



UNITED STATES
NUCLEAR REGULATORY COMMISSION
WASHINGTON, D.C. 20555-0001

February 17, 2009

Mr. Keith J. Polson
Vice President Nine Mile Point
Nine Mile Point Nuclear Station, LLC
P. O. Box 63
Lycoming, NY 13093

SUBJECT: NINE MILE POINT NUCLEAR STATION, UNIT NO. 1 - ISSUANCE OF
AMENDMENT REGARDING REVISION TO SURVEILLANCE REQUIREMENTS
FOR EMERGENCY VENTILATION SYSTEM AND CONTROL ROOM AIR
TREATMENT SYSTEM (TAC NO. MD8243)

Dear Mr. Polson:

The Nuclear Regulatory Commission (NRC) has issued the enclosed Amendment No. 201 to Renewed Facility Operating License No. DPR-63 for the Nine Mile Point Nuclear Station, Unit No. 1 (NMP1), in response to your application dated February 25, 2008 (Agencywide Documents Access Management System Accession No. ML080560518).

The amendment revises NMP1 Technical Specification (TS) Section 3/4.4.4, "Emergency Ventilation System," to remove the operability and surveillance requirements for the 10,000 watt heater located in the common supply inlet air duct for the Reactor Building Emergency Ventilation System. The amendment also revises TS Section 3/4.4.5, "Control Room Air Treatment System," to reduce the 10-hour duration monthly system operational surveillance test requirement to a 15-minute run surveillance test requirement.

A copy of the related Safety Evaluation is enclosed. A Notice of Issuance will be included in the Commission's next regular biweekly *Federal Register* notice.

Sincerely,

A handwritten signature in black ink, appearing to read "Richard V. Guzman".

Richard V. Guzman, Senior Project Manager
Plant Licensing Branch I-1
Division of Operating Reactor Licensing
Office of Nuclear Reactor Regulation

Docket No. 50-220

Enclosures:

1. Amendment No. 201 to DPR-63
2. Safety Evaluation

cc w/encls: Distribution via Listserv



UNITED STATES
NUCLEAR REGULATORY COMMISSION
WASHINGTON, D.C. 20555-0001

NINE MILE POINT NUCLEAR STATION, LLC (NMPNS)

DOCKET NO. 50-220

NINE MILE POINT NUCLEAR STATION, UNIT NO. 1

AMENDMENT TO FACILITY OPERATING LICENSE

Amendment No. 201
Renewed License No. DPR-63

1. The Nuclear Regulatory Commission (the Commission) has found that:
 - A. The application for amendment by Nine Mile Point Nuclear Station, LLC (the licensee) dated February 25, 2008, complies with the standards and requirements of the Atomic Energy Act of 1954, as amended (the Act) and the Commission's rules and regulations set forth in 10 CFR Chapter I;
 - B. The facility will operate in conformity with the application, the provisions of the Act, and the rules and regulations of the Commission;
 - C. There is reasonable assurance (i) that the activities authorized by this amendment can be conducted without endangering the health and safety of the public, and (ii) that such activities will be conducted in compliance with the Commission's regulations;
 - D. The issuance of this amendment will not be inimical to the common defense and security or to the health and safety of the public; and
 - E. The issuance of this amendment is in accordance with 10 CFR Part 51 of the Commission's regulations and all applicable requirements have been satisfied.
2. Accordingly, the license is amended by changes to the Technical Specifications as indicated in the attachment to this license amendment, and paragraph 2.C.(2) of Renewed Facility Operating License No. DPR-63 is hereby amended to read as follows:

(2) Technical Specifications

The Technical Specifications contained in Appendix A, which is attached hereto, as revised through Amendment No. 201, is hereby incorporated into this license. Nine Mile Point Nuclear Station, LLC shall operate the facility in accordance with the Technical Specifications.

