

Docket No. 50-220

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Mr. Donald P. Dise
Vice President - Engineering
Niagara Mohawk Power Corporation
300 Erie Boulevard West
Syracuse, New York 13202

Dear Mr. Dise:

SUBJECT: ORDER FOR MODIFICATION OF LICENSE CONCERNING BWR SCRAM
DISCHARGE SYSTEMS



We have completed our review of your requested Modification of Order as submitted in your letter of February 6, 1981. This letter transmits an Order for Modification of License which modifies the Order issued January 9, 1981. This Order permits the installation of permanent modifications to improve the hydraulic coupling between the scram discharge volume and the scram level instrumentation in lieu of the temporary measures otherwise required to be in place by April 9, 1981. A copy of the Order is being filed with the Office of the Federal Register for publication.

Sincerely,

Thomas A. Ippolito, Chief
Operating Reactors Branch #2
Division of Licensing

Enclosure:
Order

cc w/enclosure:
See next page

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SURNAME	PPolk:mjf	SNorris	Tippolito	Jim Lieberman	DGET:out	TNovak
DATE	2/27/81	2/27/81	3/2/81	3/17/81		3/17/81



UNITED STATES
NUCLEAR REGULATORY COMMISSION
WASHINGTON, D. C. 20555

March 31, 1981

Docket No. 50-220

Mr. Donald P. Dise
Vice President - Engineering
Niagara Mohawk Power Corporation
300 Erie Boulevard West
Syracuse, New York 13202

Dear Mr. Dise:

SUBJECT: ORDER FOR MODIFICATION OF LICENSE CONCERNING BWR SCRAM
DISCHARGE SYSTEMS

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Sincerely,

A handwritten signature in cursive script, appearing to read "T. Ippolito".

Thomas A. Ippolito, Chief
Operating Reactors Branch #2
Division of Licensing

Enclosure:
Order

cc w/enclosure:
See next page

Mr. Donald P. Dise
Niagara Mohawk Power Corporation

- 2 -

March 31, 1981

cc:

Eugene B. Thomas, Jr., Esquire
LeBoeuf, Lamb, Leiby & MacRae
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Suite 1100
Washington, D. C. 20036

T. K. BeBoer, 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 Plant
300 Erie Boulevard West
Syracuse, New York 13202

Director, Criteria and Standards
Division
Office of Radiation Programs (ANR-460)
U. S. Environmental Protection Agency
Washington, D. C. 20460

U. S. Environmental Protection Agency
Region II Office
ATTN: EIS COORDINATOR
26 Federal Plaza
New York, New York 10007

State University at Oswego
Penfield Library - Documents
Oswego, New York 13126

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

UNITED STATES OF AMERICA
NUCLEAR REGULATORY COMMISSION

In the Matter of)	
)	
NIAGARA MOHAWK POWER CORPORATION)	Docket No. 50-220
)	
(Nine Mile Point Nuclear Station,)	
Unit No. 1))	

ORDER FOR MODIFICATION OF LICENSE

I.

The Niagara Mohawk Power Company (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, at steady state reactor power levels not in excess of 1850 megawatts thermal (rated power). The facility consists of a boiling water reactor located at the licensee's site in Oswego County, New York.

II.

On January 9, 1981 the Commission issued an Order modifying the license, effective immediately, requiring an operable automatic system to initiate control rod insertion at low pressure in the control air header. The Order, published in the Federal Register on January 20, 1981 (46 FR9287) required the automatic air header dump system to be operable by April 9, 1981 or the facility be placed in cold shutdown within 72 hours. The automatic air dump system was intended to provide an additional measure of protection for credible degraded air conditions in the BWR control air system pending the completion of the long term solution to these conditions.

III.

The licensee, by letter dated February 6, 1981, requested a modification of the January 9, 1981 Order for Modification of license to permit the installation of a permanent modification for a long term solution which would meet Design Criteria 1 of the staff's generic Safety Evaluation Report, BWR Scram Discharge System, dated December 1, 1980. The licensee expects to install the permanent modification during its current refueling outage such that there is no need to install the short term modifications required in the January 9, 1981 Order. I have determined that after April 9, 1981, the public health, safety and interest requires for operation of the facility either the completion of the short term requirements of the January 9, 1981 Order or completion of the long term requirements described in Design Criterion 1 of the December 1, 1980 SER.

IV.

Accordingly, pursuant to the Atomic Energy Act of 1954, as amended, including Sections 103 and 161i, and the Commission's rules and regulations in 10 CFR Parts 2 and 50, IT IS ORDERED EFFECTIVE IMMEDIATELY, that the January 9, 1981 Order for Modification of License be amended to add the following condition:

As an alternative to the Automatic Dump System described in section IV of the January 9, 1981 Order for Modification of License, the licensee may install permanent modifications to improve the SDV-IV hydraulic coupling, provided that: (1) the modifications are installed prior to power operation after April 9, 1981, (2) the

modifications meet Design Criterion 1 in the staff's generic SER dated December 1, 1981, and (3) appropriate Technical Specification changes are approved prior to power operation after April 9, 1981.

V.

Any person whose interests may be affected by this Order may request a hearing within 20 days of the date of publication of this Order in the Federal Register. Any request for a hearing will not stay the effective date of this Order. Any request for a hearing shall be addressed to the Director, Office of Nuclear Reactor Regulation, U. S. Nuclear Regulatory Commission, Washington, D. C. 20555, and shall set forth with particularity the nature of their interest and the manner in which such interest may be affected by this Order. A copy of the request should also be sent to the Executive Legal Director, U. S. Nuclear Regulatory Commission, Washington, D. C. 20555.

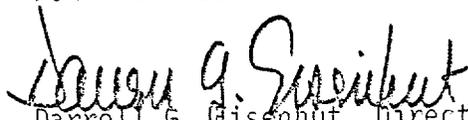
VI.

If a hearing is held concerning this Order, the issue to be considered at the hearing shall be:

Whether the licensee may install permanent modifications meeting Design Criterion 1 of the December 1, 1980 SER in lieu of the air dump system required by the January 9, 1981 Order.

Operation of the facility on terms consistent with this Order is not stayed by the pendency of any proceedings on the Order.

FOR THE NUCLEAR REGULATORY COMMISSION



Darrell G. Eisenhut, Director
Division of Licensing
Office of Nuclear Reactor Regulation

Dated:
Bethesda, Maryland