

NOTICE OF VIOLATION

Niagara Mohawk Power Corporation (NMPC)
Nine Mile Point Unit 1

Docket Nos. 50-220
License No. DPR-63

During an NRC inspection conducted from December 1, 1996, through January 11, 1997, 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, (60 FR 34381; June 30, 1995), the violation is listed below:

Unit 1 Technical Specifications, Section 6.11, requires written procedures be approved, maintained and adhered to for all operations involving personnel radiation exposure.

Nine Mile Point Procedure GAP-RPP-08, "Control of High, Locked High, and Very High Radiation Areas," Revision 03, Section 3.6.1, requires personnel maintain positive access control for High, Locked High, and Very High Radiation Areas. The procedure required that barriers remain closed and locked after each entry, and that barriers be checked closed by shaking.

Contrary to the above, on September 17 and November 29, 1996, the east gate to the Unit 1 turbine deck, a posted High Radiation Area, was found unlocked and unattended.

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

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 21st day of February, 1997.

