



UNITED STATES  
NUCLEAR REGULATORY COMMISSION  
WASHINGTON, D.C. 20555-0001

October 31, 1994

Mr. B. Ralph Sylvia  
Executive Vice President, Nuclear  
Niagara Mohawk Power Corporation  
Nine Mile Point Nuclear Station  
P. O. Box 63  
Lycoming, NY 13093

SUBJECT: ISSUANCE OF AMENDMENTS FOR NINE MILE POINT NUCLEAR STATION  
UNIT NOS. 1 AND 2 (TAC NOS. M89973 AND M89974)

Dear Mr. Sylvia:

The Commission has issued the enclosed Amendment No. 150 to Facility Operating License No. DPR-63 and Amendment No. 58 to Facility Operating License No. NPF-69 for the Nine Mile Point Nuclear Station, Unit Nos. 1 and 2. The amendments consist of changes to the licenses in response to your application transmitted by letter dated June 9, 1994.

The amendments modify paragraph 2.D(4) of Facility Operating License No. DPR-63 and paragraph 2.E of Facility Operating License No. NPF-69 to require compliance with the amended Physical Security Plan. The changes involve the number of armed security force members that comprise the response force for each shift at the site.

Our evaluation of these amendments to your Physical Security Plan for Nine Mile Point Nuclear Station, Unit Nos. 1 and 2, is contained in the enclosed Safeguards Evaluation Report. Based on this evaluation, we have determined that the proposed modification is within the limits of the 10 CFR Part 73 regulations.

We find that these amendments to your licenses are related solely to safeguards matters and do not involve any significant construction impacts. Accordingly, these amendments meet the eligibility criteria for categorical exclusion set forth in 10 CFR 51.22(c)(12). Pursuant to 10 CFR 51.22(b), no environmental impact statement or environmental assessment need be prepared in connection with the issuance of these amendments.

Based on the fact that these license amendments apply to the Physical Security Plan and incorporate into the licenses the latest requirements of your updated Physical Security Plan, we have concluded that there is reasonable assurance that the health and safety of the public will not be endangered by these actions and that these actions will be conducted in compliance with the Commission's regulations, and the issuance of these amendments will not be inimical to the common defense and security or to the health and safety of the public.

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B. Sylvia

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Your Physical Security Plan consists of Safeguards Information required to be protected from unauthorized disclosure in accordance with the provisions of 10 CFR 73.21.

A copy of the related Safeguards Evaluation Report is enclosed. A Notice of Issuance will be included in the Commission's next regular biweekly Federal Register notice.

Sincerely,

Original signed by

Donald S. Brinkman, Senior Project Manager  
Project Directorate I-1  
Division of Reactor Projects - I/II  
Office of Nuclear Reactor Regulation

Docket Nos. 50-220  
and 50-410

Enclosures: 1. Amendment No. 150 to DPR-63  
2. Amendment No. 58 to NPF-69  
3. Safeguards Evaluation Report

cc w/encs: See next page

DOCUMENT NAME: G:\NMP1-2\NM89973.AMD

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B. Sylvia

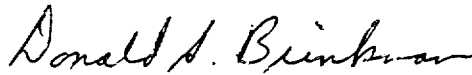
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October 31, 1994

Your Physical Security Plan consists of Safeguards Information required to be protected from unauthorized disclosure in accordance with the provisions of 10 CFR 73.21.

A copy of the related Safeguards Evaluation Report is enclosed. A Notice of Issuance will be included in the Commission's next regular biweekly Federal Register notice.

