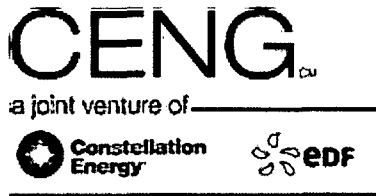


Mary G. Korsnick  
Chief Nuclear Officer,  
SVP - Chief Operations Officer

Office 410-470-5133  
Fax 443-213-6739  
E-mail: Maria.Korsnick@cengllc.com



April 2, 2012

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

**ATTENTION:** Document Control Desk

**SUBJECT:** **Nine Mile Point Nuclear Station, Units 1 and 2**  
Renewed Facility Operating License Nos. DPR-63 and NPF-69  
Docket Nos. 50-220 and 50-410

Answer and Response to Order Modifying Licenses with Regard to Reliable  
Hardened Containment Vents

**REFERENCES:**

- (a) Order Modifying Licenses with Regard to Reliable Hardened Containment Vents, EA-12-050, March 12, 2012
- (b) Letter from D. L. Skeen (NRC) to A. P. Heymer (NEI), dated March 23, 2012, Status of Regulatory Response to the Accidents at Fukushima Dai-ichi

After the March 2011 earthquake and subsequent tsunami that affected the Fukushima Dai-ichi nuclear power plant in Japan, the U.S. Nuclear Regulatory Commission (NRC) identified hardened containment vents as an area warranting further NRC attention. On March 12, 2012, the NRC issued Reference (a) to address the need for a reliable hardened containment venting capability by requiring additional defense-in-depth measures at U.S. nuclear power reactors. The Order requires all identified licensees to respond within 20 days of the date of the Order.

Constellation Energy Nuclear Group, LLC (CENG), on behalf of its licensee subsidiary, Nine Mile Point Nuclear Station, LLC (Nine Mile Point), in accordance with Section V of the Order and 10 CFR 2.202(b), is submitting this Answer and Response to the Order.

In response to the events at the Fukushima Dai-ichi nuclear power plant after the March 2011 earthquake and subsequent tsunami, CENG and other members of the U.S. commercial nuclear industry immediately undertook a review of the systems and components of their facilities to ensure that each unit's design features and measures could mitigate the effects of a seismic event, flood, or the complete loss of AC power. This review was initiated to accomplish two objectives: (1) determine whether our facilities pose an imminent safety risk based on a current understanding of the factors that contributed to the accident at

Constellation Energy Nuclear Group, LLC  
100 Constellation Way, Suite 200C, Baltimore, MD 21202

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Fukushima Dai-ichi, and (2) determine what measures should be taken to further enhance the safety of our facilities going forward.

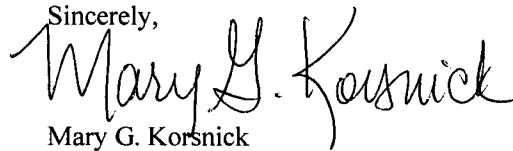
Based on this review, the current safety measures provide a high level of assurance that operation of Nine Mile Point Nuclear Station does not constitute an unreasonable risk to the public health and safety and are not inimical to the common defense and security. This conclusion is consistent with the findings of the NRC's Near-Term Task Force and the Commission. As the Commission states in Section II of the Order, "[c]urrent regulatory requirements and existing plant capabilities allow the NRC to conclude that a sequence of events such as the Fukushima Dai-ichi accident is unlikely to occur in the U.S. Therefore, continued operation and continued licensing activities do not pose an imminent threat to public health and safety." Accordingly, CENG and the Commission are in agreement that there is no imminent safety risk associated with Nine Mile Point's current operations.

Nine Mile Point intends to comply with the Order and with the requirements as set forth in Section IV of the Order. Since the Fukushima Dai-ichi accident, Nine Mile Point and other U.S. reactor operators have been working cooperatively with the NRC toward fully understanding what transpired in Japan to gain insights for enhancing the safety and emergency preparedness of U.S. nuclear facilities.

Based on a review of the requirements set forth in Attachment 2 of the Order, Nine Mile Point submits this Answer, consents to the Order and does not request a hearing.

At this time, Nine Mile Point does not anticipate any issues with meeting the schedule requirements set forth in the Order and as clarified in Reference (b). Given the uncertainties associated with the ultimate scope of required work caused by the unavailability of implementing guidance until August 2012, and the impact on the ability of Nine Mile Point to comply with the specific compliance deadline dates based on the probable availability of that guidance, future responses may include requests for schedule or other relief. Any such request would be submitted in accordance with the relaxation provision in Section IV of the Order.

If you have any questions, please contact Bruce Montgomery at [bruce.montgomery@cengllc.com](mailto:bruce.montgomery@cengllc.com) or 410-470-3777.

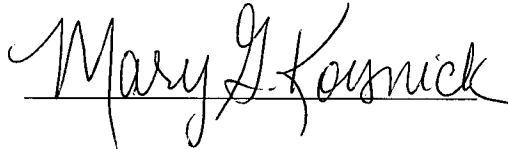
Sincerely,  
  
Mary G. Korsnick

**STATE OF MARYLAND**

:  
: **TO WIT:**  
:


**CITY OF BALTIMORE**

I, Mary G. Korsnick, state that I am the Chief Nuclear Officer of Constellation Energy Nuclear Group, LLC and that I am duly authorized to execute and file this document on behalf of this company and its subsidiary Nine Mile Point Nuclear Station, LLC. To the best of my knowledge and belief, the statements contained in this document with respect to these companies are true and correct. To the extent that these statements are not based on my personal knowledge, they are based upon information provided by employees and/or consultants of the companies. Such information has been reviewed in accordance with company practice, and I believe it to be reliable.



Subscribed and sworn before me, a Notary Public in and for the State of Maryland and City of Baltimore, this 2nd day of April, 2012.

**WITNESS** my Hand and Notarial Seal:

  
Notary Public

My Commission Expires:

7/1/15  
Date

MGK/EMT/bjd

cc: R. V. Guzman, NRC  
W. M. Dean, NRC  
Resident Inspector, Nine Mile Point

S. Gray, DNR  
A. L. Peterson, NYSERDA  
B. Frymire, NYSDPS

