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SUBJECT: Responds to 930111 ltr requesting addl info re 10CFR2.206, petition submitted by BL Ridings.Licensee renews request that petition be denied.

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B. Ralph Sylvia
Executive Vice President
Nuclear

February 9, 1993
NMP1L 0732

U.S. Nuclear Regulatory Commission
Attn: Document Control Desk
Washington, DC 20555

Re: Nine Mile Point Unit 1
Docket No. 50-220
DPR-63
TAC No. M84890

Gentlemen:

SUBJECT: RESPONSE TO REQUEST FOR ADDITIONAL INFORMATION REGARDING 10 CFR§2.206 PETITION SUBMITTED BY BEN L. RIDINGS

By letter dated January 11, 1993, the Nuclear Regulatory Commission forwarded to Niagara Mohawk Power Corporation a copy of a document, "Information Requested by Office of Nuclear Reactor Regulation," prepared by Ben L. Ridings. This document was prepared in response to Dr. Murley's December 4, 1992 letter requesting further information with regard to a §2.206 petition submitted by Mr. Ridings.

As requested by the NRC in its January 11, 1993 letter, the following provides Niagara Mohawk's comments regarding certain matters raised in Mr. Ridings' latest letter. This letter will not reevaluate issues already addressed in our December 21, 1992 (NMP1L 0724) response to the original petition. After careful review, Niagara Mohawk has determined that no issues of significance are raised by the additional information submitted by Mr. Ridings. Niagara Mohawk respectfully renews its request that the petition be denied.

Mr. Ridings' assertion, appearing on page 2 of his latest letter, that leakage rates of each of the Category A valves at Nine Mile Point Unit 1 "must be added to the leakage total for containment building" is not correct. 10 CFR Part 50 Appendix J generally provides that the overall leakage rate need not consider leakage from isolation valves having water seals. Accordingly, only the leakage from those valves requiring 10 CFR Part 50, Appendix J Type C air tests is required to be added to the leakage rate for the containment to determine if the allowable leakage requirement is met. Thus, the May 6, 1988 NRC Safety Evaluation found that a number of valves had appropriate water seals and that leakage through these valves did not need to be considered in determining the overall leakage rate.

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In Attachment 5 to his October 27, 1992 petition, Mr. Ridings provided a listing of components and 18 notes. As you are aware, Note 17 was missing from the listing. Note 17 was obtained by the NRC and provided to Niagara Mohawk by the NRC Project Manager on February 3, 1993. It states:

> "TS table 3.3.4 identified these valves as Criterion 56, however, are not being tested accordingly. FSAR Table VI-3b shows these valves as lines entering free space of containment, yet are not being tested accordingly."

Note 17 of Attachment 5 addresses twelve valves in the Containment Spray System. These valves are discussed below. The Containment Spray System suction isolation valves(80-01, 02, 21 and 22) are located on the lines which take suction several feet below the post-LOCA minimum water level of the torus. These valves are therefore provided with a substantial water seal. As discussed in the NRC May 6, 1988 Safety Evaluation Report and at meetings following the Safety Evaluation's issuance, Niagara Mohawk and Staff agreed that an Inservice Testing (IST) water test and not an Appendix J Type C test with air should be performed on these valves. These tests assure that the valves will close and, thus, reduce the risk of torus drainage through them. Accordingly, Niagara Mohawk's February 7, 1992 application for amendment to the Technical Specifications reflects that these valves will be tested in accordance with the IST program.

The other Containment Spray System valves cited in Note 17, the drywell branch valves (80-17, 18, 37, and 38) and suppression chamber branch valves (80-65, 66, 67, and 68), also meet the criteria for a water seal and, in accordance with the May 6, 1988 NRC Safety Evaluation, do not require testing. These valves are discussed in Niagara Mohawk's July 28, 1988 letter (NMP1L 0288) to the NRC. That letter documented agreements and clarifications to the May 6, 1988 Safety Evaluation Report. The Staff's letter of November 9, 1988 concurred with Niagara Mohawk's positions described in its July 28, 1988 letter regarding these valves.

Mr. Ridings asserts on page 2 of his latest letter that Nine Mile Point Unit 1 relies on extended runs of closed loop piping outside containment for containment integrity rather than on isolation valves. It was Niagara Mohawk's position in the late 1970's and early 1980's that systems such as Core Spray and Containment Spray were closed systems which constituted an extension of containment and therefore, did not require isolation valves. The NRC Safety Evaluation of May 6, 1988 rejected this position, but concluded that certain valves within such closed loop systems meet the Appendix J criteria for a water seal, and provide an appropriate isolation function. Thus, Niagara Mohawk no longer relies on the fact that these systems are closed for containment isolation. The Containment Spray System water seal issue was further reviewed by the NRC in Inspection Report 50-220/91-20 dated November 5, 1991, in which the NRC concluded that "the Appendix J water seal issue is considered to be resolved." Niagara Mohawk's February 7, 1992

application for amendment to the Technical Specifications appropriately reflects reliance on water seals in the Technical Specification tables. It should be noted that Niagara Mohawk has committed to modify the Containment Spray System isolation valves to allow them to be air tested in accordance with 10 CFR Part 50, Appendix J during the 1995 refueling outage.

Attachment 1 of Niagara Mohawk's December 21, 1992 response to Mr. Ridings' petition contained our comments regarding the 18 notes contained in Attachment 5 to Mr. Ridings' petition. Based upon discussions with NRC Staff during the week of February 1, 1993, Niagara Mohawk wishes to clarify its response to Notes 2 and 6. With regard to Note 2, while all three valves have water seals, valve 80-118 will now be designated as the containment isolation valve, since it is inboard of 80-114 and 80-115. For this reason, the response to Note 6 should be revised to reflect that valves 80-114 and 80-115 will be deleted from the FSAR Table VI-3b once the February 7, 1992 Technical Specification amendment is approved.

In summary, in his additional submittal, Mr. Ridings has raised no issues of safety significance. He has not met the Commission's standards for institution of a proceeding as discussed in Niagara Mohawk's December 21, 1992 submittal. For these reasons, Mr. Ridings' October 27, 1992 petition should be denied.

Sincerely,

B. Ralph Sylvia
Exec. Vice President-Nuclear

NAS/mls

xc: Regional Administrator, Region I
Mr. W. L. Schmidt, Senior Resident Inspector
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