

NOTICE OF VIOLATION  
AND  
PROPOSED IMPOSITION OF CIVIL PENALTY

Niagara Mohawk Power Corporation  
Nine Mile Point Nuclear Station  
Unit 1

Docket No. 50-220  
License No. DPR-63  
EA No. 83-84

During NRC inspections conducted June 7-24 and July 5, 1983, July 12-15, 1983, and July 18-22, 1983, three violations of NRC requirements were identified. One violation involved failure to adhere to a procedure for maintaining reactor building integrity. Another involved a circuit breaker being off, but not locked in the off position as required. Each of these violations is classified at Severity Level IV. The other violation involving a failure to maintain two operable main steam line high radiation trip systems is classified at Severity Level III.

With regard to the Severity Level III violation, on July 18, 1983, during a control room inspection, the resident inspector observed that readings on main steam line radiation monitors No. 111 and No. 121 were indicating approximately 700 mrem/hr, whereas monitor No. 112 was indicating 200 mrem/hr and monitor No. 122 was indicating approximately 60 mrem/hr. The expected value should have been approximately 700 mrem/hr. A review of the computerized hourly log for July 17, 1983 showed that while reactor power was increased from 70% at 9:00 a.m. to 83% at midnight, the readings on monitors No. 111 and No. 121 increased but the readings on monitors No. 112 and No. 122 decreased. The inspector informed the Operations Supervisor that the monitors appeared to be inoperable and that as a result, their associated trip system would be considered inoperable. Since both monitors, No. 112 and No. 122, are inputs to the No. 12 Reactor Protection System logic, the Operations Supervisor ordered that it be tripped and a complete calibration be performed on each monitor.

Analysis of the calibration results indicated that monitor No. 112 would not have tripped until the actual radiation level in the main steam lines was approximately three times the trip setpoint, and that monitor No. 122 would not have tripped until the actual radiation level was approximately 250 times the trip setpoint.

Although all four monitors had been successfully tested at 3:35 a.m. on July 18 in accordance with test procedures, the surveillance test was performed using a test signal inserted in the instrument drawer and did not check for proper operation of the radiation detector.

Proper review of shift checks of the radiation monitors on July 17 and 18, 1983 should have indicated there was a problem with monitors No. 112 and No. 122, but the problem was not recognized by the operators and proper action was not taken. These shift checks were reviewed by the shift supervisor, but the detector

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failure was not recognized. During the review of the weekly surveillance test ST-W4, "Main Steam Line High Radiation Instrument Channel Test," the shift supervisor noted that the No. 122 monitor was reading low and issued a Work Request at 4:15 a.m. on July 18. However, the significance of the reading was not recognized until the NRC inspector discussed his findings with the Operations Supervisor at about 11:45 a.m. on July 18. The inadequate review of the shift checks delayed the tripping of the trip systems as required by technical specifications. The performance of the operators and shift supervisors involved in this violation was below the level expected by the NRC.

To emphasize the need for you to improve the performance of licensed personnel when monitoring plant parameters, reviewing control room logs, and demonstrating a more thorough understanding of plant technical specifications, the Nuclear Regulatory Commission proposes to impose a civil penalty in the amount of \$40,000. In accordance with the NRC Enforcement Policy (10 CFR Part 2, Appendix C), 47 FR 9987 (March 9, 1982), and pursuant to Section 234 of the Atomic Energy Act of 1954, as amended ("Act"), 42 U.S.C. 2282, PL 96-295 and 10 CFR 2.205, the particular violations, and the civil penalty are set forth below:

#### Violation Assessed A Civil Penalty

Technical Specification Limiting Condition for Operation Table 3.6.2a, "Instrumentation That Initiates Scram" and Table 3.6.2B, "Instrumentation That Initiates Primary Coolant System or Containment Isolation" require that for main steam line radiation monitors, there be two operable instrument channels per operable trip system, and two operable or tripped trip systems.

Contrary to the above, between July 17 and 18, 1983, one of the two main steam line high radiation trip systems was inoperable in that radiation monitors Nos. 112 and 122, which provide signals to the two channels in that trip system, were inoperable in that they were reading low, and that trip system was not tripped. The failure to adequately perform a surveillance requirement contributed to this violation, as evidenced below:

Technical Specifications Surveillance Requirements Table 4.6.2a and Table 4.6.2.1 require that for main steam line radiation monitors, a sensor check be performed once per shift. Technical Specification 1.5 defines a sensor check as "a qualitative determination of acceptable operability by observation of sensor behavior during operation. This determination shall include where possible, comparison of the sensor with other independent sensors measuring the same variable."

