

CP 55

Docket No. 50-220

Mr. Donald P. Dise  
Vice President - Engineering  
c/o Miss Catherine R. Seibert  
Niagara Mohawk Power Corporation  
300 Erie Boulevard West  
Syracuse, New York 13202

DEC 23, 1982

Dear Mr. Dise:

SUBJECT: NINE MILE POINT NUCLEAR POWER STATION UNIT NO. 1 ANNUAL EMERGENCY PREPAREDNESS EXERCISE

Enclosed is an approved Exemption dated December 23, 1982, which exempts you on a one time basis from the annual emergency preparedness exercise requirement of Section IV.F.1 of Appendix E to 10 CFR 50. The Exemption is in response to your request dated August 20, 1982 as revised by letter dated October 6, 1982.

The Exemption allows the next exercise to be conducted anytime during the 12-month period prior to achieving 5% of rated power at the completion of your current extended outage. Had this Exemption not been granted such an exercise would have been required in September 1982.

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

Sincerely,

ORIGINAL SIGNED BY

Domenic B. Vassallo, Chief  
Operating Reactors Branch No.2  
Division of Licensing

Enclosure:  
Exemption

cc: See next page

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was conducted at the Nine Mile Point Nuclear Station Unit No. 1 during September 1981. The next annual exercise, therefore, was due to be conducted in September 1982. The licensee requests that it be granted an exemption on a one-time basis to allow the next exercise to be conducted within 12 months prior to achieving 5% of rated power at the completion of the current extended outage.

The licensee indicates that scheduling problems and constraints are being experienced during the current plant outage. A significant workload has been undertaken necessitated by the replacement of recirculation system piping. The licensee has also stated that all nuclear fuel has been removed from the reactor and is stored in the spent fuel pool. Finally, the licensee has committed to continual training of personnel as outlined in the Nine Mile Point Nuclear Station Emergency Plan to ensure that personnel remain familiar with emergency response duties.

The last exercise at Nine Mile Point was held on September 16, 1981. The James A. FitzPatrick Nuclear Power Plant is adjacent to the Nine Mile plant and located on the same site. Subsequent to this Nine Mile exercise a full-scale exercise was conducted by FitzPatrick personnel on August 11, 1982. These two exercises provide assurance regarding the capability of State and local officials to respond to an emergency at either nuclear plant.

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Based on the above, we conclude that the licensee's request for a one time delay of the next emergency preparedness exercise at the Nine Mile plant until the completion of the current outage is reasonable and that granting the request will not adversely affect the state of emergency preparedness at Nine Mile Point. We conclude, therefore, that the licensee's request for exemption should be granted.


### III

Accordingly, the Commission has determined that, pursuant to 10 CFR 50.12, the exemption requested by the licensee's letter of August 20, 1982, as revised by letter dated October 6, 1982, as discussed above, is authorized by law and will not endanger life or property or the common defense and security, and is otherwise in the public interest. The exemption is hereby ganted as follows:

In order to allow for schedule changes, the next emergency preparedness exercise at the Nine Mile Point Nuclear Station, Unit No. 1 shall be conducted anytime during the 12 month period prior to achieving 5% of rated power at the completion of the current extended maintenance outage. This exercise shall include appropriate participation by the State and local authorities.

The Commission has determined that the granting of this Exemption will not result in any significant environmental impact and that pursuant to 10 CFR 51.5(d)(4) an environmental impact statement or negative declaration and environmental impact appraisal need not be prepared in connection with this action.

FOR THE NUCLEAR REGULATORY COMMISSION

  
Darrell G. Eisenhut, Director  
Division of Licensing

Dated at Bethesda, Maryland this 23rd day of December, 1982.