

NRC DISTRIBUTION FOR PART 50 DOCKET MATERIAL

TO: MR B C RUSCHE

FROM: LEOEUF, LAMB, LEIBY&MA RAE
WASH, DC
E B THOMAS, JR

DATE OF DOCUMENT

DATE RECEIVED **4-1-76**

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DESCRIPTION

LTR SUBMITTED IN BEHALF OF NIAGARA MOHAWK
POWER CORP ...RE OUR 10-8-75 LTR...REQUEST-
ING POSTPONEMENT OF SUBMISSION OF APPENDIX I
INFO TILL 6-4-76.....

ENCLOSURE

PLANT NAME: **Nine Mile Point #2**

**DO NOT REMOVE
ACKNOWLEDGED**

SAFETY

FOR ACTION/INFORMATION

ENVIRO **4-5-76 RKB**

<input checked="" type="checkbox"/>	ASSIGNED AD :	DEYOUNG	<input checked="" type="checkbox"/>	ASSIGNED AD :	MOORE
<input checked="" type="checkbox"/>	BRANCH CHIEF :		<input checked="" type="checkbox"/>	BRANCH CHIEF :	REGAN
<input checked="" type="checkbox"/>	PROJECT MANAGER:	KANE	<input checked="" type="checkbox"/>	PROJECT MANAGER :	NORRIS
<input checked="" type="checkbox"/>	LIC. ASST. :	SMITH	<input checked="" type="checkbox"/>	LIC. ASST. :	DUNCAN