3. This license amendment is effective as of the date of its issuance and shall be implemented within 60 days.

FOR THE NUCLEAR REGULATORY COMMISSION



Mark G. Kowal, Chief
Plant Licensing Branch I-1
Division of Operating Reactor Licensing
Office of Nuclear Reactor Regulation

Attachment:
Changes to the License and Technical
Specifications

Date of Issuance: February 17, 2009

ATTACHMENT TO LICENSE AMENDMENT NO. 201
TO RENEWED FACILITY OPERATING LICENSE NO. DPR-63
DOCKET NO. 50-220

Replace the following page of the Renewed Facility Operating License with the attached revised page. The revised page is identified by amendment number and contains marginal lines indicating the areas of change.

Remove Page

3

Insert Page

3

Replace the following pages of Appendix A, Technical Specifications, with the attached revised pages. The revised pages are identified by amendment number and contain marginal lines indicating the areas of change.

Remove Pages

173

174

179

Insert Pages

173

174

179

- (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) Maximum Power Level

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. 201, is hereby incorporated into this license. Nine Mile Point Nuclear Station, LLC shall operate the facility in accordance with the Technical Specifications.

(3) Deleted

LIMITING CONDITION FOR OPERATION	SURVEILLANCE REQUIREMENT
<p data-bbox="208 360 804 389">3.4.4 <u>EMERGENCY VENTILATION SYSTEM</u></p> <p data-bbox="300 426 463 455"><u>Applicability:</u></p> <p data-bbox="300 492 917 551">Applies to the operating status of the emergency ventilation system.</p> <p data-bbox="300 588 431 617"><u>Objective:</u></p> <p data-bbox="300 654 966 779">To assure the capability of the emergency ventilation system to minimize the release of radioactivity to the environment in the event of an incident within the primary containment or reactor building.</p> <p data-bbox="300 816 474 845"><u>Specification:</u></p> <ul style="list-style-type: none"> <li data-bbox="300 882 1002 1007">a. Except as specified in Specification 3.4.4e below, both circuits of the emergency ventilation system shall be operable at all times when secondary containment integrity is required. <li data-bbox="300 1044 991 1235">b. The results of the in-place cold DOP and halogenated hydrocarbon tests at design flows on HEPA filters and charcoal adsorber banks shall show $\geq 99\%$ DOP removal and $\geq 99\%$ halogenated hydrocarbon removal when tested in accordance with ANSI N.510-1980. 	<p data-bbox="1055 360 1655 389">4.4.4 <u>EMERGENCY VENTILATION SYSTEM</u></p> <p data-bbox="1146 426 1310 455"><u>Applicability:</u></p> <p data-bbox="1146 492 1785 551">Applies to the testing of the emergency ventilation system.</p> <p data-bbox="1146 588 1278 617"><u>Objective:</u></p> <p data-bbox="1146 654 1832 713">To assure the operability of the emergency ventilation system.</p> <p data-bbox="1146 816 1321 845"><u>Specification:</u></p> <p data-bbox="1146 882 1796 941">Emergency ventilation system surveillance shall be performed as indicated below:</p> <ul style="list-style-type: none"> <li data-bbox="1146 977 1847 1239">a. At least once per operating cycle, not to exceed 24 months, the following conditions shall be demonstrated: <ul style="list-style-type: none"> <li data-bbox="1238 1110 1825 1239">(1) Pressure drop across the combined HEPA filters and charcoal adsorber banks is less than 6 inches of water at the system rated flow rate ($\pm 10\%$). <li data-bbox="1238 1275 1391 1305">(2) Deleted

LIMITING CONDITION FOR OPERATION

- c. The results of laboratory carbon sample analysis shall show $\geq 95\%$ radioactive methyl iodide removal when tested in accordance with ASTM D3803-1989 at 30°C and 95% R.H.
- d. Fans shall be shown to operate within $\pm 10\%$ design flow.
- e. During reactor operation, including when the reactor coolant system temperature is above 215°F, from and after the date that one circuit of the emergency ventilation system is made or found to be inoperable for any reason, reactor operation is permissible only during the succeeding seven days unless such circuit is sooner made operable, provided that during such seven days all active components of the other emergency ventilation circuit shall be operable.

