



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

November 17, 2011

Mr. Ken Langdon
Vice President Nine Mile Point
Nine Mile Point Nuclear Station, LLC
P.O. Box 63
Lycoming, NY 13093

SUBJECT: REQUEST FOR ADDITIONAL INFORMATION REGARDING NINE MILE POINT NUCLEAR STATION, UNIT NOS. 1 AND 2 – RE: REVISION TO EMERGENCY ACTION LEVELS IN ACCORDANCE WITH NUCLEAR ENERGY INSTITUTE (NEI) 99-01, METHODOLOGY FOR DEVELOPMENT OF EMERGENCY ACTION LEVELS, REVISION 5 (TAC NOS. ME6221 AND ME6222)

Dear Mr. Langdon:

By letter dated May 6, 2011, Nine Mile Point Nuclear Station, LLC (NMPNS) requested approval to implement revised emergency action levels (EALs) at Nine Mile Point, Unit No. 1 (NMP1) and Nine Mile Point, Unit No. 2 (NMP2). The EAL scheme used at both NMP1 and NMP2 would change from NUMARC/NESP-007, "Methodology for Development of Emergency Action Levels," Revision 2, to the scheme delineated in NEI 99-01, "Methodology for Development of Emergency Action Levels," Revision 5.

The Nuclear Regulatory Commission staff is reviewing the information provided in that letter and has determined that additional information is needed to support its review. Enclosed is the NRC staff's request for additional information (RAI). The RAI was discussed with your staff on November 9, 2011, and it was agreed that your response would be provided by January 13, 2012.

Sincerely,

A handwritten signature in cursive script, appearing to read "R. Guzman".

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

Docket Nos. 50-220 and 50-410

Enclosure:
As stated

cc w/encl: Distribution via Listserv

REQUEST FOR ADDITIONAL INFORMATION

NINE MILE POINT NUCLEAR STATION, UNIT NOS. 1 AND 2

EMERGENCY ACTION LEVEL SCHEME CHANGE TO NEI 99-01, REVISION 5

DOCKET NOS. 50-220 AND 50-410

By letter dated May 6, 2011 (Agencywide Documents Access and Management System (ADAMS) Accession No. ML11130A150), Nine Mile Point Nuclear Station, LLC (NMPNS) requested prior approval of a revised emergency action level (EAL) scheme for Nine Mile Point Unit 1 (NMP1) and Nine Mile Point Unit 2 (NMP2). The Nuclear Regulatory Commission (NRC) staff is reviewing the request letter and has determined that additional information as requested below will be needed to support its review.

NMPNS's letter stated that the current NMP1 and NMP2 EAL schemes are based on generic development guidance from NUMARC/NESP-007, "Methodology for Development of Emergency Action Levels," Revision 2, dated January 1992 (ADAMS Accession No. ML041120174). Since 1992, numerous enhancements and clarification efforts have been made to the generic EAL development guidance resulting in the most latest document, Nuclear Energy Institute (NEI) 99-01, Revision 5, "Methodology for Development of Emergency Action Levels," (ADAMS Accession No. ML080450149), which was found to be acceptable for use as generic EAL development guidance by the NRC staff by letter dated February 22, 2008 (ADAMS Accession No. ML080430535).

The proposed EAL schemes were developed using the generic development guidance from NEI 99-01, Revision 5 with numerous differences and deviations based upon design criteria applicable to the site as well as licensee preferences for terminology, format, and other licensee desired modifications to the generic EAL scheme provided in NEI 99-01, Revision 5.

1. Definitions: Please provide site-specific definitions for the following:
 - Containment Closure, and
 - Vital Area.

Additionally, NMP2 definition of "Hostile Action" contains the wording "take FIRES" vice the wording "take HOSTAGES" endorsed in NEI 99-01 (Revision 5). Please provide further justification for difference or revise consistent with endorsed guidance.

2. RA2.2 (NMP2): NMP1 EAL RA2.2 has procedural guidance listed to determine that the fuel is uncovered. For NMP2, please clarify methods of determining that the fuel is uncovered (e.g., video cameras) and revise the EAL accordingly.

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3. RU2.1 (NMP2): Please clarify whether the following radiation monitors are applicable to this EAL and revise accordingly:
 - 2HVR*RE14A, and
 - 2HVR*RE14B.
4. RU2.2: Please clarify whether installed plant radiation monitors have the range to declare this EAL.
5. HA1.1: Please clarify the following:
 - a. Timeliness for confirmation by the James A. Fitzpatrick Nuclear Power Plant (JAFNPP) seismic instrumentation; and
 - b. Whether corroboration by the Nation Earthquake Information Center (NEIC) is used for declaration of this EAL. The plant-specific basis has information related to corroboration by the NEIC; however, this information was removed from the EAL and described as a deviation from the endorsed guidance.
6. HA1.2 and HU1.2 (NMP1): NMP2 basis provides that winds can be measured up to 100 miles-per-hour (mph). Please clarify whether NMP1 instrumentation can measure winds of 90 mph as listed in the EAL.
7. HA1.5 and HU1.5: Please clarify how and where the site-specific water level is read.
8. HU2.1: The standard EAL scheme required by 10 CFR 50.47(b)(4), and endorsed by the NRC (NEI 99-01, Revision 5), has the timing expectation well defined. Please explain the deviation from endorsed guidance or revise accordingly.
9. HA3.1: Please confirm that the areas as listed in Table H-1 are required to be entered for safe operation or safe shutdown/cooldown per endorsed guidance. If access to the area is unnecessary to operate the said equipment, then the table does not need the area listed. Additionally, the EAL wording is not in accordance with the endorsed guidance. Please revise accordingly or justify how this EAL, as written, meets the intent of the guidance.
10. HS5.1: The endorsed guidance (NEI 99-01, Revision 5) does not have a timing note associated with this EAL. Please justify why Note 4 is applicable to this EAL or revise accordingly.
11. CA1.1 (NMP2): Please clarify whether or not a typo exists for the electrical bus designation and revise accordingly.
12. CU6.1 and SU6.1: Please explain how the "UHF radios" are acceptable for contacting the NRC in the required timeframe or revise table accordingly. Additionally, please clarify whether the Control Room satellite phones, identified to meet this EAL criteria, are described in the NMPNS Emergency Plan.

13. SU1.1 (NMP2): Please justify why this EAL is missing the 15-minute timing information per endorsed guidance or revise accordingly.
14. SA3.1: Please clarify the processes in place to prevent additional information related to reactor scram setpoints from being changed under another process (e.g., plant modifications, etc.) that may cause this technical bases document to be inadvertently made inaccurate.
15. SU7.2 (NMP2): Please justify the difference between unit thresholds listed (NMP1: ≥ 15 minutes / NMP2: > 15 minutes) based on endorsed guidance or revise accordingly.

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Richard V. Guzman, Senior Project Manager
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ADAMS Accession No.: ML113200400 *RAI provided by e-mail. No substantial changes made.

OFFICE	LPL1-1/PM	LPL1-1/LA	NSIR/DPR/ORLOB*	LPL1-1/BC
NAME	RGuzman	SLittle	JAnderson	NSalgado
DATE	11/16/11	11/16/11	10/27/11	11/17/11

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