- (3) Pursuant to the Act and 10 CFR Parts 30, 40, and 70 to receive, possess and use at any time any byproduct, source and special nuclear material as sealed neutron sources for reactor startup, sealed sources for reactor instrumentation and radiation monitoring equipment calibration, and as fission detectors in amounts as required;
- (4) Pursuant to the Act and 10 CFR Parts 30, 40 and 70, to receive, possess and use in amounts as required any byproduct, source or special nuclear material without restriction to chemical or physical form, for sample analysis or instrument and equipment calibration or associated with radioactive apparatus or components.
- (5) Pursuant to the Act and 10 CFR Parts 30 and 70, to possess, but not separate, such byproduct and special nuclear materials as may be produced by the operation of the facility.
- C. This renewed operating license shall be deemed to contain and is subject to the conditions specified in the following Commission regulations in 10 CFR Chapter I:

Part 20, Section 30.34 of Part 30; Section 40.41 of Part 40; Section 50.54 and 50.59 of Part 50; and Section 70.32 of Part 70. This renewed license is subject to all applicable provisions of the Act and to the rules, regulations, and orders of the Commission now or hereafter in effect and is also subject to the additional conditions specified or incorporated below:

(1) <u>Maximum Power Level</u>

The licensee is authorized to operate the facility at steady state reactor core power levels not in excess of 1850 megawatts (thermal).

(2) Technical Specifications

The Technical Specifications contained in Appendix A, which is attached hereto, as revised through Amendment No. 196, is hereby incorporated into this license. Nine Mile Point Nuclear Station, LLC shall operate the facility in accordance with the Technical Specifications.

(3) Deleted

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LIMITING CONDITION FOR OPERATION

- (iii) Proper annunciation of the select error of at least one out-of-sequence control rod in each fully inserted group shall be verified.
- (iv) The rod block function of the rod worth minimizer shall be verified by attempting to withdraw an out-of-sequence control rod beyond the block point.
- (b) If the rod worth minimizer is inoperable while the reactor is in the startup or run mode below 10% rated thermal power and a second licensed operator or other qualified member of the technical staff is being used he shall verify that all rod positions are correct prior to commencing withdrawal of each rod group.

- (b) Whenever the reactor is in the startup or run mode below 10% rated thermal power, no control rods shall be moved unless the rod worth minimizer is operable, except as noted in 4.1.1.b(3)(a)(iv), or as follows:
 - (i) If the rod worth minimizer becomes inoperable after the first 12 control rods have been withdrawn, continue startup provided that a second licensed operator or other qualified member of the technical staff verifies that the licensed operator at the reactor console is following the control rod program.

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- (ii) If the rod worth minimizer becomes inoperable before a startup is commenced or before the first 12 control rods have been withdrawn, continue startup provided that a startup with the rod worth minimizer inoperable has not been performed in the last calendar year, and provided that a second licensed operator or other qualified member of the technical staff verifies that the licensed operator at the reactor console is following the control rod program.
- (4) Control rods shall not be withdrawn for approach to criticality unless at least three source range channels have an observed count rate equal to or greater than three counts per second.

SURVEILLANCE REQUIREMENT

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