

Niagara Mohawk

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April 20, 1998
NMP1L 1305

U. S. Nuclear Regulatory Commission
Attn: Document Control Desk
Washington, DC 20555

RE: Nine Mile Point Unit 1
 Docket No. 50-220
 DPR-63

*Subject: Reply to Notice of Violation as Contained in NRC Inspection Report
 50-220/98-01 and 50-410/98-01*

Gentlemen:

Niagara Mohawk Power Corporation's reply to the subject Notice of Violations is enclosed in the Attachment to this letter. We do not dispute these violations.

Very truly yours,



John H. Mueller
Chief Nuclear Officer

JHM/GJG/lmc
Attachment

xc: Mr. H. J. Miller, Regional Administrator, Region I
 Mr. S. S. Bajwa, Director, Project Directorate I-1, NRR
 Mr. B. S. Norris, Senior Resident Inspector
 Mr. D. S. Hood, Senior Project Manager, NRR
 Records Management

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ATTACHMENT

**NIAGARA MOHAWK POWER CORPORATION
NINE MILE POINT UNIT 1
DOCKET NO. 50-220
DPR-63**

**"REPLY TO NOTICE OF VIOLATION," AS CONTAINED IN
INSPECTION REPORT 50-220/98-01 AND 50-410/98-01**

A. VIOLATION 50-220/98-01-03

10 CFR 50, Appendix B, "Quality Assurance Criteria for Nuclear Power Plants and Fuel Reprocessing Plants," Criterion XI, "Test Control," requires a test program be established to assure that all testing required to demonstrate that structures, systems, and components will perform satisfactorily in service.

Contrary to the above, prior to January 21, 1998, a surveillance test did not exist to periodically verify that the Nine Mile Point Unit 1 (Unit 1) liquid poison system was capable of establishing required flow from the liquid poison tank to the suction valves of the liquid poison pumps.

This is a Severity Level IV violation (Supplement 1).

I. THE REASON FOR THE VIOLATION

The cause for not periodically verifying that the liquid poison system was capable of establishing required flow from the liquid poison tank is that Niagara Mohawk Power Corporation (NMPC) failed to recognize the need for such a test. The Nine Mile Point Unit 1 (NMP1) liquid poison system piping between the suction valves and the liquid poison pumps is heated to maintain the sodium pentaborate 5°F above saturation temperature. Low temperature alarms for the storage tank are annunciated in the control room. Additionally, the NMP1 Technical Specifications and the Updated Final Safety Analysis Report (UFSAR) are not specific with regard to testing this portion of piping. As a result, the need to test the piping between the suction valves and the pump was not recognized when surveillance procedures were developed.

II. CORRECTIVE ACTIONS TAKEN AND RESULTS ACHIEVED

The following actions have been taken:

1. The liquid poison system was declared inoperable. A one time only procedure change was implemented to immediately test the affected piping. The liquid poison system was returned to service after the test results demonstrated that the system was operable.



2. An operations surveillance procedure for testing the liquid poison system has been revised to test the subject piping once per operating cycle.

III. ACTIONS THAT WILL BE TAKEN TO PREVENT RECURRENCE

NMPC has completed a review of all fluid system operations surveillance procedures to assure that hydraulic flow paths are being properly demonstrated. No other system operability concerns were identified as a result of that review.

IV. DATE OF FULL COMPLIANCE

Full compliance was achieved on January 21, 1998 when the portion of piping between the liquid poison suction valves and pump was tested.



B. VIOLATION 50-220/98-01-06

Unit 1 TS, Section 6.8.1, requires written procedures and administrative policies to be implemented. NMPC Procedure GAP-DES-03, "Control of Temporary Modifications," Revision 7, Section 1.2, states that certain temporary alterations, while exempt from the requirements of GAP-DES-03, were not excluded from the requirements of NIP-SEV-01.

