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 RECIPIENT NAME      RECIPIENT AFFILIATION  
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SUBJECT: Responds to NRC 961008 ltr re violations noted in insp repts  
 50-220/96-07 & 50-410/96-07. Corrective action: Procedure  
 N2-NSAS-IAP-0101 developed IAW TS 6.5.2.

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NIAGARA MOHAWK

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RICHARD B. ABBOTT  
Vice President and  
General Manager - Nuclear

November 15, 1996  
NMP1L-1152

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

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

Nine Mile Point Unit 2  
Docket No. 50-410  
NPF-69

**Subject:** *Notice of Violation dated October 8, 1996  
NRC Inspection Report 50-220/96-07 and 50-410/96-07*

Gentlemen:

Niagara Mohawk Power Corporation's (NMPC) reply to the Notice of Violation is enclosed as Attachment A to this letter. We have admitted to the three violations which are cited.

In addition your letter indicated a concern with two Licensee Event Reports which were received during the inspection period with examples of failing to perform Technical Specification required surveillance tests. You further indicated that you are concerned about the number of missed surveillance tests which NMPC has identified and requested that we respond, in our response and the Notice of Violation, by providing a status of our program to review surveillance procedures. As discussed with Mr. Skokowski, NMPC needs additional time to respond to this request. Therefore, our response will be submitted no later than November 22, 1996.

Very truly yours,

R. B. Abbott  
Vice President and General Manager - Nuclear

RBA/GJG/lmc  
Attachment

xc: Regional Administrator, Region I  
Mr. S. S. Bajwa, Acting Director, Project Directorate I-1, NRR  
Mr. B. S. Norris, Senior Resident Inspector  
Mr. D. S. Hood, Senior Project Manager, NRR  
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**ATTACHMENT A**

**NIAGARA MOHAWK POWER CORPORATION  
NINE MILE POINT UNIT 1 AND UNIT 2  
DOCKET NO. 50-220/50-410  
DPR-63/NPF-69**

**"RESPONSE TO NOTICE OF VIOLATION," AS CONTAINED IN  
INSPECTION REPORT 50-220/96-07 AND 50-410/96-07**

**A. VIOLATION 50-220/96-07 and 50-410/96-07**

The Unit 2 Technical Specification, 6.8.1.b, requires that written procedures be established, implemented, and maintained covering the activities required to implement the requirements of NUREG-0737, "Clarification of TMI Action Plan Requirements."

Section 1.10 of the Unit 2 Updated Final Safety Analysis Report (UFSAR) states in response to the requirements identified in NUREG-0737, Item 1.B.1.2, that an on-site Independent Safety Engineering Group (ISEG) will be established and the principal function of the ISEG is to examine plant operating characteristics in various NRC and industry licensing and service advisories, and to recommend areas for improving plant safety.

Contrary to the above, as of March 22, 1996, Nine Mile Point Unit 2 had no established procedure to implement ISEG activities.

This is a Severity Level IV violation (Supplement 1) - (Unit 2 only).

**I. THE REASON FOR THE VIOLATION**

Niagara Mohawk Power Corporation (NMPC) admits to this violation as stated. The root cause of this deviation is a failure to recognize that a specific implementation procedure for ISEG activities was required under Technical Specification 6.8.1.b.

**II. CORRECTIVE ACTIONS TAKEN AND RESULTS ACHIEVED**

Procedure N2-NSAS-IAP-0101, "Independent Safety Engineering Group Program Implementation Directive," has been developed in accordance with Technical Specification 6.5.2. This procedure is a Technical Specification required procedure and will undergo the appropriate periodic reviews.



**III. ACTIONS TAKEN TO PREVENT RECURRENCE**

In order to ensure that there are no other activities that have similar deficiencies, NMPC will complete a comprehensive review to assure that appropriate procedures exist for the activities listed in NMP2 Technical Specification 6.8.1 and meets the requirements of Technical Specification 6.8.2. By January 1997 this review will be completed for Technical Specification 6.8.1.b for NUREG-0737 activities. The activities covered by the remainder of Technical Specification 6.8.1 will be reviewed by June of 1997. The personnel performing this review will be provided training and counseling on meeting the requirements of Technical Specifications 6.8.1 and 6.8.2.

**IV. DATE WHEN FULL COMPLIANCE WILL BE ACHIEVED**

Full compliance was achieved on November 15, 1996, when procedure N2-NSAS-IAP-0101 was implemented.





B. VIOLATION 50-220/96-07 and 50-410-96-07

The Unit 2 Technical Specifications, Section 6.8.1.a, requires procedures to be established and implemented which cover the applicable procedures recommended in Appendix A of Regulatory Guide 1.33, Revision 2, February 1978. Regulatory Guide 1.33, Appendix A, Section 3.g.(2)(a) recommends procedures for the Emergency Power Sources.