During handling of recently irradiated fuel in the reactor building, handling of an irradiated fuel cask in the reactor building, and operations with a potential for draining the reactor vessel (OPDRVs), from and after the date that one circuit of the emergency ventilation system is made or found to be inoperable for any reason, recently irradiated fuel handling in the reactor building, irradiated fuel cask handling in the reactor building, or OPDRVs are permissible during the succeeding seven days unless such circuit is sooner made operable, provided that

SURVEILLANCE REQUIREMENT

- b. The tests and sample analysis of Specification 3.4.4b, c and d shall be performed at least once per operating cycle or once every 24 months, or after 720 hours of system operation, whichever occurs first or following significant painting, fire or chemical release in any ventilation zone communicating with the system.
- c. Cold DOP testing shall be performed after each complete or partial replacement of the HEPA filter bank or after any structural maintenance on the system housing.
- d. Halogenated hydrocarbon testing shall be performed after each complete or partial replacement of the charcoal adsorber bank or after any structural maintenance on the system housing.
- e. Each circuit shall be operated at least 15 minutes every month.
- f. Test sealing of gaskets for housing doors downstream of the HEPA filters and charcoal adsorbers shall be performed at and in conformance with each test performed for compliance with Specification 4.4.4b and Specification 3.4.4b.

LIMITING CONDITION FOR OPERATION

- c. The results of laboratory carbon sample analysis shall show $\geq 95\%$ radioactive methyl iodine removal when tested in accordance with ASTM D3803-1989 at 30°C and 95% R.H.
- d. Fans shall be shown to operate within $\pm 10\%$ design flow.
- e. From and after the date that the control room air treatment system is made or found to be inoperable for any reason, except for an inoperable CRE boundary during the power operating condition, restore the system to operable within the succeeding seven days.
- f. If the control room air treatment system is made or found to be inoperable due to an inoperable CRE boundary during the power operating condition: immediately initiate action to implement mitigating actions; within 24 hours, verify mitigating actions ensure CRE occupant exposures to radiological, chemical, and smoke hazards will not exceed limits; and within 90 days, restore the CRE boundary to operable status.
- g. If Specifications 3.4.5.e or 3.4.5.f cannot be met during the power operating condition, or when reactor coolant system temperature is greater than 212°F, reactor shutdown shall be initiated and the reactor shall be in cold shutdown within 36 hours.
- h. If Specification 3.4.5.e cannot be met whenever recently irradiated fuel or an irradiated fuel cask is being handled in the reactor building, or during OPDRVs: immediately suspend handling of recently irradiated fuel or the irradiated fuel cask in the reactor building; and immediately initiate action to suspend OPDRVs.

SURVEILLANCE REQUIREMENT

- c. Cold DOP testing shall be performed after each complete or partial replacement of the HEPA filter bank or after any structural maintenance on the system housing.
- d. Halogenated hydrocarbon testing shall be performed after each complete or partial replacement of the charcoal absorber bank or after any structural maintenance on the system housing.
- e. The system shall be operated at least 15 minutes every month.
- f. At least once per operating cycle, not to exceed 24 months, automatic initiation of the control room air treatment system shall be demonstrated.
- g. In accordance with the frequency and specifications of the Control Room Envelope Habitability Program, perform required CRE unfiltered air inleakage testing.



UNITED STATES
NUCLEAR REGULATORY COMMISSION
WASHINGTON, D.C. 20555-0001

SAFETY EVALUATION BY THE OFFICE OF NUCLEAR REACTOR REGULATION

RELATED TO AMENDMENT NO. 201

TO RENEWED FACILITY OPERATING LICENSE NO. DPR-63

NINE MILE POINT NUCLEAR STATION, LLC

NINE MILE POINT NUCLEAR STATION, UNIT NO. 1

DOCKET NOS. 50-220

1.0 INTRODUCTION

By letter dated February 25, 2008 (Agencywide Documents Access and Management System (ADAMS) Accession No. ML080560518), Nine Mile Point Nuclear Station, LLC (NMPNS or the licensee) submitted a license amendment request (LAR) for Nine Mile Point Nuclear Station, Unit No. 1 (NMP1). The proposed amendment would revise the NMP1 Technical Specification (TS) Section 3/4.4.4, "Emergency Ventilation System," to remove the operability and surveillance requirements (SRs) for the 10,000 watt heater located in the common supply inlet air duct for the Reactor Building Emergency Ventilation System. The amendment would also revise TS Section 3/4.4.5, "Control Room Air Treatment System," to reduce the 10-hour duration monthly system operational surveillance test requirement to a 15-minute run surveillance test requirement.

