Mr. John H. Mueller
Chief Nuclear Officer
Niagara Mohawk Power Corporation
Nine Mile Nuclear Station
Operations Building, Second Floor
P.O. Box 63
Lycoming, NY 13093

December 22, 1998

SUBJECT: ISSUANCE OF AMENDMENT FOR NINE MILE POINT NUCLEAR STATION, UNIT 2 (TAC NO. M98694)

Dear Mr. Mueller:

The Commission has issued the enclosed Amendment No. 85 to Facility Operating License No. NPF-69 for the Nine Mile Point Nuclear Station, Unit 2. The amendment consists of changes to the Technical Specifications (TSs) in response to your application transmitted by letter dated April 30, 1997, as supplemented by letter dated November 12, 1998.

The amendment deletes TSs requirements associated with meteorological monitoring instrumentation which you have relocated to the Updated Safety Analysis Report in accordance with 10 CFR 50.36 and the guidance in NRC Generic Letter 95-10, "Relocation of Selected Technical Specification Requirements Related to Instrumentation."

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

Sincerely,

ORIGINAL SIGNED BY:

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

Docket No. 50-410

Enclosures: 1. Amendment No. 85 to NPF-69
2. Safety Evaluation

cc w/encls: See next page

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DATE	12/11/98	12/23/98	12/22/98		12/14/98		12/16/98		12/22/98	

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DATE	12/11/98		12/11/98					

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

December 22, 1998

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DATED: December 22, 1998

AMENDMENT NO85 TO FACILITY OPERATING LICENSE NO. NPF-69-NINE MILE POINT UNIT 2

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UNITED STATES
NUCLEAR REGULATORY COMMISSION
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. 85
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 April 30, 1997, as supplemented by letter dated November 12, 1998, 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 Technical Specifications as indicated in the attachment to this license amendment, and paragraph 2.C.(2) of Facility Operating License No. NPF-69 is hereby amended to read as follows:

   (2) Technical Specifications and Environmental Protection Plan

   The Technical Specifications contained in Appendix A and the Environmental Protection Plan contained in Appendix B, both of which are attached hereto, as revised through Amendment No. are hereby incorporated into this license. Niagara Mohawk Power Corporation shall operate the facility in accordance with the Technical Specifications and the Environmental Protection Plan.

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

FOR THE NUCLEAR REGULATORY COMMISSION

S. Singh Bajwa, Director
Project Directorate I-1
Division of Reactor Projects - I/II
Office of Nuclear Reactor Regulation

Attachments:
Changes to the Technical
Specifications

Date of Issuance: December 22, 1998

ATTACHMENT TO LICENSE AMENDMENT NO. 85

FACILITY OPERATING LICENSE NO. NPF-69

DOCKET NO. 50-410

Replace the following pages of Appendix A Technical Specifications with the attached pages. The revised pages are identified by amendment number and contain vertical lines indicating the areas of change.

Remove	Insert
vii	vii
xvii	xvii
3/4 3-74	3/4 3-74
3/4 3-75	3/4 3-75
3/4 3-76	3/4 3-76
B3/4 3-5	B3/4 3-5

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INSTRUMENTATION (Continued)

Table 4.3.4.2-1 End-of-Cycle Recirculation Pump Trip System Surveillance Requirements 3/4 3-53

3/4.3.5 REACTOR CORE ISOLATION COOLING SYSTEM ACTUATION INSTRUMENTATION 3/4 3-54

Table 3.3.5-1 Reactor Core Isolation Cooling System Actuation Instrumentation 3/4 3-55

Table 3.3.5-2 Reactor Core Isolation Cooling System Actuation Instrumentation Setpoints 3/4 3-57

Table 4.3.5.1-1 Reactor Core Isolation Cooling System Actuation Instrumentation Surveillance Requirements 3/4 3-58

3/4.3.6 CONTROL ROD BLOCK INSTRUMENTATION 3/4 3-59

Table 3.3.6-1 Control Rod Block Instrumentation 3/4 3-60

Table 3.3.6-2 Control Rod Block Instrumentation Setpoints 3/4 3-62

Table 4.3.6-1 Control Rod Block Instrumentation Surveillance Requirements 3/4 3-64