Procedure N2-OP-100A, "Standby Diesel Generators," Revision 5, requires that the emergency diesel generator (EDG) turbo lube oil duplex filter be aligned to the "BOTH" position.

Procedure N2-OP-100A, "Standby Diesel Generators," Revision 5, requires that operation with the fuel oil duplex strainer selector lever in the "MID" or "BOTH" position only be considered if the EDG would otherwise be declared inoperable.

Contrary to the above, as of March 22, 1996, the licensee failed to adequately establish and implement procedures, as evidenced by the following examples:

- The alarm response portion of Procedure N2-OP-100A for annunciator "LUBE OIL LOW PRESSURE TURBO" directed the operator to swap over the turbo lube oil duplex filter to the standby filter. With the filter aligned to "BOTH", as directed by procedure N2-OP-100A, there would be no standby filter available, thus, the alarm response procedure action cannot be performed.
- The Division II EDG fuel oil duplex strainer was aligned to "BOTH" position, while the EDG was operable.

This is a Severity Level IV violation (Supplement 1) - (Unit 2 only).

I. THE REASON FOR THE VIOLATION

NMPC admits to this violation as stated. The root cause of both procedure deficiencies is ineffective verification/validation review when N2-OP-100A was revised. Following is a discussion of both of these deviations.

Turbo Lube Oil Filter

From the initial development of N2-OP-100A through Revision 5, the valve lineup position for the turbo lube oil duplex filter selection lever was "BOTH." Revision 5 of N2-OP-100A added additional turbo lube oil filter guidance to Section F.20.0, "Changing Fuel Oil Filter Configuration With Diesel Generator Operating." This revision also changed the annunciator response for "LUBE OIL LOW PRESSURE TURBO" alarm to include "swapover to the standby lube oil filter or strainer." The vendor manual recommends that the selection lever be in the "BOTH" position. In this regard, the operating procedure system lineup was correct, however the inconsistency



between the system lineup and the new annunciator response instructions should have been recognized and reconciled during the procedure review process prior to issuance of the procedure revision.

### Fuel Oil Duplex Filters

Operating procedure N2-OP-100A through Revision 5 required that the fuel oil duplex strainer selector be "AS SELECTED". The procedure technical verifier/validator of Revisions 4 and 5 confirmed that he believed "AS SELECTED" meant left, right, or both. However, Revision 4 to N2-OP-100A, added a note to Section H.17.0 which stated "operation with the fuel oil filter selector switch in the "MID" or "BOTH" position with the diesel generator running should only be considered if the EDG would otherwise be declared inoperable." The inconsistency between the note to Section H.17.0 and the "AS SELECTED" line up position should have been recognized and reconciled during the procedure review process prior to issuance of the procedure revision.

Contributing to the event is the fact that the operator performing the valve lineup did not recognize the "AS SELECTED" position directed by the lineup was not specific enough to ensure the selector handle was appropriately positioned. The operator could have identified the ambiguity with respect to component positioning and requested further guidance from Operations management.

It has been determined that although the "BOTH" position is not the preferred position, the operability of the diesel generator was not negatively impacted. Fuel purchased by NMPC is of high purity and must meet stringent testing standards prior to use. Fuel oil filter and fuel oil strainer differential pressure is recorded during periods of diesel generator operation and trended. The data reviewed from 1993 to present shows no indication of an adverse trend. Additionally, because of fuel quality, there is not expected to be any significant clogging of the fuel oil strainers/filters and in fact the only times the filters have been previously replaced were during scheduled preventive maintenance activities. Therefore, there were no adverse safety consequences by operating with the selector in the "BOTH" position.

## **II. CORRECTIVE ACTIONS TAKEN AND RESULTS ACHIEVED**

Upon identification of these deficiencies, the fuel oil duplex filters were placed in an appropriate alignment. Procedure N2-OP-100A (Standby Diesel Generators), was changed to address the concerns identified in the inspection report. Specifically, the "LUBE OIL LOW PRESSURE TURBO" annunciator response and the valve lineup for fuel oil duplex filters were revised. These changes were made on April 17, 1996. In addition, the System Engineer was consulted and the vendor manual was reviewed to verify the current guidance in N2-OP-100A with respect to the fuel oil strainers/filter selection valve and turbo lube oil filter selector valve positions is correct.



### **III. ACTIONS TAKEN TO PREVENT RECURRENCE**

The following actions have been or will be completed to prevent recurrence.