Sincerely,



Donald S. Brinkman, Senior Project Manager  
Project Directorate I-1  
Division of Reactor Projects - I/II  
Office of Nuclear Reactor Regulation

Docket Nos. 50-220  
and 50-410

Enclosures: 1. Amendment No. 150 to DPR-63  
2. Amendment No. 58 to NPF-69  
3. Safeguards Evaluation Report

cc w/encls: See next page

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Unit Nos. 1 and 2

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DATED: October 31, 1994

AMENDMENT NO. 150 TO FACILITY OPERATING LICENSE NO. DPR-63-NINE MILE POINT  
UNIT 1

AMENDMENT NO. 58 TO FACILITY OPERATING LICENSE NO. NPF-69-NINE MILE POINT  
UNIT 2

Docket File

PUBLIC

PDI-1 Reading

S. Varga, 14/E/4

J. Zwolinski, 14/H/3

L. Marsh

C. Vogan

D. Brinkman

OGC

D. Hagan, T-4-A-43

G. Hill (4), T-5-C-3

C. Grimes, 11/F/23

P. McKee, 14-C-7

R. Manili, 9/D/24

ACRS (10)

OPA

OC/LFDCB

PD plant-specific file

C. Cowgill, Region I

cc: Plant Service list



UNITED STATES  
NUCLEAR REGULATORY COMMISSION  
WASHINGTON, D.C. 20555-0001

NIAGARA MOHAWK POWER CORPORATION

DOCKET NO. 50-220

NINE MILE POINT NUCLEAR STATION UNIT NO. 1

AMENDMENT TO FACILITY OPERATING LICENSE

Amendment No. 150  
License No. DPR-63

1. The Nuclear Regulatory Commission (the Commission) has found that:
  - A. The application for amendment by Niagara Mohawk Power Corporation (the licensee) dated June 9, 1994, 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 1;
  - 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, the license is amended by changes to the Physical Security Plan as indicated in the attachment to this license amendment, and paragraph 2.D(4) of Facility Operating License No. DPR-63 is hereby amended to read as follows:

(4) Security Plan, Guard Training and Safeguards Contingency Plans

The licensee shall fully implement and maintain in effect all provisions of the Commission-approved physical security, guard training and qualification, and safeguards contingency plans, including amendments made pursuant to the provisions of the Miscellaneous Amendments and

Search Requirements revisions to 10 CFR 73.55 (51 FR 27817 and 27822) and to the authority of 10 CFR 50.90 and 10 CFR 50.54(p). The plans, which contain Safeguards Information protected under 10 CFR 73.21, entitled "Nine Mile Point Nuclear Station Physical Security Plan" with revisions submitted through June 6, 1994; "Nine Mile Point Nuclear Station Guard Training and Qualification Plan," with revisions submitted through September 30, 1993; and "Nine Mile Point Nuclear Station Safeguards Contingency Plan," with revisions submitted through October 1, 1992. Changes made in accordance with 10 CFR 73.55 shall be implemented in accordance with the schedule set forth therein.

3. This license amendment is effective as of the date of its issuance to be implemented within 30 days.

FOR THE NUCLEAR REGULATORY COMMISSION



Ledyard B. Marsh, Director  
Project Directorate I-1  
Division of Reactor Projects - I/II  
Office of Nuclear Reactor Regulation

Attachment: Page 4 of License DRP-63

Date of Issuance: October 31, 1994

D. This license is subject to the following additional conditions for the protection of the environment:

- (1) The licensee will complete construction of a new radwaste facility in conformance with the design defined and evaluated in the FES, to be operational no later than June 1976.
- (2) Pursuant to Section 401(d) of the Federal Water Pollution Control Act Amendments of 1972, this permit is subject to the requirements set forth in a certification dated April 9, 1974, issued to the licensee by the State of New York. Inclusion of the State requirements herein shall not relieve licensee of its obligation to obtain Commission approval, pursuant to the Act and regulations promulgated pursuant thereto, of any intake or discharge design which may ultimately be required by the State of New York.
- (3) Pursuant to Section 402 of the Federal Water Pollution Control Act Amendments of 1972, this permit is subject to the requirements that will be set forth in a certification to be issued to the licensee by the Environmental Protection Agency (EPA). Inclusion of the EPA requirements herein shall not relieve licensee of its obligation to obtain Commission approval, pursuant to the Act and regulations promulgated pursuant thereto, of any intake or discharge design or alternate heat dissipation system which may ultimately be required by the Environmental Protection Agency.

