



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

November 30, 2011

Mr. Kenneth Langdon
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. 2 - ISSUANCE OF
AMENDMENT REGARDING ADOPTION OF TECHNICAL SPECIFICATION
TASK FORCE TRAVELER (TSTF)-514, REVISION 3 (TAC NO. ME5963)

Dear Mr. Langdon:

The Nuclear Regulatory Commission (NRC) has issued the enclosed Amendment No. 139 to Renewed Facility Operating License No. NPF-69 for the Nine Mile Point Nuclear Station, Unit No. 2 (NMP2), in response to your application dated March 30, 2011. The proposed amendment revises the NMP2 Technical Specification (TS) Section 3.4.7, "RCS [Reactor Coolant System] Leakage Detection Instrumentation," to define a new time limit for restoring inoperable RCS leakage detection instrumentation to operable status and establish alternate methods of monitoring RCS leakage when required monitors are inoperable. These changes are consistent with TSTF Standard Technical Specification Change Traveler TSTF-514, Revision 3, "Revise BWR [Boiling-Water Reactor] Operability Requirements and Actions for RCS Leakage Instrumentation."

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 "R. Guzman", with a long horizontal line extending to the right.

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

Docket No. 50-410

Enclosures:

1. Amendment No. 139 to NPF-69
2. Safety Evaluation

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

NINE MILE POINT NUCLEAR STATION, LLC (NMPNS)

DOCKET NO. 50-410

NINE MILE POINT NUCLEAR STATION, UNIT NO. 2

AMENDMENT TO FACILITY OPERATING LICENSE

Amendment No. 139
Renewed License No. NPF-69

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 March 30, 2011, 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. NPF-69 is hereby amended to read as follows:

(2) Technical Specifications

The Technical Specifications contained in Appendix A and the Environmental Protection Plan contained in Appendix B, both of which are attached hereto, as revised through Amendment No. 139 are hereby incorporated into this license. Nine Mile Point Nuclear Station, LLC shall operate the facility in accordance with the Technical Specifications and the Environmental Protection Plan.

3. This license amendment is effective as of the date of its issuance and shall be implemented within 90 days of the date of issuance.

FOR THE NUCLEAR REGULATORY COMMISSION



Nancy L. Salgado, 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: November 30, 2011

ATTACHMENT TO LICENSE AMENDMENT NO. 139
TO RENEWED FACILITY OPERATING LICENSE NO. NPF-69
DOCKET NO. 50-410

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

4

Insert Page

4

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

3.4.7-2

3.4.7-3

Insert Pages

3.4.7-2

3.4.7-3

(1) Maximum Power Level

Nine Mile Point Nuclear Station, LLC is authorized to operate the facility at reactor core power levels not in excess of 3467 megawatts thermal (100 percent rated power) in accordance with the conditions specified herein.

(2) Technical Specifications and Environmental Protection Plan

The Technical Specifications contained in Appendix A and the Environmental Protection Plan contained in Appendix B, both of which are attached hereto, as revised through Amendment No. 139 are hereby incorporated into this license. Nine Mile Point Nuclear Station, LLC shall operate the facility in accordance with the Technical Specifications and the Environmental Protection Plan.

(3) Fuel Storage and Handling (Section 9.1, SSER 4)*

- a. Fuel assemblies, when stored in their shipping containers, shall be stacked no more than three containers high.
- b. When not in the reactor vessel, no more than three fuel assemblies shall be allowed outside of their shipping containers or storage racks in the New Fuel Vault or Spent Fuel Storage Facility.
- c. The above three fuel assemblies shall maintain a minimum edge-to-edge spacing of twelve (12) inches from the shipping container array and approved storage rack locations.
- d. The New Fuel Storage Vault shall have no more than ten fresh fuel assemblies uncovered at any one time.

(4) Turbine System Maintenance Program (Section 3.5.1.3.10, SER)

The operating licensee shall submit for NRC approval by October 31, 1989, a turbine system maintenance program based on the manufacturer's calculations of missile generation probabilities. (Submitted by NMPC letter dated October 30, 1989 from C.D. Terry and approved by NRC letter dated March 15, 1990 from Robert Martin to Mr. Lawrence Burkhardt, III).

