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 LOCHBAUM, D.A. Union of Concerned Scientists
 RECIP. NAME RECIPIENT AFFILIATION
 MILLER, H.J. Region 1 (Post 820201)

SUBJECT: Informs that based of further review of publicly available info, it appears that safety problems at NMPNS-2 extend beyond reactor core isolation cooling sys (first mentioned in ltrs dtd 990625, 28 & 29).

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**UNION OF
CONCERNED
SCIENTISTS**

August 2, 1999

Mr. Hubert J. Miller, Regional Administrator
United States Nuclear Regulatory Commission
475 Allendale Road
King of Prussia, PA 19406-1415

SUBJECT: 'DEFENSE-IN-DEPTH' IN DEEP TROUBLE AT NINE MILE POINT UNIT 2

Dear Mr. Miller:

By letters dated June 25, June 28, and June 29, 1999, I expressed concern about reduced safety levels at the Nine Mile Point Unit 2 (NMP-2) plant resulting from degraded performance of the reactor core isolation cooling (RCIC) system. Based on a further review of publicly available information, it appears that the safety problems at NMP-2 extend beyond the RCIC system. The 'defense-in-depth' safety net at this facility appears compromised.

The plant's RCIC system problems are well established and resulted in the plant being shut down *after* our June letters so this system could be repaired.

The RCIC system provides an important safety function. However, the operability of this system is not assumed in the plant's safety analyses, except in the event of a station blackout. The emergency system that is assumed to operate in the plant's safety analyses is the high pressure core spray (HPCS) system.

By letter dated June 24, 1999, NMP-2's owner reported that they "did not comply with Technical Specifications Surveillance Requirement 4.0.5.a during the first ten year interval" because "sections of piping and pipe supports in the high pressure core spray system from the condensate storage tank to the pump were improperly exempted" from the inspection program. After discovering this error, NMP-2's owner went out and "examined four of the improperly exempted welds." This spot check represented a whopping 7.5 percent of the improperly exempted welds according to the letter. Considering that inspection program, if properly implemented, only spot checks the welds in the plant, a skimpy spot check of a spot check is hardly reassuring.

By daily event report no. 35973 dated July 30, 1999, NMP-2's owner reported that the check valve in the HPCS pump suction piping from the suppression pool was not being tested by the inservice testing program. The HPCS system was declared inoperable.

Thus, the HPCS system may be impaired. Fortunately, NMP-2 is equipped with a backup for the HPCS system. The plant's safety analyses assume that if the HPCS system is unable to perform, the automatic depressurization system will reduce the pressure inside the reactor vessel so that low pressure emergency pumps can function.

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By letter dated June 1, 1999, NMP-2's owner reported that the "automatic depressurization nitrogen supply system was not being leak rate tested as required by Technical Specification 4.5.1.e.2.e." According to this letter, the original test procedure was inadequate and that deficiency was not identified despite several subsequent revisions. Thus, this test was being performed every 18 months and following maintenance on the equipment, but was proving nothing.

The 'defense-in-depth' safety principle implicitly assumes that the systems, structures, and components purchased using ratepayers' funds and installed to protect the public will be operated, inspected, and maintained by the plant's owner in accordance with regulations. More than simply an assumption, the plant owner is obligated by the facility's operating license to comply with the regulations.

The recent problems at Nine Mile Point Unit 2 are very troubling. These problems involve three systems with important safety functions. Their concurrent impairment represents a serious challenge to the 'defense-in-depth' safety net. This grave situation is worsened by the fact that the impairments were not caused by random equipment failures all occurring at around the same time period (i.e., a "fluke"), but were the result of long-standing programmatic failures. It is far more likely that these programmatic failures have caused as-yet-undetected impairments in other safety systems than it is that the impairments were confined to the RCIC, HPCS, and ADS systems.

I know from conversations with members of your staff that the NRC is aware of the programmatic problems at Nine Mile Point Unit 2 and has escalated its regulatory activities. UCS is concerned that even this heightened effort may not allow the full scope of the problems at NMP-2 to be identified and fixed in a timely manner. Until all of the impairments caused by the programmatic problems are remedied, the public living in upstate New York will not be relying on 'defense-in-depth' for their protection. They will be relying on luck. Gambling has been legalized in portions of upstate New York, but not at Nine Mile Point. UCS urges you to expedite the NRC staff's efforts to restore the necessary safety levels at this troubled facility.

Sincerely,



David A. Lochbaum
Nuclear Safety Engineer

copies: Governor George E. Pataki
State Capitol
Albany, NY 12224