(4) Security Plan, Guard Training and Safeguards Contingency Plans

The licensee shall fully implement and maintain in effect all provisions of the Commission-approved physical security, guard training and qualification, and safeguards contingency plans, including amendments made pursuant to the provisions of the Miscellaneous Amendments and Search Requirements revisions to 10 CFR 73.55 (51 FR 27817 and 27822) and to the authority of 10 CFR 50.90 and 10 CFR 50.54(p). The plans, which contain Safeguards Information protected under 10 CFR 73.21, entitled "Nine Mile Point Nuclear Station Physical Security Plan" with revisions submitted through June 6, 1994; "Nine Mile Point Nuclear Station Guard Training and Qualification Plan," with revisions submitted through September 30, 1993; and "Nine Mile Point Nuclear Station Safeguards Contingency Plan," with revisions submitted through October 1, 1992. Changes made in accordance with 10 CFR 73.55 shall be implemented in accordance with the schedule set forth therein.

Paragraph 2.D(5) of the license has been combined with paragraph 2.D(4) as amended above into a single paragraph.





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WASHINGTON, D.C. 20555-0001

NIAGARA MOHAWK POWER CORPORATION

DOCKET NO. 50-410

NINE MILE POINT NUCLEAR STATION, UNIT 2

AMENDMENT TO FACILITY OPERATING LICENSE

Amendment No. 58  
License No. NPF-69

1. The Nuclear Regulatory Commission (the Commission) has found that:
  - A. The application for amendment by Niagara Mohawk Power Corporation (the licensee) dated June 9, 1994, 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 1;
  - 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, the license is amended by changes to the Physical Security Plan as indicated in the attachment to this license amendment, and paragraph 2.E of Facility Operating License No. NPF-69 is hereby amended to read as follows:
  - E. The licensee shall fully implement and maintain in effect all provisions of the Commission-approved physical security, guard training and qualification, and safeguards contingency plans, including amendments made pursuant to the provisions of the

Miscellaneous Amendments and Search Requirements revisions to 10 CFR 73.55 (51 FR 27817 and 27822) and to the authority of 10 CFR 50.90 and 10 CFR 50.54(p). The plans, which contain Safeguards Information protected under 10 CFR 73.21, entitled "Nine Mile Point Nuclear Station Physical Security Plan" with revisions submitted through June 6, 1994; "Nine Mile Point Nuclear Station Guard Training and Qualification Plan," with revisions submitted through September 30, 1993; and "Nine Mile Point Nuclear Station Safeguards Contingency Plan," with revisions submitted through October 1, 1992. Changes made in accordance with 10 CFR 73.55 shall be implemented in accordance with the schedule set forth therein.

3. This license amendment is effective as of the date of its issuance to be implemented within 30 days.

FOR THE NUCLEAR REGULATORY COMMISSION



Ledyard B. Marsh, Director  
Project Directorate I-1  
Division of Reactor Projects - I/II  
Office of Nuclear Reactor Regulation

Attachment: Page 7 of License NPF-69

Date of Issuance: October 31, 1994

- vi) A schedular exemption to 10 CFR 50.55a(h) for the Neutron Monitoring System until completion of the first refueling outage to allow Niagara Mohawk Power Corporation to provide qualified isolation devices for Class 1E/non-1E interfaces described in Niagara Mohawk Power Corporation's letters of June 23, 1987 (NMP2L 1057) and June 25, 1987 (NMP2L 1058). (Section 7.2.2.10, SSER 6).

For the schedular exemptions in iv), v), and vi), above, Niagara Mohawk Power Corporation, in accordance with its letter of October 31, 1986, shall certify that all systems, components, and modifications have been completed to meet the requirements of the regulations for which the exemptions have been granted and shall provide a summary description of actions taken to ensure that the regulations have been met. This certification and summary shall be provided 10 days prior to the expiration of each exemption period as described above.