However, between July 17 and 18, 1983, adequate sensor checks of the four main steam line radiation monitors were not performed by shift operating personnel and shift supervisors in that the readings of monitors No. 112 and No. 122 were significantly different from the

readings of monitors No. 111 and No. 121, as shown in the following table, yet no action was taken to determine the cause of the discrepancy.

<u>PERIOD</u>	<u>111</u>	<u>MONITOR NO.</u>		<u>122</u>
		<u>121</u>	<u>112</u>	
July 17 1st shift	400	400	500	1000
July 17 2nd shift	550	550	300	120
July 17 3rd shift	650	650	225	60
July 18 1st shift	650	650	200	60

This is Severity Level III violation. (Supplement I)  
Civil Penalty - \$40,000

#### Violations Not Assessed A Civil Penalty

- A. Technical Specification 6.8.1 requires that procedures be established, implemented, and maintained that meet or exceed the requirements of Appendix "A" of Regulatory Guide 1.33. Operating Procedure OP-52, "Reactor Building Track Bay Doors No. 198 and D-39," Rev. 0, January 12, 1983 requires that outer Track Bay Door D-39 be locked and sealed when inner Track Bay Door D-198 is opened.

Contrary to the above, on July 21, 1983, Operating Procedure OP-52 was not properly implemented in that Door-198 was opened when Door D-39 was not sealed.

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

- B. Technical Specification limiting condition for operation 3.1.4.g requires that during reactor operation, except during core spray system surveillance testing, core spray isolation valves 40-02 and 40-12 shall be in the open position and the associated valve motor starter circuit breakers for these valves shall be locked in the off position.

Contrary to the above, on June 10, 1983, during reactor operation, when core spray system surveillance testing was not being performed, the motor starter circuit breaker for core spray isolation valve 40-12 was in the off position, but this circuit breaker was not locked in that position.

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

Pursuant to the provisions of 10 CFR 2.201, Niagara Mohawk Power Corporation is hereby required to submit to the Director, Office of Inspection and Enforcement, U.S. Nuclear Regulatory Commission, Washington, D.C. 20555, and a copy to the Regional Administrator, U.S. Nuclear Regulatory Commission, Region I, 631 Park Avenue, King of Prussia, PA 19406, within 30 days of the date of this Notice, a written statement or explanation, including for each alleged violation: (1) admission or denial of the alleged violation; (2) the reasons for the violation, if admitted; (3) the corrective steps which have been taken and the results achieved; (4) the corrective steps which will be taken to avoid further violations; (5) the date when full compliance will be achieved. Consideration may be given to extending the response time for good cause shown. Under the authority of Section 182 of the Act, 42 U.S.C. 2232, this response shall be submitted under oath or affirmation.

Within the same time as provided for the response required above under 10 CFR 2.201, Niagara Mohawk Power Corporation may pay the civil penalty in the amount of \$40,000 or may protest imposition of the civil penalty, in whole or in part, by a written answer. Should Niagara Mohawk Power Corporation fail to answer within the time specified, the Director, Office of Inspection and Enforcement will issue an order imposing the civil penalty proposed above. Should Niagara Mohawk Power Corporation elect to file an answer in accordance with 10 CFR 2.205 protesting the civil penalty, such answer may: (1) deny the violation listed in this Notice in whole or in part; (2) demonstrate extenuating circumstances; (3) show error in this Notice; or (4) show other reasons why the penalty should not be imposed. In addition to protesting the civil penalty, in whole or in part, such answer may request remission or mitigation of the penalty. In requesting mitigation of the proposed penalty, the five factors contained in Section IV(B) of 10 CFR Part 2, Appendix C should be addressed. Any written answer in accordance with 10 CFR 2.205 should be set forth separately from the statement or explanation in reply pursuant to 10 CFR 2.201, but may incorporate statements or explanations by specific reference (e.g., citing page and paragraph numbers) to avoid repetition. Niagara Mohawk Power Corporation's attention is directed to the other provisions of 10 CFR 2.205, regarding the procedures for imposing a civil penalty.

Upon failure to pay any civil penalty due, which has been subsequently determined in accordance with the applicable provisions of 10 CFR 2.205, this matter may be referred to the Attorney General, and the penalty unless compromised, remitted, or mitigated, may be collected by civil action pursuant to Section 234c of the Act, 42 U.S.C. 2282.

FOR THE NUCLEAR REGULATORY COMMISSION

Original Signed By:

Thomas E. Murley  
Regional Administrator

Date at King of Prussia, Pennsylvania  
this 6<sup>th</sup> day of October 1983