

March 5, 1981

MAR 5 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:

The Commission has issued the enclosed Amendment No. 40 to Facility Operating License No. DPR-63 for the Nine Mile Point Nuclear Station Unit 1 in response to your submittal of March 11, 1980.

The amendment modifies License No. DPR-63 to include a requirement to maintain a Safeguards Contingency Plan to be fully implemented, in accordance with 10 CFR 73.40(b), within 30 days of this approval by the Commission.

We have completed our review and evaluation of your Safeguards Contingency Plan and have concluded that the plan for your facility, when fully implemented, will provide the protection needed to meet the general performance requirements of 10 CFR 50.54(p) and 73.40(b) and the objectives of the specific requirements of 10 CFR 73.55(h) and Appendix C to 10 CFR 73. We, therefore, further conclude that your Safeguards Contingency Plan is acceptable.

Changes which would not decrease the effectiveness of your approved Safeguards Contingency Plan may be made without approval by the Commission pursuant to the authority of 10 CFR 50.54(p). A report containing a description of each change shall be furnished to the Director, Office of Nuclear Reactor Regulation, U. S. Nuclear Regulatory Commission, Washington, D. C. 20555, with a copy to the appropriate NRC Regional Office within two months after the change is made. Records of changes made without Commission approval shall be maintained for a period of two years from the date of the change.

The amendment applies to the Safeguards Contingency Plan and therefore does not authorize a change in effluent types or total amounts nor an increase in power level, and will not result in any significant environmental impact. Having made this determination, we have further concluded that the amendment involves an action which is insignificant from the standpoint of environmental impact and pursuant to 10 CFR 51.5(d)(4) that an environmental impact statement, or negative declaration and environmental impact appraisal need not be prepared in connection with the issuance of the amendment.

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Mr. Donald P. Dise

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Since the amendment applies to the Safeguards Contingency Plan, it does not involve a significant increase in the probability or consequences of an accident, does not involve a significant decrease in a safety margin, and therefore does not involve a significant hazards consideration. We have also concluded that there is reasonable assurance that the health and safety of the public will not be endangered by this action and that the issuance of the amendment will not be inimical to the common defense and security or to the health and safety of the public.

We will continue to withhold your Safeguards Contingency Plan and related materials from public disclosure in accordance with the provisions of 10 CFR 2.790(d).

A copy of the Notice of Issuance is also enclosed.

Sincerely,

Original Signed by

T. A. Ippolito

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

Enclosures:

1. Amendment No. 40 to DPR-63
2. Notice

cc w/enclosures:

See next page

Concurrence as to Form  
OF FR NOTICE AND Amendment  
ONLY AS REQD - SEE COMMENTS

OFFICE	ORB #2	ORB #2	AD:OR	OELD	ORB #2		
SURNAME	SNorris	PPalk:mjf	TNovak	B. B. B. B. B.	Tippolito		
DATE	2/23/81	2/23/81	2/23/81	2/23/81	2/23/81		



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

March 5, 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:

The Commission has issued the enclosed Amendment No. 40 to Facility Operating License No. DPR-63 for the Nine Mile Point Nuclear Station Unit 1 in response to your submittal of March 11, 1980.

The amendment modifies License No. DPR-63 to include a requirement to maintain a Safeguards Contingency Plan to be fully implemented, in accordance with 10 CFR 73.40(b), within 30 days of this approval by the Commission.

We have completed our review and evaluation of your Safeguards Contingency Plan and have concluded that the plan for your facility, when fully implemented, will provide the protection needed to meet the general performance requirements of 10 CFR 50.54(p) and 73.40(b) and the objectives of the specific requirements of 10 CFR 73.55(h) and Appendix C to 10 CFR 73. We, therefore, further conclude that your Safeguards Contingency Plan is acceptable.

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The amendment applies to the Safeguards Contingency Plan and therefore does not authorize a change in effluent types or total amounts nor an increase in power level, and will not result in any significant environmental impact. Having made this determination, we have further concluded that the amendment involves an action which is insignificant from the standpoint of environmental impact and pursuant to 10 CFR 51.5(d)(4) that an environmental impact statement, or negative declaration and environmental impact appraisal need not be prepared in connection with the issuance of the amendment.

Mr. Donald P. Dise

- 2 -

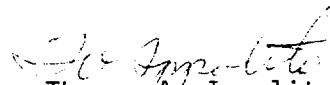
March 5, 1981

Since the amendment applies to the Safeguards Contingency Plan, it does not involve a significant increase in the probability or consequences of an accident, does not involve a significant decrease in a safety margin, and therefore does not involve a significant hazards consideration. We have also concluded that there is reasonable assurance that the health and safety of the public will not be endangered by this action and that the issuance of the amendment will not be inimical to the common defense and security or to the health and safety of the public.

