



UNITED STATES
 NUCLEAR REGULATORY COMMISSION
 REGION I
 476 ALLENDALE ROAD
 KING OF PRUSSIA, PENNSYLVANIA 19406

February 21, 1989

Docket No. 50-410
 License No. NPF-69
 EA 89-04

MEMORANDUM FOR: James Lieberman, Director, OE
 FROM: William T. Russell, Regional Administrator, RI
 SUBJECT: PROPOSED ENFORCEMENT ACTION - NIAGARA MOHAWK POWER CORPORATION (NINE MILE POINT, UNIT 2)

Enclosed for your review and concurrence is a proposed enforcement action (letter and Notice of Violation) for two violations which occurred at Nine Mile Point, Unit 2. The violations, which were identified by the licensee and reported to the NRC, involve: (1) the inoperability of one of the two Automatic Depressurization System (ADS) divisions (Division I) since initial startup in 1986 (due to a wiring error in the logic circuitry made during a modification in 1985), contrary to a technical specification limiting condition for operation (LCO); and (2) the failure to identify and correct this condition adverse to quality until December 1988, although opportunities existed to do so sooner during the preoperational testing of the logic circuitry in May 1986 as well as two subsequent surveillance tests performed in July 1986 and May 1988. The violations are described in detail in the enclosed proposal, NRC Inspection Report (No. 50-410/88-21), Licensee Event Report (No. 50-410/88-68) and Licensee Presentation at the Enforcement Conference.

The safety significance of the violation of the technical specification is minimal due to the fact that the other ADS division was operable and would have functioned to open the seven ADS valves in the event of an accident. Further, manual actuation capability associated with the ADS relief valves was operable, as was manual operation of the other safety relief valves via remote manual switches in the control room and remote shutdown panels. In addition, the redundant High Pressure Core Spray System was also operable.

Nonetheless, a civil penalty is not proposed in this case, for the reasons described in detail in the enclosed proposal.

James M. Allan
 William T. Russell
 Regional Administrator

PROPOSED ENFORCEMENT ACTION
NOT FOR PUBLIC RELEASE WITHOUT APPROVAL OF THE DIRECTOR, OE

MUST BE WITHHELD

K/6