



Constellation Energy[®]

Nine Mile Point Nuclear Station

P.O. Box 63
Lycoming, NY 13093

July 31, 2008

U. S. Nuclear Regulatory Commission
Washington, DC 20555-0001

ATTENTION: Document Control Desk

SUBJECT: Nine Mile Point Nuclear Station
Unit No. 2; Docket No. 50-410

American Society of Mechanical Engineers (ASME) Code, Section XI, Inservice Inspection Program for the Third Ten-Year Inservice Inspection Interval and Associated 10 CFR 50.55a Requests – Withdrawal of 10 CFR 50.55a Requests from NRC Review

- REFERENCE:**
- (a) Letter from G. J. Laughlin (NMPNS) to Document Control Desk (NRC), dated December 14, 2007, American Society of Mechanical Engineers (ASME) Code, Section XI, Inservice Inspection Program for the Third Ten-Year Inservice Inspection Interval and Associated 10 CFR 50.55a Requests
 - (b) Letter from G. J. Laughlin (NMPNS) to Document Control Desk (NRC), dated January 25, 2008, American Society of Mechanical Engineers (ASME) Code, Section XI, Inservice Inspection Program for the Third Ten-Year Inservice Inspection Interval and Associated 10 CFR 50.55a Requests - Replacement of Appendix H, "Relief Requests / Alternatives"

By letter dated December 14, 2007 (Reference a), as supplemented by letter dated January 25, 2008 (Reference b), Nine Mile Point Nuclear Station, LLC (NMPNS) submitted the Nine Mile Point Unit 2 Third Ten-Year Inservice Inspection (ISI) Plan and Schedule and requested NRC approval of the associated 10 CFR 50.55a requests. The 10 CFR 50.55a requests were contained in Appendix H of the submitted ISI Plan and Schedule. Six (6) of the 10 CFR 50.55a requests were submitted in accordance with the provisions of 10 CFR 50.55a(g)(5)(iii) because conformance with certain code requirements was determined to be impractical.

Based on subsequent conversations with the NRC staff, NMPNS is withdrawing from NRC review the six (6) 10 CFR 50.55a requests that are based on impracticality; i.e, request numbers 2ISI-002, 2ISI-003, 2ISI-004, 2ISI-005, 2ISI-006, and 2ISI-008. From those conversations it is NMPNS's understanding that 10 CFR 50.55a requests based on impracticality should not be submitted for NRC review until after attempts have been made to perform the subject examinations, and that such requests are to be submitted to and approved by the NRC not later than 12 months after the end of the associated ten-year ISI interval pursuant to 10 CFR 50.55a(g)(5)(iv). NMPNS requests NRC concurrence that this understanding is correct.

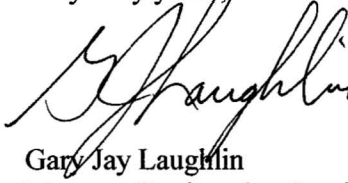
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This letter contains no new regulatory commitments. Should you have any questions regarding the information in this submittal, please contact T. F. Syrell, Licensing Director, at (315) 349-5219.

Very truly yours,



Gary Jay Laughlin
Manager Engineering Services

GJL/DEV

cc: S. J. Collins, NRC
R. V. Guzman, NRC
Resident Inspector, NRC