* The parenthetical notation following the title of many license conditions denotes the section of the Safety Evaluation Report (SER) and/or its supplements wherein the license condition is discussed.

ACTIONS (continued)

CONDITION	REQUIRED ACTION	COMPLETION TIME
<p>----- NOTE ----- Only applicable when the drywell atmospheric gaseous monitoring system is the only OPERABLE monitor. -----</p> <p>C. Drywell floor drain tank fill rate monitoring system inoperable.</p>	<p>C.1 Analyze grab samples of the drywell atmosphere.</p> <p><u>AND</u></p> <p>C.2 Monitor RCS LEAKAGE by administrative means.</p> <p><u>AND</u></p> <p>C.3 Restore drywell floor drain tank fill rate monitoring system to OPERABLE status.</p>	<p>Once per 12 hours</p> <p>Once per 12 hours</p> <p>7 Days</p>
<p>D. Required Action and associated Completion Time of Condition A, B, or C not met.</p>	<p>D.1 Be in MODE 3.</p> <p><u>AND</u></p> <p>D.2 Be in MODE 4.</p>	<p>12 hours</p> <p>36 hours</p>
<p>E. All required leakage detection systems inoperable.</p>	<p>E.1 Enter LCO 3.0.3.</p>	<p>Immediately</p>

SURVEILLANCE REQUIREMENTS

----- NOTE -----

When a channel is placed in an inoperable status solely for performance of required Surveillances, entry into associated Conditions and Required Actions may be delayed for up to 6 hours provided the other required leakage detection instrumentation is OPERABLE.

SURVEILLANCE		FREQUENCY
SR 3.4.7.1	Perform CHANNEL CHECK of required drywell atmospheric monitoring system.	12 hours
SR 3.4.7.2	Perform CHANNEL FUNCTIONAL TEST of the drywell floor drain tank fill rate monitoring system.	31 days
SR 3.4.7.3	Perform source check of required drywell atmospheric monitoring system.	31 days
SR 3.4.7.4	Perform CHANNEL FUNCTIONAL TEST of required drywell atmospheric monitoring system.	184 days
SR 3.4.7.5	Perform CHANNEL CALIBRATION of required leakage detection instrumentation.	24 months



UNITED STATES
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SAFETY EVALUATION (SE) BY THE OFFICE OF NUCLEAR REACTOR REGULATION

RELATED TO AMENDMENT NO. 139

TO RENEWED FACILITY OPERATING LICENSE NO. NPF-69

NINE MILE POINT NUCLEAR STATION, LLC

NINE MILE POINT NUCLEAR STATION, UNIT NO. 2

DOCKET NO. 50-410

1.0 INTRODUCTION

By letter dated March 30, 2011 (Agencywide Documents Access Management System (ADAMS) Accession No. ML110960283), Nine Mile Point Nuclear Station, LLC (NMPNS, the licensee) proposed changes to the Technical Specifications (TS) for Nine Mile Point Nuclear Station Unit 2 (NMP2). The proposed changes revise TS 3.4.7, "RCS [Reactor Coolant System] Leakage Detection Instrumentation." The licensee stated that the license amendment request (LAR) is consistent with Nuclear Regulatory Commission (NRC)-approved Revision 3 to Technical Specification Task Force (TSTF) Standard Technical Specification (STS) Change Traveler TSTF-514, "Revise BWR [Boiling-Water Reactor] Operability Requirements and Actions for RCS Leakage Instrumentation." The availability of this TS improvement was announced in the *Federal Register* on December 17, 2010 (75 FR 79048) as part of the consolidated line item improvement process (CLIP).

2.0 REGULATORY EVALUATION

The NRC'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. Paragraph (c)(2)(i) of 10 CFR 50.36 states that limiting conditions for operation (LCOs) are the lowest functional capability or performance levels of equipment required for safe operation of the facility. Paragraph (c)(2)(ii) of 10 CFR 50.36 lists four criteria for determining whether particular items are required to be included in the TS LCOs. Criterion 1 applies to installed instrumentation that is used to detect, and indicate in the control room, a significant abnormal degradation of the reactor coolant pressure boundary (RCPB). As described in the *Federal Register* notice associated with this regulation (60 FR 36953, July 16, 1995), the scope of TS includes two general classes of technical matters: (1) those related to prevention of accidents, and (2) those related to mitigation of the consequences of accidents. Criterion 1 addresses systems and process variables that alert the operator to a situation when accident initiation is more likely, and supports the first of these two general classes of technical matters which are included in TS. As specified in Paragraph (c)(2)(i) of 10 CFR 50.36, when an LCO of a nuclear reactor is not met, the licensee shall shut down the reactor or follow any remedial action permitted by the TSs until the condition can be met.

