

Docket File



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

July 6, 1993

Docket No. 50-410

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 AND FINDING OF NO SIGNIFICANT
IMPACT FOR NINE MILE POINT NUCLEAR STATION, UNIT 2
(TAC NO. M86683)

Enclosed for your information is a copy of a "Notice of Environmental Assessment and Finding of No Significant Impact." This notice relates to Niagara Mohawk Power Corporation's (NMPC's) application dated May 28, 1993, in which NMPC requested a one-time only schedular exemption until the end of the 1993 refueling outage (currently scheduled to begin on October 1, 1993) from the requirements of 10 CFR Part 50, Appendix J, Section III.B., regarding Type B tests of the expansion bellows in four Traversing Incore Probe containment penetrations.

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

Sincerely,

Robert A. Capra

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

Enclosure:
Environmental Assessment .

cc w/enclosure:
See next page

CP-1
DFOI 11/1

Mr. B. Ralph Sylvia
Niagara Mohawk Power Corporation

Nine Mile Point Nuclear Station
Unit 2

cc:

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

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

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

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

Resident Inspector
Nine Mile Point Nuclear Station
P. O. Box 126
Lycoming, New York 13093

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

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

Mr. Martin J. McCormick Jr.
Plant Manager, Unit 2
Nine Mile Point Nuclear Station
Niagara Mohawk Power Corporation
P. O. Box 32
Lycoming, New York 13093

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

Vice President - Nuclear Generation
Nine Mile Point Nuclear Station
Niagara Mohawk Power Corporation
P. O. Box 32
Lycoming, New York 13093

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

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

UNITED STATES NUCLEAR REGULATORY COMMISSION

NIAGARA MOHAWK POWER CORPORATION

DOCKET NO. 50-410

ENVIRONMENTAL ASSESSMENT AND FINDING OF

NO SIGNIFICANT IMPACT

The U.S. Nuclear Regulatory Commission (the Commission) is considering issuance of an exemption from certain requirements of 10 CFR Part 50, Appendix J, to Niagara Mohawk Power Corporation (the licensee) for Nine Mile Point Nuclear Station, Unit 2 (NMP-2), located at the licensee's site in Oswego County, New York.

ENVIRONMENTAL ASSESSMENT

Identification of Proposed Action:

By letter dated May 28, 1993, the licensee requested a schedular exemption pursuant to 10 CFR 50.12(a) from the requirements of 10 CFR Part 50, Appendix J, Section III.B, relating to certain Type B tests. Specifically, the licensee requested temporary relief from the requirement to perform Type B tests at intervals of no greater than 24 months for the expansion bellows on four Traversing Incore Probe (TIP) containment penetrations (2NMT*Z31A,C,D, and E). A one-time only delay, until the end of the 1993 refueling outage (RF03) (currently scheduled to begin on October 1, 1993) was requested for the performance of these leak tests. The licensee's request was necessitated to avoid a plant shutdown solely to perform the required leak tests.

The Need for the Proposed Action:

The bellows on the TIP penetrations are required by Appendix J of 10 CFR Part 50 and by NMP-2 Technical Specification (TS) 4.6.1.2.d. to be Type B tested at intervals no greater than every two years. The TIP penetrations are

listed in the NMP-2 Updated Safety Analysis Report (USAR) Table 6.2-56 with Note 34 applicable. Note 34 states, "The metal bellows at the end of the TIP system drywell penetration flanges will be included in Type A testing. The flanges themselves and the midspan flange in 2NMT*Z31B will be subject to Type B testing." On April 23, 1993, the licensee determined that the bellows in the subject penetrations were not in compliance with the requirements of TS 4.6.1.2.d. and 10 CFR Part 50, Appendix J, in that these bellows had been Type A tested rather than the required Type B tested. Type B testing of these bellows requires access to the bellows. Access to the bellows requires the reactor be shut down and the drywell to be deinerted from its nitrogen atmosphere. The schedular exemption is required to permit the licensee to continue to operate NMP-2 until its next scheduled shutdown, the 1993 refueling outage which is presently scheduled to begin on October 1, 1993, rather than to be required to shut down NMP-2 solely to perform the required Type B leak tests.

Environmental Impacts of the Proposed Action:

The proposed schedular exemption would allow the licensee to continue to operate NMP-2 until the end of the 1993 refueling outage. The NMP-2 1993 refueling outage is currently scheduled to begin October 1, 1993. The four subject penetrations would be Type B tested during the 1993 refueling outage.