3/4.3.7 MONITORING INSTRUMENTATION

Radiation Monitoring Instrumentation 3/4 3-67

Table 3.3.7.1-1 Radiation Monitoring Instrumentation 3/4 3-68

Table 4.3.7.1-1 Radiation Monitoring Instrumentation Surveillance Requirements 3/4 3-70

Seismic Monitoring Instrumentation 3/4 3-71

Table 3.3.7.2-1 Seismic Monitoring Instrumentation 3/4 3-72

Table 4.3.7.2-1 Seismic Monitoring Instrumentation Surveillance Requirements 3/4 3-73

DELETED ..... 3/4 3-74 |

Table 3.3.7.3-1 DELETED ..... 3/4 3-75 |

Table 4.3.7.3-1 DELETED ..... 3/4 3-76 |

PAGE

INSTRUMENTATION (Continued)

3/4.3.7 MONITORING INSTRUMENTATION

Radiation Monitoring Instrumentation B3/4 3-4a

Seismic Monitoring Instrumentation B3/4 3-5

DELETED B3/4 3-5

Remote Shutdown Monitoring Instrumentation B3/4 3-5

Accident-Monitoring Instrumentation B3/4 3-5

Source Range Monitors B3/4 3-6

Traversing In-Core Probe System B3/4 3-6

Loose-Part Detection System B3/4 3-7

Radioactive Liquid Effluent Monitoring Instrumentation B3/4 3-7

Radioactive Gaseous Effluent Monitoring Instrumentation B3/4 3-7

3/4.3.8 DELETED B3/4 3-7

3/4.3.9 PLANT SYSTEMS ACTUATION INSTRUMENTATION B3/4 3-8

Bases Figure B3/4.3-1 Reactor Vessel Water Level B3/4 3-9

3/4.4 REACTOR COOLANT SYSTEM

3/4.4.1 RECIRCULATION SYSTEM B3/4 4-1

3/4.4.2 SAFETY/RELIEF VALVES B3/4 4-3

3/4.4.3 REACTOR COOLANT SYSTEM LEAKAGE

Leakage Detection Systems B3/4 4-3

Operational Leakage B3/4 4-3

3/4.4.4 CHEMISTRY B3/4 4-4

3/4.4.5 SPECIFIC ACTIVITY B3/4 4-4

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BASES

MONITORING INSTRUMENTATION

3.4.3.7.2 SEISMIC MONITORING INSTRUMENTATION

The OPERABILITY of the seismic monitoring instrumentation ensures that sufficient capability is available to promptly determine the ground motion effects of a seismic event and evaluate the response of those features important to safety. This capability is required to permit comparison of the measured response to that used in the design basis for the unit. This instrumentation is consistent with the recommendations of Regulatory Guide (RG) 1.12, "Instrumentation for Earthquakes," April 1974.

3/4.3.7.3 DELETED

3/4.3.7.4 REMOTE SHUTDOWN MONITORING INSTRUMENTATION

The OPERABILITY of the remote shutdown monitoring instrumentation ensures that sufficient capability is available to permit shutdown and maintenance of HOT SHUTDOWN of the unit from locations outside of the control room. This capability is required in the event control room habitability is lost and consistent with GDC 19 and 10 CFR 50.

The OPERABILITY of the remote shutdown system controls ensures that a fire will not preclude achieving safe shutdown. The remote shutdown system instrumentation, controls and power circuits and transfer switches necessary to eliminate effects of a fire and allow operation of instrumentation, control and power circuits required to achieve and maintain a safe shutdown condition are independent of areas in which a fire could damage systems normally used to shut down the reactor. This capability is consistent with GDC 3 and Appendix R to 10 CFR 50.

3/4.3.7.5 ACCIDENT-MONITORING INSTRUMENTATION

The OPERABILITY of the accident-monitoring instrumentation ensures that sufficient information is available on selected plant parameters to monitor and assess important variables following an accident. This capability is consistent with the recommendations of RG 1.97, "Instrumentation for Light Water Cooled Nuclear Power Plants to Assess Plant Conditions During and Following an Accident," December 1980; and NUREG-0737, "Clarification of TMI Action Plan Requirements," November 1980.

