



UNITED STATES
NUCLEAR REGULATORY COMMISSION
WASHINGTON, D. C. 20555

September 28, 1990

Docket Nos. 50-220
and 50-410

Mr. Lawrence Burkhardt III
Executive Vice President,
Nuclear Operation
Niagara Mohawk Power Corporation
301 Plainfield Road
Syracuse, New York 13212

Dear Mr. Burkhardt:

SUBJECT: TEMPORARY WAIVER OF COMPLIANCE FOR NINE MILE POINT UNIT NOS. 1 AND 2
(TAC NOS. 77554 AND 77555)

We have reviewed your letters dated September 21, 1990, transmitting your request for an amendment to Section 6 of the Technical Specifications, "Administrative Controls" and an associated request for a temporary waiver of compliance (TWC) from the management organizational descriptions and controls contained in Section 6. You requested that a TWC be issued to allow implementation of your recently planned management reorganization by October 1, 1990. Your request was applicable to both Units 1 and 2 of the Nine Mile Point Nuclear Station.

The general features of the NMPC reorganization of the Nuclear Division include the elimination of the General Superintendent - Nuclear Generation and the associated addition of the position of Vice President - Nuclear Generation, retitling of certain positions, reassignment of certain responsibilities and designations, changes to the station and corporate safety review committees and editorial changes to implement these revisions.

Specifically, the Station Superintendent - Nuclear Generation is now designated Plant Manager and all of the individuals that directly report to the Plant Manager are designated Managers of their respective areas. Certain responsibilities of the General Superintendent have been assigned to the Vice President - Nuclear Generation and to the Plant Manager. The position of Executive Vice President - Nuclear Operations has been designated Executive Vice President - Nuclear. Certain responsibilities of the former position have been assigned to the Vice President - Nuclear Generation.

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However, the staff notes that one of the proposed changes to TS 6.2.1. for Unit 1 and to TS 6.2.2 for Unit 2 would remove the explicit requirement that "individual overtime shall be reviewed monthly by the General Superintendent - Nuclear Generation or designee..." The staff does not find this proposed change to be acceptable and in conversations with your staff on September 28, 1990 you have committed to amend your application in this regard. Specifically, your staff has committed to maintain the current wording of the subject paragraph except for the change of the position title "General Superintendent - Nuclear Generation" to "Vice President - Nuclear Generation." Your staff has committed to submit this change by letter by October 5, 1990.

You have indicated that these changes are intended to assure that the goals of improved overall performance are achieved. The organizational changes are intended to contribute to this by streamlining and improving communications, establishing clearer lines of responsibility and eliminating redundant functions. The changes also reflect the desire to unitize the operation of each unit and to provide consistency between the Administrative Controls section of the two units' Technical Specifications.

The NRC staff has reviewed these changes and concludes that the revised titles and new positions represent a comparable level of responsibility and reporting as in the former organization, and that the changes to the safety review committees meet the acceptance criteria of Section 13.4 of the Standard Review Plan. On this basis and conditioned also on submittal of the above mentioned revision to the application, I hereby grant the requested relief.

This temporary waiver of compliance is in effect immediately and will remain in effect until the requested amendments are issued.

Sincerely,



Richard H. Wessman, Acting Assistant Director
for Region I Reactors
Division of Reactor Projects - I/II
Office of Nuclear Reactor Regulation

cc: See next page



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Niagara Mohawk Power Corporation

cc:

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Sincerely,

ORIGINAL SIGNED BY:
 Richard H. Wessman, Acting Assistant Director
 for Region I Reactors
 Division of Reactor Projects - I/II
 Office of Nuclear Reactor Regulation

cc: See next page

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