



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

January 5, 2011

Mr. Samuel L. Belcher
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 – ACCEPTANCE REVIEW OF REQUESTED LICENSING ACTION RE: REVISIONS TO AVERAGE POWER RANGE MONITOR INSTRUMENTATION SYSTEM OPERABILITY REQUIREMENTS – TECHNICAL SPECIFICATION 3.6.2, PROTECTIVE INSTRUMENTATION (TAC NO. ME5010)

Dear Mr. Belcher:

By letter dated November 2, 2010, Nine Mile Point Nuclear Station, LLC (NMPNS) submitted a license amendment for Nine Mile Point, Unit No. 1 (NMP1). The proposed amendment would revise Technical Specification (TS) Section 3.6.2, "Protective Instrumentation," by modifying the operability requirements for the average power range monitoring (APRM) instrumentation system. The proposed amendment would eliminate the requirements that the APRM "Upscale" and "Inoperative" scram and control rod withdrawal block functions be operable when the reactor mode switch is in the Refuel position, and would clarify the operability requirements for the APRM "Downscale" control rod withdrawal block function when the reactor mode switch is in the Startup and Refuel positions.

The purpose of this letter is to provide the results of the U.S. Nuclear Regulatory Commission (NRC) staff's acceptance review of this amendment request. The acceptance review was performed to determine if there is sufficient technical information in scope and depth to allow the NRC staff to complete its detailed technical review. The acceptance review is also intended to identify whether the application has any readily apparent information insufficiencies in its characterization of the regulatory requirements or the licensing basis of the plant.

Consistent with Section 50.90 of Title 10 of the *Code of Federal Regulations* (10 CFR), an amendment to the license (including the TSs) must fully describe the changes requested, and following as far as applicable, the form prescribed for original applications. 10 CFR 50.34 addresses the content of technical information required. This section stipulates that the submittal address the design and operating characteristics, unusual or novel design features, and principal safety considerations.

The NRC staff has reviewed your application and concluded that the information delineated in the enclosure to this letter is necessary to enable the staff to make an independent assessment regarding the acceptability of the proposed amendment request in terms of regulatory requirements and the protection of public health and safety and the environment.

S. Belcher

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In order to make the application complete, the NRC staff requests that NMPNS supplement the application to address the information requested in the enclosure by January 31, 2011. This will enable the NRC staff to begin its detailed technical review. If the information responsive to the NRC staff's request is not received by the above date, the application will not be accepted for review pursuant to 10 CFR 2.101, and the NRC will cease its review activities associated with the application. If the application is subsequently accepted for review, you will be advised of any further information needed to support the staff's detailed technical review by separate correspondence.

The information requested and associated time frame in this letter were discussed with Mr. Dennis Vandeputte of your staff on December 16, 2010.

If you have any questions, please contact me at (301) 415-1030.

Sincerely,



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

Enclosure:
As stated

cc w/encl: Distribution via Listserv

NRC STAFF ACCEPTANCE REVIEW COMMENTS
REQUESTED LICENSING ACTION RE: REVISIONS TO
AVERAGE POWER RANGE MONITOR (APRM) INSTRUMENTATION SYSTEM
OPERABILITY REQUIREMENTS
RENEWED FACILITY OPERATING LICENSE NO. DPR-63
NINE MILE POINT NUCLEAR STATION, LLC
NINE MILE POINT NUCLEAR STATION, UNIT NO. 1
DOCKET NO. 50-220

By letter dated November 2, 2010 (Agencywide Documents Access and Management System (ADAMS) Accession No. ML103130037), Nine Mile Point Nuclear Station, LLC (NMPNS, or licensee) submitted a license amendment request (LAR) for Nine Mile Point, Unit No. 1 (NMP1). The Nuclear Regulatory Commission (NRC) staff has reviewed NMPNS's application and concluded that the information listed below is necessary to enable the staff to make an independent assessment regarding the acceptability of the proposed amendment request in terms of regulatory requirements and the protection of public health and safety and the environment.

Description of Information Insufficiency

The LAR discusses having the reactor mode switch in the Refuel position as being equivalent to being in the Refueling operating condition. However, per Section 1.1 of the NMP1 Technical Specifications (TSs), the reactor may be in "Shutdown – Cold" or "Shutdown – Hot" with the reactor mode switch in the Refuel position. In addition, a note of the definition of "Shutdown Condition – Hot" specifically states that the reactor mode switch may be in the refuel position to perform reactor coolant system pressure testing, control rod scram time testing, and scram recovery operations. Since the NMP1 TS Tables 3.6.2a and 3.6.2g tie the need for APRM operability to the reactor mode switch position (and not the actual operating condition), the NRC staff needs to understand whether APRM operability is required for the non-refueling operations and testing that the reactor may be performing while the reactor mode switch is in the Refuel position.

The NRC staff requests the licensee to provide the justification or analysis to explain if the APRM can be non-operable (as requested in the LAR) while in these other modes and test conditions. In addition, if there are any precedents that the NRC staff should consider that allow the APRMs to be non-operational while in "Shutdown Condition – Hot" and / or while reactor coolant system pressure testing, control rod scram time testing, and scram recovery operations are being performed, please indicate in your response, as appropriate.

Enclosure

S. Belcher

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If you have any questions, please contact me at (301) 415-1030.

Sincerely,

/RA/

Richard V. Guzman, Senior Project Manager
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Division of Operating Reactor Licensing
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T. Mossman, NRR	M. Razzaque, NRR

ADAMS Accession No. ML103610334

* Input provided by memo. No substantial changes made. **Concurrence via e-mail.

OFFICE	LPL1-1/PM	LPL1-1/LA	EICB/BC	LPL1-1/BC
NAME	RGuzman	SLittle**	WKemper*	NSalgado
DATE	1/04/11	1/4/11	12/8/10	1/05/11

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