

**Constellation  
Energy Group**

Nine Mile Point  
Nuclear Station

March 11, 2004  
NMP2L 2112

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

**SUBJECT:           Nine Mile Point Unit 2  
                      Docket No. 50-410**

**Ultimate Heat Sink Temperature Requirements – Technical  
Specification Amendment Application (TAC NO. MC0594)**

Gentlemen:

By letter dated August 22, 2003, Nine Mile Point Nuclear Station, LLC (NMPNS) submitted a proposed change to the Nine Mile Point Unit 2 Technical Specifications (TS). Specifically, NMPNS proposed a revision to TS 3.7.1, "Service Water (SW) System and Ultimate Heat Sink (UHS)," to allow continued operation with short-term elevated UHS temperatures. On October 24, 2003, a telephone conversation was held between NMPNS and the NRC in which verbal responses were provided to several NRC questions regarding the amendment application. By letter dated November 10, 2003, the Commission issued a formal Request for Additional Information regarding this conversation. Our letter dated January 12, 2004 provided the requested information.

On February 25, 2004, a second telephone conversation was held between NMPNS and the NRC to discuss certain information provided in our January 12, 2004 submittal. The attachment to this letter documents the clarifications made during the February 25, 2004 discussions.

Sincerely,

James A. Spina  
Vice President Nine Mile Point

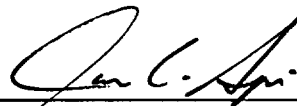
JAS/JT/bjh  
Attachment

A001

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

STATE OF NEW YORK :  
 : TO WIT:  
COUNTY OF OSWEGO :

I, James A. Spina, being duly sworn, state that I am Vice President, Nine Mile Point Nuclear Station, LLC, and that I am duly authorized to execute and file this request on behalf of Nine Mile Point Nuclear Station, LLC. To the best of my knowledge and belief, the statements contained in this document are true and correct. To the extent that these statements are not based on my personal knowledge, they are based upon information provided by other Nine Mile Point employees and/or consultants. Such information has been reviewed in accordance with company practice and I believe it to be reliable.

  
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Subscribed and sworn before me, a Notary Public in and for the State of New York and County of Oswego, this 11<sup>th</sup> day of March, 2004.

WITNESS my Hand and Notarial Seal:

Notary Public 

My Commission Expires:

Date 3/11/04

SANDRA A. OSWALD  
Notary Public, State of New York  
No. 01OS6032276  
Qualified in Oswego County  
Commission Expires 10/25/05

## **ATTACHMENT**

### **Nine Mile Point Nuclear Station, LLC (NMPNS), Unit 2 License Amendment Request (LAR) Regarding Ultimate Heat Sink Temperature Requirements**

Nine Mile Point Nuclear Station's, LLC (NMPNS) letter dated January 12, 2004, Response #2, stated that because the suppression pool temperature is expected to be greater than the design limit, NMPNS would either 1) evaluate a reduction in the allowed percentage of heat exchanger tubes which could be plugged, thereby increasing the system's calculated heat removal capability, 2) revise the applicable analysis to delete unnecessary conservatism thereby decreasing the calculated suppression pool temperature, and/or 3) raise the heat exchanger performance requirement. The NRC indicated that they could not complete their review nor finalize the subject safety evaluation until an option had been selected. NMPNS replied that it is our intention to implement Option #1.

NMPNS Response #3, Items a, b, c, and e, indicated that current evaluations supported our conclusions and that calculations would be updated to confirm acceptability prior to implementation of the approved amendment. The NRC questioned whether the confirmatory calculations should have been completed prior to the amendment application submittal. NMPNS clarified that evaluations have been performed to confirm that the proposed change is acceptable. Our intent was to inform the NRC that existing calculations would be updated to formally incorporate the 84 °F change after the amendment was issued by the NRC.