

SEP 1 1982

Docket No. 50-410

Niagara Mohawk Power Corporation
ATTN: Mr. Gerald K. Rhode
Senior Vice President
c/o Miss Catherine R. Seibert
300 Erie Boulevard West
Syracuse, New York 13202

Gentlemen:

Subject: Enforcement Conference (Report 50-410/82-08)

This refers to the meeting held at our request at the NRC Region I Office, King of Prussia, Pennsylvania, on July 16, 1982, relating to activities authorized by NRC License No. CPPR-112. This meeting was attended by Mr. G. Rhode and other members of the Niagara Mohawk Power Corporation (NMPC) staff and by myself and other members of the NRC staff. The subjects discussed at this meeting are included in the NRC Management Report, which is enclosed with this letter.

Based on our evaluation of the resident inspector findings, delineated in inspection report No. 82-03, and the enforcement conference on July 16, 1982, we find that one of your activities was not conducted in full compliance with NRC requirements, as set forth in the Notice of Violation, enclosed herewith as Appendix A.

This citation deals with the installation of safety related Class I piping in accordance with authorized welding procedures that were not appropriate for the piping joints in question. The welding procedures in use were not properly qualified for impact testing. Although the resident inspector has verified that steps have been taken to assure that all requirements concerning piping activities have been satisfied and that a decision has been made to cut out the affected welds, we expect that sufficient management attention is being given to assuring that the proposed corrective measures are effectively implemented. As stated during the enforcement conference, we view the failure of multiple levels of review to prevent the issuance of an inadequate procedure as a serious matter. In our view, this problem was related to inadequate NMPC management attention to contractor and subcontractor activities. Although the enclosed violation has been classified as Severity Level IV and has not resulted in a proposed civil penalty at this time, Section IV.B of the NRC Enforcement Policy does provide for imposition of civil penalties for similar Severity Level IV Violations in the future.

The responses directed by this letter and the accompanying Notice are not subject to the clearance procedures of the Office of Management and Budget as required by the Paperwork Reduction Act of 1980, PL 96-511.

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In accordance with 10 CFR 2.790(a), a copy of this letter and the enclosures will be placed in the NRC Public Document Room unless you notify this office, by telephone, within ten days of the date of this letter and submit written application to withhold information contained therein within thirty days of the date of this letter. Such application must be consistent with the requirements of 2.790(b)(1). The telephone notification of your intent to request withholding, or any request for an extension of the 10 day period which you believe necessary, should be made to the Supervisor, Files, Mail and Records, USNRC Region I, at (215) 337-5223.

Your cooperation is appreciated.

Sincerely,

Original Signed By:

Richard W. Starostecki, Director
Division of Project and Resident Programs

Enclosures:

1. Appendix A, Notice of Violation
2. NRC Region I Enforcement Conference
Report Number 50-410/82-08

cc w/encls:

Leonard M. Trosten, Esquire
Carl D. Hobelman, Esquire
NMPC QA
Public Document Room (PDR)
Local Public Document Room (LPDR)
Nuclear Safety Information Center (NSIC)
NRC Resident Inspector
State of New York
Director, Power Division

bcc w/encls:

Region I Docket Room (w/concurrences)
Chief, Operational Support Section (w/o encls)
R. Carlson
D. Holody

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DATE	8/27/82	8/27/82	8/27/82	8/27/82		