REGULATORY INFORMATION DISTRIBUTION SYSTEM (RIDS)

ACCESSION NBR:8311150396 DOC.DATE: 83/10/28 NOTARIZED: NO DOCKET #
FACIL:50-220 Nine Mile Point Nuclear Station, Unit 1, Niagara Powe 05000220
AUTH.NAME AUTHOR AFFILIATION
MANGAN,C.V. Niagara Mohawk Power Corp.
RECIP.NAME RECIPIENT AFFILIATION
CHILK,S.J. Office of the Secretary of the Commission

SUBJECT: Requests 5-yr exemption from requiements of Section 50.44 of 10CFR50.44 re installation of internal recombiner or capability to install external recombiners due to lengthy lead time required to procure equipment.

DISTRIBUTION CODE: A001S COPIES RECEIVED:LTR 1 ENCL 0 SIZE: 3
TITLE: OR Submittal: General Distribution

NOTES:

	RECIPIENT ID CODE/NAME		COPIES LTTR	COPIES ENCL	RECIPIENT ID CODE/NAME		COPIES LTTR	COPIES ENCL
	NRR ORB2 BC	01	7					
INTERNAL:	ELD/HDS3		1		NRR/DE/MTEB		1	
	NRR/DL DIR		1		NRR/DL/ORAB		1	
	NRR/DSI/METB		1		NRR/DSI/RAB		1	
	REG FILE	04	1		RGN1		1	
EXTERNAL:	ACRS	09	6		LPDR	03	1	
	NRC PDR	02	1		NSIC	05	1	
	NTIS		1					

TOTAL NUMBER OF COPIES REQUIRED: LTTR 25 ENCL ~~23~~ 0

ACCESSION NBR:8511150310 DOC.DATE: 85/10/28 NOTARIZED: NO DOCKET #
FACIL:50-246 Fort St. Vrain Nuclear Station, Unit 1, Public Service Co. of Colorado
AUTH.NAME AUTHOR AFFILIATION
MAGGANO,C.V. Public Service Co. of Colorado
RECIP.NAME RECIPIENT AFFILIATION
CHILK,S.J. Office of the Secretary of the Commission

SUBJECT: Requests 5-yr exemption from requirements of Section 50.44 of 10CFR50.44 re installation of internal recombiner or capability to install external recombiners due to lengthy lead time required to procure equipment.

DISTRIBUTION CODE: A001S COPIES RECEIVED:LTR 1 ENCL 1 SIZE: 5
TITLE: OR Submittal: General Distribution

NOTES:

	RECIPIENT ID CODE/NAME	COPIES LTTR	COPIES ENCL	RECIPIENT ID CODE/NAME	COPIES LTTR	COPIES ENCL
	NRR ORB2 BC 01	1	1			
INTERNAL:	ELD/HDS3	1	0	NRR/DE/MTEB	1	0
	NRR/DL DIR	1	1	NRR/DL/ORAB	1	0
	NRR/DSI/RAB	1	1	NRR/DSI/RSB	1	1
	REG FILE 04	1	1	RGN1	1	1
EXTERNAL:	ACRS 07	6	6	LPDR 03	1	1
	NRC PDR 02	1	1	NSIC 05	1	1
	NTIS	1	1			

cys: Denton
Mingue
Murley, RI

370

NIAGARA MOHAWK

NIAGARA MOHAWK POWER CORPORATION/300 ERIE BOULEVARD WEST, SYRACUSE, N.Y. 13202/TELEPHONE (315) 474-1511

October 28, 1983

Attention: Mr. Samuel J. Chilk, Secretary
Office of the Secretary
United States Nuclear Regulatory Commission
Washington, DC 20555

Re: Nine Mile Point Unit 1
Docket No. 50-220
DPR-63

Dear Mr. Chilk:

Pursuant to Section 50.12 of the Regulations of the Nuclear Regulatory Commission, 10CFR50.12, Niagara Mohawk Power Corporation hereby makes application for an exemption from the requirements of Section 50.44 of the Commission Regulations, 10CFR50.44, insofar as the regulation requires either the installation of an internal recombiner or the capability to install external recombiners. Supporting information is provided herein.

