

June 30, 1992

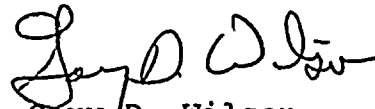
Mr. Ira Dinitz
Senior Insurance/Indemnity Specialist
Document Control Desk
U. S. Nuclear Regulatory Commission
Mail Stop 12E-4
Washington, D. C. 20555

Re: Nine Mile Point Unit #1 and Unit #2 -
Amendment No. 18 to Indemnity Agreement No. B-36

Dear Mr. Dinitz:

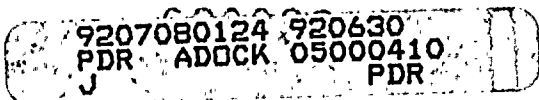
Enclosed please find a fully executed copy of Amendment No. 18 to Indemnity Agreement No. B-36.

Very truly yours,

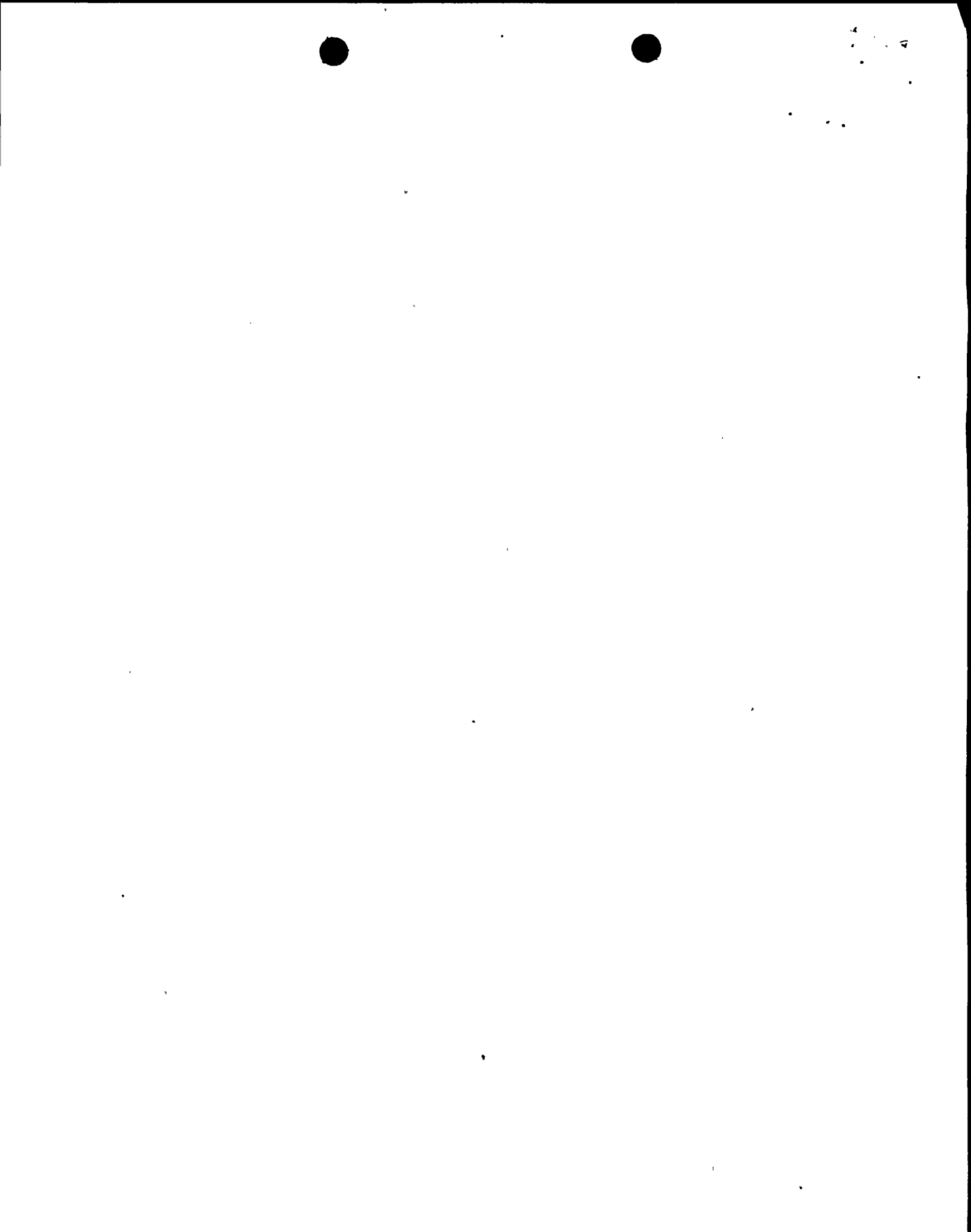

Gary D. Wilson
Managing Attorney

GDW:jml
Enclosure

xc: W. J. Merritt, Esq. (LILCO) w/Enc.
W. A. Bossert, Jr., Esq. (C-H) w/Enc.
R. Schutt, Esq. (NYSEG) w/Enc.
T. S. Richards, Esq. (RG&E) w/Enc.



