

Docket File



UNITED STATES
NUCLEAR REGULATORY COMMISSION
WASHINGTON, D.C. 20555-0001

May 9, 1993

Docket No. 50-220

Ben L. Ridings
P.O. Box 1101
Kingston, Tennessee 37763

Dear Mr. Ridings:

This letter responds to the Petition you filed pursuant to Title 10 of the Code of Federal Regulations, Section 2.206 (10 CFR 2.206) on October 27, 1992. Your Petition asked the United States Nuclear Regulatory Commission (NRC or Commission) to take direct review of the Petition and issue an immediately effective order directing Niagara Mohawk Power Corporation (NMPC) to cease power operation of Nine Mile Point Nuclear Station Unit No. 1 (NMP-1) and place the reactor in a cold-shutdown condition. The Petition also requested that the Commission hold a public hearing before authorizing resumption of plant operation. You sought relief based on the following assertions: (1) NMPC is operating NMP-1 in violation of the requirements for availability of an emergency core cooling system (ECCS) high-pressure coolant injection (HPCI) system; (2) 45 percent of the containment isolation valves have administrative deficiencies; and (3) NMPC, NMPC's quality assurance group, and the NRC have reviewed these safety concerns and, contrary to any practical justification, have remained silent.

On December 4, 1992, I informed you that the Commission had declined to take direct review of your Petition, that the Petition had been referred to me for consideration pursuant to 10 CFR 2.206, and that a final decision would be issued within a reasonable time.

In my December 4, 1992, letter, I asked you to submit some specific information that was not fully legible or not included in your Petition. You responded by a letter that enclosed a document titled "Information Requested by Office of Nuclear Reactor Regulation," which was received by the NRC Office of the Executive Director for Operations on January 5, 1993. The material contained in your response was considered in my decision which is enclosed.

To the extent that you sought correction of the Technical Specifications (TSs) tables to correctly list the NMP-1 containment isolation valves, their initiating signals, and their stroke times, this relief is granted by the NRC's issuance of License Amendment No. 140 to the NMP-1 Facility Operating License DPR-63 on April 12, 1993. NMPC has committed to correct the Updated Final Safety Analysis Report (UFSAR) tables by June 30, 1993. Action to require earlier change to the UFSAR tables is not needed in light of the NRC staff's confirmation of valve operability during an onsite inspection conducted February 1-5, 1993. For the reasons given in the enclosed Director's Decision under 10 CFR 2.206, the other portions of your Petition

130050
9305200253 930509
PDR ADDCK 05000220
P PDR

NRG FILE CENTER COPY

DFD 11



12000

12000

Ben L. Ridings

- 2 -

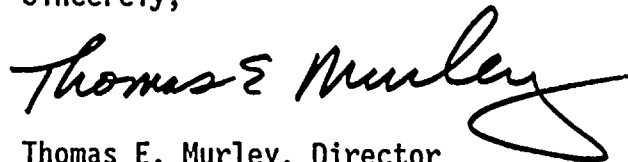
May 9, 1993

have been denied. Please note that a copy of the Petition has been referred to the NRC Office of the Inspector General for whatever review and action the Inspector General deems appropriate.

A copy of the Decision will be filed with the Secretary of the Commission for the Commission's review in accordance with 10 CFR 2.206(c). As provided by this regulation, the Decision will constitute the final action of the Commission 25 days after the date of issuance of the Decision unless the Commission, on its own motion, institutes a review of the Decision within that time.

A copy of the Notice of Decision that is being filed with the Office of the Federal Register for publication is also enclosed.

Sincerely,



Thomas E. Murley, Director
Office of Nuclear Reactor Regulation

Enclosures:

1. Director's Decision DD-93-10
2. Federal Register Notice

cc w/enclosures:
See next page



11

Niagara Mohawk Power Corporation

Nine Mile Point Nuclear Station
Unit No. 1

cc:

Mark J. Wetterhahn, Esquire
Winston & Strawn
1400 L Street, NW
Washington, DC 20005-3502

Supervisor
Town of Scriba
Route 8, Box 382
Oswego, New York 13126

Mr. Neil S. Carns
Vice President - Nuclear Generation
Niagara Mohawk Power Corporation
Nine Mile Point Nuclear Station
Post Office Box 32
Lycoming, New York 13093

Resident Inspector
U.S. Nuclear Regulatory Commission
Post Office Box 126
Lycoming, New York 13093

Gary D. Wilson, Esquire
Niagara Mohawk Power Corporation
300 Erie Boulevard West
Syracuse, New York 13202

Regional Administrator, Region I
U.S. Nuclear Regulatory Commission
475 Allendale Road
King of Prussia, Pennsylvania 19406

Ms. Donna Ross
New York State Energy Office
2 Empire State Plaza
16th Floor
Albany, New York 12223

Mr. Kim Dahlberg
Unit 1 Station Superintendent
Nine Mile Point Nuclear Station
Post Office Box 32
Lycoming, New York 13093

Mr. David K. Greene
Manager Licensing
Niagara Mohawk Power Corporation
301 Plainfield Road
Syracuse, New York 13212

Charles Donaldson, Esquire
Assistant Attorney General
New York Department of Law
120 Broadway
New York, New York 10271

Mr. Paul D. Eddy
State of New York
Department of Public Service
Power Division, System Operations
3 Empire State Plaza
Albany, New York 12223

Mr. B. Ralph Sylvia
Executive Vice President, Nuclear
Niagara Mohawk Power Corporation
301 Plainfield Road
Syracuse, New York 13212



11
12
13