralph Sylvia

3

Distribution w/encls:  
Region I Docket Room (with concurrences)  
Nuclear Safety Information Center (NSIC)  
PUBLIC  
NRC Resident Inspector  
D. Screnci, PAO  
L. Doerflein, DRP  
T. Moslak, DRP  
R. Junod, DRP

Distribution w/encls: (VIA E-MAIL)  
W. Dean OEDO (WMD)  
B. Norris - Nine Mile Point  
S. Bajwa, NRR  
D. Hood, NRR  
G. Meyer, DRS (Section M1.3)  
M. Campion, RI  
M. Davis, NRR  
Inspection Program Branch, NRR (IPAS)

DOCUMENT NAME: G:\BRANCH1\NMIR9614.BSN

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/DRP	RI/DRP
NAME	BNorris <i>[Signature]</i>	LDoerflein <i>[Signature]</i>
DATE	2/21/97	2/21/97

OFFICIAL RECORD COPY