2.0 REGULATORY EVALUATION

Section 182a of the Atomic Energy Act (the "Act") requires applicants for nuclear power plant operating licenses to include TS as part of the license. The TS ensure the operational capability of structures, systems and components that are required to protect the health and safety of the public. The Commission's regulatory requirements related to the content of the TS are contained in Title 10 of the *Code of Federal Regulations* (10 CFR) Section 50.36. This regulation requires that the TS include items in the following specific categories: (1) safety limits, limiting safety systems settings, and limiting control settings (50.36(c)(1)); (2) LCOs (50.36(c)(2)); (3) SRs (50.36(c)(3)); (4) design features (50.36(c)(4)); and (5) administrative controls (50.36(c)(5)).

In general, there are two classes of changes to TS: (1) changes needed to reflect modifications to the design basis (TS are derived from the design basis), and (2) voluntary changes to take advantage of the evolution in policy and guidance as to the required content and preferred format of TS over time. This amendment addresses the second class of changes. In determining the acceptability of revising the TSs, the NRC staff used the accumulation of generically approved guidance in NUREG-1433, "Standard Technical Specifications, Revision 3, General Electric Plants, Boiling-Water Reactor (BWR)/4," dated June 2004, referred to as

BWR Model 4, Standard Technical Specifications (BWR/4 STS)). Licensees may revise the TS to adopt current improved STS format and content provided that a plant-specific review supports a finding of continued adequate safety because: (1) the change is editorial, administrative or provides clarification (i.e., no requirements are materially altered), (2) the change is more restrictive than the licensee's current requirement, or (3) the change is less restrictive than the licensee's current requirement, but nonetheless still affords adequate assurance of safety when judged against current regulatory standards. The detailed application of this general framework, and additional specialized guidance, are discussed in Section 3.0 in the context of specific proposed changes.

In accordance with 10 CFR 50.36(c)(3), SRs are requirements relating to test, calibration, or inspection to assure that the necessary quality of systems and components is maintained, that facility operation will be within safety limits, and that the limiting conditions for operation will be met.

One acceptable method to meet the requirements of 10 CFR 50.36 for in-place testing of engineered-safety-feature (ESF) atmosphere cleanup systems and laboratory testing of activated carbon, is contained in regulatory positions C.4.9, C.6.1 and C.7, respectively, of Regulatory Guide (RG) 1.52, Revision 3, "Design, Inspection, and Testing Criteria for Air Filtration and Adsorption Units of Post-Accident Engineered-Safety-Feature Atmosphere Cleanup Systems in Light-water-Cooled Nuclear Power Plants," dated June 2001. RG 1.52 provides guidance and criteria acceptable to the NRC staff for implementing the NRC's regulations in Appendix A to 10 CFR Part 50 with regard to the design, inspection, and testing of air filtration and iodine adsorption units of ESF atmosphere cleanup systems in light-water-cooled nuclear power plants.

RG 1.52, Regulatory Position C.4.9, states that, "Adsorption units function most efficiently, with respect to retention of adsorbed iodine, at an input relative humidity of 70% or less. If the relative humidity of the air entering the ESF atmosphere cleanup system is expected to exceed 70% during accident situations, humidity control should be provided in the system design for controlling the relative humidity of the air entering the system. It further states that, "Humidity control promotes the long-term retention of radioiodine in the iodine adsorbers (minimizing the potential for early desorption and release) by maintaining the relative humidity at less than or equal to 70%," and that "systems without humidity control should perform laboratory testing of representative samples of activated carbon at a relative humidity of 95%."

RG 1.52, Regulatory Position C.6.1, states that, "Each ESF atmosphere cleanup train should be operated continuously for at least 15 minutes each month, with the heaters on (if so equipped), to justify the operability of the system and all its components."

