

August 29, 2000

Mr. John H. Mueller
Chief Nuclear Officer
Niagara Mohawk Power Corporation
Nine Mile Point Nuclear Station
Operations Building, Second Floor
P.O. Box 63
Lycoming, NY 13093

SUBJECT: NINE MILE POINT NUCLEAR STATION, UNIT NO. 2 - ISSUANCE OF AMENDMENT TO CHANGE THE IMPLEMENTATION DATE OF THE IMPROVED TECHNICAL SPECIFICATIONS (TAC NOS. MA3822, MA7119, MA8529, AND MA9482)

Dear Mr. Mueller:

The Commission has issued the enclosed Amendment No. 94 to Facility Operating License No. NPF-69 for the Nine Mile Point Nuclear Station, Unit No. 2. The amendment consists of changes to the Technical Specifications (TSs) in response to your application transmitted by letter dated July 14, 2000.

This amendment changes the implementation dates of the Improved Technical Specifications (ITS, Amendment No. 91) and requirements for the Oscillation Power Range Monitor (Amendment No. 92) from August 31, 2000, to December 31, 2000.

The letter transmitting Amendment No. 91 contains a sentence which reads: "The ITS will become effective upon the date of implementation, but no later than August 31, 2000." That date is now superseded by the new date of December 31, 2000.

The enclosed Safety Evaluation delineates the basis of the staff's approval. A Notice of Issuance will be included in the Commission's biweekly Federal Register Notice.

Sincerely,

/RA/

Peter S. Tam, Senior Project Manager, Section 1
Project Directorate I
Division of Licensing Project Management
Office of Nuclear Reactor Regulation

Docket No. 50-410

Enclosures: 1. Amendment No. 94 to NPF-69
2. Safety Evaluation

cc w/encls: See next page

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Nine Mile Nuclear Station
Unit No. 2

Regional Administrator, Region I
U. S. Nuclear Regulatory Commission
475 Allendale Road
King of Prussia, PA 19406

Resident Inspector
Nine Mile Point Nuclear Station
P.O. Box 126
Lycoming, NY 13093

Mr. Jim Rettberg
NY State Electric & Gas Corporation
Corporate Drive
Kirkwood Industrial Park
P.O. Box 5224
Binghamton, NY 13902-5224

Mr. John V. Vinquist, MATS Inc.
P.O. Box 63
Lycoming, NY 13093

Supervisor
Town of Scriba
Route 8, Box 382
Oswego, NY 13126

Mr. Richard Goldsmith
Syracuse University
College of Law
E.I. White Hall Campus
Syracuse, NY 12223

Charles Donaldson, Esquire
Assistant Attorney General
New York Department of Law
120 Broadway
New York, NY 10271

Mr. Timothy S. Carey
Chair and Executive Director
State Consumer Protection Board
5 Empire State Plaza, Suite 2101
Albany, NY 12223

Mark J. Wetterhahn, Esquire
Winston & Strawn
1400 L Street, NW.
Washington, DC 20005-3502

Gary D. Wilson, Esquire
Niagara Mohawk Power Corporation
300 Erie Boulevard West
Syracuse, NY 13202

Mr. F. William Valentino, President
New York State Energy, Research,
and Development Authority
Corporate Plaza West
286 Washington Avenue Extension
Albany, NY 12203-6399

NIAGARA MOHAWK POWER CORPORATION

DOCKET NO. 50-410

NINE MILE POINT NUCLEAR STATION, UNIT 2

AMENDMENT TO FACILITY OPERATING LICENSE

Amendment No. 94
License No. NPF-69

1. The Nuclear Regulatory Commission (the Commission) has found that:
 - A. The application for amendment by Niagara Mohawk Power Corporation (the licensee) dated July 14, 2000, complies with the standards and requirements of the Atomic Energy Act of 1954, as amended (the Act) and the Commission's rules and regulations set forth in 10 CFR Chapter 1;
 - B. The facility will operate in conformity with the application, the provisions of the Act, and the rules and regulations of the Commission;
 - C. There is reasonable assurance (i) that the activities authorized by this amendment can be conducted without endangering the health and safety of the public, and (ii) that such activities will be conducted in compliance with the Commission's regulations;
 - D. The issuance of this amendment will not be inimical to the common defense and security or to the health and safety of the public; and
 - E. The issuance of this amendment is in accordance with 10 CFR Part 51 of the Commission's regulations and all applicable requirements have been satisfied.
2. Accordingly, the license is amended by changes to License Condition 2.C.(10) to read:

The licensee is authorized by Amendment No. 91 to relocate certain Technical Specification requirements previously included in Appendix A to licensee-controlled documents, as described in Table R, Relocated Specifications and Removal of Details Matrix, attached to the NRC Staff's safety evaluation dated February 15, 2000, enclosed with the amendment. Implementation of Amendment No. 91 shall include the relocation of these requirements to the appropriate documents, which shall be completed no later than December 31, 2000. The relocations to the Updated Safety Analysis Report shall be reflected in updates completed in accordance with 10 CFR 50.71(e).

