



# Constellation Energy®

Nine Mile Point Nuclear Station

March 26, 2009

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

**ATTENTION:** Document Control Desk

**SUBJECT:** Nine Mile Point Nuclear Station  
Unit Nos. 1 and 2; Docket Nos. 50-220 and 50-410

Submission of Report in Accordance with 10 CFR 26.719(c)(1)

In accordance with 10 CFR 26.719(c)(1), the following report is being submitted regarding unsatisfactory blind performance sample testing at a Health and Human Services (HHS)-certified laboratory.

**Description of Incident**

On February 19, 2009, a dilute sample (testing a combination of two elements) was submitted from Nine Mile Point Nuclear Station, LLC (NMPNS) to a HHS-certified laboratory (Quest-Norristown) for blind performance testing, in accordance with 10 CFR 26.168. Results of the sample analysis by the laboratory, reported to NMPNS on February 20, 2009, indicated that the creatinine concentration of the sample was within the acceptance limits of 10 CFR 26.168(g)(5); however, the specific gravity was outside of the acceptance limits and was reported by the laboratory to only three decimal places rather than the four decimal places required by 10 CFR 26.167(c)(2)(i). The blind sample supplier confirmed that the blind sample was produced within the acceptance parameters of 10 CFR 26.168.

**Corrective Actions Taken or Planned**

NMPNS requested the laboratory to re-test the blind sample for specific gravity using a refractometer that displays to four decimal places. The results of this re-test, reported to NMPNS on February 20, 2009, were within the acceptance limits of 10 CFR 26.168(g)(5) for a dilute sample.

On March 6, 2009, NMPNS received confirmation that the laboratory had modified their analysis and reporting practices to be consistent with the requirements of 10 CFR 26. NMPNS observed evidence of this change in the laboratory's analysis of a sample that was reported to NMPNS on March 4, 2009. The laboratory's analysis result for specific gravity was properly reported to four decimal places. In accordance with the NMPNS Fitness-for-Duty Program, NMPNS will continue to monitor performance of the HHS-certified laboratory and the blind sample supplier for compliance with the requirements of 10 CFR 26.

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Should you have any questions regarding this submittal, please contact T. F. Syrell, Licensing Director, at (315) 349-5219.

Very truly yours,

A handwritten signature in black ink, appearing to read "Verno", written in a cursive style.

Anthony Verno  
Director Security

AV/DEV

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