RG 1.52, Regulatory Position C.7 states, in part, that laboratory testing of samples of activated carbon adsorber material from ESF atmosphere cleanup systems should be performed in accordance with American Society for Testing and Materials (ASTM) D3803-1989, "Standard Test Method for Nuclear-Grade Activated Charcoal," and Table 1 of RG 1.52, Revision 3.

Generic Letter (GL) 99-02, "Laboratory Testing of Nuclear Grade Activated Charcoal," informed licensees that testing nuclear-grade activated charcoal to standards other than ASTM D3803-1989, does not provide assurance for complying with the current licensing basis as it relates to the dose limits of Subpart A of 10 CFR 100 and General Design Criterion (GDC) 19 of Appendix

A to 10 CFR 50. GDC 19, "Control room," requires, in part, that adequate radiation protection be provided to permit access to and occupancy of the control room under accident conditions and for the duration of the accident without personnel radiation exposures in excess of 5 rem to the whole body, or its equivalent to any part of the body.

3.0 TECHNICAL EVALUATION

3.1 Licensee's Proposed TS Changes

The licensee is requesting the following TS changes:

- SR 4.4.4a(2), which currently reads "Operability of inlet heater at rated power when tested in accordance with ANSI N.510-1980," will be deleted.
- SR 4.4.4e, which currently reads, "Each circuit shall be operated with the inlet heaters on at least 10 hours every month," will be revised to read, "Each circuit shall be operated at least 15 minutes every month."
- SR 4.4.5e, which currently reads, "The system shall be operated at least 10 hours every month," will be revised to read, "The system shall be operated at least 15 minutes every month."

Currently, SR 4.4.4.a(2) requires operability of the inlet heater at rated power when tested in accordance with ANSI N510-1980. SR 4.4.4e requires its filtration circuit to be operated for 10 hours every month with the heater on; and SR 4.4.5e requires its filtration circuit to be operated for 10 hours every month. The proposed revisions will incorporate system testing changes consistent with the guidance of GL 99-02, ASTM D3803-1989, and RG 1.52, Revision 3.

The licensee states that the Bases will be processed in accordance with NMP1 TS 6.5.6, "Technical Specification (TS) Bases Control Program." The proposed TS Bases changes were submitted with the February 25, 2008, application, for NRC staff information.

The NRC staff reviewed the proposed TS changes and verified that they are adequately justified on the basis of plant-specific design. The NRC staff also reviewed the proposed changes to the TS Bases for consistency with the plant-specific design and licensing bases, although approval of the Bases is not a condition for accepting the proposed amendment.

3.1.1 Emergency Ventilation System (EVS)

As stated in NMPNS's application:

The Reactor Building Emergency Ventilation System (RBEVS) is normally a standby system which performs only in the event of an accident or failure of the normal reactor building ventilation. The system is designed to remove air from areas where excessive heat concentration and potential airborne contamination exists, maintain negative pressure in the reactor building upon loss of, and remove/filter particulates and iodines from the reactor building atmosphere prior to exhausting to the stack during secondary containment isolation conditions.

The RBEVS is comprised of an inlet air duct taking suction from the normal reactor building ventilation discharge, an electric 10 kW heater located in the common inlet air supply duct to reduce inlet air relative humidity (RH), a dual bank of filters each comprised of two high-efficiency particulate absolute (HEPA) filters, a charcoal adsorber bank, a 1,000 watt (1 kW) heater to prevent condensation in the charcoal filter bank when the system is first placed in service, and a motor driven blower. The design function of the current 10 kW heater is to maintain RH levels such that charcoal efficiency is maintained during system operation.

Deletion of EVS SR 4.4.4a(2)

SR 4.4.4a(2) currently requires, "Operability of inlet heater at rated power when tested in accordance with ANSI N.510-1980."

