

UNITED STATES OF AMERICA  
NUCLEAR REGULATORY COMMISSION

In the Matter of	)	
NIAGARA MOHAWK POWER CORPORATION	)	
(Nine Mile Point Nuclear Station, Unit No. 1)	)	Docket No. 50-220

ORDER FOR MODIFICATION OF LICENSE

I.

The Niagara Mohawk Power Company (licensee) is the holder of Facility Operating License No. DPR-63 which authorizes the operation of the Nine Mile Point Nuclear Station, Unit No. 1, at steady state reactor power levels not in excess of 1850 megawatts thermal (rated power). The facility consists of a boiling water reactor located at the licensee's site in Oswego County, New York.

II.

On January 9, 1981 the Commission issued an Order modifying the license, effective immediately, requiring an operable automatic system to initiate control rod insertion at low pressure in the control air header. The Order, published in the Federal Register on January 20, 1981 (46 FR9287) required the automatic air header dump system to be operable by April 9, 1981 or the facility be placed in cold shutdown within 72 hours. The automatic air dump system was intended to provide an additional measure of protection for credible degraded air conditions in the BWR control air system pending the completion of the long term solution to these conditions.



III.

The licensee, by letter dated February 6, 1981, requested a modification of the January 9, 1981 Order for Modification of license to permit the installation of a permanent modification for a long term solution which would meet Design Criteria 1 of the staff's generic Safety Evaluation Report, BWR Scram Discharge System, dated December 1, 1980. The licensee expects to install the permanent modification during its current refueling outage such that there is no need to install the short term modifications required in the January 9, 1981 Order. I have determined that after April 9, 1981, the public health, safety and interest requires for operation of the facility either the completion of the short term requirements of the January 9, 1981 Order or completion of the long term requirements described in Design Criterion 1 of the December 1, 1980 SER.

IV.

Accordingly, pursuant to the Atomic Energy Act of 1954, as amended, including Sections 103 and 161i, and the Commission's rules and regulations in 10 CFR Parts 2 and 50, IT IS ORDERED EFFECTIVE IMMEDIATELY, that the January 9, 1981 Order for Modification of License be amended to add the following condition:

As an alternative to the Automatic Dump System described in section IV of the January 9, 1981 Order for Modification of License, the licensee may install permanent modifications to improve the SDV-IV hydraulic coupling, provided that: (1) the modifications are installed prior to power operation after April 9, 1981, (2) the



u  
e  
n  
n

h  
h

v

.

.

.

modifications meet Design Criterion 1 in the staff's generic SER dated December 1, 1981, and (3) appropriate Technical Specification changes are approved prior to power operation after April 9, 1981.

V.

Any person whose interests may be affected by this Order may request a hearing within 20 days of the date of publication of this Order in the Federal Register. Any request for a hearing will not stay the effective date of this Order. Any request for a hearing shall be addressed to the Director, Office of Nuclear Reactor Regulation, U. S. Nuclear Regulatory Commission, Washington, D. C. 20555, and shall set forth with particularity the nature of their interest and the manner in which such interest may be affected by this Order. A copy of the request should also be sent to the Executive Legal Director, U. S. Nuclear Regulatory Commission, Washington, D. C. 20555.

VI.

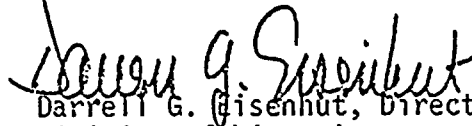
If a hearing is held concerning this Order, the issue to be considered at the hearing shall be:

Whether the licensee may install permanent modifications meeting Design Criterion 1 of the December 1, 1980 SER in lieu of the air dump system required by the January 9, 1981 Order.



Operation of the facility on terms consistent with this Order is not stayed by the pendency of any proceedings on the Order.

FOR THE NUCLEAR REGULATORY COMMISSION

  
Darrell G. Eisenhower, Director  
Division of Licensing  
Office of Nuclear Reactor Regulation

Dated:  
Bethesda, Maryland

APR 6 1981