

NOTICE OF VIOLATION

Niagara Mohawk Power Corporation
Nine Mile Point Unit 2

Docket No. 50-410
Licensee No. CPPR-112
EA 86-135

During an NRC investigation by the NRC Office of Investigations (OI) a violation of NRC requirements was identified. OI Report 1-84-014. In accordance with the "General Statement of Policy and Procedure for NRC Enforcement Actions," 10 CFR Part 2, Appendix C (1986), the violation is listed below:

10 CFR 50.7 prohibits discrimination by a Commission licensee or permittee against an employee for engaging in certain protected activities. Discrimination includes actions that relate to compensation, terms, conditions and privileges of employment. The activities protected include, but are not limited to, reporting safety concerns to the NRC or to the employee's management.

Contrary to the above, Anthony Laratta and Rudolph A. Norman, Quality Assurance (QA) auditors assigned to the Niagara Mohawk Power Corporation QA Department, were the subjects of discrimination in that their lead auditor status was rescinded on April 5, 1984, by the former QA Vice President in retaliation for making QA findings critical of the QA program at Nine Mile Point Unit 2 during Audit No. 84-4. The lead auditor status of these individuals was not restored until June 1, 1984.

This is a Severity Level III violation (Supplement VII)

Pursuant to the provisions of 10 CFR 2.201, Niagara Mohawk Power Corporation is hereby required to submit to the Regional Administrator, Region I, within 30 days of the date of the letter transmitting this Notice, a written statement or explanation in reply, including for each violation: (1) the reason for the violation if admitted, (2) the corrective steps which have been taken and the results achieved, (3) the corrective steps which will be taken to avoid further violations, and (4) the date when full compliance will be achieved. Where good cause is shown, consideration will be given to extending the response time.

Dated at King of Prussia, Pennsylvania
this 23 day of December 1986

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