

October 1, 2002

Mr. John T. Conway
Site Vice President
Nine Mile Point Nuclear Station, LLC
P.O. Box 63
Lycoming, NY 13093

SUBJECT: NINE MILE POINT NUCLEAR STATION, UNIT NO. 2 (NMP2) -
ENVIRONMENTAL ASSESSMENT RELATED TO REQUESTED EXEMPTION
FROM 10 CFR 54.17(c) (TAC NO. MB3532)

Dear Mr. Conway:

Enclosed is a copy of the Environmental Assessment and Finding of No Significant Impact related to your application for exemption dated January 4, 2002, as supplemented on June 27, 2002. The proposed schedular exemption would allow Nine Mile Point Nuclear Station, LLC, to apply for a renewed license for NMP2 earlier than 20 years before the expiration of the operating license currently in effect.

The assessment is being forwarded to the Office of the Federal Register for publication.

Sincerely,

/RA/

Peter S. Tam, Senior Project Manager, Section I
Project Directorate I
Division of Licensing Project Management
Office of Nuclear Reactor Regulation

Docket No. 50-410

Enclosure: Environmental Assessment

cc w/encl: See next page

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OFFICE	PDI-1\PM	PDI-1\LA	RLSB/SC	OGC	PCI-1/SC
NAME	PTam	SLittle	JTappert	AFernandez	RLaufer**
DATE	9/12/02	9/25/02	9/30/02	9/23/02	9/27/02

**P. Tam concurred for R. Laufer

OFFICIAL RECORD COPY

UNITED STATES NUCLEAR REGULATORY COMMISSIONNINE MILE POINT NUCLEAR STATION, LLCDOCKET NO. 50-410NINE MILE POINT NUCLEAR STATION, UNIT NO.2ENVIRONMENTAL ASSESSMENT AND FINDING OFNO SIGNIFICANT IMPACT

The U.S. Nuclear Regulatory Commission (NRC) is considering issuance of an exemption from Title 10 of the *Code of Federal Regulations* (10 CFR) Section 54.17(c) for Facility Operating License No. NPF-69, issued to Nine Mile Point Nuclear Station, LLC (NMPNS), for operation of Nine Mile Point Nuclear Station, Unit No. 2 (NMP2) located in Oswego County, New York. Therefore, as required by 10 CFR 51.21, the NRC is issuing this environmental assessment and finding of no significant impact.

ENVIRONMENTAL ASSESSMENTIdentification of the Proposed Action:

The proposed action would grant a schedular exemption from the provision of 10 CFR 54.17(c), which stipulates that a licensee may not apply for a renewed operating license earlier than 20 years before the current license expires. The exemption would allow NMPNS to submit a renewal application for NMP2 earlier than 20 years before expiration of its operating license.

The Need for the Proposed Action:

The proposed action would allow NMPNS to submit one application for renewal of the operating licenses of both nuclear units located at the site, with the goal of attaining efficiencies for preparation and review of the application.

Environmental Impacts of the Proposed Action:

The NRC has completed its evaluation of the proposed action and concludes that the issuance of the proposed exemption will not have a significant environmental impact. The proposed schedular exemption pertains solely to the future submission of an application to renew the NMP2 operating license. It causes no changes to the current design or operation of NMP2, and imparts no prejudice in the future review of the application for license renewal.

The proposed action will not significantly increase the probability or consequences of accidents, no changes are being made in the types of effluents that may be released off site, and there is no significant increase in occupational or public radiation exposure. Therefore, there are no significant radiological environmental impacts associated with the proposed action.

With regard to potential nonradiological impacts, the proposed action does not have a potential to affect any historic sites. It does not affect nonradiological plant effluents and has no other environmental impact. Therefore, there are no significant nonradiological environmental impacts associated with the proposed action.

Accordingly, the NRC concludes that there are no significant environmental impacts associated with the proposed action.

Environmental Impacts of the Alternatives to the Proposed Action:

As an alternative to the proposed action, the staff considered denial of the proposed action (i.e., the "no-action" alternative). 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.

Alternative Use of Resources:

The action does not involve the use of any different resource than those previously considered in the Final Environmental Statement for NMP2, dated June 1973.

Agencies and Persons Consulted:

On September 27, 2002, the NRC staff consulted with the New York State official, Mr. John P. Spath of the New York State Energy Research and Development Authority, regarding the environmental impact of the proposed action. The State official had no comments.

FINDING OF NO SIGNIFICANT IMPACT

On the basis of the environmental assessment, the NRC concludes that the proposed action will not have a significant effect on the quality of the human environment. Accordingly, the NRC has determined not to prepare an environmental impact statement for the proposed action.

For further details with respect to the proposed action, see the licensee's letter dated January 4, 2002, as supplemented on June 27, 2002. Documents may be examined, and/or copied for a fee, at the NRC's Public Document Room (PDR), located at One White Flint North, 11555 Rockville Pike (first floor), Rockville, Maryland. Publicly available records will be accessible electronically from the Agencywide Documents Access and Management System (ADAMS) Public Electronic Reading Room on the Internet at the NRC Web site, <http://www.nrc.gov/reading-rm/adams.html>. Persons who do not have access to ADAMS or who encounter problems in accessing the documents located in ADAMS, should contact the NRC PDR Reference staff by telephone at 1-800-397-4209 or 301-415-4737, or by e-mail to pdr@nrc.gov.

Dated at Rockville, Maryland, this 1st day of October 2002.

FOR THE NUCLEAR REGULATORY COMMISSION

/RA/

Peter S. Tam, Senior Project Manager, Section 1
Project Directorate I
Division of Licensing Project Management
Office of Nuclear Reactor Regulation

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