The NRC's guidance for the format and content of BWR TS can be found in NUREG-1434, Revision 3.0, "Standard Technical Specifications General Electric Plants, BWR/6." STS 3.4.7, "RCS Leakage Detection Instrumentation" in NUREG-1434 contains the guidance specific to the RCS leakage detection instrumentation for BWRs.

The Bases for STS 3.4.7 contained in NUREG-1434, Revision 3.0, provide background information, the applicable safety analyses, a description of the LCO, the applicability for the RCS leakage detection instrumentation TS, and describe the Actions and Surveillance Requirements. The TS Bases provide the purpose or reason for the TS which are derived from the analyses and evaluation included in the safety analysis report, and for these Specifications, the RCS leakage detection instrumentation design assumptions, and licensing basis for the plant.

As stated in NRC Information Notice (IN) 2005-24, "Non conservatism in Leakage Detection Sensitivity," (Agencywide Documents Access and Management System (ADAMS) Accession No. ML051780073) the reactor coolant activity assumptions for primary containment/drywell atmosphere gaseous radioactivity monitors may be non-conservative. This means the monitors may not be able to detect a 1 gallon-per-minute (gpm) leak within 1 hour under all likely operating conditions.

The issue described in IN 2005-24 had raised questions regarding operability requirements for primary containment/drywell atmosphere gaseous radioactivity monitors. TSTF-514, Revision 3, revises the TS Bases to summarize the proposed TS changes and more accurately describe the contents of the facility design basis related to operability of the RCS leakage detection instrumentation. Part of the TS Bases changes revise the specified safety function of the RCS leakage detection monitors to specify the required instrument sensitivity level. In addition, TSTF-514, Revision 3, includes revisions to TS Actions for RCS leakage detection instrumentation to establish limits for operation during conditions of reduced monitoring sensitivity because of inoperable gaseous radioactivity instrumentation.

The regulation at 10 CFR Part 50, Appendix A, General Design Criterion (GDC) 30, "Quality of Reactor Coolant Pressure Boundary [RCPB]," requires means for detecting and, to the extent practical, identifying the location of the source of RCS leakage. Regulatory Guide (RG) 1.45, Revision 0, "Reactor Coolant Pressure Boundary Leakage Detection Systems," May 1973, describes acceptable methods of implementing the GDC 30 requirements with regard to the selection of leakage detection systems for the RCPB.

RG 1.45, Revision 0, Regulatory Position C.2, states that "Leakage to the primary reactor containment from unidentified sources should be collected and the flow rate monitored with an accuracy of one gpm or better."

RG 1.45, Revision 0, Regulatory Position C.3 states, "At least three separate detection methods should be employed and two of these methods should be (1) sump level and flow monitoring and (2) airborne particulate radioactivity monitoring. The third method may be selected from the following: a. monitoring of condensate flow rate from air coolers, [or] b. monitoring of airborne gaseous radioactivity. Humidity, temperature, or pressure monitoring of the containment atmosphere should be considered as alarms or indirect indication of leakage to the containment.

RG 1.45, Revision 0, Regulatory Position C.5 states, "The sensitivity and response time of each leakage detection system in regulatory position 3 above employed for unidentified leakage should be adequate to detect a leakage rate, or its equivalent, of one gpm in less than one hour." RG 1.45, Revision 0, states, "In analyzing the sensitivity of leak detection systems using airborne particulate or gaseous radioactivity, a realistic primary coolant radioactivity concentration assumption should be used. The expected values used in the plant environmental report would be acceptable." The appropriate sensitivity of a plant's primary containment/drywell atmosphere gaseous radioactivity monitors is dependent on the design assumptions and the plant-specific licensing basis as described in the plant's updated safety analysis report (USAR). The NRC staff's approval of the use of expected primary coolant radioactivity concentration values used in the environmental report creates a potential licensing conflict when a licensee is able to achieve and maintain primary coolant radioactivity concentration values lower than the value assumed in the environmental report.