This licensee proposes to delete SR 4.4.4a(2) regarding operability of inlet heater at rated power when tested in accordance with ANSI-1980. The licensee provided the following rationale in support of the proposed deletion of SR 4.4.4a(2):

In response to NRC GL 99-02, and as subsequently approved by the NRC in NMP1 TS Amendment No. 171, TS 3.4.4c was revised to state "The results of laboratory carbon sample analysis shall show $\geq 95\%$ radioactive methyl iodide removal when tested in accordance with ASTM 03803-1989 at 30°C and 95% R.H." The use of the more stringent higher relative humidity test parameter (95%), which contains a safety factor of ≥ 2 , assures that the charcoal efficiency assumed in the accident analysis is still valid at the end of an operating cycle, and allows removal of the need for the humidity control requirement because the lack of humidity control has been accounted for in the test conditions.

NUREG-1433, Revision 3, published in June 2004, contains the Improved Standard Technical Specification (STS) for General Electric BWR/4 plants. Revision 3 includes improvements gained from GL 99-02. Developmental guidance is provided in establishing updated ventilation filter testing program (VFTP, Section 5.5.8) requirements specific to the use of ASTM D3803-1989. Although the NMP1 TSs are not STS formatted and do not contain a Ventilation Filter Testing Program (although the equivalent requirements are incorporated directly into the TS), the program improvements are applicable to the RBEVS specification.

ASTM D3803-1989 allows for, and accounts for testing of the charcoal without humidity control. Also, the staff Note for NUREG-1433, Section 5.5.8 states "ASTM D3803-1989 is a more stringent testing standard because it does not differentiate between used and new charcoal, it has a longer equilibration period performed at a temperature of 30°C (86°F) and a relative humidity (RH) of 95% (or 70% with humidity control), and it has more stringent tolerances that improve repeatability of the test."

Revision to EVS SR 4.4.4e

SR 4.4.4e currently requires that, "Each circuit shall be operated with the inlet heaters on at least 10 hours every month."

The licensee proposes to revise SR 4.4.4e to require that each circuit of the RBEVS be tested for at least 15 minutes every month. The licensee provided the following rationale in support of the proposed reduction from "10 hours" to "15 minutes" duration for the monthly system operational surveillance test requirement:

With the NMP1 adoption of ASTM D3803-1989, and consistent with GL 99-02, (laboratory carbon sample testing using the 95% RH test factor), the 10 hour duration monthly system operational surveillance test requirement, (TS 3/4.4.4e), will be reduced to a 15 minute duration monthly system operational surveillance test requirement. The requirement for the 10 hour duration monthly system operational test was established to energize the 10 kW heater and provide the heater with a sufficient time interval to remove moisture from the charcoal adsorber banks while continuing to demonstrate reliability of the fan motors and controls. The revised 15 minute duration monthly system operational surveillance test requirement (with deletion of inlet heater in each circuit of RBEVS) continues to demonstrate reliability of the fan motors and controls.

3.1.2 Control Room Air Treatment System

As stated in NMPNS's application:

The function of the Control Room Air Treatment (CRAT) System is to maintain habitability within the control room during normal and accident conditions. The CRAT System provides heating and cooling to the control complex for personnel comfort and control instrument protection. It provides clean uncontaminated air to the control complex, monitors radiation levels at the fresh air intake to automatically filter any contaminated outside air entering the system, and maintains positive pressure in the control complex relative to the surrounding area and the outside environment. The CRAT System starts automatically upon receipt of a loss-of-coolant accident signal. The system can also be manually initiated. The system is comprised of two redundant ventilation trains, each comprised of a full capacity fan. Air then passes through a HEPA filter and an activated charcoal adsorber bank. The charcoal adsorber bank is installed to reduce the potential intake of radioiodine to the control room.

The current SR TS 4.4.5e states that, "The system shall be operated at least 10 hours every month." As stated in the NMP1 TS Bases, the operability of the filters and the charcoal adsorber system is demonstrated by the operation of the CRAT System for a 10-hour duration every month. In addition, the 10-hour run removes excessive moisture that is built up on the charcoal adsorber banks.