MODI



Make 1 copy + Docket
revised

Regulatory Docket File

LAW OFFICES OF
LEBOEUF, LAMB, LEIBY & MACRAE
1757 N STREET, N.W.
WASHINGTON, D.C. 20036

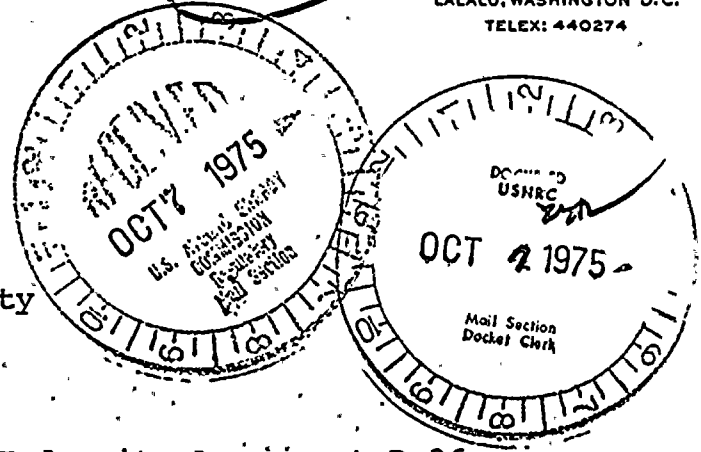
ARVIN E. UPTON
LEONARD M. TROSTEN
WILLIAM O. DOUB (ADM. MARYLAND)
EUGENE B. THOMAS, JR.
HARRY H. VOIGT
L. MANNING MUNTZING
LEX K. LARSON
HENRY V. NICKEL
WASHINGTON PARTNERS

June 24, 1975

220/
50-410

140 BROADWAY
NEW YORK, N.Y. 10005
WASHINGTON TELEPHONE
202-872-8868
CABLE ADDRESS
LALALU, WASHINGTON D.C.
TELEX: 440274

Jerome Saltzman, Esq.
Deputy Chief
Office of Antitrust and Indemnity
Nuclear Reactor Regulation
Nuclear Regulatory Commission
Washington, D. C. 20555



Re: Site Definition - Indemnity Agreement B-36
Nine Mile Point, Scriba, New York

Dear Mr. Saltzman:

This letter confirms our conversation of this afternoon regarding a change in location definition in the above-captioned matter.