Section 50.44 of Title 10 to the Code of Federal Regulations was amended in December 1981 to require boiling light water nuclear power reactors with Mark I containments to provide the capability to install hydrogen recombiners. Specifically, paragraph (c)(3)(ii) states:

> "By the end of the first scheduled outage beginning after July 5, 1982 and of sufficient duration to permit required modifications, each light-water nuclear power reactor that relies upon a purge/repressurization system as the primary means of controlling combustible gases following a LOCA shall be provided with either an internal recombiner or the capability to install an external recombiner following the start of an accident."

Prior to amending the rule, "only a purging system" was necessary, as required by paragraph (g) of the rule. The rule also stated that a repressurization system was acceptable. Nine Mile Point Unit 1 is provided with an inerted containment and a Containment Atmospheric Dilution System in compliance with the previous requirements.

A001
1/0

As currently written, paragraphs (c)(3)(ii) and (g) of Section 50.44 are apparently contradictory. Paragraph (g) requires only a purging system, whereas paragraph (c)(3)(ii) requires the capability to install recombiners. Furthermore, paragraph (c)(3)(ii) is contrary to the proposed revision to the rule which was published in the Federal Register on October 2, 1980. That proposed version would have only required an inerted containment. Moreover, additional contradictions exist between the current effective version of the rule and statements made by personnel from within the Nuclear Regulatory Commission. Specifically, during a public meeting regarding the interim rule on September 16, 1981 in response to remarks by Commissioners Ahearne and Palladino, Mr. Fleischman from the Office of Research stated:

> "The intent was when we wrote this, that Mark I's and II's would only be required to be inerted. That this rule would apply only to power reactors that rely on [purging or] pressurization as a primary means of controlling combustible gas. So, this would not apply to Mark I's and II's the way we have this rule written. This was the intent."

SECY-81-245 dated April 17, 1981 indicated that the recombiner requirements would apply only to "all BWRs and PWRs in which hydrogen could be generated, and which do not rely upon an inerted atmosphere..." These apparent contradictions were discussed with the Nuclear Regulatory Commission during a meeting held on January 25, 1982.

Also discussed during the above-mentioned meeting was the need for hydrogen recombiners from a technical viewpoint. Subsequently, the Boiling Water Reactors Owners Group and Northeast Utilities submitted the results of separate evaluations which demonstrated the requirement for hydrogen recombiners was not technically justifiable. NEDO-22155, "Generation and Mitigation of Combustible Gas Mixtures in Inerted BWR Mark I Containments" dated June 1982 and a report filed under Docket 50-245, "Combustible Gas Control Evaluation" dated August 6, 1982 both concluded that an inerted containment was sufficient to preclude the formation of a combustible containment atmosphere following a loss of coolant accident. Niagara Mohawk understands that these reports are still under review by the Nuclear Regulatory Commission, but that preliminary results are favorable to the report's conclusions.

The above information supports Niagara Mohawk's request for exemption and demonstrates that the health and welfare of the public will not be adversely affected by granting the request.

In lieu of granting this request in full, a partial exemption from the rule is requested. Specifically, an additional five years from the date of the Commission's decision on the above request for exemption from having the capability to install recombiners is requested. Niagara Mohawk believes this request for an extension to the schedule is justified because of the lengthy lead time required to procure equipment and the inaccuracy of costs originally estimated by the Nuclear Regulatory Commission. Information supplied by vendors indicate that delivery time from the date of placing an order for a recombiner is approximately two years. Cost estimates provided by the Boiling Water Reactors Owners Group indicated expenditures of between $2 to $4 million would be necessary to install recombiners. This is far in excess of the $100,000 figure used by the staff in promulgating the rule.

Because of the large costs associated with installation of hydrogen recombiners, Niagara Mohawk has deferred extensive design efforts, pending Nuclear Regulatory Commission review of the technical arguments put forth by the Boiling Water Reactors Owners Group and Northeast Utilities. To date, a documented review has not been obtained.

Our interpretation of the rule is that compliance is required by the end of the Nine Mile Point Unit 1 refueling/maintenance outage scheduled for 1984. Based on the above information, compliance with the current version of the rule would be difficult to establish, even if design efforts were undertaken immediately.

Therefore, as an alternative to granting an exemption to the requirement to provide the capability to install hydrogen recombiners, an extension to the schedule currently established in Section 50.44 is requested.

Very truly yours,

CVMangan

C. V. Mangan
Vice President
Nuclear Engineering & Licensing

CVM/BDW:ja