

MAR 14 1983

Docket No. 50-220

Mr. G. K. Rhode
Senior Vice President
Niagara Mohawk Power Corporation
300 Erie Boulevard West
Syracuse, New York 13202

Dear Mr. Rhode:

The Commission has issued the enclosed Order confirming your commitments to implement those post-TMI related items set forth in NUREG-0737 for which the staff requested completion on or after July 1, 1981. This Order is based on the commitment contained in your letter of November 29, 1983, responding to the NRC's Generic Letters 82-05 and 82-10 dated March 17, 1982 and May 5, 1982, respectively.

The Order references your letter and, in its Attachments, contains lists of the applicable NUREG-0737 items with your schedular commitments. As discussed in the Order, several of the items listed in Generic Letter 82-10 will be handled outside of this Order.

The Commission's intention when it issued NUREG-0737 was that items would be completed in accordance with the staff's recommended schedule. However, our evaluation of your proposed schedule exceptions concludes that the proposed delays are acceptable. Among other things, the Order requires implementation of these items in accordance with your proposed schedule.

Some of the items set forth in the Attachment to the Order are subject to post implementation review and inspection. Our post implementation review and/or the development of Technical Specifications may identify alterations to your method of implementing and maintaining the requirements. Any identified alterations will be the subject of future correspondence.

8303290211 830314
PDR ADOCK 05000220
P PDR

OFFICE							
SURNAME							
DATE							

Mr. G. K. Rhode

- 2 -

A copy of this Order is being filed with the Office of the Federal Register for publication.

Sincerely,

ORIGINAL SIGNED BY

V. H. Rooney for

Domenic B. Vassallo, Chief
Operating Reactors Branch #2
Division of Licensing

Enclosure:
Order

cc w/enclosure:
See next page

Dist:	Docket File	SECY	ELJordan
NRC PDR	NSIC	JHeltemes	JMTaylor
LPDR	ORB#2 Reading	ORAB	DEisenhut
SNorris	PPolk	OELD	TBarnhart(4)
RDiggs	ASLAB	Extra-5	Gray
ACRS-10	OPA, C. Miles	RHermann	

OFFICE	DL: ORB#2	DL: ORB#2	DL: ORB#2	DL: ORB#2	DL: ORB#2	DL: D		
SURNAME	SNorris	PPolk	RHermann	DVassallo	GLairas	DEisenhut		
DATE	12/2/82	12/2/82	12/2/82	12/2/82	12/17/82	12/1/82		

Mr. G. K. Rhode
Niagara Mohawk Power Corporation

cc:

Troy B. Conner, Jr. Esq.
Conner & Wetterhahn
Suite 1050
1747 Pennsylvania Ave., NW
Washington, D.C. 20006

Director,
Technological Development Programs
State of New York
Energy Office
Swan Street Building
CORE 1 - Second Floor
Empire State Plaza
Albany, New York 12223

Mr. Robert P. Jones, Supervisor
Town of Scriba
R. D. #4
Oswego, New York 13126

Niagara Mohawk Power Corporation
ATTN: Mr. Thomas Perkins
Plant Superintendent
Nine Mile Point Nuclear Station
P.O. Box 32
Lycoming, New York 13093

U.S. Environmental Protection Agency
Region II Office
Regional Radiation Representative
26 Federal Plaza
New York, New York 10007

Resident Inspector
c/o U.S. NRC
P. O. Box 126
Lycoming, New York 13093

John W. Keib, Esquire
Niagara Mohawk Power Corporation
300 Erie Boulevard West
Syracuse, New York 13202

Ronald C. Haynes
Regional Administrator, Region I
U.S. Nuclear Regulatory Commission
631 Park Avenue
King of Prussia, PA 19406

UNITED STATES OF AMERICA
NUCLEAR REGULATORY COMMISSION

In the Matter of

NIAGARA MOHAWK POWER CORPORATION

(Nine Mile Point Nuclear Station,
Unit No. 1)

Docket No. 50-220

ORDER CONFIRMING LICENSEE COMMITMENTS ON POST-TMI RELATED ISSUES

I.

The Niagara Mohawk Power Corporation (the licensee) is the holder of Facility Operating License No. DPR-63 which authorizes the operation of the Nine Mile Point Nuclear Station, Unit No. 1 (the facility) at steady-state power levels not in excess of 1850 megawatts thermal. The facility is a boiling water reactor (BWR) located at the licensee's site in Oswego County, New York.

II.