Revision to CRATS SR 4.4.5e

SR 4.4.5e currently requires that, "The system shall be operated at least 10 hours every month." The licensee proposes to revise SR 4.4.5e to require the CRAT System be operated at least 15

minutes every month. The licensee provided the following rationale in support of the proposed reduction from "10 hours" to "15 minutes" duration for the monthly operational surveillance:

In Amendment No. 171, dated July 30, 2001, the NMP1 adopted ASTM D3803-1989; including the more conservative charcoal test parameters (carbon sample analyses shall show $\geq 95\%$ radioactive methyl iodine removal when tested at 30° C and 95% RH). These parameters also applied to TS 3/4.4.5, "Control Room Air Treatment System" for laboratory carbon sample analyses. Consistent with GL 99-02, laboratory carbon sample testing using 95 % RH test factor, ensures that charcoal efficiency credited in the accident analysis remains valid and accounts for systems without humidity control. Therefore, removal of moisture from the charcoal adsorber system is no longer required. The revised 15 minute duration monthly system operational surveillance test requirement continues to demonstrate reliability of the fan motors and controls.

The monthly run SR for the CRAT System was established to verify that, while in a standby mode, the system would start on demand and continue to operate. Such systems are required to be tested periodically to demonstrate the function of the system. The environmental conditions of the system are not severe and do not present a challenge to the system in its standby mode. Therefore, monthly surveillance testing provides an adequate functional check of the system and is based on known reliability of the system's components.

The original 10 hour duration CRAT System monthly run surveillance was intended to demonstrate operability of the filter and the charcoal adsorber bed and remove excessive moisture built up on the adsorber. With the implementation of TS Amendment No. 171 and NMP1 adaption of the more stringent charcoal testing requirements from ASTM D3803-1989, specifically, charcoal sample testing to the temperature of 30° C (86° F) and a relative humidity of 95%, the requirement for a monthly 10 hour duration system run is not longer applicable. NUREG-1433, Revision 3, Section 3.7.4, "Main Control Room Envelop Control (MCREC) System" SR Bases states that for "Systems without heaters need only be operated for ~ 15 minutes to demonstrate the function of the system." The revised 15 minute duration monthly system operational surveillance test requirement continues to demonstrate reliability of the fan motors and controls.

3.1.3 NRC Staff Evaluation

The NRC staff finds that the proposed change to remove the surveillance requirement associated with the 10 kW heater is technically justified since NMP1 has previously adopted ASTM D3803-1989 for its testing methodology for RBEVS charcoal adsorber materials (GL 99-02 and Amendment No. 171 dated July 30, 2001, ADAMS Accession No. ML011940323). NRC staff considers ASTM D3803-1989 to be the most accurate and most realistic protocol for testing charcoal in safety-related ventilation systems. The elimination of the requirement for the design function of the 10 kW heater in terms of humidity control is supported by the licensee's adoption of (1) ASTM D3803-1989 and (2) the more conservative charcoal test parameters as implemented by Amendment No. 171. The NRC staff finds the proposed change to delete SR 4.4.4a(2) is consistent with GL 99-02; and is applicable to the improvements specified in NUREG-1433 in terms of the use of ASTM D3803-1989.

The NRC staff also agrees that 15 minute duration monthly system operational surveillance test requirement will continue to demonstrate reliability of the fan motors and controls. The staff finds that the 15 minute duration is sufficient to verify that the safety function of EVS and CRATS is met and that the change does not reduce the safety of the systems. The proposed changes to SR 4.4.4e and SR 4.4.5e are consistent with RG 1.52, Rev. 3, ASTM D3803-1989, and the guidance of GL 99-02. In addition, the changes to the surveillance requirements continue to meet the requirements of 10 CFR 50.36(c)(5) to assure that the necessary quality of systems and components is maintained.

Based on its review, the NRC staff concludes that the proposed revisions to NMP1 TSs (1) are technically justified, (2) maintain safety and are consistent with the guidance of GL 99-02, ASTM D3803-1989, and RG 1.52, Rev. 3., and (3) comply with 10 CFR 50.36. On this basis, the NRC staff concludes that the proposed changes to NMP1 TS Section 3/4.4.4, "Emergency Ventilation System," and TS Section 3/4.4.5, "Control Room Air Treatment System," are acceptable.

4.0 STATE CONSULTATION

In accordance with the Commission's regulations, the New York State official was notified of the proposed issuance of the amendment. The State official had no comments.