NMPC Procedure NIP-SEV-01, "Applicability Reviews and Safety Evaluations," Revision 3, Section 1.0, states that the procedure provides administrative controls for the review of changes to systems, permanent or temporary, to assess the impact to the Updated Final Safety Analysis Report (UFSAR), and to determine if the change involved an unreviewed safety question.

Contrary to the above, as of February 4, 1998, the Unit 1 control room emergency ventilation system temperature control valve (TCV-210.1-56), shown on UFSAR Figure III-14, had been failed open since January 1992. An engineering evaluation had not been performed to assess the impact of the failed open TCV on the system, or to determine if the change involved an unreviewed safety question.

This is a Severity Level IV violation (Supplement 1).

I. THE REASON FOR THE VIOLATION

The cause of this condition is similar to the cause of the NRC Violation I.B. cited on April 10, 1997, regarding a lack of prompt identification and correction to the Nine Mile Point Unit 2 (NMP2) reactor core isolation cooling (RCIC) pressure control valve (2ICS*PCV115) being in a condition adverse to quality. In NMPC's response dated May 12, 1997, NMPC stated that the cause of that violation was a lack of management sensitivity to the requirements to return the component to a fully qualified state in a timely manner. This same cause resulted in the Nine Mile Point Unit 1 (NMP1) control room emergency ventilation system (CREVS) TCV non-conformance not being resolved from 1992 until May 1996. On May 15, 1996 a Deviation/Event Report (DER) was initiated to evaluate the CREVS TCV being failed open and also identified the TCV condition as a long standing deficiency. The DER was dispositioned with a plan to resolve the deficiency, however, sufficient resources were not applied to implement the plan in a timely manner consistent with the original DER disposition schedule.

II. CORRECTIVE ACTIONS TAKEN AND RESULTS ACHIEVED

The following actions have or are being taken:

1. An Engineering Supporting Analysis (ESA) for the CREVS TCV has been completed to justify current operability of the system.



2. A 10CFR50.59 safety evaluation was performed to determine whether an unreviewed safety question was created by the previous configuration. This evaluation determined that this configuration did not create an unreviewed safety question.
3. The CREVS will be modified to permanently resolve this non-conformance in accordance with 10CFR50.59 by May 30, 1998. The UFSAR will be updated as required.
4. NMPC has reviewed Nuclear Interface Procedure (NIP)-ECA-01, Revision 13, Deviation/Event Report, effective date of April 1, 1998, which is the administrative procedure for the corrective action process. As a result of that review, it has been concluded that the currently approved process provides adequate guidance for properly resolving non-conforming conditions including operability evaluation, timeliness of resolution, and implementation of 10CFR50.59 safety evaluations for changes to the facility.

III. ACTIONS THAT WILL BE TAKEN TO PREVENT RECURRENCE

The following actions have been taken:

1. All open work orders for NMP1 have been reviewed to ensure that all non-conformances identified are documented in an associated DER.
2. All open DERs for NMP1 have been reviewed to assure that all non-conformances have been properly classified and currently have schedules for resolution in a timely manner in accordance with procedure NIP-ECA-01, Deviation/Event Report and regulatory requirements.
3. Senior Managers have re-emphasized the procedural requirements and expectations regarding timely resolution of non-conformances. It was emphasized that the schedule for resolution of non-conformances be commensurate with the significance of the deviation and that the corrective action program provides guidance on timeliness. Finally, Senior Management's expectations regarding prioritization and resource management for implementing the resolution of non-conformances has been re-emphasized.

IV. DATE OF FULL COMPLIANCE

The ESA provides justification for current operation. However, the non-conformance associated with this TCV will be fully resolved by May 30, 1998, when the modification described in Section II above is completed.



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MUELLER, J.H. Niagara Mohawk Power Corp.
RECIP.NAME RECIPIENT AFFILIATION
Document Control Branch (Document Control Desk)

SUBJECT: Responds to NRC ltr re violations in insp rept 50-220/98-01
& 50-410/98-01. Corrective actions: operations surveillance
procedure for testing liquid poison sys has been revised.

