

June 12, 1984

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:

SUBJECT: ISSUANCE OF ORDER CONFIRMING LICENSEE COMMITMENTS
ON EMERGENCY RESPONSE CAPABILITY

The Commission has issued the enclosed Order confirming your commitments on emergency response capability for the Nine Mile Point Nuclear Station, Unit No. 1. This Order is based on your letters dated April 15, July 7, and September 30, 1983 and February 1, 1984, committing to the actions specified in the Order.

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

Sincerely,

Original signed by/

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

Enclosure:
Order

cc w/enclosure:
See next page
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SNorris	SECY (w/transmittal form)
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*Please see previous concurrence page.

OFFICE	ORB#2:DL	ORB#2:DL	ORB#2:DL	DL:ORB#5	AD-OR:DL	OELD	DIR:DL
SURNAME	SNorris	RHermann	DVassallo	DCrutchfield	GLainas	SBurns	DEisenhut
DATE	10/14/83	10/14/83	10/14/83	10/17/83	10/17/83	11/04/83	6/12/84

Mr. G. K. Rhode
Niagara Mohawk Power Corporation
Nine Mile Point Nuclear Station, Unit No. 1

cc:

Troy B. Conner, Jr., Esq.
Conner & Wetterhahn
Suite 1050
1747 Pennsylvania Avenue, N. W.
Washington, D. C. 20006

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
Post Office 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
U. S. Nuclear Regulatory Commission
Post Office Box 126
Lycoming, New York 13093

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

Thomas A. Murley
Regional Administrator
Region I Office
U. S. Nuclear Regulatory Commission
631 Park Avenue
King of Prussia, Pennsylvania 19406

Mr. Jay Dunkleberger
Division of Policy Analysis and Planning
New York State Energy Office
Agency Building 2, Empire State Plaza
Albany, New York 12223

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 CONFIRMING LICENSEE COMMITMENTS
ON EMERGENCY RESPONSE CAPABILITY

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 additional protection in the operation of nuclear facilities and significant upgrading of emergency response capability based on the experience from the accident at TMI-2 and the official studies and investigations of the accident. The requirements are set forth in NUREG-0737, "Clarification of TMI Action Plan Requirements," and in Supplement 1 to NUREG-0737, "Requirements for Emergency Response Capability." Among these requirements

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are a number of items consisting of emergency response facility operability, emergency procedure implementation, addition of instrumentation, possible control room design modifications, and specific information to be submitted.

On December 17, 1982, a letter (Generic Letter 82-33) was sent to all licensees of operating reactors, applicants for operating licenses, and holders of construction permits enclosing Supplement 1 to NUREG-0737. In this letter operating reactor licensees and holders of construction permits were requested to furnish the following information, pursuant to 10 CFR 50.54(f), no later than April 15, 1983:

- (1) A proposed schedule for completing each of the basic requirements for the items identified in Supplement 1 to NUREG-0737, and
- (2) A description of plans for phased implementation and integration of emergency response activities including training.

III.

Niagara Mohawk responded to Generic Letter 82-33 by letter dated April 15, 1983. By letter dated July 7, 1983, Niagara Mohawk modified a date as a result of negotiations with the NRC staff. By letter dated September 30, 1983, Niagara Mohawk provided a firm completion date for the final summary report and schedule for the detailed control room design review. In these submittals, Niagara Mohawk made commitments to complete the basic requirements. By letter dated February 1, 1984, Niagara Mohawk provided the following: firm completion dates for the fully operational Safety Parameter Display System and Emergency Operations Facility; informed the NRC the Operational Support Center is fully functional; and committed to providing a firm

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completion date for the Technical Support Center by May 1, 1984. The attached Table summarizing Niagara Mohawk's schedular commitments or status was developed by the NRC staff from the Generic Letter and the information provided by the licensee.

Niagara Mohawk's commitments include (1) dates for providing required submittals to the NRC, (2) dates for implementing certain requirements, and (3) a schedule for providing implementation dates for other requirements. These latter implementation dates will be reviewed, negotiated and confirmed by a subsequent order.

The NRC staff reviewed Niagara Mohawk's April 15, 1983 letter and entered into negotiations with the licensee regarding schedules for meeting the requirements of Supplement 1 to NUREG-0737. As a result of these negotiations, the licensee modified certain dates by letters dated July 7 and September 30, 1983 and February 1, 1984. The NRC staff finds that the modified dates are reasonable, achievable dates for meeting the Commission requirements. The NRC staff concludes that the schedule proposed by the licensee will provide timely upgrading of the licensee's emergency response capability.

In view of the foregoing, I have determined that the implementation of Niagara Mohawk's commitments are required in the interest of the public health and safety and should, therefore, be confirmed by an immediately effective Order.

IV.

Accordingly, pursuant to Sections 103, 161i, 161o and 182 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:

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Implement the specific items described in the Attachment to this ORDER in the manner described in Niagara Mohawk's submittals noted in Section III herein no later than the dates in the Attachment.

Extensions of time for completing these items may be granted by the Director, Division of Licensing, for good cause shown.

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. Any request for a hearing should be addressed to the Director, Office of Nuclear Reactor Regulation, U.S. Nuclear Regulatory Commission, Washington, D.C. 20555. A copy should 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 to be held, 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


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

Dated at Bethesda, Maryland,
this 12 day of June, 1984.

Attachment:
Licensee's Commitments on
Requirements Specified in
Supplement 1 to NUREG-0737

LICENSEE'S COMMITMENTS ON SUPPLEMENT 1 TO NUREG-0737

TITLE	REQUIREMENT	LICENSEE'S COMPLETION SCHEDULE (OR STATUS)
1. Safety Parameter Display System (SPDS)	1a. Submit a safety analysis and an implementation plan to the NRC.	January 1, 1984 (Submitted)
	1b. SPDS fully operational and operators trained.	1986 Refueling Outage
2. Detailed Control Room Design Review (DCRDR)	2a. Submit a program plan to the NRC.	October 1, 1983 (submitted)
	2b. Submit a summary report to the NRC including a proposed schedule for implementation.	January 1, 1985
3. Regulatory Guide 1.97 - Application to Emergency Response Facilities	3a. Submit a report to the NRC describing how the requirements of Supplement 1 to NUREG-0737 have been or will be met.	April 1, 1984 (Submitted)
	3b. Implement (installation or upgrade) requirements.	Complete

LICENSEE'S COMMITMENTS ON SUPPLEMENT 1 TO NUREG-0737

TITLE	REQUIREMENT	LICENSEE'S COMPLETION SCHEDULE (OR STATUS)
4. Upgrade Emergency Operating Procedures (EOPs)	4a. Submit a Procedures Generation Package to the NRC.	March 1, 1984 (Submitted)
	4b. Implement the upgraded EOPs.	1986 Refueling Outage
5. Emergency Response Facilities	5a. Technical Support Center fully functional.	Submit a firm completion date by May 1, 1984. C
	5b. Operational Support Center fully functional.	Complete February 1, 1984
	5c. Emergency Operations Facility fully functional.	December 31, 1985