

**Constellation Energy**

Nine Mile Point Nuclear Station

P.O. Box 63  
Lycoming, New York 13093

January 24, 2005  
NMP1L 1886

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

**SUBJECT:** Nine Mile Point Unit Nos. 1 and 2  
Docket Nos. 50-220 and 50-410  
Facility Operating License Nos. DPR-63 and NPF-69

**Application for Technical Specification Improvement to Eliminate Requirements to Provide Monthly Operating Reports and Occupational Radiation Exposure Reports**

Gentlemen:

In accordance with the provisions of Section 50.90 of Title 10 of the *Code of Federal Regulations* (10 CFR), Nine Mile Point Nuclear Station, LLC (NMPNS) is submitting a request for amendments to the Technical Specifications (TS) for Nine Mile Point Units 1 and 2.

The proposed amendments would delete the TS requirements to submit monthly operating reports and occupational radiation exposure reports. The change is consistent with NRC approved Revision 1 to industry/Technical Specification Task Force (TSTF) Standard Technical Specification Change Traveler, TSTF-369, "Removal of Monthly Operating Report and Occupational Radiation Exposure Report." The availability of this TS improvement was announced in the Federal Register on June 23, 2004 (69 FR 35067) as part of the consolidated line item improvement process (CLIIP).

Attachment 1 provides a description of the proposed change and confirmation of applicability. Attachments 2 and 3 provide the existing TS pages marked-up to show the proposed changes for Units 1 and 2, respectively.

NMPNS requests approval of the proposed license amendments by April 1, 2005, with the amendment being implemented within 60 days of the approval.

In accordance with 10 CFR 50.91, a copy of this application, with attachments, is being provided to the designated New York State Official.

ADD 1

If you should have any questions regarding this submittal, please contact Steven Leonard,  
General Supervisor Licensing, at (315) 349-4039.

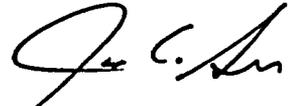
Sincerely

  
James A. Spina  
Vice President Nine Mile Point

JAS/RF/jm

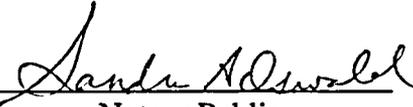
STATE OF NEW YORK :  
: TO WIT:  
COUNTY OF OSWEGO :

I, James A. Spina, being duly sworn, state that I am the Vice President Nine Mile Point, 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.

  
\_\_\_\_\_

~~Subscribed and sworn before me, a Notary Public in and for the State of New York and County~~  
of Oswego, this 24<sup>th</sup> day of January 2005.

WITNESS my Hand and Notarial Seal:

  
\_\_\_\_\_  
Notary Public

SANDRA A. OSWALD  
Notary Public, State of New York  
No. 010S6032276  
Qualified in Oswego County  
Commission Expires 10/25/05

My Commission Expires:

10/25/05  
\_\_\_\_\_  
Date

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**Attachments:**

1. Description and Assessment
2. Proposed Nine Mile Point Unit 1 Technical Specification Changes (Mark-up)
3. Proposed Nine Mile Point Unit 2 Technical Specification Changes (Mark-up)

cc: Mr. S. J. Collins, 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

# ATTACHMENT 1

## Description and Assessment

### 1.0 INTRODUCTION

The proposed License amendments delete the requirements in Technical Specification (TS) 6.6.1 (Unit 1) and TS 5.6.1 (Unit 2) for an annual report on occupational radiation exposures and TS 6.6.4 (Unit 1) and TS 5.6.4 (Unit 2) for a monthly report of operating statistics and shutdown experience.

The changes are consistent with NRC approved Industry/Technical Specification Task Force (TSTF) Standard Technical Specification Change Traveler, TSTF-369, "Removal of Monthly Operating Report and Occupational Radiation Exposure Report," Revision 1. The availability of this technical specification improvement was announced in the Federal Register on June 23, 2004 (69 FR 35067), as part of the consolidated line item improvement process (CLIP).

