

From: Farouk Baxter <faroukbax@earthlink.net>
To: <NineMilePointEIS@nrc.gov>
Date: 9/18/04 2:07PM
Subject: Comments on Nine Mile Point License Renewal

Dear Sir,
I would like to submit the following safety concern for consideration in NRC's review of the Nine Mile Point License Renewal Application.

Concern
Nine Mile Point does not meet NRC's safety requirements for multi-unit stations.

The two-unit Nine Mile Point Station is adjacent to the single-unit James Fitzpatrick Station, separated only by a chain link fence. For all practical and safety purposes, Nine Mile Point and Fitzpatrick meet the definition of a multi-three-unit station, even though the license holder's of the two facilities are different. This issue becomes especially significant because the Nine Mile Point/Fitzpatrick complex share systems important to safety, and as such NRC regulations must be applied to this as a three-unit complex when evaluating the Nine Mile Point License Renewal Application. Supporting details are provided below.

Background
Both Nine Mile Point and Fitzpatrick share the same 115 kV preferred offsite power supply that is required by General Design Criteria 17 (GDC-17) for accident mitigation and safe shutdown. The same 115 kV circuit is utilized by all three units of this multi-station complex. This preferred offsite power circuit has marginal capacity and capability such that it may be not be able to support an accident in one unit, an orderly shutdown and cooldown of the remaining two units, as required by General Design Criteria 5.

Criterion 5 - Sharing of Structures, systems, and components, states: "Structures, systems, and components important to safety shall not be shared amongst nuclear power units unless it can be shown that such sharing will not significantly impair their ability to perform their safety functions, including, in the event of an accident in one unit, an orderly shutdown and cooldown of the remaining units."

The safety requirements invoked by General Design Criteria 5 are applicable to all multi-unit stations that share systems important to safety; and these safety systems include the preferred offsite power supplies. The fact that ownership of Nine Mile Point and Fitzpatrick are different is incidental to this safety concern, and the technicality of separate ownership, should not preclude the NRC from applying its regulations to the three-unit complex.

In August/September 2001 both plants entered 7-day LCOs because it was determined that the common 115 kV lines feeding both stations did not have the capacity or capability required by each station's Technical Specifications (GDC-17 requirement). Though corrective actions were taken to resolve these Technical Specification non-compliance issues, the resolutions were station specific, and failed to address the three-multi-unit Nine Mile Point/Fitzpatrick complex.

Should you require any further information, please do not hesitate to

contact me. Also, kindly advise me of the NRC actions taken to address this safety concern relative to the Nine Mile Point License Renewal Application.

Farouk D. Baxter, PE
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[Address and Phone Number Deleted from this Public Version. See Non-Public Version at ML043230428.]

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