

October 25, 1991

Docket No. 50-220
and 50-410

Mr. B. Ralph Sylvia
Executive Vice President, Nuclear
Niagara Mohawk Power Corporation
301 Plainfield Road
Syracuse, New York 13212

Dear Mr. Sylvia:

DISTRIBUTION:

<u>Docket File</u>	D. Brinkman
NRC & Local PDRs	C. Vogan
PDI-1 Reading	OGC
S. Varga	E. Jordan
J. Calvo	ACRS (10)
R. A. Capra	GPA/PA
Plant File	R. Erickson
J. Menning	C. Cowgill

SUBJECT: NOTICE OF ENVIRONMENTAL ASSESSMENT FOR NINE MILE POINT
NUCLEAR STATION UNIT NOS. 1 AND 2 (TAC NOS. 81713 AND 81714)

Enclosed for your information is a copy of a "Notice of Environmental Assessment and Finding of No Significant Impact." This notice relates to your application dated September 19, 1991, in which you requested a one-time exemption from the requirement of 10 CFR Part 50, Appendix E, Section IV.F.2, to conduct the annual exercise of the Nine Mile Point emergency plan in 1991.

The notice has been forwarded to the Office of the Federal Register for publication.

Sincerely,

Original signed by:

Robert A. Capra, Director
Project Directorate I-1
Division of Reactor Projects - I/II
Office of Nuclear Reactor Regulation

Enclosure:
As stated

cc w/enclosure:
See next page

OFC	:PDI-1:LA	:PDI-1:PM	:PDI-1:PM	:PEPB	:OGC
NAME	:CVogan	:DBrinkman	:Menning	:RErickson	:J. Hall
DATE	:10/9/91	:10/9/91	:10/9/91	:10/9/91	:10/10/91

OFC	:PDI-1:D	:	:	:	:
NAME	:RACapra	:	:	:	:
DATE	:10/25/91	:	:	:	:

OFFICIAL RECORD COPY
Document Name: NMP1/2 EA TAC NOS. 81713/4

NRC FILE CENTER 9220V

9111130278 911025
PDR ADOCK 05000220
P PDR



Docket Nos. 50-220
and 50-410

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

October 25, 1991

Mr. B. Ralph Sylvia
Executive Vice President, Nuclear
Niagara Mohawk Power Corporation
301 Plainfield Road
Syracuse, New York 13212

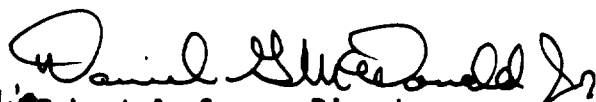
Dear Mr. Sylvia:

SUBJECT: NOTICE OF ENVIRONMENTAL ASSESSMENT FOR NINE MILE POINT
NUCLEAR STATION UNIT NOS. 1 AND 2 (TAC NOS. 81713 AND 81714)

Enclosed for your information is a copy of a "Notice of Environmental Assessment and Finding of No Significant Impact." This notice relates to your application dated September 19, 1991, in which you requested a one-time exemption from the requirement of 10 CFR Part 50, Appendix E, Section IV.F.2, to conduct the annual exercise of the Nine Mile Point emergency plan in 1991.

The notice has been forwarded to the Office of the Federal Register for publication.

Sincerely,


Robert A. Capra, Director
Project Directorate I-1
Division of Reactor Projects - I/II
Office of Nuclear Reactor Regulation

Enclosure:
As stated

cc w/enclosure:
See next page

Mr. B. Ralph Sylvia
Niagara Mohawk Power Corporation

Nine Mile Point Nuclear Station
Unit Nos. 1 and 2

cc:

Mr. Mark J. Wetterhahn, Esquire
Winston & Strawn
1400 L Street, NW.
Washington, D.C. 20005-3502

Mr. Kim Dahlberg
Unit 1 Station Superintendent
Nine Mile Point Nuclear Station
Post Office Box 32
Lycoming, New York 13093

Supervisor
Town of Scriba
Route 8, Box 382
Oswego, New York 13126

Mr. Martin J. McCormick Jr.
Plant Manager, Unit 2
Nine Mile Point Nuclear Station
Post Office Box 32
Lycoming, New York 13093

Mr. Joseph F. Firlit
Vice President - Nuclear Generation
Niagara Mohawk Power Corporation
Nine Mile Point Nuclear Station
Post Office Box 32
Lycoming, New York 13093

Charlie Donaldson, Esquire
Assistant Attorney General
New York Department of Law
120 Broadway
New York, New York 10271

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

Mr. Paul D. Eddy
State of New York Department of
Public Service
Power Division, System Operations
3 Empire State Plaza
Albany, New York 12223

Mr. Gary D. Wilson, Esquire
Niagara Mohawk Power Corporation
300 Erie Boulevard West
Syracuse, New York 13202

Mr. David K. Greene
Manager Licensing
Niagara Mohawk Power Company
301 Plainfield Road
Syracuse, New York 13212

Regional Administrator, Region I
U. S. Nuclear Regulatory Commission
475 Allendale Road
King of Prussia, Pennsylvania 19406

Mr. Richard Goldsmith
Syracuse University
College of Law
E. I. White Hall Campus
Syracuse, New York 12223

Ms. Donna Ross
New York State Energy Office
2 Empire State Plaza
16th Floor
Albany, New York 12223

Mr. Richard M. Kessel
Chair and Executive Director
State Consumer Protection Board
99 Washington Avenue
Albany, New York 12210

UNITED STATES NUCLEAR REGULATORY COMMISSION
NIAGARA MOHAWK POWER CORPORATION
DOCKET NOS. 50-220 AND 50-410
NOTICE OF ENVIRONMENTAL ASSESSMENT AND FINDING OF
NO SIGNIFICANT IMPACT

The U. S. Nuclear Regulatory Commission (the Commission) is considering issuance of an exemption from the requirement of 10 CFR Part 50, Appendix E, Section IV.F.2, to Niagara Mohawk Power Corporation (the licensee) for Nine Mile Point Nuclear Station Unit Nos. 1 and 2, located in Oswego County, New York.

