



NIAGARA MOHAWK POWER CORPORATION / 300 ERIE BOULEVARD WEST, SYRACUSE, N.Y. 13202 / TELEPHONE (315) 474-1511

December 7, 1983
(7793)

Mr. R. W. Starostecki, Director
U.S. Nuclear Regulatory Commission
Region I
Division of Project and Resident Programs
631 Park Avenue
King of Prussia, PA 19406

Re: Nine Mile Point Unit 2
Docket No. 50-410

Dear Mr. Starostecki:

Your Investigation Report No. 50-410/1-83-005, dated October 13, 1983, identified an apparent violation resulting from an investigation conducted at the Nine Mile Point Unit 2 site. Niagara Mohawk's response is enclosed.

Very truly yours,

A handwritten signature in dark ink, appearing to read 'D. P. Dise'.

D. P. Dise
Vice President
Quality Assurance

DPD/TL:ja
xc: Mr. R. Gramm, Resident Inspector

NIAGARA MOHAWK POWER CORPORATION
NINE MILE POINT UNIT 2
DOCKET NO. 50-410

Response to Notice of Violation
Attached to Investigation Report No. 50-410/1-83-005

The apparent violation is stated as follows:

10 CFR Part 50, Appendix B, Criterion I states, in part, "...the applicant may delegate to others, such as contractors, agents or consultants, the work of establishing and executing the quality assurance program, or any part thereof, but shall retain responsibility therefore...the persons and organizations performing quality assurance functions shall have sufficient authority and organizational freedom to identify quality problems...[and] the individual assigned the responsibility for assuring effective execution of any portion of the quality assurance program ...shall have direct access to such levels of management as may be necessary to perform this function.

Contrary to the above, Niagara Mohawk Power Corporation (NMPC) did not have sufficient control of its Quality Assurance (QA) Program to ensure that ITT Grinnell, who was delegated the work of establishing and executing a portion of the quality assurance program, was allowing its QC inspectors sufficient authority and organizational freedom to identify quality problems and bring those problems directly to the level of management as may be necessary, in that on February 16, 1983, ITT Grinnell QC inspectors were instructed by the ITT Grinnell QA Director not to discuss problems with the licensee or NRC without first discussing with ITT Grinnell's supervision, and that disciplinary action could be taken if those instructions were ignored.

This is a Severity Level IV Violation (Supplement II).

The following is the Niagara Mohawk Power Corporation response to the above violation:

This situation originated during a February 16, 1983 Inspection Group Leader Meeting when the ITT Grinnell Quality Assurance Director made an improper statement regarding ITT Grinnell inspectors' access to the Nuclear Regulatory Commission. Niagara Mohawk was immediately notified and within 24 hours of this incident had directed the ITT Grinnell QA Director to retract this statement and explain correctly the Niagara Mohawk policy.

It is Niagara Mohawk's opinion that adequate and timely corrective action was initiated to correct this incident.

Niagara Mohawk maintains a strong commitment to the open discussion of safety issues among ourselves, our contractors and the Nuclear Regulatory Commission. As a result of this incident, it will be reemphasized by January 20, 1984 that site personnel have free access to the Nuclear Regulatory Commission. Niagara Mohawk will continue to monitor contractor quality assurance activities to ensure that Quality Assurance/Quality Control employees are free to convey such information.