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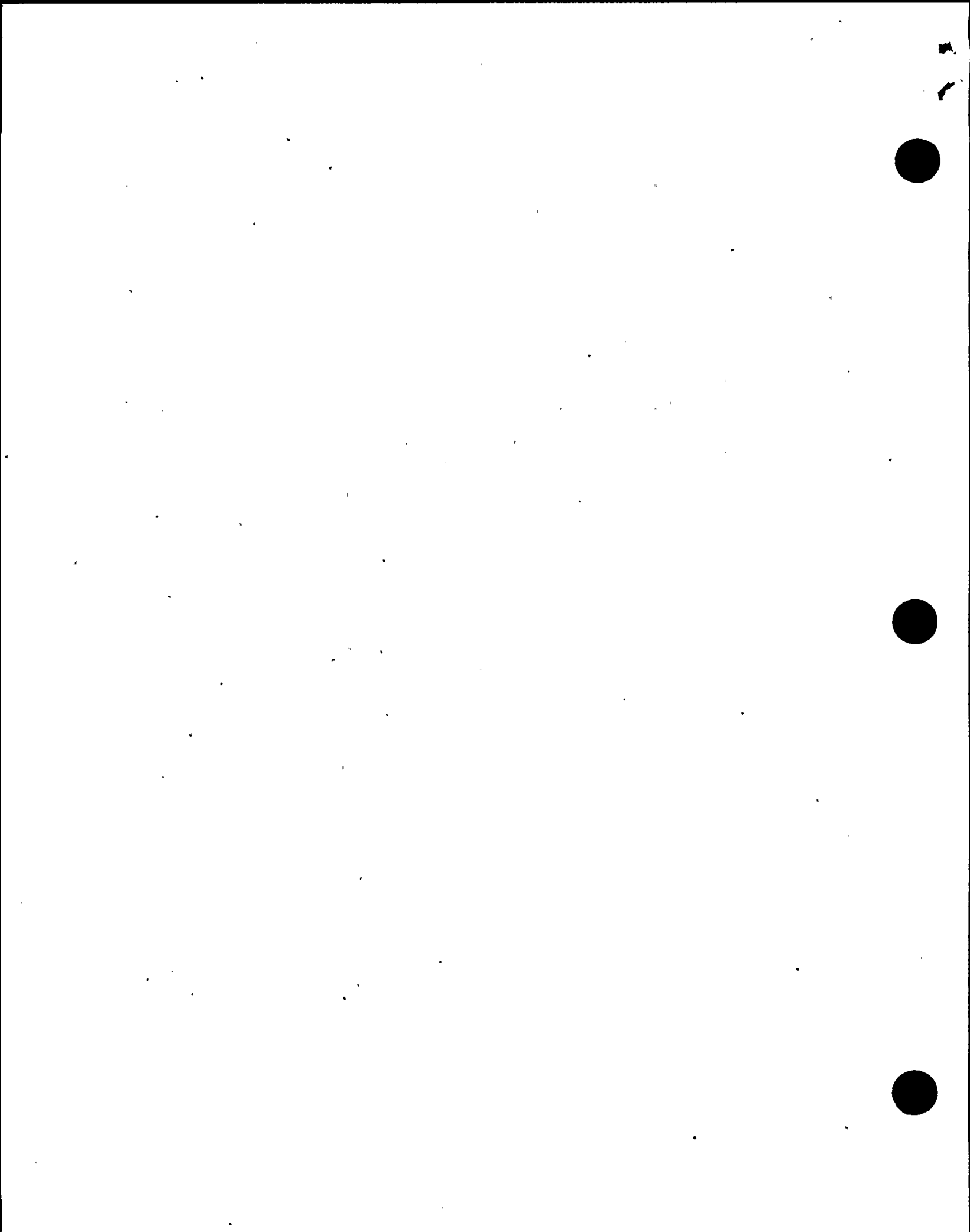
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