3. This license amendment is effective as of the date of its issuance, immediately changing the implementation date imposed by Amendment Nos. 91 and 92 from August 31, 2000, to December 31, 2000.

FOR THE NUCLEAR REGULATORY COMMISSION

/RA by Alexander W. Dromerick for/

Marsha Gamberoni, Chief, Section 1
Project Directorate I
Division of Licensing Project Management
Office of Nuclear Reactor Regulation

Attachment:
Changes to the Operating License

Date of Issuance: August 29, 2000

ATTACHMENT TO LICENSE AMENDMENT NO. 94

TO FACILITY OPERATING LICENSE NO. NPF-69

DOCKET NO. 50-410

Replace the following page of the Operating License with the attached page. The revised page is identified by amendment number and contains a vertical line indicating the area of change.

Remove

5

Insert

5

(6) Initial Startup Test Program (Section 14, SER, SSERs 4 and 5)

Any changes to the Initial Test Program described in Section 14 of the Final Safety Analysis Report made in accordance with the provisions of 10 CFR 50.59 shall be reported in accordance with 50.59(b) within one month of such change.

(7) Operation with Reduced Feedwater Temperature (Section 15.1. SSER 4)

Niagara Mohawk Power Corporation shall not operate the facility with reduced feedwater temperature for the purpose of extending the normal fuel cycle. The facility shall not be operated with a feedwater heating capacity less than that required to produce a feedwater temperature of 405°F at the rated steady-state conditions unless analyses supporting such operations are submitted by Niagara Mohawk Power Corporation and approved by the staff.

(8) Safety Parameter Display System (SPDS) (Section 18.2. SSERs 3 and 5)

Prior to startup following the first refueling outage, Niagara Mohawk Power Corporation shall have operational an SPDS that includes the revisions described in their letter of November 19, 1985. Before declaring the SPDS operational, the licensee shall complete testing adequate to ensure that no safety concerns exist regarding the operation of the Nine Mile Point Nuclear Station, Unit No. 2 SPDS.

(9) Detailed Control Room Design Review (Section 18.1. SSERs 5 and 6)

- (a) Deleted per Amendment No. 24 (12-18-90)
- (b) Prior to startup following the first refueling outage, Niagara Mohawk Power Corporation shall provide the results of the reevaluation of normally lit and nuisance alarms for NRC review in accordance with its August 21, 1986 letter.
- (c) Prior to startup following the first refueling outage, Niagara Mohawk Power Corporation shall complete permanent zone banding of meters in accordance with its August 4, 1986 letter.

(10) Additional Condition 1

The licensee is authorized by Amendment No. 91 to relocate certain Technical Specification requirements previously included in Appendix A to licensee-controlled documents, as described in Table R, Relocated Specifications and Removal of Details Matrix, attached to the NRC Staff's safety evaluation dated February 15, 2000, enclosed with the amendment. Implementation of Amendment No. 91 shall include the relocation of these requirements to the appropriate documents, which shall be completed no later than December 31, 2000. The relocations to the Updated Safety Analysis Report shall be reflected in updates completed in accordance with 10 CFR 50.71(e).

Amendment No. 94, 94

SAFETY EVALUATION BY THE OFFICE OF NUCLEAR REACTOR REGULATION
RELATED TO AMENDMENT NO. 94 TO FACILITY OPERATING LICENSE NO. NPF-69

NIAGARA MOHAWK POWER CORPORATION

NINE MILE POINT NUCLEAR STATION, UNIT NO. 2

DOCKET NO. 50-410

1.0 INTRODUCTION

On February 15, 2000, the NRC staff issued Amendment No. 91 to the operating license of Nine Mile Point Nuclear Station, Unit No. 2, revising the entire Technical Specifications document (TS, Appendix A to Operating License NPF-69) to the format and style of the Improved Technical Specifications (ITS), as described in NUREG-1434, "Standard Technical Specifications for General Electric Plants, BWR/4 and BWR/6," Revision 1, April 1995. Amendment No. 91 requires that all the changes be implemented by the licensee by August 31, 2000.