### 2.0 DESCRIPTION OF PROPOSED AMENDMENT

Consistent with the NRC-approved Revision 1 of TSTF-369, the proposed TS changes include:

Unit 1 TS 6.6.1 Occupational Radiation Exposure Report	Deleted
Unit 2 TS 5.6.1 Occupational Radiation Exposure Report	Deleted
Unit 1 TS 6.6.4 Monthly Operating Reports	Deleted
Unit 2 TS 5.6.4 Monthly Operating Reports	Deleted

As addressed in the safety evaluation published in the Notice of Availability for TSTF-369, Nine Mile Point Nuclear Station, LLC (NMPNS) is proposing to adopt a part of NRC-approved Revision 4 to TSTF-258, "Changes to Section 5.0, Administrative Controls." Specifically, Unit 2 TS 5.6.4 includes a requirement to include in the monthly operating reports any challenges to safety/relief valves. The NRC model safety evaluation addressed the removal of requirements to submit monthly operating reports in those cases where the TS includes a requirement to address challenges to relief and safety valves (Nine Mile Point Unit 2 has not yet adopted the associated part of TSTF-258). The proposed changes are consistent with the option described in the Notice of Availability published on June 23, 2004 (69 FR 35067) and the related documentation for both TSTF-369 and the limited portion of TSTF-258 included in this application.

### 3.0 BACKGROUND

The background for this application is adequately addressed by the NRC Notice of Availability published on June 23, 2004 (69 FR 35067) and TSTF-369.

### 4.0 REGULATORY REQUIREMENTS AND GUIDANCE

The applicable regulatory requirements and guidance associated with this application are adequately addressed by the NRC Notice of Availability published on June 23, 2004 (69 FR 35067) and TSTF-369.

## **5.0 TECHNICAL ANALYSIS**

NMPNS has reviewed the safety evaluation (SE) published on June 23, 2004 (69 FR 35067) as part of the CLIP Notice of Availability. This verification included a review of the NRC staff's SE and the supporting information provided to support TSTF-369. NMPNS has concluded that the justifications presented in the TSTF proposal and the SE prepared by the NRC staff are applicable to Nine Mile Point Units 1 and 2 and justify these amendments for the incorporation of the changes to the Nine Mile Point TS.

## **6.0 REGULATORY ANALYSIS**

A description of this proposed change and its relationship to applicable regulatory requirements and guidance was provided in the NRC Notice of Availability published on June 23, 2004 (69 FR 35067) and TSTF-369.

### **6.1 Verification and Commitments**

6.1.1 As discussed in the model SE published in the Federal Register on June 23, 2004 (69 FR 35067) for this TS improvement, NMPNS is making the following regulatory commitment:

NMPNS is making a regulatory commitment to provide to the NRC using an industry database the operating data (for each calendar month) that is described in Generic Letter 97-02 "Revised Contents of the Monthly Operating Report," by the last day of the month following the end of each calendar quarter. The regulatory commitment will be based on use of an industry database (e.g., the industry's Consolidated Data Entry (CDE) program, currently being developed and maintained by the Institute of Nuclear Power Operations). This regulatory commitment will be implemented to prevent any gaps in the monthly operating statistics and shutdown experience provided to the NRC (i.e., data for all months will be provided using one or both systems (monthly operating reports and CDE)).

6.2.2 It has been verified that Nine Mile Point does not have different reactor types or both operating and shutdown reactors.

## **7.0 NO SIGNIFICANT HAZARDS CONSIDERATION**

NMPNS has reviewed the proposed no significant hazards consideration determination published on June 23, 2004 (69 FR 35067) as part of the CLIP. NMPNS has concluded that the proposed determination presented in the notice is applicable to Nine Mile Point Units 1 and 2 and the determination is hereby incorporated by reference to satisfy the requirements of 10 CFR 50.91(a).

## **8.0 ENVIRONMENTAL EVALUATION**

NMPNS has reviewed the environmental evaluation included in the model SE published on June 23, 2004 (69 FR 35067) as part of the CLIP. NMPNS has concluded that the staff's findings

presented in that evaluation are applicable to Nine Mile Point Units 1 and 2 and the evaluation is hereby incorporated by reference for this application.

