

# CATEGORY 2

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ACCESSION NBR: 9709220160 DOC. DATE: 97/09/15 NOTARIZED: NO DOCKET #  
FACIL: 50-220 Nine Mile Point Nuclear Station, Unit 1, Niagara Powe 05000220  
50-410 Nine Mile Point Nuclear Station, Unit 2, Niagara Moha 05000410

ORIGINATOR NAME: RUFLEIN, L.T. AUTHOR AFFILIATION: Region 1 (Post 820201)  
RECIPIENT NAME: SYLVIA, B.R. RECIPIENT AFFILIATION: Niagara Mohawk Power Corp.

SUBJECT: Forwards insp repts 50-220/97-06 & 50-410/97-06 on 970629-0809 & NOV. One integrated rept for all insps conducted during this period in order to better consolidate insp findings into consistent message will be provided.

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September 15, 1997

Mr. B. Ralph Sylvia  
Executive Vice President  
and Chief Nuclear Officer  
Niagara Mohawk Power Corporation (NMPC)  
Nuclear Learning Center  
450 Lake Road  
Oswego, NY 13126

SUBJECT: NRC INSPECTION REPORT NOS. 50-220/97-06 AND 50-410/97-06  
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 June 29 through August 9, 1997. At the conclusion of the inspection, the findings were discussed with Messrs. John Conway and Carl Terry, Vice Presidents Nuclear-Engineering and Nuclear Safety Assessment and Support, respectively. We are providing one integrated report for all the inspections conducted during this period in order to better consolidate our inspection findings into a consistent regulatory message and more clearly communicate how these findings may reflect a change in your performance.

During this period, your staff operated both units safely. We considered the response of the control room crew and supervision to an increasing NMP2 drywell floor drain leak rate to be especially good. The efforts to identify and repair the leak were also good, and included outstanding support by the radiation protection staff. However, during the inspection period, four procedural non-compliances occurred as a result of personnel errors. The most significant event was the inadvertent spray-down of the NMP1 containment due to an operator opening the wrong valve during a surveillance test. We noted several personnel performance problems in previous inspection reports over the past year and these recent examples indicate continued management attention to this area is warranted.

Your radioactive liquid and gaseous effluent programs were well implemented. In addition, we noted you have actively pursued program enhancements to maintain offsite exposure as-low-as-is-reasonably achievable. However, the implementation of your program for emergency preparedness was inconsistent. Some strong areas were noted in the operational readiness of the emergency response facilities, including the move of the Emergency Operations Facility. In spite of these strengths, some programmatic controls were weak: the program failed to detect that the qualifications of some members of the emergency response organization had lapsed, and a required annual offsite augmentation drill had not been performed in several years.

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

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Mr. B. Ralph Sylvia

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report. Specifically, as noted above, the violations involved (1) multiple examples of failure to properly implement procedures and (2) failure to implement two requirements of the emergency plan related to training and emergency response. 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.

In accordance with 10 CFR 2.790 of the NRC's "Rules of Practice," a copy of this letter, its enclosures, and your response will be placed in the NRC Public Document Room.

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. 50-220/97-06 and 50-410/97-06

cc w/enclosures:

R. Abbott, Vice President & General Manager - Nuclear  
C. Terry, Vice President- Safety Assessment and Support  
J. Conway, Vice President - Nuclear Engineering  
K. Dahlberg, Vice President - Nuclear Operations  
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  
P. Eddy, 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.  
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

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