On March 2, 2000, the NRC staff issued Amendment No. 92, imposing new requirements in the TS on the Oscillation Power Range Monitor system. Amendment No. 92 conveys TS change pages to both the pre-Amendment-No. 91 TS and the ITS. It also requires that all changes be implemented by the licensee by August 31, 2000.

By letter dated July 14, 2000, the licensee proposed to change the implementation dates specified by Amendment Nos. 91 and 92 from August 31, 2000, to December 31, 2000.

2.0 EVALUATION

2.1 Changes to Operating License NPF-69

Amendment No. 91 includes two new license conditions and requires implementation of the ITS by August 31, 2000. License Condition 2.C.(10), "Additional Condition 1," authorizes the relocation of requirements from the pre-Amendment-No. 91 TS to licensee-controlled documents as part of the implementation of the ITS. License Condition 2.C.(10) also stipulates that implementation of Amendment No. 91 be completed no later than August 31, 2000. License Condition 2.C.(11), which does not specify any date, prescribes the schedule for the first performance of new or revised Surveillance Requirements (SRs) relative to the implementation date for Amendment No. 91.

The licensee determined that it would be prudent to allow additional time for the transition to the ITS. Thus, the licensee proposes to amend the operating license to allow a delay in the implementation of the ITS. Specifically, the licensee proposes to revise License Condition

2.C.(10) to change the prescribed implementation date of Amendment No. 91 from August 31, 2000, to December 31, 2000.

The licensee stated that this date change will delay for 4 months (1) ITS implementation, (2) the relocation of requirements to licensee-controlled documents, and (3) the new schedule for the first performances of the new and revised SRs. The licensee explained that the proposed delay is necessary in order to allow operations shift crews a transition period of operating the plant using the pre-Amendment-No. 91 TS and ITS in parallel to familiarize themselves with the differences. This operational transition period is considered by the licensee to be essential to proper ITS implementation. During the 4-month delay, the pre-Amendment-No. 91 TS will continue to remain in effect, and the unit will continue to be operated accordingly.

The staff recognizes that the proposed implementation date change does not affect plant operation, or lead to physical alteration of the function of any structure, system, or component. Its sole effect is to postpone implementation of a revised set of requirements (i.e., ITS) while the old, pre-Amendment-No. 91 TS continues to govern operation of the unit. The staff's safety evaluation associated with Amendment No. 91 has already fully addressed the differences between the pre- and post-Amendment-No. 91 TS, and found the ITS acceptable. This current proposed change simply delays implementation of the ITS from August 31, 2000 to December 31, 2000. This date change is administrative in nature, and the staff agrees with the licensee's basis described above. The change is acceptable.

2.2 Changes to Other Documents Associated with Amendment No. 91

The letter, G. Vissing to J. Mueller, dated February 15, 2000, and transmitting Amendment No. 91 states that the "ITS will become effective upon the date of implementation, but no later than August 31, 2000." That date in that sentence is no longer valid since it is superseded by the new date of December 31, 2000, imposed by Amendment No. 94.

Page 45 of the safety evaluation supporting Amendment No. 91 contains a sentence stating that a license condition (i.e., 2.C.(10)) will be imposed such that all relocation of requirements from the TS to licensee-controlled documents be completed by August 31, 2000. That date in that sentence is now superseded by the new date of December 31, 2000. For relocations to the Updated Safety Analysis Report, the schedules will continue to be governed by 10 CFR 50.71(e).

3.0 STATE CONSULTATION

In accordance with the Commission's regulations, New York State official, Mr. Jack Spath, was notified of the proposed issuance of the amendment. The State official had no comments.

4.0 ENVIRONMENTAL CONSIDERATION

The amendment changes recordkeeping, reporting, or administrative procedures or requirements. Accordingly, the amendment meets the eligibility criteria for categorical exclusion set forth in 10 CFR 51.22(c)(10). Pursuant to 10 CFR 51.22(b) no environmental impact statement or environmental assessment need be prepared in connection with the issuance of the amendment.

The NRC staff published a "Notice of Consideration of Issuance of Amendment to Facility Operating License, Proposed No Significant Hazards Consideration Determination, and

Opportunity for a Hearing” in the Federal Register (65 FR 46183, dated July 27, 2000). No comments resulted from this notice.

5.0 CONCLUSION

The staff has concluded, based on the considerations discussed above, that: (1) there is reasonable assurance that the health and safety of the public will not be endangered by operation in the proposed manner, (2) such activities will be conducted in compliance with the Commission's regulations, and (3) the issuance of the amendment will not be inimical to the common defense and security or to the health and safety of the public.

Principal Contributor: Peter Tam

Date: August 29, 2000