Following the accident at Three Mile Island Unit No. 2 (TMI-2) on March 28, 1979, the Nuclear Regulatory Commission (NRC) staff developed a number of proposed requirements to be implemented on operating reactors and on plants under construction. These requirements include Operational Safety, Siting and Design, and Emergency Preparedness and are intended to provide substantial

8303290218 830314
PDR ADDCK 05000220
P PDR

additional protection in the operation of nuclear facilities based on the experience from the accident at TMI-2 and the official studies and investigations of the accident. The staff's proposed requirements and schedule for implementation are set forth in NUREG-0737, "Clarification of TMI Action Plan Requirements." Among these requirements are a number of items, consisting of hardware modifications, administrative procedure implementation and specific information to be submitted by the licensee, scheduled to be completed on or after July 1, 1981. On March 17, 1982, a letter (Generic Letter 82-05) was sent to all licensees of operating power reactors for those items that were scheduled to be implemented from July 1, 1981 through March 1, 1982. Subsequently, on May 5, 1982, a letter (Generic Letter 82-10) was also sent to all licensees of operating power reactors for those items that were scheduled for implementation after March 1, 1982. These letters are hereby incorporated by reference. In these letters each licensee was requested to furnish within 30 days pursuant to 10 CFR 50.54(f) the following information for items which the staff had proposed for completion on or after July 1, 1981:

- (1) For applicable items that have been completed, confirmation of completion and the date of completion,
- (2) For items that have not been completed, a specific schedule for implementation, which the licensee committed to meet, and
- (3) Justification for delay, demonstration of need for the proposed schedule, and a description of the interim compensatory measures being taken.

III.

The licensee responded to Generic Letters 82-05 and 82-10 by letters dated April 16, 1982 and June 7, 1982, respectively. Subsequently, these letters were augmented by letters dated August 20, 1982, September 30, 1982 and October 1, 1982. Finally, Niagara Mohawk forwarded a letter dated November 29, 1982 which superseded all prior correspondence and the schedular commitments contained therein.

In March 1982 the Nine Mile Point plant was shutdown for an extended period in order to replace all recirculation system piping. In order to accomplish this major replacement effort all fuel was removed from the reactor vessel and placed in the spent fuel pool. In September 1982 Niagara Mohawk advised that plant restart was anticipated in September 1983.

By letter dated November 29, 1982 Niagara Mohawk provided the commitments to complete NUREG-0737 items prior to plant startup at the completion of the present extended outage. The attached Table was developed based on this information.

Generic Letter 82-05 applied to a total of 17 items for Boiling Water Reactors. Since Nine Mile Point is a non-jet pump BWR, Item II.K.3.19 which applies only to non-jet pump BWRs is applicable. However, since Nine Mile Point is not equipped with a Reactor Core Isolation Cooling System (RCICS) two items are not applicable, II.K.3.15 and II.K.3.22. Thus, a total of 15 items from Generic Letter 82-05 are applicable to Nine Mile Point.

Generic Letter 82-10 applied to 10 items for Boiling Water Reactors. Of these 10 items six are not included in this Order. Item I.A.1.3.2 is part of a separate rulemaking; Items I.C.1, III.A.1.2 (2 items), and III.A.2.2 will be handled separately following Commission actions that proceed as a result of its consideration of SECY 82-111, as amended; and Items II.K.3.30 and II.K.3.31 (one item) is not required until one year after staff approval of the generic model and staff review of these models has not been completed.

Sixteen of the 19 items addressed in this Order are considered by the licensee to be complete or to require no modifications. The licensee is taking technical exception to one item, II.E.4.2.7 which will be addressed in a separate action and is therefore not included in this Order. The staff's evaluation of the licensee's delay for the remaining items, II.F.1(1) and II.F.1(2) is provided herein.

We find, based upon the above that the licensee's commitment to implement Items II.F.1(1) and II.F.1(2) prior to plant restart at the completion of the present extended outage to be acceptable.

In view of the foregoing, I have determined that these modifications and actions are required in the interest of the public health and safety and that the licensee's commitment should be confirmed by Order.

IV.

Accordingly, pursuant to Sections 103, 161i, and 161o of the Atomic Energy Act of 1954, as amended, and the Commission's regulations in 10 CFR Parts 2 and 50, IT IS HEREBY ORDERED EFFECTIVE IMMEDIATELY THAT THE LICENSEE SHALL:

Implement and maintain the specific items described in the Attachments to this Order in the manner described in the licensee's submittals noted in Section III herein no later than the dates in the Attachments.

V.

The licensee may request a hearing on this Order within 20 days of the date of publication of this Order in the Federal Register. A request for a hearing shall be addressed to the Director, Office of Nuclear Reactor Regulation, U.S. Nuclear Regulatory Commission, Washington, D.C. 20555. A copy shall also be sent to the Executive Legal Director at the same address. A REQUEST FOR HEARING SHALL NOT STAY THE IMMEDIATE EFFECTIVENESS OF THIS ORDER.

If a hearing is requested by the licensee, the Commission will issue an Order designating the time and place of any such hearing.

If a hearing is held concerning this Order, the issue to be considered at the hearing shall be whether the licensee should comply with the requirements set forth in Section IV of this Order. This Order is effective upon issuance.

FOR THE NUCLEAR REGULATORY COMMISSION



Robert A. Purple, Deputy Director
Division of Licensing
Office of Nuclear Reactor Regulation

Dated at Bethesda, Maryland,
this 14th day of March 1983.

