

# CATEGORY 2

## REGULATORY INFORMATION DISTRIBUTION SYSTEM (RIDS)

ACCESSION NBR: 9804070095      DOC.DATE: 98/03/30      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  
AUTH.NAME                      AUTHOR AFFILIATION  
WIGGINS, J.T.                    Region 1 (Post 820201)  
RECIP.NAME                      RECIPIENT AFFILIATION  
MUELLER, J.H.                    Niagara Mohawk Power Corp.

SUBJECT: Forwards insp repts 50-220/98-04 & 50-410/98-04 on 980309-13      C  
& NOV.Violation involved failure to comply w/regulatory      A  
limits specified in 49CFR173.443 re return to svc of      T  
transport vehicle.      E

DISTRIBUTION CODE: IE06F      COPIES RECEIVED: LTR 1 ENCL 1 SIZE: 3+13  
TITLE: Environ & Radiological (50 DKT)-Insp Rept/Notice of Violation Respons E

### NOTES:

RECIPIENT ID CODE/NAME	COPIES LTR ENCL	RECIPIENT ID CODE/NAME	COPIES LTR ENCL	
PD1-1 PD	1 1	HOOD, D	1 1	R
INTERNAL: ACRS	2 2	AEOD/TTC	1 1	Y
<u>FILE CENTER</u>	1 1	NMSS/SFPO 06F18	1 1	
NRR/DRPM/PERB	1 1	NUDOCS-ABSTRACT	1 1	2
OE DIR	1 1	OGC/HDS3	1 1	
RGN1 FILE 01	1 1			
EXTERNAL: NOAC	1 1	NRC PDR	1 1	D
NUDOCS FULLTEXT	1 1			O

LOADED FROM  
NRC FLOPPY

NOTE TO ALL "RIDS" RECIPIENTS:  
PLEASE HELP US TO REDUCE WASTE. TO HAVE YOUR NAME OR ORGANIZATION REMOVED FROM DISTRIBUTION LISTS  
OR REDUCE THE NUMBER OF COPIES RECEIVED BY YOU OR YOUR ORGANIZATION, CONTACT THE DOCUMENT CONTROL  
DESK (DCD) ON EXTENSION 415-2083

TOTAL NUMBER OF COPIES REQUIRED: LTR 15 ENCL 15



March 30, 1998

EA 98-178

Mr. John H. Mueller  
Chief Nuclear Officer  
Niagara Mohawk Power Corporation  
Nine Mile Point Nuclear Station  
Operations Building, 2nd Floor  
P.O. Box 63  
Lycoming, NY 13093

SUBJECT: NRC INSPECTION REPORT NOS. 50-220/98-04 AND 50-410/98-04

Dear Mr. Mueller:

This report transmits the findings of the safety inspection conducted by NRC inspectors at the Nine Mile Point Nuclear Station, Units 1 and 2, from March 9-13, 1998. At the conclusion of the inspection, the findings were discussed with you, and members of your staff.

You have established a generally effective program for the collection, processing, packaging and transportation of radioactive wastes. However, a violation was identified involving failure to comply with regulatory limits specified in 49 CFR 173.443 relative to the return to service of a transport vehicle previously utilized for the transportation of radioactive material. This violation is cited in the enclosed Notice of Violation (Notice).

Specifically, you returned to service, for unrestricted use, a trailer which had been previously used to transport radioactive material as an exclusive use vehicle. Upon receipt at Babcock and Wilcox (B&W) in Parks Township, Pennsylvania, it was determined that two small areas on the accessible surface of the trailer had radiation levels exceeding the applicable limits. Although under the "General Statement of Policy and Procedure for NRC Enforcement Actions" (Enforcement Policy), NUREG-1600, this violation could have been considered for escalated enforcement, after consultation with the Office of Enforcement, we have decided to cite this at a Severity Level IV, based on: (1) the level of fixed contamination that was determined to be present of the trailer was not sufficient to result in any significant health and safety consequence to the public; (2) the fixed contamination and the resulting low-level radiation were restricted to only two small discrete locations; and (3) you took prompt and appropriate immediate corrective actions to effect remediation and prevent recurrence.

The NRC remains concerned, however, that you returned to service, for unrestricted use, a vehicle with radiation levels in excess of the applicable regulatory limit. 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.

9804070095 980330  
PDR ADOCK 05000220  
Q PDR

IE06



J. H. Mueller

3

Distribution w/encl:

- H. Miller, RA/W. Axelson, DRA
- Region I Docket Room (with concurrences)
- Nuclear Safety Information Center (NSIC)
- PUBLIC
- NRC Resident Inspector
- J. Lieberman, OE (2)
- L. Doerflein, DRP
- R. Junod, DRP
- J. Wiggins, DRS
- L. Nicholson, DRS
- J. Furia, DRS
- R. Ragland, DRS
- C. Miskey, DRS

Distribution w/encls: (VIA E-MAIL)

- B. McCabe, RI EDO Coordinator
- B. Norris - Nine Mile Point
- S. Bajwa, NRR
- D. Hood, NRR
- M. Campion, RI
- D. Screnci, PAO
- Inspection Program Branch (IPAS)
- R. Correia, NRR
- F. Talbot, NRR
- DOCDESK

DOCUMENT NAME: G:\RSB\FURIA\NMP9804.INS

To receive a copy of this document, indicate in the box: "C" = Copy without attachment/enclosure "E" = Copy with attachment/enclosure "N" = No copy

OFFICE	RI/DRS	<input checked="" type="checkbox"/> E	RI/DRS	<input checked="" type="checkbox"/> E	RI/DRS	<input checked="" type="checkbox"/> E	RI/DRP		
NAME	JFuria <i>JF</i>		RRagland <i>RR</i>		JWhite <i>JW</i>		LDoerflein <i>LD</i>		
DATE	03/26/98		03/ /98		03/ /98		03/27/98		03/ /98

OFFICIAL RECORD COPY