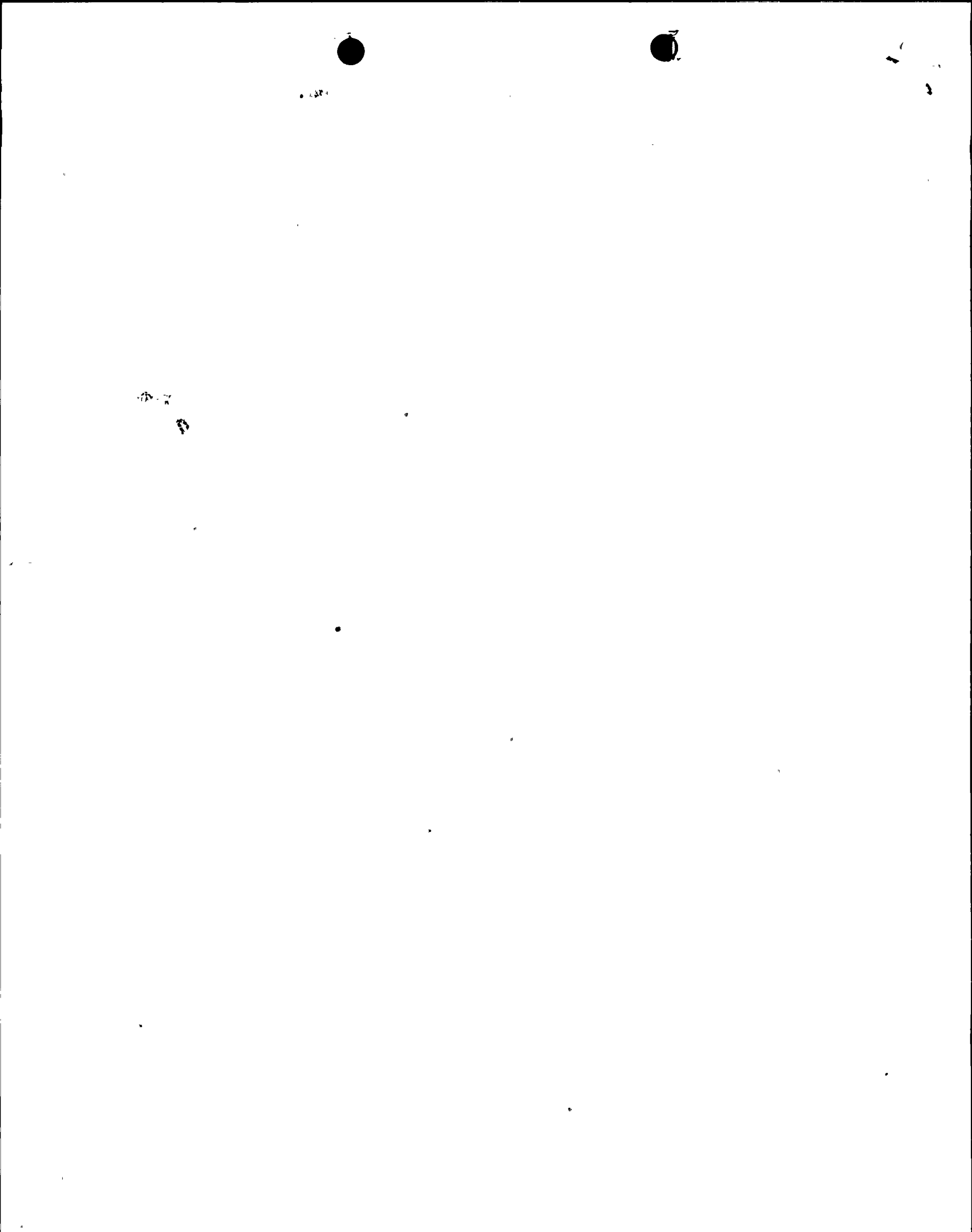
As I told you, Niagara Mohawk has decided to start construction of Nine Mile Point 2 immediately. Material for such construction is already on the site and it is, therefore, urgent that we receive as soon as possible the necessary change in the location definition.

The Nuclear Pool policies will also be changed in order that they will be identical with those in the Indemnity Agreement.

The present location is listed on Amendment No. 4, effective August 22, 1969, to Niagara Mohawk's Indemnity Agreement No. B-36. The definition of location preferred is as follows:

"All buildings and land as bounded in the attached drawing 12177-FM-1A-3 by the distinctive