Note 34 was added to USAR Table 6.2-56 by the licensee via Licensing Document Change Notice (LDCN) #1458 dated November 29, 1984, however, no justification or backup data could be located to substantiate the addition of Note 34. When LDCN #1458 was issued in 1984, the licensee had no method for testing these bellows. The Final Safety Analysis Report was subsequently

interpreted to imply that a Type A test was acceptable for testing these bellows. This noncompliance (Type A testing versus Type B testing) has existed since issuance of the facility operating license on October 31, 1986.

The maximum allowable overall containment leakage rate is limited by TS 3.6.1.2 to 1.1 weight percent of containment air per day at the peak accident pressure of 39.75 psig. The most recent Type A test performed in January 1991 measured the overall containment leakage to be 0.305 percent per day. This value includes the TIP penetrations as well as the other Type B and Type C leakage paths. The combined Type B and Type C leakage was 0.211 percent per day. The unaccounted leakage of 0.094 percent per day is attributed to the containment liner, TIP penetrations, etc. Therefore, even if all the unaccountable leakage was associated with the TIP penetrations, the combined leakage of TIP penetrations and that measured from the other Type B and Type C penetrations would still be less than the allowable leakage of 0.6 L_a or 0.66 percent per day. Therefore, the Commission concludes that there are no significant radiological environmental impacts associated with the proposed schedular exemption.

With regard to potential nonradiological impacts, the proposed schedular exemption only involves Type B testing of TIP penetrations. The proposed schedular exemption does not affect nonradiological plant effluents and has no other environmental impact. Therefore, the Commission concludes that there are no significant nonradiological impacts associated with the proposed schedular exemption.

Alternative to the Proposed Action:

As one alternative to the proposed action, the NRC staff considered denial of the proposed action. Denial of the application would result in no change in current environmental impacts. The environmental impacts of the proposed action and the alternative action are similar. This alternative would also result in an unwarranted shutdown of the plant.

As a second alternative to the proposed action, the NRC staff considered requiring performance of the subject Type B tests during the plant's first cold shut down of sufficient duration. The environmental impacts of this alternative are similar to the proposed action.

Alternative Use of Resources:

The actions associated with the granting of the proposed schedular exemption as detailed above do not involve the use of resources not previously considered in connection with the "Final Environmental Statement Related to the Operation of Nine Mile Point Nuclear Station, Unit No. 2," dated May 1985 (NUREG-1085).

Agencies and Persons Contacted:

The NRC staff reviewed the licensee's submittal that supports the proposed schedular exemption discussed above. The NRC staff consulted with the State of New York regarding the environmental impact of the proposed schedular exemption. The State of New York had no comments regarding this proposed action.

FINDING OF NO SIGNIFICANT IMPACT

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

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

For further details with respect to the action, see the licensee's application for the schedular exemption dated May 28, 1993. This document is available for public inspection at the Commission's Public Document Room, 2120 L Street, NW., Washington, D.C. and at the Penfield Library, State University of New York, Oswego, New York 13126.

Dated at Rockville, Maryland, this 6th day of July 1993.

FOR THE NUCLEAR REGULATORY COMMISSION

Robert A. Capra

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

July 6, 1993

Docket No. 50-410

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

DISTRIBUTION:

Docket File
PDI-1 Reading
JCalvo
CVogan
JMenning
EJordan, MNBB 3701
OPA
Plant File

NRC & Local PDRs
SVarga
RACapra
DBrinkman
OGC
ACRS (10)
CCowgill, RGN-1

Dear Mr. Sylvia:

SUBJECT: NOTICE OF ENVIRONMENTAL ASSESSMENT AND FINDING OF NO SIGNIFICANT
IMPACT FOR NINE MILE POINT NUCLEAR STATION, UNIT 2
(TAC NO. M86683)

Enclosed for your information is a copy of a "Notice of Environmental Assessment and Finding of No Significant Impact." This notice relates to Niagara Mohawk Power Corporation's (NMPC's) application dated May 28, 1993, in which NMPC requested a one-time only scheduler exemption until the end of the 1993 refueling outage (currently scheduled to begin on October 1, 1993) from the requirements of 10 CFR Part 50, Appendix J, Section III.B., regarding Type B tests of the expansion bellows in four Traversing Incore Probe containment penetrations.

This 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:
Environmental Assessment

cc w/enclosure:
See next page

OFFICE	PDI-1:LA	PDI-1:PM	PDI-1:PM	OGC	PDI-1:D
NAME	CVogan <i>cu</i>	DBrinkman:avl <i>DAB</i>	JMenning <i>JK</i>	C. Marcus	RACapra <i>RGC</i>
DATE	6/23/93	6/23/93	6/23/93	7/1/93	7/6/93

OFFICIAL RECORD COPY
FILENAME: G:\NMP2\NM286683.ENV