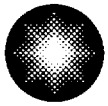
P.O. Box 63
Lycoming, New York 13093



Constellation
Nuclear

Nine Mile Point
Nuclear Station

A Member of the
Constellation Energy Group

May 20, 2002
NMP1L 1663

U. S. Nuclear Regulatory Commission
Attn: Document Control Desk
Washington, DC 20555

RE: Nine Mile Point Unit 1
Docket No. 50-220
DPR-63
TAC No. MB3208

Subject: ***Response to Request for Additional Information Regarding Proposed Inservice Testing Requirements in Technical Specifications***

Gentlemen:

By letter dated November 26, 2001, Nine Mile Point Nuclear Station, LLC (NMPNS) transmitted an Application for Amendment to the Nine Mile Point Unit 1 (NMP1) Operating License DPR-63. The Application proposed removal of duplicative and unnecessary inservice inspection and inservice testing (IST) requirements from the NMP1 Technical Specifications (TS) using the improved Standard Technical Specifications for General Electric BWR/4 and BWR/6 plants (NUREG-1433 and NUREG-1434, respectively) as the model. The Application also proposed adding a new Section 6.17, titled "Inservice Testing Program" containing provisions and clarifications similar to those in Section 5.5.7 of NUREG-1433 and NUREG-1434 except that a table defining American Society of Mechanical Engineers Boiler and Pressure Vessel Code (ASME Code) frequencies would be omitted from Section 6.17.

NMPNS's reasoning for omitting the ASME Code frequencies table from Section 6.17 was presented in the original Application and discussed in detail in a telephone conference with the NRC staff on April 10, 2002. After this discussion, the staff issued their position in a request for information (RAI) dated April 22, 2002, and requested NMPNS's response within 45 days of receipt.

The purpose of this letter is to provide the requested response. Attachment A contains the RAI and NMPNS's response. Attachment B contains proposed TS Section 6.17 as revised by NMPNS's response. The area of proposed change with respect to the existing TS is indicated by a change bar in the margin. Attachment C contains a "marked-up" copy of the existing TS page to show the area of proposed change. Attachment C also includes a "marked-up" copy of the affected TS Bases page, which had been inadvertently omitted from the November 26, 2001, Application. This Bases change is

A047

for information only and does not require issuance by the NRC. NMPNS's no significant hazards consideration analysis pursuant to 10CFR50.92 and its determination regarding eligibility for categorical exclusion from performing an environmental assessment using 10CFR51.22 criteria that were presented with the original Application remain valid for these new changes.

I declare under penalty of perjury that the foregoing is true and correct. Executed on May 20, 2002.

Very truly yours,

John T. Conway
Site Vice President

JTC/IAA/jm
Attachments

cc: Mr. H. J. Miller, NRC Regional Administrator, Region I
Mr. G. K. Hunegs, NRC Senior Resident Inspector
Mr. P. S. Tam, Senior Project Manager, NRR (2 copies)
Mr. John P. Spath
NYSERDA
286 Washington Avenue Ext.
Albany, NY 12203-6399
Records Management

ATTACHMENT A

NINE MILE POINT NUCLEAR STATION, LLC

LICENSE NO. DPR-63

DOCKET NO. 50-220

REQUEST FOR ADDITIONAL INFORMATION AND RESPONSE

ATTACHMENT A

REQUEST FOR ADDITIONAL INFORMATION AND RESPONSE

Request for Additional Information:

The NRC staff holds the position that inservice testing of Quality Group A, B, and C pumps and valves be performed in accordance with requirements for American Society of Mechanical Engineers (ASME) Code Class 1, 2, and 3 components specified in Section XI of the applicable ASME Boiler and Pressure Vessel Code and Addenda. Your application is lacking such wording. Alternatively, you may consider adopting the proposed requirements described by Section 5.5.7.a of NUREG-1433, "Standard Technical Specifications for General Electric Nuclear Plants, BWR/4 and BWR/6."

Response:

Nine Mile Point Nuclear Station, LLC agrees with the NRC staff position. Based on this, the introductory sentence and item (a) of Technical Specification (TS) Section 6.17, as proposed in the Application dated November 26, 2001, are proposed to be revised as follows:

> "This program provides controls for inservice testing of Quality Group A, B, and C pumps and valves.
>
> a. Inservice testing of Quality Group A, B, and C pumps and valves shall be performed in accordance with requirements for American Society of Mechanical Engineers (ASME) Code Class 1, 2, and 3 components specified in Section XI of the applicable ASME Boiler and Pressure Vessel Code Edition and Addenda, subject to the applicable provisions of 10CFR50.55a; "

This revision incorporates the NRC staff position with two additional changes:

1- The word "Edition" has been inserted after "ASME Boiler and Pressure Vessel Code," for clarification purposes.

2- The words " subject to the applicable provisions of 10CFR50.55a" have been added after the words "and Addenda" to reflect the fact that relief from, and alternatives to, ASME Code Section XI requirements are permissible under NRC regulations pursuant to 10CFR50.55a provisions.

