



NIAGARA MOHAWK POWER CORPORATION/NINE MILE POINT, P.O. BOX 63, LYCOMING, NY 13093/TELEPHONE (315) 349-2882

B. Ralph Sylvia  
Executive Vice President  
Nuclear

July 21, 1994  
NMP1L 0834

United States Nuclear Regulatory Commission  
Attn: Document Control Desk  
Washington, DC 20555

RE: Nine Mile Point Unit 1  
Docket No. 50-220  
DPR-63

**Subject:** *Response to Notice of Violation - NRC Combined Inspection Report  
50-220/94-11 and 50-410/94-13*

Gentlemen:

Attached is Niagara Mohawk Power Corporation's response to the Notice of Violation contained in the subject Inspection Report dated June 23, 1994. We believe that the corrective actions described in this response have appropriately addressed the cause of this violation. If you have any questions concerning this matter, please contact me.

Very truly yours,

B. Ralph Sylvia  
Exec. Vice President - Nuclear

BRS/RLM/lmc  
Attachment

xc: Mr. T. T. Martin, Regional Administrator, Region I  
Mr. B. S. Norris, Senior Resident Inspector  
Mr. M. L. Boyle, Acting Director, Project Directorate I-1, NRR  
Mr. D. S. Brinkman, Senior Project Manager, NRR  
Records Management

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UNITED STATES NUCLEAR REGULATORY COMMISSION

In the Matter of )

Niagara Mohawk Power Corporation )

Nine Mile Point Unit 1 )

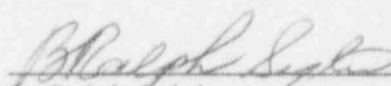
Docket No. 50-220

**CERTIFICATION**

B. Ralph Sylvia, being duly sworn, states that he is Executive Vice President - Nuclear of Niagara Mohawk Power Corporation; that he is authorized on the part of said Company to sign and file with the Nuclear Regulatory Commission this certification; and that, in accordance with 10 C.F.R. §2.201, the information contained in the attached letter accurately presents the evaluation of and the response to the violation contained in NRC Combined Inspection Report 50-220/94-11 and 50-410/94-13.

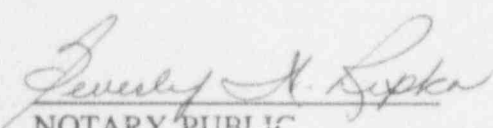
NIAGARA MOHAWK POWER CORPORATION

By

  
B. Ralph Sylvia

Executive Vice President - Nuclear

Subscribed and sworn to before me on  
this 21 day of July, 1994.

  
NOTARY PUBLIC

BEVERLY W. RIPKA  
Notary Public State of New York  
Qual. in Oswego Co. N. 4641879  
My Commission Exp. 2/28/96

NIAGARA MOHAWK POWER CORPORATION

NINE MILE POINT UNIT 1

DOCKET NO. 50-220

DPR-63

"RESPONSE TO NOTICE OF VIOLATION," AS CONTAINED IN  
INSPECTION REPORT 50-220/94-11 AND 50-410/94-13

VIOLATION 50-220/94-11-01

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.

*I. THE REASON FOR THE VIOLATION*

Niagara Mohawk admits to the violation as stated in Inspection Report 94-11/94-13.

A root cause analysis was performed per Nuclear Interface Procedure NIP-ECA-01, "Deviation/Event Report." The root cause of the violation was identified as a personnel error due to poor work practices. On May 23, 1994, Radiation Protection personnel took radiation level measurements in an area around the floor drain sample pumps on the 247 foot elevation of the Old Radwaste building and, based upon all readings being less than 100 millirem per hour, downposted it from a High Radiation Area to a Radiation/Contaminated Area. However, a complete survey, which should have included a complete evaluation of the operating conditions which could have caused a rise in area dose rates and an evaluation for the potential of recurrence of a high radiation condition was not performed. Because the survey was inadequate, no follow-up survey plan was developed to ensure the area was maintained within Technical

Specification and 10 CFR Part 20 requirements with respect to radiation levels, adequate posting and barrier requirements. The failure to perform an adequate survey constitutes the personnel error. A contributing factor was a lack of procedural detail for downposting an area with respect to evaluating the potential for changing radiological conditions and requirements for establishing plans for follow-up surveys.

Several opportunities to identify this adverse condition were missed between May 23 and June 10, 1994. When the area was downposted, the barrier across the step-off pad was removed as allowed by 10 CFR Part 20 and Technical Specifications. However, only four of the five "High Radiation Area" signs were changed to "Contaminated Area" signs. The fifth sign, located at the step-off pad, inappropriately remained a High Radiation Area sign. During a routine survey of the 247 foot elevation of Old Radwaste on May 24, 1994, a Radiation Protection technician denoted the area as a High Radiation Area but did not recognize that no barricade existed at the step-off pad. Also, during a second routine survey of the 247 foot elevation of Old Radwaste on June 8, 1994, another Radiation Protection technician denoted the area as a Contaminated Area and did not notice the "High Radiation Area" sign at the step-off pad. Lastly, Radiation Protection management did not exercise appropriate oversight of station conditions with respect to radiological surveys and postings in that weekly tours of this area were not completed as expected.

## **II. CORRECTIVE ACTIONS TAKEN AND RESULTS ACHIEVED**

A Deviation/Event Report was initiated for the posting discrepancy identified by the NRC Inspector, and to develop and document the causes and corrective/preventive actions for this event. The corrective actions included:

1. The area was immediately surveyed, found to have a localized radiation level that required it to be designated a High Radiation Area, and then posted and barricaded consistent with the requirements of Technical Specifications and 10 CFR Part 20.
2. Radiation Protection management performed a walkdown of all areas within the power block ensuring that postings and High Radiation Area controls were consistent with the requirements of Technical Specifications and 10 CFR Part 20. No other discrepancies were identified.

## **III. ACTIONS TAKEN TO PREVENT RECURRENCE**

1. Proper work practices and attention to detail were reaffirmed with Radiation Protection personnel in the following areas: 1) 10 CFR Part 20 survey requirements; 2) review of surveys and records; and 3) the requirements for establishing follow-up surveys for areas with potential for changing radiological conditions. These expectations will be periodically restated through developed Job Performance Measures for initial and continuing training.

2. Radiation Protection Procedure S-RAP-RPP-0103, "Posting of Radiological Areas," will be revised by August 15, 1994 to incorporate criteria for follow-up surveys in areas with a potential for changing radiological conditions.
3. Plant areas were reviewed and evaluated for situations that may cause High Radiation Areas, and where appropriate, enhancements were made to detect and monitor areas with potential changing radiological conditions.
4. Plant operating processes will be reviewed and evaluated by both Operations and Radiation Protection personnel for other areas that may not yet be identified as having a potential to experience changing radiation levels due to operational events. Based upon the identified situations, specific plans will be developed by August 31, 1994 to apply the appropriate radiological controls.
5. A Quality Assurance team, including an industry peer, is conducting a surveillance to assess the High Radiation Area Control Program to identify any further program enhancements. Any enhancements or improvements will be implemented as appropriate.
6. The Radiation Protection supervisor tour process has been changed to assign supervisors to specific areas of the station and to include the requirements for the documentation of completed tours.

#### **IV. DATE WHEN FULL COMPLIANCE WILL BE ACHIEVED**

Full compliance with the requirements of Technical Specifications and 10 CFR Part 20 was achieved on June 10, 1994 when the area in question was properly posted and controlled and the power block walkdowns were completed assuring no further posting or High Radiation Area control problems existed.