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

SAFETY EVALUATION BY THE OFFICE OF NUCLEAR REACTOR REGULATION

RELATED TO AMENDMENT NO. 85 TO FACILITY OPERATING LICENSE NO. NPF-69

NIAGARA MOHAWK POWER CORPORATION

NINE MILE POINT NUCLEAR STATION, UNIT 2

DOCKET NO. 50-410

1.0 INTRODUCTION

By application dated April 30, 1997, as supplemented by letter dated November 12, 1998, Niagara Mohawk Power Company (NMPC and the licensee) proposed a license amendment to remove Technical Specifications (TSs) for Nine Mile Point Nuclear Station, Unit 2 (NMP2) regarding meteorological monitoring instrumentation in accordance with NRC Generic Letter (GL) 95-10, "Relocation of Selected Technical Specification Requirements Related to Instrumentation." Specifically, the amendment would remove TS 3/4.3.7.3, "Meteorological Monitoring Instrumentation," including associated TS Tables 3/4.3.7.3-1, and TS Bases 3/4.3.7.3. The TSs index would be revised to show these deletions.

The information proposed for deletion has been relocated to the NMP2 Updated Safety Analysis Report (USAR) by the November 1998 Revision.

The licensee's letter dated November 12, 1998, provided additional information in support of the April 30, 1997, license application, and does not affect the Commission's finding of no significant hazards consideration that was issued in a Federal Register notice (62 FR 33126, June 18, 1997).

2.0 BACKGROUND

In 10 CFR 50.47, "Emergency Plans," and 10 CFR Part 50, Appendix E, "Emergency Planning and Preparedness for Production and Utilization Facilities," the Commission requires nuclear power plant licensees to provide reasonable assurance that adequate protective measures can and will be taken in the event of a radiological emergency. Timely access to accurate local meteorological data is important for estimating potential radiation doses to the public and for determining appropriate protective measures. In 10 CFR 50.36a(a)(2), the Commission requires nuclear power plant licensees to submit annual reports specifying the quantity of each of the principal radionuclides released to unrestricted areas in liquid and airborne effluents and such other information as may be required by the NRC to estimate maximum potential annual radiation doses to the public. A knowledge of meteorological conditions in the vicinity of the reactor is important in providing a basis for estimating annual radiation doses resulting from radioactive materials released in airborne effluents. Accordingly, the meteorological monitoring instrumentation serves a useful function in estimating radiation doses to the public from either routine or accidental releases of radioactive materials to the atmosphere.

The NRC has developed criteria, as described in the "Final Policy Statement on Technical Specifications Improvements for Nuclear Power Reactors" (58 FR 39132), to determine which of a nuclear power plant's design conditions and associated surveillances should be located in the TSs. 10 CFR 50.36 as revised (60 FR 36953) specifies four criteria to this end. The Commission's Final Policy Statement and documentation related to this revision of 10 CFR 50.36 acknowledged that implementation of the four criteria may cause some requirements presently in TSs to be removed out of existing TSs to documents and programs controlled by licensees. On December 15, 1995, the Commission issued GL 95-10 addressing the relocation of selected TSs requirements related to instrumentation as a result of applying the 10 CFR 50.36 criteria. In GL 95-10, the Commission identifies several specifications that are not related to dominant contributors to plant risk and do not warrant inclusion in TSs. Included among these specifications is meteorological monitoring instrumentation.

3.0 EVALUATION

In GL 95-10 the Commission concluded that:

> The meteorological monitoring instrumentation does not serve such a primary protective function as to warrant inclusion in the TSs in accordance with the 10 CFR 50.36 criteria. The instrumentation does not serve to ensure that the plant is operated within the bounds of initial conditions assumed in design basis accident and transient analyses or that the plant will be operated to preclude transients or accidents. Likewise, the meteorological instrumentation does not serve as part of the primary success path of a safety sequence analysis used to demonstrate that the consequences of these events are within the appropriate acceptance criteria. Accordingly, the staff has concluded that the meteorological instrumentation does not meet the 10 CFR 50.36 criteria and need not be included in TSs. The staff has determined that requirements related to the meteorological monitoring instrumentation may be moved from the TSs to the UFSAR [a.k.a., USAR] and that any subsequent changes to the provisions may be controlled pursuant to 10 CFR 50.59....