As the result of the above revision, items (a) and (b) of the previously proposed TS Section 6.17 will be renumbered as items (b) and (c). (See Attachment B for the revised TS Section 6.17.)

ATTACHMENT B

NINE MILE POINT NUCLEAR STATION, LLC

LICENSE NO. DPR-63

DOCKET NO. 50-220

Proposed changes to the Current Technical Specifications (TSs)

Replace the existing Technical Specifications page 374 with the attached revised page 374. Marginal marking indicates changes to the text.

4. The combined Local Leak Rate Test (Type B & C Tests including airlocks) acceptance criteria is less than 0.6 L_a, calculated on a minimum pathway basis, at all times when containment integrity is required.

   The provisions of Specification 4.0.1 do not apply to the test frequencies specified in the 10 CFR 50 Appendix J Testing Program Plan.

6.17 Inservice Testing Program

This program provides controls for inservice testing of Quality Group A, B, and C pumps and valves.

a. Inservice testing of Quality Group A, B, and C pumps and valves shall be performed in accordance with requirements for American Society of Mechanical Engineers (ASME) Code Class 1, 2, and 3 components specified in Section XI of the applicable ASME Boiler and Pressure Vessel Code Edition and Addenda, subject to the applicable provisions of 10CFR50.55a;

b. The provisions of Specification 4.0.1 are applicable to the normal and accelerated testing frequencies for performing inservice testing activities;

c. Nothing in the ASME Boiler and Pressure Vessel Code shall be construed to supersede the requirements of any Technical Specification.

ATTACHMENT C

NINE MILE POINT NUCLEAR STATION, LLC

LICENSE NO. DPR-63

DOCKET NO. 50-220

"Marked-Up" Copy of the Current Technical Specifications (TSs) and Bases

4. The combined Local Leak Rate Test (Type B & C Tests including airlocks) acceptance criteria is less than 0.6 L_a, calculated on a minimum pathway basis, at all times when containment integrity is required.

The provisions of Specification 4.0.1 do not apply to the test frequencies specified in the 10 CFR 50 Appendix J Testing Program Plan.

6.17 Inservice Testing Program

This program provides controls for inservice testing of Quality Group A, B, and C pumps and valves.

a. Inservice testing of Quality Group A, B, and C pumps and valves shall be performed in accordance with requirements for American Society of Mechanical Engineers (ASME) Code Class 1, 2, and 3 components specified in Section XI of the applicable ASME Boiler and Pressure Vessel Code Edition and Addenda, subject to the applicable provisions of 10CFR50.55a;

b. The provisions of Specification 4.0.1 are applicable to the normal and accelerated testing frequencies for performing inservice testing activities;

c. Nothing in the ASME Boiler and Pressure Vessel Code shall be construed to supersede the requirements of any Technical Specification.

ADDED

3.0 LIMITING CONDITIONS FOR OPERATION

3.0.1 OPERABILITY REQUIREMENTS

When a system, subsystem, train, component or device is determined to be inoperable solely because its emergency power source is inoperable, or solely because its normal power source is inoperable, it may be considered operable for the purpose of satisfying the requirements of its applicable Limiting Condition for Operation, provided: (1) its corresponding normal or emergency power source is operable; and (2) all of its redundant system(s), subsystem(s), train(s), component(s) and device(s) are operable, or likewise satisfy the requirements of this specification. Unless both conditions (1) and (2) are satisfied, the unit shall be placed in a condition stated in the individual specification.

In the event a Limiting Condition for Operation and/or associated surveillance requirements cannot be satisfied because of circumstances in excess of those addressed in the specification, the unit shall be placed in a condition consistent with the individual specification unless corrective measures are completed that permit operation under the permissible surveillance requirements for the specified time interval as measured from initial discovery or until the reactor is placed in an operational condition in which the specification is not applicable.

4.0 SURVEILLANCE REQUIREMENTS

4.0.1 SURVEILLANCE INTERVALS

Each Surveillance Requirement shall be performed within the specified surveillance interval with a maximum allowable extension not to exceed 25 percent of the specified surveillance interval.

BASES

DELETED

Specification 4.0.1 establishes the limit for which the specified time interval for Surveillance Requirements may be extended. It permits an allowable extension of the ~~normal~~ surveillance interval to facilitate surveillance scheduling and consideration of plant operating conditions that may not be suitable for conducting the surveillance; e.g., transient conditions or other ongoing surveillance or maintenance activities. It also provides flexibility to accommodate the length of a fuel cycle for surveillances that are performed at each refueling outage and are specified with a 24 month surveillance interval. It is not intended that this provision be used repeatedly as a convenience to extend surveillance intervals beyond that specified for surveillances that are not performed during refueling outages. The limitation of Specification 4.0.1 is based on engineering judgment and the recognition that the most probable result of any particular surveillance being performed is the verification of conformance with the Surveillance Requirements. This provision is sufficient to ensure that the reliability ensured through surveillance activities is not significantly degraded beyond that obtained from the specified surveillance interval.