

NOTICE OF VIOLATION

Niagara Mohawk Power Corporation
Nine Mile Point Unit 2

Docket No. 50-410
License No. NPF-69

During an NRC inspection conducted from August 4 through 15 and August 25 through 29, 1997, the following violations of NRC requirements were identified. In accordance with the "General Statement of Policy and Procedure for NRC Enforcement Actions," NUREG 1600, the violations are listed below:

- A. 10 CFR 50, Appendix B, Criterion V, Instructions, Procedures, and Drawings, requires activities affecting quality to be prescribed by documented instructions or procedures, and accomplished with these instructions or procedures.

Contrary to the above, on August 29, 1997, the following activities affecting quality were not prescribed by documented instructions or procedures:

- (1) The calculations of mechanical equipment qualified lives, that were used to support the Nine Mile Point Unit 2 power uprate, were not prescribed and accomplished with documented instructions or procedures; and
- (2) The restriction limiting the use of the environmental qualification environmental design criteria (EQEDC) and EQEDC II databases only to the Nine Mile Point Unit 2 power uprate calculations was not prescribed in documented instructions or procedures.

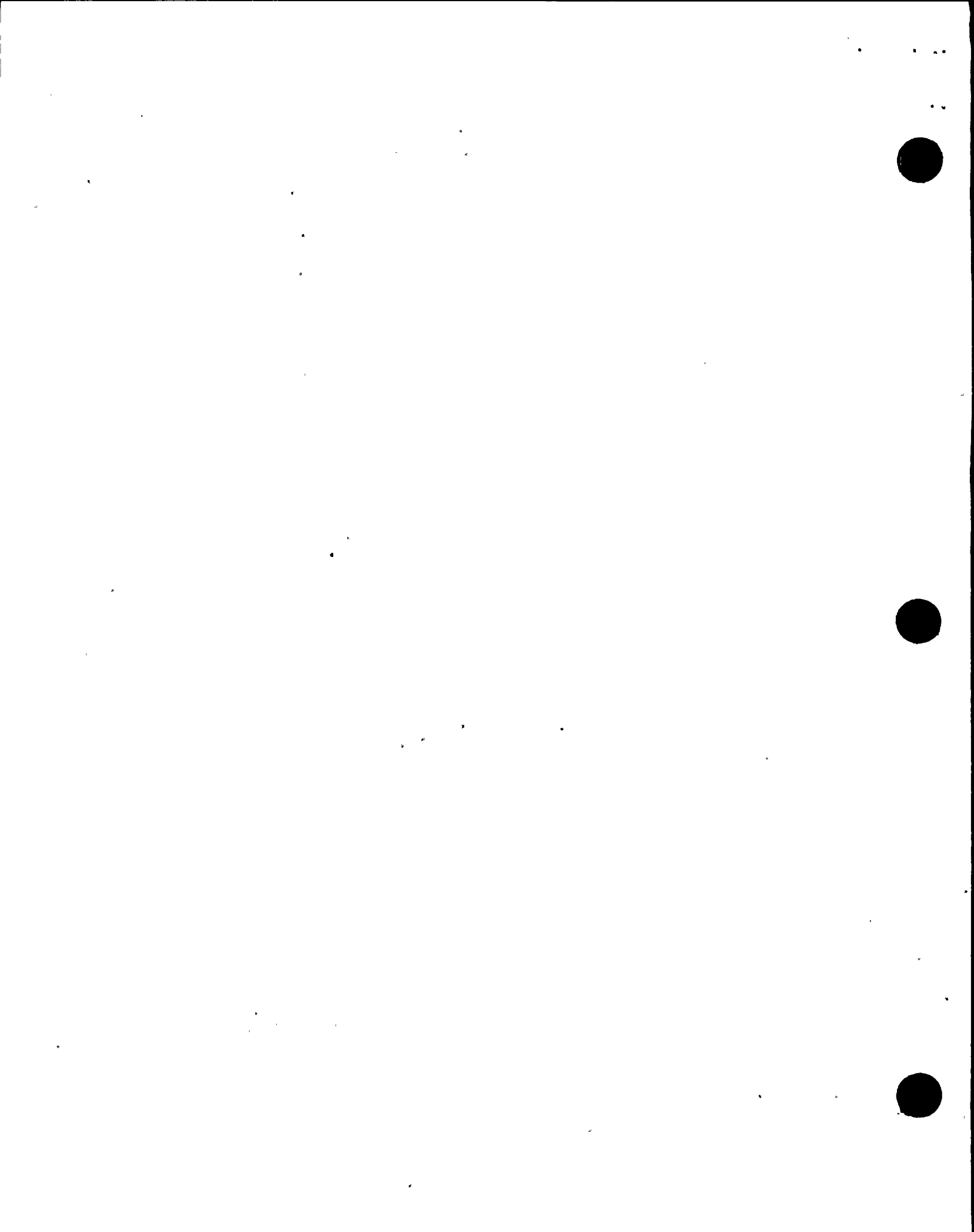
This is a Severity Level IV violation (Supplement I).

- B. 10 CFR 50, Appendix B, Criterion VI, Document Control, requires that measures shall be established to control the issuance of documents, such as instructions and procedures, and that these measures shall assure that documents are reviewed for adequacy and approved for release by authorized personnel.

Contrary to the above, as of August 29, 1997, the acceptance test plan for the EQEDC II database was not approved for release by authorized personnel, and the acceptance test was conducted on March 30-31, 1994, using the unapproved test plan.

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

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, within 30 days of the date of the letter transmitting this Notice of Violation (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. Your response may reference or include previous docketed correspondence, if the correspondence adequately addresses the required response. If an adequate reply is not received within the time specified in this Notice, an order or 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. If personal privacy or proprietary information is necessary to provide an acceptable response, then please provide a bracketed copy of your response that identifies the information that should be protected and a redacted copy of your response that deletes such information. If you request withholding of such material, you must specifically identify the portions of your response that you seek to have withheld and provide in detail the bases for your claim of withholding (e.g., explain why the disclosure of information will create an unwarranted invasion of personal privacy or provide the information required by 10 CFR 2.790(b) to support a request for withholding confidential commercial or financial information). If safeguards information is necessary to provide an acceptable response, please provide the level of protection described in 10 CFR 73.21.

Dated at King of Prussia, PA
this 4th day of November, 1997

