

ENCLOSURE 1

NOTICE OF VIOLATION

Niagara Mohawk Power Corporation (NMPC)  
Nine Mile Point Unit 2

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

During an NRC inspection conducted from April 6 through May 17, 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, the violation is listed below:

Nine Mile Point Unit 2 (NMP2) Operating License No. NPF-69, Item 2.G, requires NMPC to implement and maintain in effect all provisions of the approved fire protection program, as described in the Final Safety Analysis Report (FSAR) for the facility.

NMP2 FSAR, Section 9B.10, states that eight-hour battery-pack lighting is provided in all work stations necessary for safe shutdown in case of a fire, and in access and egress routes thereto.

Contrary to the above, from July 1987 to May 1997, the actual design and installation of eight-hour battery-pack emergency lighting was different from that described in the NMP2 Update Final Safety Analysis Report (UFSAR); in that NMPC Procedure N2-OP-78, "Remote Shutdown System," which would be implemented in case of a control room fire, required the operators to manually close the residual heat removal (RHR) minimum flow valves. In May 1997, the NRC identified that eight-hour battery-pack lights were not provided in the vicinity of the RHR minimum flow valves, and the eight-hour battery-pack lights provided for access and egress routes was inadequate.

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

The NRC has concluded that the information regarding the reason for the violation, the corrective actions taken and planned, actions to prevent recurrence, and the date when full compliance will be achieved is already adequately addressed on the docket in the NMPC letter to the Commission dated August 11, 1997, and in Licensee Event Report 50-410/97-02-01, "Potential Inoperability of Emergency Diesel Generator Service Water Cooling Valves During a Control Room Fire," dated June 9, 1997. However, you are required to submit a written statement or explanation pursuant to 10 CFR 2.201 if the description therein does not accurately reflect your corrective actions or your position. In that case, or if you choose to respond, clearly mark your response as a "Reply to a Notice of Violation" and send it 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).

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Enclosure 1

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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 23rd day of January, 1998