#### **9.0 PRECEDENT**

This application is being made in accordance with the CLIIP. NMPNS is not proposing variations or deviations from the TS changes described in TSTF-369 and the limited portion of TSTF-258 or the NRC staff's model SE published on June 23, 2004 (69 FR 35067).

#### **10.0 REFERENCES**

Federal Register Notice: Notice of Availability of Model Application Concerning Technical Specifications Improvement to Eliminate Requirements to Provide Monthly Operating Reports and Occupational Radiation Exposure Reports Using the Consolidated Line Item Improvement Process, published June 23, 2004 (69 FR 35067).

**ATTACHMENT 2**

**PROPOSED NINE MILE POINT UNIT 1 TECHNICAL SPECIFICATION CHANGES  
(MARK-UP)**

6.6 Reporting Requirements

Deleted

The following reports shall be submitted in accordance with 10 CFR 50.4.

6.6.1 Occupational Radiation Exposure Report

A tabulation on an annual basis of the number of station, utility, and other personnel (including contractors), for whom monitoring was performed, receiving an annual deep dose equivalent of > 100 mrem and the associated collective deep dose equivalent (reported in man-rem) according to work and job functions (e.g., reactor operations and surveillance, inservice inspection, routine maintenance, special maintenance (describe maintenance), waste processing, and refueling). This tabulation supplements the requirements of 10 CFR 20.2206. The dose assignments to various duty functions may be estimated based on pocket ion chamber, thermoluminescence dosimeter (TLD), electronic dosimeter, or film badge measurements. Small exposures totaling < 20% of the individual total dose need not be accounted for. In the aggregate, at least 80% of the total deep dose equivalent received from external sources should be assigned to specific major work functions. The report covering the previous calendar year shall be submitted by April 30 of each year.

6.6.2 Annual Radiological Environmental Operating Report\*

The Annual Radiological Environmental Operating Report covering the operation of the unit during the previous calendar year shall be submitted by May 15 of each year. The report shall include summaries, interpretations, and analyses of trends of the results of the radiological environmental monitoring program for the reporting period. The material provided shall be consistent with the objectives outlined in the Offsite Dose Calculation Manual (ODCM), and in 10 CFR 50, Appendix I, Sections IV.B.2, IV.B.3, and IV.C.

The Annual Radiological Environmental Operating Report shall include the results of analyses of all radiological environmental samples and of all environmental radiation measurements taken during the period pursuant to the locations specified in the table and figures in the ODCM, as well as summarized and tabulated results of these analyses and measurements in the format of the table in the Radiological Assessment Branch Technical Position, Revision 1, November 1979. In the event that some individual results are not available for inclusion with the report, the report shall be submitted noting and explaining the reasons for the missing results. The missing data shall be submitted in a supplementary report as soon as possible.

\* A single submittal may be made for a multiple unit station. The submittal should combine sections common to all units at the station.

6.6.3 Radioactive Effluent Release Report\*

The Radioactive Effluent Release Report covering the operation of the unit shall be submitted in accordance with 10 CFR 50.36a. The report shall include a summary of the quantities of radioactive liquid and gaseous effluents and solid waste released from the unit. The material provided shall be consistent with the objectives outlined in the ODCM and the Process Control Program and in conformance with 10 CFR 50.36a and 10 CFR 50, Appendix I, Section IV.B.1.

6.6.4 Monthly Operating Reports

Routine reports of operating statistics and shutdown experience shall be submitted on a monthly basis no later than the 15<sup>th</sup> of each month following the calendar month covered by the report.

6.6.5 Core Operating Limits Report (COLR)

- a. Core operating limits shall be established prior to each reload cycle, or prior to any remaining portion of a reload cycle, and shall be documented in the COLR for the following:
1. The AVERAGE PLANAR LINEAR HEAT GENERATION RATE (APLHGR) for Specifications 3.1.7.a and 3.1.7.e.
  2. The  $K_f$  core flow adjustment factor for Specification 3.1.7.c.
  3. The MINIMUM CRITICAL POWER RATIO (MCPR) for Specifications 3.1.7.c and 3.1.7.e.
  4. The LINEAR HEAT GENERATION RATE for Specification 3.1.7.b.
  5. The Power/Flow relationship for Specifications 3.1.7.d and 3.1.7.e.