We will continue to withhold your Safeguards Contingency Plan and related materials from public disclosure in accordance with the provisions of 10 CFR 2.790(d).

A copy of the Notice of Issuance is also enclosed.

Sincerely,

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

Enclosures:

1. Amendment No. 40 to DPR-63
2. Notice

cc w/enclosures:  
See next page

Mr. Donald P. Dise  
Niagara Mohawk Power Corporation

- 3 -

March 5, 1981

cc:

Eugene B. Thomas, Jr., Esquire  
LeBoeuf, Lamb, Leiby & MacRae  
1333 New Hampshire Avenue, N. W.  
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  
NUCLEAR REGULATORY COMMISSION  
WASHINGTON, D. C. 20555

NIAGARA MOHAWK POWER CORPORATION

DOCKET NO. 50-220

NINE MILE POINT NUCLEAR STATION UNIT 1

AMENDMENT TO FACILITY OPERATING LICENSE

Amendment No. 40  
License No. DPR-63

1. The Nuclear Regulatory Commission (the Commission) has found that:
  - A. The filing (which is being handled by the Commission as an application) by Niagara Mohawk Power Corporation (the licensee) dated March 11, 1980, 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 I;
  - 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, Facility Operating License No. DPR-63 is hereby amended by revising paragraph 2.D(4) to read as follows:

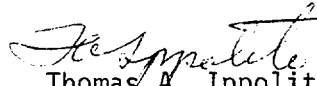
(4) Security Plan

The licensee shall maintain in effect and fully implement all provisions of the Commission-approved physical security plan, including amendments and changes made pursuant to the authority of 10 CFR 50.54(p). The approved security plan consists of documents withheld from public disclosure pursuant to 10 CFR 2.790(d), referred to as Nine Mile Point Nuclear Station, Unit No. 1 Physical Security Plan dated June 15, 1978, June 19, 1978, December 8, 1978 and March 4, 1980 includes as a revised Chapter 8

the Commission-approved Safeguards Contingency Plan. The Contingency Plan was submitted pursuant to 10 CFR 73.40, and shall be fully implemented in accordance with 10 CFR 73.40(b), within 30 days of this approval by the Commission.

3. This license amendment is effective as of the date of issuance.

FOR THE NUCLEAR REGULATORY COMMISSION

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

Date of Issuance: March 5, 1981

UNITED STATES NUCLEAR REGULATORY COMMISSIONDOCKET NO. 50-220NOTICE OF ISSUANCE OF AMENDMENT TO FACILITY  
OPERATING LICENSE

The U. S. Nuclear Regulatory Commission (the Commission) has issued Amendment No. 40 to Facility Operating License No. DPR-63, issued to Niagara Mohawk Power Corporation (the licensee), which revised the license for operation of the Nine Mile Point Nuclear Station Unit 1 (the facility), located in Oswego County, New York. The amendment is effective as of the date of issuance and is to be fully implemented within 30 days of Commission approval in accordance with the provisions of 10 CFR 73.40(b).

The amendment adds a license condition to include the Commission-approved Safeguards Contingency Plan as part of the license.

The licensee's filing, which is being handled by the Commission as an application, complies with the standards and requirements of the Atomic Energy Act of 1954, as amended (the Act), and the Commission's rules and regulations. The Commission has made appropriate findings as required by the Act and the Commission's rules and regulations in 10 CFR Chapter I, which are set forth in the license amendment. Prior public notice of the amendment was not required since the amendment does not involve a significant hazards consideration.

The Commission has determined that the issuance of the amendment 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 issuance of the amendment.

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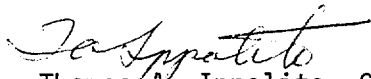
- 2 -

The licensee's filing dated March 11, 1980 is being withheld from public disclosure pursuant to 10 CFR 2.790(d). The withheld information is subject to disclosure in accordance with the provisions of 10 CFR §9.12.

For further details with respect to this action, see (1) Amendment No. 40 to License No. DPR-63 and (2) the Commission's related letter to the licensee dated March 5, 1981. These items are available for public inspection at the Commission's Public Document Room, 1717 H Street, N. W. Washington, D. C. and at the Penfield Library, State University College of Oswego, New York. A copy of items (1) and (2) may be obtained upon request addressed to the U. S. Nuclear Regulatory Commission, Washington, D. C. 20555, Attention: Director, Division of Licensing.

Dated at Bethesda, Maryland this 5th day of March 1981.

FOR THE NUCLEAR REGULATORY COMMISSION

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