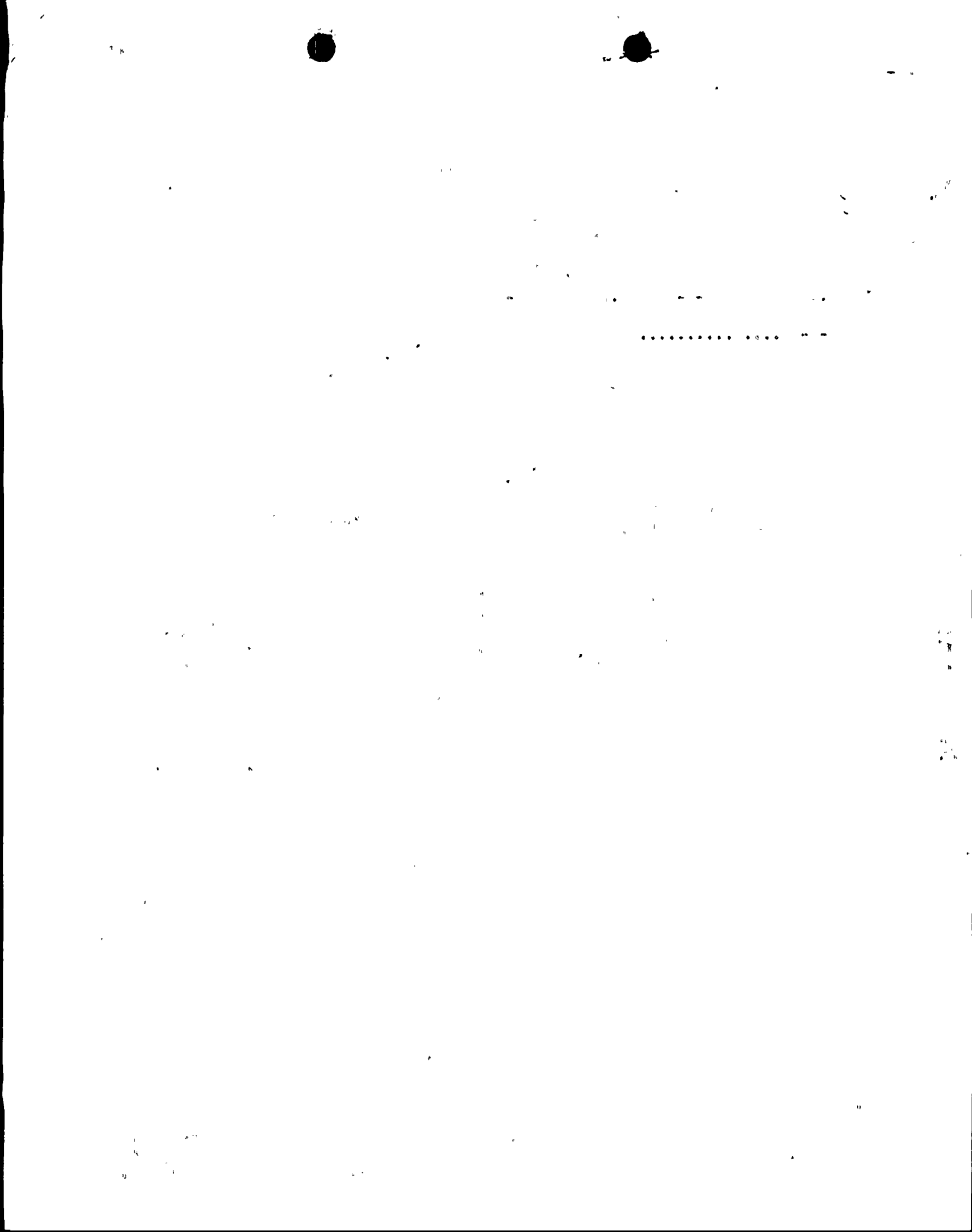
INTERNAL DISTRIBUTION

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<input checked="" type="checkbox"/>	NRC PDR	<input type="checkbox"/>	HEINEMAN	<input type="checkbox"/>	TEDESCO	<input type="checkbox"/>	ERNST
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<input checked="" type="checkbox"/>	GOSSICK & STAFF	<input type="checkbox"/>	ENGINEERING	<input type="checkbox"/>	IPPOLITO	<input type="checkbox"/>	
	MIPC	<input type="checkbox"/>	MACCARY	<input type="checkbox"/>		<input type="checkbox"/>	SITE TECH
	CASE	<input type="checkbox"/>	KNIGHT	<input type="checkbox"/>	OPERATING REACTORS	<input checked="" type="checkbox"/>	GAMMILL
	HANAUER	<input type="checkbox"/>	SIHWEIL	<input type="checkbox"/>	STELLO	<input type="checkbox"/>	STEPP
	HARLESS	<input type="checkbox"/>	PAWLICKI	<input type="checkbox"/>		<input checked="" type="checkbox"/>	HULMAN
		<input type="checkbox"/>		<input type="checkbox"/>	OPERATING TECH	<input checked="" type="checkbox"/>	MARKEE
	PROJECT MANAGEMENT	<input type="checkbox"/>	REACTOR SAFETY	<input type="checkbox"/>	EISENHUT	<input type="checkbox"/>	SITE ANALYSIS
	BOYD	<input type="checkbox"/>	ROSS	<input type="checkbox"/>	SHAO	<input checked="" type="checkbox"/>	VOLLMER
	P. COLLINS	<input type="checkbox"/>	NOVAK	<input type="checkbox"/>	BAER	<input type="checkbox"/>	BUNCH
	HOUSTON	<input type="checkbox"/>	ROSZTOCZY	<input type="checkbox"/>	SCHWENCER	<input checked="" type="checkbox"/>	J. COLLINS
	PETERSON	<input type="checkbox"/>	CHECK	<input type="checkbox"/>	GRIMES	<input checked="" type="checkbox"/>	KREGER
	MELTZ	<input type="checkbox"/>		<input type="checkbox"/>		<input type="checkbox"/>	
	HELTEMES	<input type="checkbox"/>	AT & I	<input type="checkbox"/>	SITE SAFETY & ENVIRO	<input type="checkbox"/>	
	SKOVHOLT	<input type="checkbox"/>	SALTZMAN	<input type="checkbox"/>	ANALYSIS	<input type="checkbox"/>	
		<input type="checkbox"/>	RUTBERG	<input checked="" type="checkbox"/>	DENTON & MULLER	<input type="checkbox"/>	

EXTERNAL DISTRIBUTION

CONTROL NUMBER

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<input checked="" type="checkbox"/>	TIC	<input type="checkbox"/>	REG. V-IE	<input type="checkbox"/>	ULRIKSON(ORNL)	
<input checked="" type="checkbox"/>	NSIC	<input type="checkbox"/>	LA PDR	<input type="checkbox"/>		
	ASLB	<input type="checkbox"/>	CONSULTANTS	<input type="checkbox"/>		
	ACRS HOLDING/SENT	<input type="checkbox"/>		<input type="checkbox"/>		



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* RESIDENT PARTNERS WASHINGTON OFFICE
* ADMITTED TO THE DISTRICT OF COLUMBIA BAR

Mr. Ben C. Rusche
Director
Office of Nuclear Reactor Regulation
Nuclear Regulatory Commission
Washington, D. C. 20555

Re: Niagara Mohawk Power Corporation
Nine Mile Point Unit 2
Docket No. 50-410

Dear Mr. Rusche:

This firm is counsel to Niagara Mohawk Power Corporation and the Power Authority of the State of New York. As counsel for these entities, we hereby supply the following information and suggest that additional time for supplying certain information to the Commission be granted.

In its letter of October 8, 1975, the Commission requested certain information concerning compliance in the Nine Mile Point 2 facility with Appendix I of the Commission's regulations. That letter stated that if Niagara Mohawk chose the option of a cost-benefit approach to demonstrating compliance with Appendix I supporting data should be submitted to



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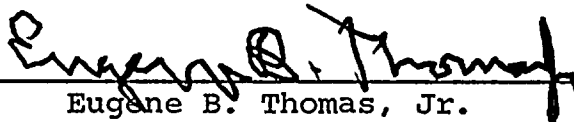
the Commission by March 31, 1976. Subsequently, the Commission in a letter dated February 17, 1976 addressed to Niagara Mohawk Power Corporation on its Unit 1 facility (Docket No. 50-220) and in a letter dated February 18, 1976 addressed to the Power Authority of the State of New York on its FitzPatrick facility (Docket No. 50-333) offered these two licensees the same optional approaches which had heretofore been accorded to Unit No. 2. The submission date of the data for the last two-named facilities is June 4, 1976. The information requested to be supplied by March 31, 1976 for Nine Mile 2 is ready. The information requested for the FitzPatrick and Nine Mile Point Unit 1 facilities is not.

As you know, the FitzPatrick and Nine Mile Point Unit 1 facilities are operating reactors. Niagara Mohawk's Unit No. 2 is presently under construction. Since all three facilities are located at the same site, and since all three are interrelated, we suggest that submission of the data for all three facilities be postponed until June 4, 1976. By using the same deadline, there will be an opportunity to review the data for all units at the site and will result in a consistent and correlative approach.

Very truly yours,

LEBOEUF, LAMB, LEIBY & MACRAE
Attorneys for Niagara Mohawk Power
Corporation and Power Authority
of the State of New York

By



Eugene B. Thomas, Jr.
Partner