\* A single submittal may be made for a multiple unit station. The submittal should combine sections common to all units at the station; however, for units with separate radwaste systems, the submittal shall specify the releases of radioactive material from each unit.

**ATTACHMENT 3**

**PROPOSED NINE MILE POINT UNIT 2 TECHNICAL SPECIFICATION CHANGES  
(MARK-UP)**

5.0 ADMINISTRATIVE CONTROLS

5.6 Reporting Requirements

Deleted

The following reports shall be submitted in accordance with 10 CFR 50.4.

5.6.1

Occupational Radiation Exposure Report

A tabulation on an annual basis of the number of station, utility, and other personnel (including contractors), for whom monitoring was performed, receiving an annual deep dose equivalent of > 100 mrem and the associated collective deep dose equivalent (reported in man-rem) according to work and job functions (e.g., reactor operations and surveillance, inservice inspection, routine maintenance, special maintenance (describe maintenance), waste processing, and refueling). This tabulation supplements the requirements of 10 CFR 20.2206. The dose assignments to various duty functions may be estimated based on pocket ion chamber, thermoluminescent dosimeter (TLD), electronic dosimeter, or film badge measurements. Small exposures totalling < 20% of the individual total dose need not be accounted for. In the aggregate, at least 80% of the total whole body dose received from external sources should be assigned to specific major work functions. The report shall be submitted by April 30 of each year.

5.6.2

Annual Radiological Environmental Operating Report

-----NOTE-----

A single submittal may be made for a multiple unit station. The submittal should combine sections common to all units at the station.

The Annual Radiological Environmental Operating Report covering the operation of the unit during the previous calendar year shall be submitted by May 15 of each year. The report shall include summaries, interpretations, and analyses of trends of the results of the radiological environmental monitoring program for the reporting period. The material provided shall be consistent with the objectives outlined in the Offsite Dose Calculation Manual (ODCM), and in 10 CFR 50, Appendix I, Sections IV.B.2, IV.B.3, and IV.C.

The Annual Radiological Environmental Operating Report shall include the results of analyses of all radiological environmental samples and of all environmental radiation measurements taken during the period pursuant to the locations specified in the table

(continued)

5.6 Reporting Requirements

5.6.2 Annual Radiological Environmental Operating Report (continued)

and figures in the ODCM, as well as summarized and tabulated results of these analyses and measurements in the format of the table in the Radiological Assessment Branch Technical Position, Revision 1, November 1979. In the event that some individual results are not available for inclusion with the report, the report shall be submitted noting and explaining the reasons for the missing results. The missing data shall be submitted in a supplementary report as soon as possible.

5.6.3 Radioactive Effluent Release Report

-----NOTE-----

A single submittal may be made for a multiple unit station. The submittal should combine sections common to all units at the station; however, for units with separate radwaste systems, the submittal shall specify the releases of radioactive material from each unit.

The Radioactive Effluent Release Report covering the operation of the unit shall be submitted in accordance with 10 CFR 50.36a. The report shall include a summary of the quantities of radioactive liquid and gaseous effluents and solid waste released from the unit. The material provided shall be consistent with the objectives outlined in the ODCM and the Process Control Program and in conformance with 10 CFR 50.36a and 10 CFR 50, Appendix I, Section IV.B.1.

Deleted

5.6.4 Monthly Operating Reports

~~Routine reports of operating statistics and shutdown experience, including documentation of all challenges to the safety/relief valves, shall be submitted on a monthly basis no later than the 15th of each month following the calendar month covered by the report.~~

5.6.5 CORE OPERATING LIMITS REPORT (COLR)

- a. Core operating limits shall be established prior to each reload cycle, or prior to any remaining portion of a reload cycle, and shall be documented in the COLR for the following:

(continued)