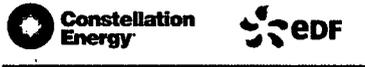


# CENG<sup>SM</sup>

a joint venture of



June 21, 2013

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 to Order EA-13-109 Modifying Licenses with regard to Reliable Hardened Containment Vents Capable of Operation Under Severe Accident Conditions

---

- REFERENCES:**
- (a) NRC Order Number EA-13-109, Order Modifying Licenses with Regard to Reliable Hardened Containment Vents Capable of Operation Under Severe Accident Conditions, dated June 6, 2013 (ML13143A321)
  - (b) NRC Order Number EA-12-050, Order Modifying Licenses with Regard to Reliable Hardened Containment Vents, dated March 12, 2012 (ML12054A694)
  - (c) Letter from M. G. Korsnick (CENG) to Document Control Desk (NRC), Overall Integrated Plan for Reliable Hardened Vents, dated February 28, 2013 (ML13066A169)

On June 6, 2013, the Nuclear Regulatory Commission (NRC) issued Order EA-13-109 (Reference a) to all licensees that operate boiling-water reactors (BWRs) with Mark I and Mark II containment designs. The Order is effective immediately. It rescinds Order EA-12-050 issued by the NRC on March 12, 2012 (Reference b). Order EA-13-109 is applicable to Constellation Energy Nuclear Group, LLC's (CENG) Nine Mile Point Nuclear Station, LLC (NMPNS) Units 1 and 2 (NMP1 and NMP2).

Order EA-13-109 requires NMPNS to install hardened containment venting systems that can be maintained functional during severe accident conditions, i.e., following significant core damage. The substantive requirements of the Order are contained in Attachment 2 of Order EA-13-109.

A001  
MRR

Nine Mile Point Nuclear Station, LLC is required to:

1. Submit a Phase 1 (for the severe accident capable wetwell venting system) integrated plan to the NRC by June 30, 2014;
2. Complete full implementation of Phase 1 requirements no later than startup from the second refueling outages for NMP1 and NMP2 that begin after June 30, 2014;
3. Submit a Phase 2 (for the severe accident capable drywell venting system or alternative reliable containment venting strategy) integrated plan to the NRC by December 31, 2015; and
4. Complete full implementation of Phase 2 requirements no later than startup from the first refueling outages for NMP1 and NMP2 that begin after June 30, 2017.

The NRC states in the Order that it anticipates issuing final interim staff guidance regarding implementation of Order EA-13-109 no later than October 31, 2013 for Phase 1 and April 30, 2015 for Phase 2. Upon issuance of the implementation guidance, NMPNS understands that it will have twenty days to assess the impact of the guidance and notify the NRC of any challenges with implementation of the Order in accordance with Paragraphs IV.C.1 and IV.C.2 of the Order for Phase 1 and Paragraphs IV.C.3 and IV.C.4 for Phase 2.

Pursuant to 10 CFR 2.202(a)(2), NMPNS hereby submits its answer to the Order. Nine Mile Point Nuclear Station, LLC consents to the Order and does not request a hearing. However, because implementing guidance is not expected to be available until October 31, 2013 for Phase 1 and April 30, 2015 for Phase 2, there remain significant uncertainties about the scope of the work that will be required by Order EA-13-109. As a result, NMPNS is unable to state with certainty that it will be able to meet all of the specified compliance deadlines in the Order. As such, NMPNS's future responses may include requests for schedule relief as warranted by subsequent NRC requirements or implementing guidance or the results of engineering analyses not yet performed. Any such request would be submitted in accordance with the relaxation provision in Section IV of the Order.

Because Order EA-12-050 is rescinded by Order EA-13-109, NMPNS understands that all implementation deadlines and submittal requirements for Order EA-12-050 are no longer in effect. As such, NMPNS considers the integrated plan that was submitted in Reference (c) to be withdrawn, and no further action is required by NMPNS with respect to that submittal or any other requirement specific to Order EA-12-050.

There are no regulatory commitments in this correspondence.

If there are any questions regarding this submittal, please contact Everett (Chip) Perkins [everett.perkins@cengllc.com](mailto:everett.perkins@cengllc.com) at 410-470-3928.

I declare under penalty of perjury that the foregoing is true and correct. Executed on June 21, 2013.

Sincerely,



Mary G. Korsnick

Document Control Desk

June 21, 2013

Page 3

MGK/STD

cc: B. K. Vaidya, NRC  
M. C. Thadani, NRC  
N. S. Morgan, NRC  
W. M. Dean, NRC

Resident Inspector, Nine Mile Point