RG 1.45, Revision 1, "Guidance on Monitoring and Responding to Reactor Coolant System Leakage," was issued in May 2008. RG 1.45, Revision 1, describes methods for implementing the GDC 30 requirements that are different from those in RG 1.45, Revision 0, and was developed and issued to support new reactor licensing. Revision 1 allows that having two TS leakage detection methods capable of detecting a 1 gpm leak within 1 hour provides adequate leakage detection capability from a safety perspective. It recommends that other potential indicators (including the gaseous radiation monitors) be maintained even though they may not have the same detection capability. These indicators, in effect, provide additional defense-in-depth.¹

The NMP2 primary methods for detecting a small unidentified leak within the primary containment include continuous monitoring of drywell floor drain tank fill rate and airborne gaseous and particulate radioactivity increases USAR Section 5.2.5.1.1. The drywell leakage collected in the floor drain tank includes unidentified leakage from the control rod drives (CRD), valve flanges, component cooling water, service water, air cooler drains, and any leakage not connected to the equipment drain sump. The fission product monitoring system continuously monitors the drywell atmosphere for airborne radioactivity (iodine, noble gases, and particulates) (USAR Section 5.2.5.2.1). Instrumentation that monitors these parameters is located in TS 3.4.7, "RCS Leakage Detection Instrumentation."

USAR Section 3.1.2.30, "Quality of Reactor Coolant Pressure Boundary (Criterion 30)," provides a discussion of the criterion and NMP2's design conformance to GDC 30 of 10 CFR Part 50, Appendix A. NMP2's position regarding design conformance indicates that the leak detection system provides a means for detecting reactor coolant leakage and consists of sensors and instruments to detect, annunciate, and in some cases isolate the RCPB from potentially hazardous leaks before predetermined limits are exceeded. The leak detection system is designed to meet the requirements of GDC 30 of 10 CFR Part 50, Appendix A.

¹ NMP2 is not committed to RG 1.45, Revision 1, "Guidance on Monitoring and Responding to Reactor Coolant System Leakage," issued on May 2008.

NMP2 conforms with the Regulatory Position (paragraph C) of RG 1.45 (May 1973), as described in USAR Section 5.2.5.9, with an alternate approach to Position C.5. USAR Section 5.2.5.9 states that leakage is separated into identified and unidentified categories and each is independently monitored, thus meeting position C.1 of RG 1.45. Leakage from unidentified sources inside the primary containment is collected into the floor drain sump and monitored with an accuracy better than 1 gpm, thus meeting position C.2. By monitoring (1) floor and equipment drain sump fillup and pump out rates, (2) airborne particulates, and (3) airborne gaseous radiation rate, position C.3 is satisfied. Radiation monitoring of cooling water from identified system heat exchangers satisfies position C.4. The sensitivity and response time of each leakage detection system is consistent with equipment capabilities available in the industry (Position C.5), as noted in USAR Table 1.8-1, "Conformance with Division 1 NRC Regulatory Guides." The floor drain sump monitoring, air particulates monitoring, and gaseous radiation monitoring are designed to detect the leakage rates given in USAR Table 5.2-8. Regarding position C.6, all leakage detection systems at NMP2 are designed to be capable of performing their safety functions following seismic events that do not require plant shutdown; therefore, position C.6 for NMP2 is met. Leak detection indicators, alarms, procedures and graphs are provided to satisfy position C.7. The leakage detection systems are equipped with provisions to permit testing for operability and calibration during plant operation, thus satisfying position C.8. The NMP2 TSs comply with position C.9.

3.0 TECHNICAL EVALUATION

In adopting the changes to TSs included in TSTF-514, Revision 3, the licensee proposed to revise TS 3.4.7, "RCS Leakage Detection Instrumentation" Conditions and Required Actions. The licensee proposed adding new Condition C to TS 3.4.7. New Condition C would be applicable when the drywell atmospheric gaseous monitor is the only operable RCS leakage detection monitor. This new Condition is necessary because improved fuel integrity and the resulting lower primary coolant radioactivity concentration affect the response of a plant's drywell atmospheric gaseous radioactivity monitor to a greater extent than the response of other RCS leakage detection monitors to leakage radioactivity. The proposed Required Actions for new Condition C require the licensee to analyze grab samples of the drywell atmosphere once per 12 hours, restore the required drywell floor drain tank fill rate monitoring system to Operable status within 7 days, and monitor RCS leakage by administrative means once per 12 hours.

