



NIAGARA MOHAWK

**GENERATION
BUSINESS GROUP**

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B. RALPH SYLVIA
Executive Vice President
Electric Generation
Chief Nuclear Officer

November 20, 1997
NMP1L 1268

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 24, 1997*
NRC Inspection Report 50-220/97-80 and 50-410/97-80

Gentlemen:

Niagara Mohawk Power Corporation's (NMPC) reply to the Notice of Violation is enclosed as Attachment A to this letter. We admit to the violation as cited.

Very truly yours,

B. Ralph Sylvia
B. Ralph Sylvia
Chief Nuclear Officer

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Lee

BRS/GJG/lmc
Attachment

xc: Mr. H. J. Miller, 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
Records Management

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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 50-220/97-80 AND 50-410/97-80**

A. VIOLATION 50-220/97-80 and 50-410/97-80

NMP1 Technical Specification, Section 6.8.1, requires procedures to be written and implemented that meet the requirements of NRC Regulatory Guide (RG) 1.33, "Quality Assurance Program Requirements (Operation)."

NMP2 Technical Specification, Section 6.8.1, requires procedures to be written and implemented that meet the requirements of NRC RG 1.33.

RG 1.33, Appendix A, identifies procedure adherence as one of the safety related activities that should be covered by written procedures.

Nine Mile Point Nuclear Interface Procedure NIP-ECA-01, "Deviation/Event Report," Revision 11, Section 3.7.3, states extension to DER [Deviation/Event Report] dates (Part 4 - Disposition or Part 5 - Closure) shall be processed using the DER Extension Request.

Contrary to the above, as of August 22, 1997, approximately 165 DERs pending disposition and 72 DERs pending closure were extended past the due dates without being processed using the DER extension request.

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

I. THE REASON FOR THE VIOLATION

This violation was caused by a lack of sensitivity by Nine Mile Point senior managers and branch managers to the procedural requirements for schedule compliance regarding implementation of the corrective action program. The management team failed to adequately hold personnel accountable to either complete DER actions or justify a new schedule.



II. CORRECTIVE ACTIONS TAKEN AND RESULTS ACHIEVED

The following corrective actions have been taken:

1. The DERs which were overdue during the inspection have been dispositioned, closed or extended in accordance with NIP-ECA-01. This assures that the DERs have been closed or the safety significance of extension evaluated.
2. During the weekly plant managers' Friday meeting, members of the Senior Management Team (SMT) have periodically reinforced the requirement that DER actions are to be completed on schedule or extended as required by NIP-ECA-01, "Deviation/Event Report."
3. The SMT and branch managers are routinely reviewing the status of open DERs to ensure ongoing procedural compliance.

III. ACTIONS TAKEN TO PREVENT RECURRENCE

The following actions will prevent reoccurrence:

1. Quality Assurance Audit 97-013 is ongoing at the time of this submittal. This is the semi-annual corrective action audit which includes evaluating compliance with NIP-ECA-01, Section 3.7.3. The preliminary results of the audit have shown improved performance with regard to schedule compliance. The SMT will review the results of the audit and take any appropriate corrective actions.
2. NIP-ECA-01 will be revised to provide additional flexibility in the DER resolution process to allow time for administrative processing and comment resolution.
3. The next semi-annual corrective action audit (May 1998) will specifically evaluate compliance with DER completion requirements.
4. The Quality Assurance DER Trend Report for the first quarter of 1998 will include data regarding DER completion compliance. The need for continued inclusion of completion compliance in the trend report will be evaluated by the SMT at that time.
5. The SMT now routinely reviews DER status, including the issuance of extensions during quarterly review of the DER Trend Report.

IV. DATE WHEN FULL COMPLIANCE WILL BE ACHIEVED

NMPC was in full compliance on November 19, 1997, when corrective action II.1 above was completed.