5.0 ENVIRONMENTAL CONSIDERATION

The amendments change a requirement with respect to installation or use of a facility component located within the restricted area as defined in 10 CFR Part 20 and changes SRs. The NRC staff has determined that the amendment involves no significant increase in the amounts, and no significant change in the types, of any effluents that may be released offsite, and that there is no significant increase in individual or cumulative occupational radiation exposure. The Commission has previously issued a proposed finding that the amendment involves no significant hazards consideration and there has been no public comment on the finding issued on April 8, 2008 (73 FR 19110). Accordingly, the amendments meet the eligibility criteria for categorical exclusion set forth in 10 CFR 51.22(c)(9). Pursuant to 10 CFR 51.22(b), no environmental impact statement or environmental assessment need be prepared in connection with the issuance of the amendments.

6.0 CONCLUSION

The Commission has concluded, on the basis of the considerations discussed above, that (1) there is reasonable assurance that the health and safety of the public will not be endangered by operation in the proposed manner, (2) such activities will be conducted in compliance with the Commission's regulations, and (3) the issuance of the amendments will not be inimical to the common defense and security or to the health and safety of the public.

Principal Contributor: J. Raval, R. Guzman

Date: February 17, 2009

February 17, 2009

Mr. Keith J. Polson
Vice President Nine Mile Point
Nine Mile Point Nuclear Station, LLC
P. O. Box 63
Lycoming, NY 13093

SUBJECT: NINE MILE POINT NUCLEAR STATION, UNIT NO. 1 - ISSUANCE OF AMENDMENT REGARDING REVISION TO SURVEILLANCE REQUIREMENTS FOR EMERGENCY VENTILATION SYSTEM AND CONTROL ROOM AIR TREATMENT SYSTEM (TAC NO. MD8243)

Dear Mr. Polson:

The Nuclear Regulatory Commission (NRC) has issued the enclosed Amendment No. 201 to Renewed Facility Operating License No. DPR-63 for the Nine Mile Point Nuclear Station, Unit No. 1 (NMP1), in response to your application dated February 25, 2008 (Agencywide Documents Access Management System Accession No. ML080560518).

The amendment revises NMP1 Technical Specification (TS) Section 3/4.4.4, "Emergency Ventilation System," to remove the operability and surveillance requirements for the 10,000 watt heater located in the common supply inlet air duct for the Reactor Building Emergency Ventilation System. The amendment also revises TS Section 3/4.4.5, "Control Room Air Treatment System," to reduce the 10-hour duration monthly system operational surveillance test requirement to a 15-minute run surveillance test requirement.

A copy of the related Safety Evaluation is enclosed. A Notice of Issuance will be included in the Commission's next regular biweekly *Federal Register* notice.

Sincerely,

/RA/

Richard V. Guzman, Senior Project Manager
Plant Licensing Branch I-1
Division of Operating Reactor Licensing
Office of Nuclear Reactor Regulation

Docket No. 50-220

Enclosures:

1. Amendment No. 201 to DPR-63
2. Safety Evaluation

cc w/encls: Distribution via Listserv

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(See next page)

ADAMS Accession No.: ML090130416 * SE input provided by memo. No substantial changes made. NRR-058

OFFICE	LPLI-1/PM	LPLI-1/LA	ITSB/BC	SCVB/BC	OGC	LPLI-1/BC
NAME	RGuzman	ABaxter for SLittle	RElliott	RDennig*	AZJones	MKowal
DATE	1/15/09	1/21/09	1/21/09	1/6/09 SE DTD	1/29/09	2/17/09

OFFICIAL RECORD COPY

DATED: February 17, 2009

AMENDMENT NO. 201 TO RENEWED FACILITY OPERATING LICENSE NOS. DPR-63, NINE MILE POINT NUCLEAR STATION, UNIT NO. 1

PUBLIC

LPLI-1

MKowal

SLittle

RGuzman

MDavid

OGC

GHill (2)

RDennig

RElliott

ACRS

GDentel, RI

JRaval

MHamm

RidsNrrDorlLpl-1

RidsNrrLASLittle

RidsNrrPMRGuzman

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