ENVIRONMENTAL ASSESSMENT

Identification of Proposed Action:

By letter dated September 19, 1991, the licensee requested an exemption pursuant to 10 CFR 50.12(a) from the requirement of 10 CFR Part 50, Appendix E, Section IV.F.2, to conduct the annual exercise of the Nine Mile Point Nuclear Station emergency plan in 1991. The licensee had planned to conduct an exercise of its emergency plan on October 1, 1991. The scheduled exercise was to be the annual off-year exercise with only partial participation by State and local emergency response organizations since they had fully participated in the 1991 exercises at the FitzPatrick and Ginna sites. The previous emergency preparedness exercise at the Nine Mile Point Nuclear Station was conducted on October 2, 1990. The licensee requests that an exemption be granted because the requirement to perform an exercise of the Nine Mile Point Nuclear Station emergency plan in 1991 is not necessary to achieve the underlying purpose of

the emergency planning rule in that the emergency plan was adequately exercised and demonstrated in 1991 during the licensee's response to the Site Area Emergency event on August 13, 1991. A Site Area Emergency was declared at Nine Mile Point Nuclear Station Unit 2 on August 13, 1991, in response to the loss of annunciators coincident with a transformer fault and an automatic shutdown of the reactor. Upon declaration of the Site Area Emergency, the licensee implemented its Site Emergency Plan and attendant procedures. The Operations Support Center, Technical Support Center, Emergency Operations Facility, Joint News Center, Oswego County Emergency Operations Center, and the New York State Emergency Operations Center were staffed and activated. The proposed exemption would be for 1991 only. The schedule for future exercises would not be affected by this one-time exemption. The next Nine Mile Point Nuclear Station emergency plan exercise would be conducted in 1992.

The Need for the Proposed Action:

The proposed exemption is needed to avoid the duplication of conducting another exercise, and to avoid the unnecessary use of licensee, State and local resources, that would only serve to reconfirm the adequacy of the plan, as well as the licensee's capability to implement the plan. These capabilities were demonstrated during the August 13, 1991, Site Area Emergency event.

Environmental Impacts of the Proposed Action:

A 1991 annual emergency plan exercise would not be conducted for the Nine Mile Point Nuclear Station if the requested exemption is granted by the NRC. Whether or not an exercise is conducted, the environment is not impacted since neither case involves the release of radioactive or nonradioactive effluents.

Furthermore, the NRC had determined that an environmental impact statement for 10 CFR 50.47, "Emergency Plans," and 10 CFR Part 50, Appendix E, "Emergency Planning and Preparedness for Production and Utilization Facilities," in which the requirement for an annual emergency plan exercise is contained, was not required (45 FR 55402, August 19, 1980). Specifically, the NRC's "Draft Negative Declaration; Finding of No Significant Impact" (45 FR 3913, January 21, 1980), states that "...the impacts on the human environment of the proposed rule will be insignificant...." Similarly, not conducting an annual emergency plan exercise as required by the rule will have no impact on the human environment.

Alternatives to the Proposed Action:

Since we have concluded that the environmental impacts of the proposed action are not significant, any alternatives with equal or greater environmental impacts need not be evaluated.

The principal alternative would be to deny the requested exemption. Since the staff has determined that granting this exemption would not result in any environmental impacts, denial of this request would only result in requiring the licensee to demonstrate certain capabilities under "drill" conditions that were already demonstrated under "actual" conditions. Also, denial of this request would result in the additional expenditure of State and local emergency response agencies and licensee resources over that which has already been expended in responding to the August 13, 1991, Site Area Emergency event.

Alternative Use of Resources:

The proposed action does not involve the use of environmental resources not previously considered in the Final Environmental Statements for the Nine Mile Point Nuclear Station Unit Nos. 1 and 2.

Agencies and Persons Consulted:

The NRC staff reviewed the licensee's request and did not consult other agencies or persons.

FINDING OF NO SIGNIFICANT IMPACT

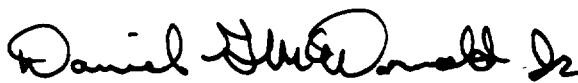
The Commission has determined not to prepare an environmental impact statement for the proposed exemption.

Based upon the foregoing environmental assessment, we conclude that the proposed action will not have a significant effect on the quality of the human environment.

For further details with respect to this action, see the application for exemption from the requirement of 10 CFR Part 50, Appendix E, Section IV.F.2, dated September 19, 1991, which is available for public inspection at the Commission's Public Document Room, 2120 L Street, N.W., Washington, D.C. and at the Reference and Documents Department, Penfield Library, State University of New York, Oswego, New York 13126.

Dated at Rockville, Maryland, this 25th day of October 1991.

FOR THE NUCLEAR REGULATORY COMMISSION


Daniel G. McDonald, Acting Director
Project Directorate I-1
Division of Reactor Projects - I/II
Office of Nuclear Reactor Regulation