

NOTICE OF VIOLATION

Niagara Mohawk Power Corporation
Nine Mile Point Unit 1

Docket No. 50-220
License No. DPR-63

During an NRC inspection conducted on June 6-10, 1994 a violation of NRC requirements was identified. In accordance with the "General Statement of Policy and Procedure for NRC Enforcement Actions," 10 CFR Part 2, Appendix C, the violation is listed below:

Title 10, Code of Federal Regulations (CFR), Part 20 specifies the requirements for the posting, marking, and controlling of access to high radiation areas. Specifically, 10 CFR 20.1501(a) requires, in part, that each licensee make surveys that may be necessary to comply with the regulations and are reasonable under the circumstances to evaluate the extent of radiation levels.

Contrary to the above, on June 10, 1994, the licensee had not made surveys necessary to comply with the regulations and were reasonable under the circumstances as to evaluate the extent of the radiation levels. Specifically, previous radiation surveys by the licensee of the 247' elevation of the Old Radwaste Building (ORW) failed to determine the presence of radiation levels that at the time of the inspection measured up to 110 millirem per hour at 30 centimeters from the source of radiation. As a result, the area lacked appropriate controls such as postings and a barricade required by 10 CFR 20.1902(b) and Technical Specification 6.12.

This is a Severity Level IV violation.

Pursuant to the provisions of 10 CFR 2.201, Niagara Mohawk Power Corporation is hereby required to submit a written statement or explanation to the U.S. Nuclear Regulatory Commission, ATTN: Document Control Desk, Washington, D.C. 20555 with a copy to the Regional Administrator, Region I, and a copy to the NRC Resident Inspector at the facility that is the subject of this Notice, within 30 days of the date of the letter transmitting this Notice of Violation (Notice). This reply should be clearly marked as a "Reply to a Notice of Violation" and should include for each violation: (1) the reason for the violation, or, if contested, the basis for disputing the violation, (2) the corrective steps that have been taken and the results achieved, (3) the corrective steps that will be taken to avoid further violations, and (4) the date when full compliance will be achieved. If an adequate reply is not received within the time specified in this Notice, an order or a Demand for Information may be issued to show cause why the license should not be modified, suspended, or revoked, or why such other action as may be proper should not be taken. Where good cause is shown, consideration will be given to extending the response time.

Under the authority of Section 182 of the Act, 42 U.S.C. 2232, this response shall be submitted under oath or affirmation.

Dated at King of Prussia, Pennsylvania
this 23rd day of June, 1994