

ENCLOSURE 1

NOTICE OF VIOLATION

Niagara Mohawk Power Corporation (NMPC)  
Nine Mile Point Units 1 & 2 (NMP1 & NMP2)

Docket No. 50-220, 50-410  
License No. DPR-63, NPF-69

During an NRC inspection conducted from June 29 through August 9, 1997, violations of NRC requirements were identified. In accordance with the NRC "General Statement of Policy and Procedure for NRC Enforcement Actions" (Enforcement Policy), NUREG 1600, the violations are listed below:

- A. NMP1 Technical Specification, Section 6.8.1, requires procedures to be written and implemented that meet the requirements of NRC Regulatory Guide (RG) 1.33, "Quality Assurance Program Requirements (Operation)."

NMP2 Technical Specification, Section 6.8.1, requires procedures to be written and implemented that meet the requirements of NRC RG 1.33.

RG 1.33, Appendix A, identifies procedure adherence as one of the safety related activities that should be covered by written procedures.

Nine Mile Point Nuclear Interface Procedure NIP-PRO-01, "Use of Procedures," Revision 04, Section 3.2.1, requires procedures to be implemented as written.

- (1) NMP1 Surveillance Test Procedure N1-ST-Q6B, "Containment Spray System Loop 121 Quarterly Operability Test," Revision 04, Step 8.1.14, requires the operator to throttle flow control valve 80-118, to establish a required containment spray flow rate.

Contrary to the above, on July 1, 1997, during the performance of N1-ST-Q6B, a licensed reactor operator operated containment spray blocking valve 80-40, instead of valve 80-118, which resulted in approximately 150 gallons of water being sprayed into the containment.

- (2) NMP1 Generation Administrative Procedure GAP-OPS-02, "Control of Hazardous Energy and Configuration Tagging," Revision 09, Step 3.4.3, requires operators to use a copy of the application sheet and place all necessary devices in the required protective position and apply the completed tags.

Contrary to the above, on July 23, 1997, during the isolation of motor generator set #167, two NMP1 operators opened the maintenance supply circuit breaker instead of the normal supply circuit breaker as specified on the application sheet, resulting in the loss of the plant process computer.

- (3) NMP2 Fire Preventive Maintenance Procedure N2-FPM-FPW-A004, "Sprinkler Alarm Test," Revision 00, Step 7.2.1, requires operators to initiate sprinkler system fire alarm indication by operating the alarm test valve.



Contrary to the above, on July 22, 1997, on at least three occasions, a fire department individual operated the manual release test valve to initiate the system fire alarm instead of the alarm test valve resulting in pressurization of the water deluge sprinkler system.

- (4) Nine Mile Point Nuclear Interface Procedure NIP-PRO-01, "Use of Procedures," Revision 04, Section 3.3.3, states that if a procedure cannot or should not be performed as written, users shall notify supervision of the deficiency or condition and notify the Station Shift Supervisor (SSS) of unexpected results or conditions.

Contrary to the above, on July 18, 1997, while restoring a radiological waste system after maintenance, an operator failed to notify either supervision or the SSS that three valves had been left in a position other than the authorized restoration position, and resulted in overflowing a tank in the radiological waste building.

In the aggregate, this is a Severity Level IV violation (Supplement I).

- B. 10 CFR 50.54(q) states that a licensee authorized to possess and operate a nuclear power reactor shall follow and maintain in effect emergency plans which meet the standards in 50.47(b) and the requirements in Appendix E of this part.

- (1) The Nine Mile Point Emergency Plan, Paragraph 8.1.1.d, states that personnel assigned to the emergency organization, with specific duties and responsibilities, shall receive specialized training for their respective assignments. Figure 8.2 lists the personnel who shall receive specialized training, the type of training, and the frequency of such training. Category 3 of Figure 8.2 states that personnel responsible for accident assessment and/or management (including Offsite Dose Assessment Managers (ODAM) and radiological assessment support (RAS)) shall be retrained on an annual basis.

Nuclear Training Procedure NTP-TQS-202, "Emergency Preparedness Training/ Qualification Program," Paragraph 3.3.4, states that completion of all continuing training requirements requalifies an individual as an Emergency Response Organization member. Paragraph 4.3 states that annual continuing training requirements will be completed within a 15 month period. Attachment 2 requires that personnel qualified in the emergency response positions of ODOM and RAS shall receive dose assessment and protective action recommendation refresher training as position-specific continuing training.

Contrary to the above, from June 6, 1997 through July 16, 1997, nine of the qualified individuals for dose assessment had exceeded the 15 month limit for receiving refresher training, yet continued to be listed as qualified members of the Emergency Response Organization.



- (2) The Nine Mile Point Emergency Plan, Paragraph 8.1.2, states the periodic exercises and drills are conducted in order to test the state of emergency preparedness of participating individuals, organizations, and agencies ... in accordance with EPMP-EPP-04, "Emergency Exercise/Drill Procedure."

EPMP-EPP-04, Paragraph 2.2.1, states that drills and exercises shall be scheduled in accordance with EPMP-EPP-01, "Maintenance of Emergency Preparedness." Attachment 2, Item 7, requires an annual ERO augmentation drill, by activation of the Community Alert Network system, with actual response to the emergency facilities from offsite.

Contrary to the above, from November 8, 1994, through July 18, 1997, there were no activations of ERO members that involved actual personnel response from offsite to the emergency facilities.

In the aggregate, this is a Severity Level IV Violation (Supplement VIII).

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 15th day of September, 1997