The exemptions set forth in this Section 2.D are authorized by law, will not present an undue risk to public health and safety, and are consistent with the common defense and security. These exemptions are hereby granted. The special circumstances regarding each exemption are identified in the referenced section of the Safety Evaluation Report and the supplements thereto. The exemptions in ii) through vi) are granted pursuant to 10 CFR 50.12. With these exemptions, the facility will operate to the extent authorized herein, in conformity with the application, as amended, the provisions of the Act, and the rules and regulations of the Commission.

- E. The licensee shall fully implement and maintain in effect all provisions of the Commission-approved physical security, guard training and qualification, and safeguards contingency plans, including amendments made pursuant to the provisions of the Miscellaneous Amendments and Search Requirements revisions to 10 CFR 73.55 (51 FR 27817 and 27822) and to the authority of 10 CFR 50.90 and 10 CFR 50.54(p). The plans, which contain Safeguards Information protected under 10 CFR 73.21, entitled "Nine Mile Point Nuclear Station Physical Security Plan" with revisions submitted through June 6, 1994; "Nine Mile Point Nuclear Station Guard Training and Qualification Plan," with revisions submitted through September 30, 1993; and "Nine Mile Point Nuclear Station Safeguards Contingency Plan," with revisions submitted through October 1, 1992. Changes made in accordance with 10 CFR 73.55 shall be implemented in accordance with the schedule set forth therein.
- F. Except as otherwise provided in the Technical Specifications or Environmental Protection Plan, Niagara Mohawk Power Corporation shall report any violations of the requirements contained in Section 2.C of this license in the following manner: initial notification shall be made within 24 hours to the NRC Operations Center via the Emergency Notification System, with written followup within 30 days in accordance with the procedures described in 10 CFR 50.73(b), (c), and (e).



UNITED STATES  
NUCLEAR REGULATORY COMMISSION  
WASHINGTON, D.C. 20555-0001

SAFEGUARDS EVALUATION REPORT BY THE OFFICE OF NUCLEAR REACTOR REGULATION

RELATED TO AMENDMENTS NOS. 150 AND 58 TO FACILITY OPERATING

LICENSE NOS. DPR-63 AND NPF-69

NIAGARA MOHAWK POWER CORPORATION

NINE MILE POINT NUCLEAR STATION, UNIT NOS. 1 AND 2

DOCKET NOS. 50-220 AND 50-410

**1.0 INTRODUCTION**

Niagara Mohawk Power Corporation has filed with the Nuclear Regulatory Commission a request to amend the Nine Mile Point Nuclear Station Operating License Nos. DPR-63 and NPF-69.

**2.0 DISCUSSION**

By letter dated June 6, 1994, Niagara Mohawk Power Corporation submitted for staff review and approval a revision to the Nine Mile Point Physical Security Plan. This revision provides explicit details in the plan change, the supporting documentation, and NUREG-0907, "Acceptance Criteria for Determining Armed Response Force Size at Nuclear Power Plant," which would allow the site to change the number of armed security force members that comprise the response force for each shift.

**3.0 FINDINGS**

The NRC's requirements for the number of armed response force members is provided in 10 CFR 73.55(h)(3). NUREG-0907 provides guidance for determining plant-specific response force sizes. The proposed revision for changing the number of response force members needed per shift is based on a recent analysis that the licensee completed using NUREG-0907. This guidance document contains acceptance criteria to be used as a worksheet and guideline for interpreting the worksheet score that can be used in determining the adequacy of the armed response force size at a site. We have reviewed the licensee's proposed changes in accordance with the guidance provided in NUREG-0907 and we have determined the proposed changes meet the requirements of 10 CFR 73.55(h)(3).

**4.0 CONCLUSIONS**

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It is the staff's determination that the amendment to the Nine Mile Point Nuclear Station Physical Security Plan, as described in the licensee's letter of June 6, 1994, does not increase the risk of sabotage at the facility and continues to satisfy the requirements in 10 CFR 73.55(h)(3) concerning the number of response force members per shift at the site and is therefore acceptable.

Principal Contributor: R. Manili

Date: October 31, 1994