

ENCLOSURE 1

NOTICE OF VIOLATION

Niagara Mohawk Power Corporation
Nine Mile Point Units 1 & 2

Docket Nos.: 50-220, 50-410
License Nos.: DPR-63, NPF-69

During an NRC inspection conducted from February 15 to April 11, 1998, 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. Unit 1 Technical Specifications, Section 6.8.1, requires written procedures and administrative policies to be implemented. NMPC Procedure GAP-PSH-01 "Work Control," Revision 17, Section 3.7.13, regarding work order preparation and planning, states that the plant impact of the work activity is identified and recorded.

Contrary to the above, on February 11, 1998, Work Order 98-00883-01, regarding troubleshooting of the temperature control valve for the Unit 1 control room emergency ventilation system, failed to identify that the work activity would impact the position of the control room ventilation dampers. The performance of the work resulted in an unanticipated repositioning of the dampers, and caused the control room emergency ventilation system to become inoperable.

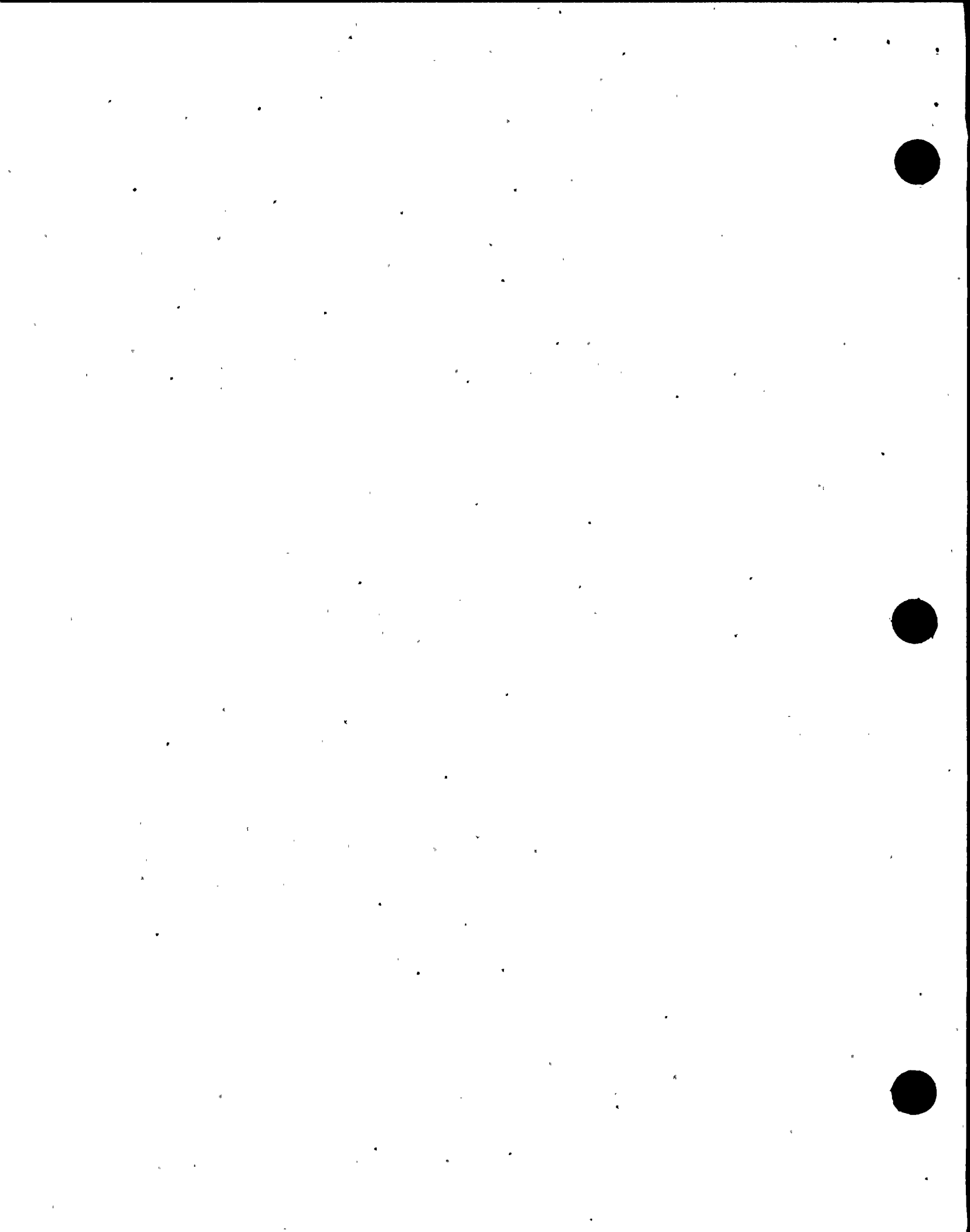
This is a Severity Level IV violation (Supplement I). (Unit 1 only)

- B. 10 CFR 50, Appendix B, "Quality Assurance Criteria for Nuclear Power Plants and Fuel Reprocessing Plants," Criterion III, "Design Control," requires measures to be established to assure that applicable regulatory requirements and the design basis for safety-related structures, systems, and components are correctly translated into specifications, drawings, procedures, and instructions.

10 CFR 50, Appendix B, "Quality Assurance Criteria for Nuclear Power Plants and Fuel Reprocessing Plants," Criterion XI, "Test Control," requires that a test program be established to assure that all testing required to demonstrate that structures, systems, and components will perform satisfactorily in service is identified and performed in accordance with written test procedures which incorporate the requirements and acceptance limits contained in applicable design documents.

Unit 1 Updated Final Safety Analysis Report (UFSAR), Section III.B.2.2, "Heating, Ventilation and Air Conditioning System," states that: (1) a positive differential pressure of 0.0625 inches water gage is maintained between the control room and adjacent spaces; (2) the control room ventilation outside air mix damper is set at the 100 percent (%) open position; (3) the total system flow is approximately 16,300 cubic feet per minute (cfm) and the recirculation damper is to be set at 12,750 cfm minimum; and (4) air from the control room emergency ventilation fans passes through a heated activated charcoal filter unit.

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Contrary to the above, from the late 1980's until February 17, 1998, the Unit 1 control room emergency ventilation system (CREVS) was not maintained or tested in accordance with the design basis in the UFSAR. Specifically: (1) the pressure switch for the control room annunciator for low control room-to-turbine building differential pressure was not calibrated or tested; (2) Operations Procedure N1-OP-49, "Control Room Ventilation System," allowed the adjustment of the outside air mix damper to maintain control room ambient air temperature, vice maintain the damper at the 100% open position; (3) Surveillance Test Procedure N1-ST-C9, "Control Room Emergency Ventilation Operability Test," failed to ensure that the outside air mix damper was set at the 100% open position and that the total system flowrate and recirculation flowrate were as specified; and (4) the heaters for the activated charcoal filter unit had never been energized.

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

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 or severity level, (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.

If you contest this enforcement action, you should also provide a copy of your response to the Director, Office of Enforcement, United States Nuclear Regulatory Commission, Washington, DC 20555-0001.

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



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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, Pennsylvania
this 27th day of May, 1998.