Administrative means of monitoring RCS leakage include trending parameters that may indicate an increase in RCS leakage. There are diverse alternative methods from which appropriate indicators for identifying RCS leakage may be selected based on plant conditions. NMPNS will utilize the following methods considering the current plant conditions and historical or expected sources of unidentified leakage, as their TS administrative means: drywell pressure, drywell temperature, drywell unit coolers inlet and outlet air temperatures, and drywell unit cooler outlet cooling water temperature (Reactor Building Closed Loop Cooling System).

The NRC staff determined that the proposed Condition C is more restrictive than the current requirement, because there is no current TS Condition for the plant condition of the drywell atmospheric gaseous radioactivity monitor being the only operable RCS leakage detection monitor. The associated proposed Actions and Completion Times are adequate because monitoring the RCS by administrative means, coupled with drywell atmospheric grab samples, are sufficient to alert the operating staff to an unexpected increase in unidentified leakage. The

drywell atmospheric grab samples are comparable to the atmospheric particulate radiation monitor with respect to the ability to detect RCS leakage. However, taking frequent grab samples will ensure there is no significant loss of monitoring capability during the Required Action Completion Time. The 12-hour interval is reasonable given the availability of the drywell atmospheric gaseous radiation monitor. Allowing 7 days to restore another RCS leakage monitor to operable status is reasonable given the diverse methods employed in the Required Actions to detect an RCS leak and the low probability of a large RCS leak during this period. Proposed Condition C is conservative relative to the STS, sufficiently alerts the operating staff, provides a comparable ability to detect RCS leakage, and provides time intervals that are reasonable. Therefore, the NRC staff determined that proposed Condition C provides an adequate assurance of safety when judged against current regulatory standards.

The licensee proposes minor changes to ensure continuity of the TS format. These changes re-letter current Condition C, which applies when the required action and the associated Completion Time are not satisfied, to Condition D, and current Condition D, which applies when all required leakage detection systems are inoperable, to Condition E. Similar changes were made to the associated Required Actions. The NRC staff determines that these changes are editorial, and, therefore acceptable.

In adopting TSTF-514, Revision 3, the licensee proposed changes that would revise the Bases for TS 3.4.7 to reflect the proposed TS changes and more accurately describe the contents of the facility design basis related to operability of the RCS leakage detection instrumentation and reflect the proposed TS changes. The regulation at 10 CFR 50.36(a)(1) requires a summary statement of the TS Bases or reasons for such Specifications be included with the application. The proposed TS Bases changes related to operability of the RCS leakage detection instrumentation are acceptable because they are consistent with the design basis of the facility and provide: background information, applicable safety analyses, a description of the LCO, and the applicability for the RCS leakage detection instrumentation TS. These instruments satisfy Criterion 1 of 10 CFR 50.36(c)(2)(ii) in that they are installed instrumentation that is used to detect, and indicate in the control room, a significant abnormal degradation of the RCPB.

The NRC staff evaluated the licensee's proposed changes against the applicable regulatory requirements listed in Section 2.0 of this SE. The NRC staff also compared the proposed changes to the changes made to STS by TSTF-514, Revision 3. The NRC staff determined that all the proposed changes afford adequate assurance of safety when judged against current regulatory standards. Therefore, the NRC staff finds the proposed changes 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 amendment changes 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 surveillance requirements. 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 such finding (June 28, 2011 (76 FR 37849)). Accordingly, the amendment meets 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 amendment.

6.0 CONCLUSION

The Commission has concluded, based on 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 amendment will not be inimical to the common defense and security or to the health and safety of the public.

Principal Contributor: K. Buckoltz

Date: November 30, 2011

November 30, 2011

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

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Sincerely,

/ra/

Richard V. Guzman, Senior Project Manager
Plant Licensing Branch I-1
Division of Operating Reactor Licensing
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Docket No. 50-410

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