10093

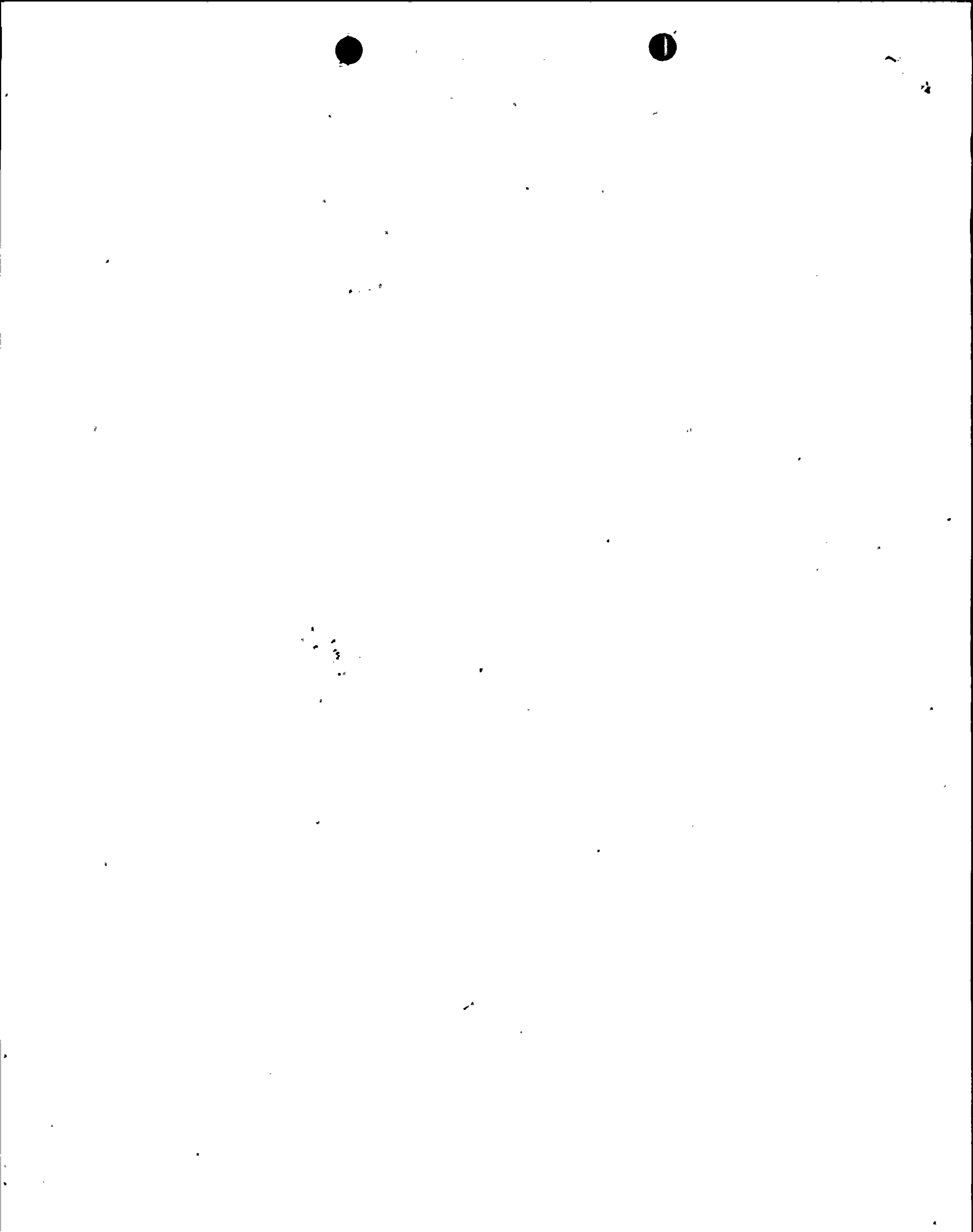


line ***** North - extending to the mean water line of Lake Ontario; East - extending to the property line of the Power Authority of the State of New York; South - extending to grid coordinate N1,280,000 (New York State coordinate system based on universal mercator projection; Central Zone); West - extending to Niagara Mohawk Power Corporation's property line at Lakeview, New York - Nine Mile Point Nuclear Station, Scriba, New York."

We certainly appreciate your cooperation in this matter.

Sincerely yours,

Le Brun, Lamontagne, MacRae
Attorneys for
Niagara Mohawk Power Corporation



ACCELERATED DISTRIBUTION DEMONSTRATION SYSTEM

REGULATORY INFORMATION DISTRIBUTION SYSTEM (RIDS)

ACCESSION NBR: 9207080124 DOC. DATE: 92/06/30 NOTARIZED: NO DOCKET #
FACIL: 50-410 Nine Mile Point Nuclear Station, Unit 2, Niagara Moha 05000410
AUTH. NAME AUTHOR AFFILIATION
WILSON, G.D. Niagara Mohawk Power Corp.
RECIP. NAME RECIPIENT AFFILIATION
DINITZ, I. Document Control Branch (Document Control Desk)

SUBJECT: Forwards copy of Amend 18 to Indemnity Agreement B-36.

DISTRIBUTION CODE: M001D COPIES RECEIVED: LTR 1 ENCL 1 SIZE: 4
TITLE: Insurance: Indemnity/Endorsement Agreements

NOTES:

	RECIPIENT		COPIES		RECIPIENT		COPIES	
	ID	CODE/NAME	LTTR	ENCL	ID	CODE/NAME	LTTR	ENCL
INTERNAL:	NRR/PMAS/PTSB12		1	1	<u>REG FILE</u>	01	1	1
EXTERNAL:	NRC PDR		1	1				

NOTE TO ALL "RIDS" RECIPIENTS:

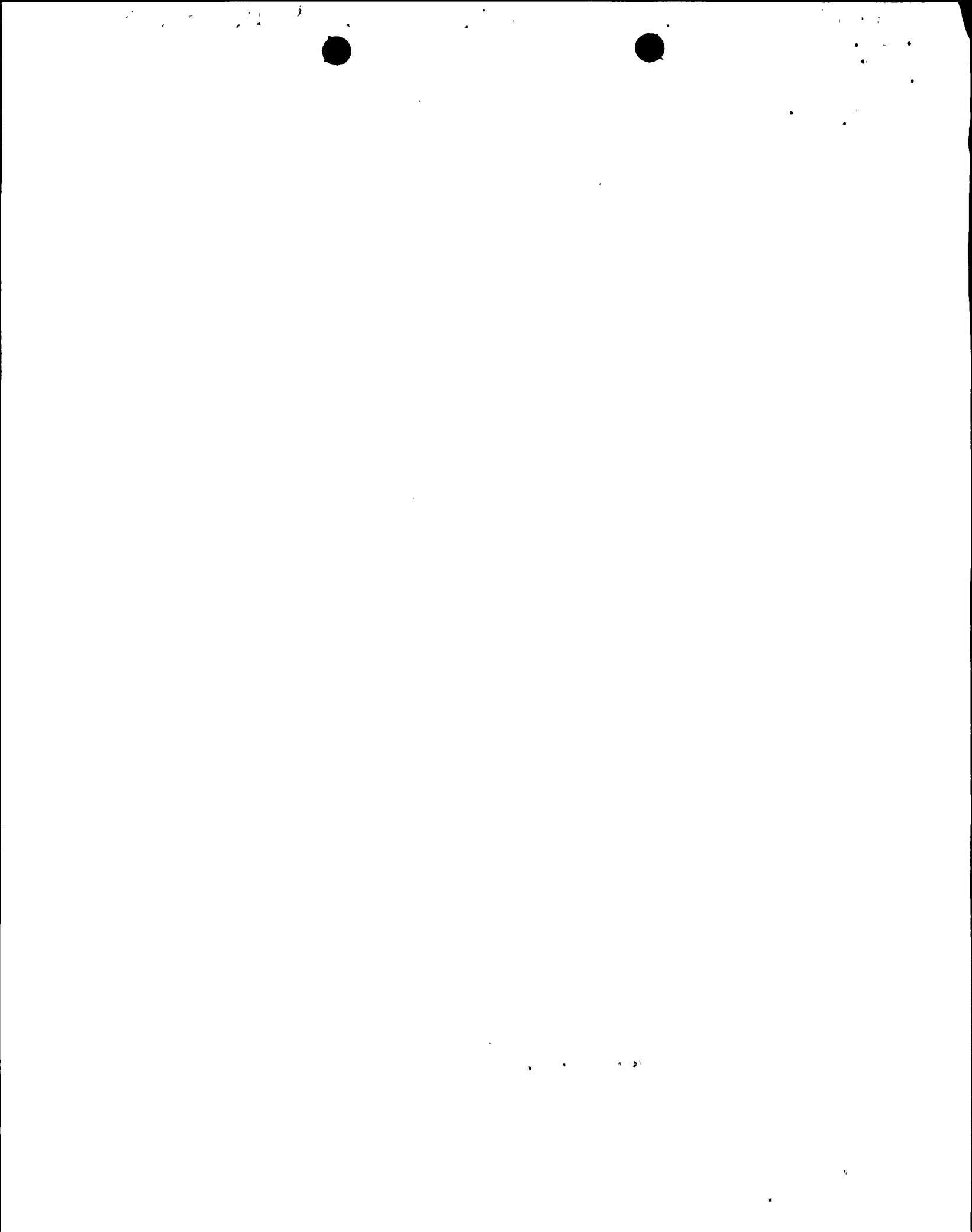
PLEASE HELP US TO REDUCE WASTE! CONTACT THE DOCUMENT CONTROL DESK,
ROOM P1-37 (EXT. 20079) TO ELIMINATE YOUR NAME FROM DISTRIBUTION
LISTS FOR DOCUMENTS YOU DON'T NEED!