By letter dated November 30, 1998, NMPC submitted Revision 10 to the NMP2 USAR pursuant to 10 CFR 50.71(e). The NRC staff has reviewed Revision 10 to the NMP2 USAR and finds that it incorporates the information that would be removed from the TSs by the proposed license amendment. Future changes to this information in the USAR will be controlled by the licensee pursuant to 10 CFR 50.59. Accordingly, the NRC staff concludes that removal of the proposed meteorological monitoring instrumentation information from the TSs is consistent with GL 95-10 and 10 CFR 50.36 and is, therefore, acceptable.

The information relocated to the NMP2 USAR by Revision 10 included the requirement in TS 3.3.7.3 that a special report be submitted to the NRC pursuant to TS 6.9.2 when one or more meteorological monitoring instrumentation channels is inoperable for more than 7 days. In its letter of November 12, 1998, NMPC stated that the USAR will be revised again pursuant to 10 CFR 50.71(e) to reflect the deletion of this special reporting requirement after the proposed license amendment removing TS 3.3.7.3 has been approved. NMPC states that in lieu of the current special reporting requirement, the loss of meteorological assessment capability would be assessed for reportability consistent with the requirements of 10 CFR 50.72(b)(1)(v) non-emergency events, one-hour reports, as "any event that results in a major loss of emergency

assessment capability, offsite response capability, or communications capability..." Nine Mile Point Nuclear Station Emergency Plan Implementing Procedure EPIP-EPP-08, "Offsite Dose Assessment and Protective Action Recommendation," contains guidance for use of NMP meteorological data sources and would be used to determine whether the minimum requirements for meteorological assessment are met. The NRC staff concludes that the removal of the special reporting requirement from the TSs (or NMPC's subsequent proposed action to remove the relocated special reporting requirements from the USAR, subject to a favorable 10 CFR 50.59 analysis) is an acceptable administrative change because the reporting requirements continue to be adequately addressed by the Commission's regulations, 10 CFR 50.72.

4.0 STATE CONSULTATION

In accordance with the Commission's regulations, the New York State official was notified of the proposed issuance of the amendment on July 10, 1997. The State official, Mr. J. Dunkelburger, expressed a concern that the licensee should complete the transfer of the information from the TSs to the USAR before or concurrent with deletion of the information from the TSs, such that the relevant information remains subject to 10 CFR 50.59 throughout the process. Mr. Dunkelburger's concern is addressed in the licensee's letter of November 12, 1998, and in Section 3.0 above (i.e., the USAR was revised before the issuance of this license amendment).

5.0 ENVIRONMENTAL CONSIDERATION

The amendment changes a requirement with respect to installation or use of a facility component located within the restricted area as defined in 10 CFR Part 20 and changes surveillances requirements. The NRC staff has determined that the amendment involves no significant increase in the amounts, and no significant change in the types, of any effluents that may be released offsite, and that there is no significant increase in individual or cumulative occupational radiation exposure. The Commission has previously issued a proposed finding that the amendment involves no significant hazards consideration, and there has been no public comment on such finding (62 FR 33126). Accordingly, the amendment meets the eligibility criteria for categorical exclusion set forth in 10 CFR 51.22(c)(9). Pursuant to 10 CFR 51.22(b) no environmental impact statement or environmental assessment need be prepared in connection with the issuance of the amendment.

5.0 CONCLUSION

The Commission has concluded, based on the considerations discussed above, that: (1) there is reasonable assurance that the health and safety of the public will not be endangered by operation in the proposed manner, (2) such activities will be conducted in compliance with the Commission's regulations, and (3) the issuance of the amendment will not be inimical to the common defense and security or to the health and safety of the public.

Principal Contributors: L. Brown
D. Hood

Date: December 22, 1998