1. The NMP2 Operations Department has previously undertaken an extensive operating procedure improvement program. Included in this program is an upgrade of the operating procedures for human factors considerations in accordance with the site Procedure Writer's Manual requirements. The program is approximately 75% complete and is currently scheduled for completion by March 1997. It should be noted that N2-OP-100A had not been revised as part of the procedure improvement program when the above noted discrepancies were identified. The procedure has since been rewritten as part of the improvement program and was reissued on June 10, 1996.
2. Operations personnel have been notified to be cognizant for ambiguous wording with respect to component positions in system lineups and to bring any identified problems to the attention of Operations management for resolution and correction.
3. The Procedure Writer's Manual will be revised as necessary to clarify acceptable nomenclature for component position information in system lineups. Personnel involved in reviewing, changing, or revising operating procedures will be trained on this guidance by April 1997.
4. The operating procedures will be reviewed to assure that clear direction is provided with regard to system lineup. This action will be completed by April 1997.
5. This event and lessons learned from it will be covered in the Operations training program by February 28, 1997.
6. Operations line management will reinforce, with Operations procedure authors and qualified technical reviewers, the expectations and requirements for proper procedure preparation and technical review activities by January 1997.

### **IV. DATE WHEN FULL COMPLIANCE WILL BE ACHIEVED**

Full compliance was achieved on April 17, 1996, when N2-OP-100A was changed as described in II above. The alignment of the fuel oil duplex filter was corrected when the discrepancy was initially identified.



C. VIOLATION 50-220/96-07 and 50-410/96-07

Title 10, Code of Federal Regulations, Part 50, Paragraph 50.59, requires that written records be maintained for safety evaluations which provided the bases for determining that changes in the facility, as described in the UFSAR, do not involve an unreviewed safety question.

Section 3.3.1.a of Nuclear Division Interface Procedure NIP-SEV-01, Revision 02, "Applicability Reviews and Safety Evaluations," requires that safety evaluations be prepared for proposed changes to the UFSAR. Also, Section 3.4.3.b.1 of the procedure states that minor configuration changes to UFSAR figures cannot automatically be considered editorial corrections because of size and scope.

Contrary to the above, as of March 22, 1996, a 10 CFR 50.59 preliminary evaluation for a proposed revision to Unit 1 UFSAR drawing for the service water system incorrectly concluded that the UFSAR was not affected, and therefore, no safety evaluation was performed. Specifically, preliminary evaluation #D93-113 (included as a part of Simple Design Change SCI-0056-91) proposed revising Figure X-6, in the Unit 1 UFSAR, to show the screen wash system header inter-tie valves as closed and to delete a valve incorrectly shown in the figure. The responsible engineer concluded that the UFSAR was not affected, and no safety evaluation was performed.

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

I. THE REASON FOR THE VIOLATION

NMPC admits to this violation as stated. The apparent cause of this violation is poor work practices in that the preparer and the supervisor approving the preliminary safety evaluation did not adhere to the requirements of NIP-SEV-01, "Production and Control of Nuclear Division Preliminary Evaluation, 10CFR50.59 Safety Evaluation and Environmental Evaluation," in effect at the time. The preliminary safety evaluation was performed on August 30, 1993, and a Licensing Document Change Notice was also prepared on that date. The evaluation incorrectly classified the change as "Editorial," and thus was determined not to require a safety evaluation.

II. CORRECTIVE ACTIONS TAKEN AND RESULTS ACHIEVED

A 50.59 evaluation has been prepared and approved in accordance with NIP-SEV-01, Revision 2 for the change to the non-safety related screen wash system header intertie valves on August 7, 1996. In addition, the supervisor involved has been coached on the requirements of NIP-SEV-01. (The individual that prepared the preliminary safety evaluation is no longer employed by NMPC.)





### III. ACTIONS TAKEN TO PREVENT RECURRENCE

NMPC will perform a review of a random sample of preliminary safety evaluations generated between 1990 and 1994 to determine whether this deficiency is an isolated incident. Any new deficiency will be identified and addressed in our corrective action program. This sampling will be completed by December 31, 1996.

Niagara Mohawk made substantial improvements to the 50.59 safety evaluation process, procedures and training in 1994. The enhanced program addressed the additional guidance provided in the NRC Inspection Manual and Inspection Procedure 37001. The new program defined in NIP-SEV-01, Revision 3, identified requirements for 50.59 applicability review and safety evaluations. Two new implementing guidelines, NLAP-SEV-0101 for applicability review and NLAP-SEV-0102 for 50.59 safety evaluations, give detailed instructions for preparing these documents. Furthermore, the procedures and training specifically address examples of FSAR changes which require safety evaluations. In addition the training requires a practical exam which includes writing a safety evaluation, which is graded. Over 200 Nuclear personnel originally qualified for safety evaluation preparation and screening were retrained to the new procedures and guidelines. Retraining and requalification is presently required every two years.

NMPC believes that these program, procedure and training improvements to the 50.59 safety evaluation process are adequate to prevent recurrence of this violation.

### IV. DATE WHEN FULL COMPLIANCE WILL BE ACHIEVED

Full compliance was achieved on August 7, 1996, when the 10CFR50.59 safety evaluation was approved.