Attachments:

1. Licensee's Commitments on Applicable
NUREG-0737 Requirements from Generic
Letter 82-05
2. Licensee's Commitments on Applicable
NUREG-0737 Requirements from Generic
Letter 82-10

LICENSEE'S COMMITMENTS ON APPLICABLE NUREG-0737 ITEMS FROM GENERIC LETTER 82-05

Item	Title	NUREG-0737 Schedule	Requirement	Licensee's Completion Schedule (or status)
I.A.3.1	Simulator Exams	10/1/81	Include simulator exams in licensing examinations	Complete
II.B.2	Plant Shielding	1/1/82	Modify facility to provide access to vital areas under accident conditions	Complete
II.B.3	Post-Accident Sampling	1/1/82	Install upgraded post-accident sampling capability	Complete
II.B.4	Training for Mitigating Core Damage	10/1/81	Complete training program	Complete
II.E.4.2	Containment Isolation Dependability	7/1/81	Part 5-lower containment pressure setpoint to level compatible w/normal operation	Complete
		7/1/81	Part 7-isolate purge* & vent valves on radiation signal	Technical Exception
II.F.1	Accident Monitoring	1/1/82	(1) Install noble gas effluent monitors	To be completed prior to plant start-up for resumption of Cycle 7
		1/1/82	(2) Provide capability for effluent monitoring of iodine	To be completed prior to plant start-up for resumption of Cycle 7
		1/1/82	(3) Install incontainment radiation-level monitors	Complete

*Not Part of Confirmatory Order

LICENSEE'S COMMITMENTS ON APPLICABLE NUREG-0737 ITEMS FROM GENERIC LETTER 82-05

Item	Title	NUREG-0737	Requirement	Licensee's Completion Schedule (or status)
II.F.1		1/1/82	(4) Provide continuous indication of containment pressure	Complete
		1/1/82	(5) Provide continuous indication of containment water level	Complete
		1/1/82	(6) Provide continuous indication of hydrogen concentration in containment	Complete
II.K.3.15	Isolation of* HPCI & RCIC Modification	7/1/81	Modify pipe break detection logic to prevent inadvertent isolation	Not Applicable
II.K.3.19	Interlock Recirculation Pump Modification	7/1/81	Install interlocks on recirculation pump loops	Complete
II.K.3.22	RCIC Suction*	1/1/82	Modify design of RCIC suction to provide automatic transfer to torus	Not Applicable
II.K.3.24	Space Cooling for HPCI/RCIC	1/1/82	Confirm the adequacy of space cooling for HPCI/RCIC	Complete
II.K.3.27	Common reference level	7/1/81	Provide common reference level for vessel level instrumentation	Complete

*Not Part of Confirmatory Order

Attachment 2

LICENSEE'S COMMITMENTS ON APPLICABLE NUREG-0737 ITEMS FROM GENERIC LETTER 82-10

Item	Title	NUREG-0737	Requirement	Licensee's Completion Schedule (or status)
1.A.1.3.1	Limit Overtime	10/1/82 per Gen. Ltr. 82-12 dtd 6/15/82	Revise administrative procedures to limit overtime in accordance w/NRC Policy Statement issued by Generic Ltr. No. 82-12, dtd 6/15/82	Complete
1.A.1.3.2	Minimum Shift* Crew	To be superseded by Proposed Rule	To be addressed in the Final Rule on Licensed Operator Staffing at Nuclear Power Units	To be addressed when Final Rule is issued
I.C.1	Revise Emergency* Procedures	Superseded by SECY 82-111	Reference SECY 82-111, Requirements for Emergency Response Capability	To be determined
II.D.1.2	RV and SV Test Programs	7/1/82	Submit plant specific reports on relief and safety valve program	Complete
II.K.3.18	ADS Actuation	9/30/82	Submit revised position on need for modifications	Complete
II.K.3.30 & 31	SBLOCA Analysis*	1 yr. after staff approval of model	Submit plant specific analyses	To be determined following staff approval of model
III.A.1.2	Staffing Levels* for Emergency Situations	Superseded by SECY 82-111	Reference SECY 82-111, Requirements for Emergency Response Capability	To be determined

*Not Part of Confirmatory Order

LICENSEE'S COMMITMENTS ON APPLICABLE NUREG-0737 ITEMS FROM GENERIC LETTER 82-10

Item	Title	NUREG-0737	Requirement	Licensee's Completion Schedule (or status)
III.A.1.2	Upgrade Emer* gency Support Facilities	Superseded by SECY 82-111	Reference SECY 82- 111, Requirements for Emergency Response Capability	To be determined
III.A.2.2	Meteorological* Data	Superseded by SECY 82-111	Reference SECY 82- 111, Requirements for Emergency Response Capability	To be determined
III.D.3.4	Control Room Habitability	To be Determined by licensee	Modify facility as determined by licensee study	To be completed prior to plant startup for Cycle 8 operation

*Not Part of Confirmatory Order