TOTAL NUMBER OF COPIES REQUIRED: LTTR 3 ENCL 3

II

R
I
D
S
/
A
D
D
S

R
I
D
S
/
A
D
D
S





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

Docket Nos. 50-220
50-410

AMENDMENT TO INDEMNITY AGREEMENT NO. B-36
AMENDMENT NO. 18

Effective July 1, 1989, Indemnity Agreement No. B-36, between Niagara Mohawk Power Corporation, Central Hudson Gas & Electric Corporation, Long Island Lighting Company, New York State Electric & Gas Corporation, Rochester Gas and Electric Corporation, and the Atomic Energy Commission, dated August 16, 1967, as amended, is hereby further amended as follows:

The amount "\$160,000,000" is deleted wherever it appears and the amount "\$200,000,000" is substituted therefor.

The amount "\$124,000,000" is deleted wherever it appears and the amount "\$155,000,000" is substituted therefor.

The amount "\$36,000,000" is deleted wherever it appears and the amount "\$45,000,000" is substituted therefor.

Paragraph 1, Article I is modified to read as follows:

1. "Nuclear reactor," "byproduct material," "person," "source material," "special nuclear material," and "precautionary evacuation" shall have the meanings given them in the Atomic Energy Act of 1954, as amended, and the regulations issued by the Commission.

The definition of "public liability" in paragraph 7, Article I is deleted, and the following is substituted therefor:

"Public liability" means any legal liability arising out of or resulting from a nuclear incident or precautionary evacuation (including all reasonable additional costs incurred by a State or a political subdivision of a State, in the course or responding to a nuclear incident or precautionary evacuation), except (1) claims under State or Federal Workmen's Compensation Acts of employees of persons indemnified who are employed (a) at the location or, if the nuclear incident occurs in the course of transportation of the radioactive material, on the transporting vehicle, and (b) in connection with the licensee's possession, use or transfer of the radioactive material; (2) claims arising out of an act of war; and (3) claims for loss of, or damage to, or loss of use of (a) property which is located at the location and used in connection with the licensee's possession, use, or transfer of the radioactive material, and (b) if the nuclear



1948

1948

1948

1948

1948

1948

1948

1948

1948

1948

1948

1948

incident occurs in the course of transportation of the radioactive material, the transporting vehicle, containers used in such transportation, and the radioactive material.

Paragraph 4(c), Article II is revised to read as follows:

- (c) Any issue or defense based on any statute of limitations if suit is instituted within three years from the date on which the claimant first knew, or reasonably could have known, of his injury or damage and the cause thereof.

In paragraph 1, Article VIII, the amount "\$5,000,000" is deleted and the amount "\$63,000,000" is substituted therefor.

Item 2a of the Attachment to the indemnity agreement is deleted in its entirety and the following substituted therefor:

Item 2 - Amount of financial protection

a. \$1,000,000	(From 12:01 a.m., August 16, 1967, to 12 midnight, August 21, 1969, inclusive)
\$82,000,000	(From 12:01 a.m., August 22, 1969, to 12 midnight, February 29, 1972, inclusive)
\$95,000,000	(From 12:01 a.m., March 1, 1972, to 12 midnight, February 28, 1974, inclusive)
\$110,000,000	(From 12:01 a.m., March 1, 1974, to 12 midnight, March 20, 1975, inclusive)
\$125,000,000	(From 12:01 a.m., March 21, 1975, to 12 midnight, April 30, 1977, inclusive)
\$140,000,000*	(From 12:01 a.m., May 1, 1977, to 12 midnight, April 30, 1979, inclusive)
\$160,000,000*	(From 12:01 a.m., May 1, 1979, to 12 midnight, June 30, 1989, inclusive)
\$200,000,000*	(From 12:01 a.m., July 1, 1989)

*and, as of August 1, 1977, the amount available as secondary financial protection.

100-100000-100000



100-100000-100000

100-100000-100000

100-100000-100000

FOR THE UNITED STATES NUCLEAR REGULATORY COMMISSION

Ward A. Harbo

Anthony T. Gody, Chief
Policy Development and Technical
Support Branch
Program Management, Policy Development
and Analysis Staff
Office of Nuclear Reactor Regulation

Accepted *June 26*, 1992

By *J. M. Eudraei*
Niagara Mohawk Power Corporation

Accepted *5/22*, 1992

By *Russell J. Gini*
Central Hudson Gas & Electric
Corporation

Accepted *May 12*, 1992

By *Anthony J. Barley*
Long Island Lighting Company

Accepted *June 4*, 1992

By *John A. Kosko*
New York State Electric & Gas
Corporation

Accepted *June 17*, 1992

By *Daniel E. Smith*
Rochester Gas and Electric
Corporation

10/10/10

10/10/10

10/10/10

10/10/10

10/10/10

10/10/10

10/10/10