



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

May 27, 1994

Docket No. 50-220

Mr. B. Ralph Sylvia
Executive Vice President, Nuclear
Niagara Mohawk Power Corporation
Nine Mile Point Nuclear Station
P.O. Box 63
Lycoming, New York 13093

Dear Mr. Sylvia:

SUBJECT: TRANSMITTAL OF THE NRC SAFETY EVALUATION FOR THE BOILING WATER REACTOR (BWR) OWNERS GROUP RESPONSE TO GENERIC LETTER 89-19, "REQUEST FOR ACTION RELATED TO RESOLUTION OF UNRESOLVED SAFETY ISSUE A-47 'SAFETY IMPLICATION OF CONTROL SYSTEMS IN LWR NUCLEAR POWER PLANTS' PURSUANT TO 10 CFR 50.54(f)," AND REQUEST FOR ADDITIONAL INFORMATION - NINE MILE POINT NUCLEAR STATION UNIT NO. 1 (TAC NO. M74966)

Enclosed is the NRC Safety Evaluation (SE) addressing the BWR Owners Group (BWROG) response, dated April 2, 1990, to the above subject. Based on the NRC staff's review of the response and the cost/safety benefit analysis, the staff has concluded that upgrading the existing automatic overfill protection systems to achieve additional separation is not warranted. By letter, dated May 4, 1990, Niagara Mohawk Power Corporation (NMPC) stated that it had reviewed the BWROG report and verified the generic aspects of the report are applicable to Nine Mile Point Nuclear Station Unit No. 1 (NMP-1).

Furthermore, we have reviewed your submittal, dated May 4, 1990, which provided NMPC's plant-specific response to the Generic Letter (GL) for NMP-1. Our review indicates that NMP-1 does not have the appropriate Technical Specifications (TS) governing the availability of the overfill protection system instrumentation, procedures, and training to cope with potential overfill events. We realize that by letter dated March 4, 1986, NMPC had proposed TS governing the operability and surveillance requirements for instrumentation which would provide the overfill protection requested by GL 89-19. We also realize that our letter of October 1, 1986, approved NMPC's request of June 27, 1986, to withdraw that request for proposed TS. Those actions preceded the issuance of GL 89-19. It is our current position that based on the BWROG response of April 2, 1990, such TS would now be appropriate for NMP-1. Therefore, we request that NMPC resubmit such TS for NMP-1. The proposed TS should reflect the plant's current as-built configuration and should incorporate the instrumentation surveillance frequencies and allowable out-of-service times consistent with those approved in License Amendment No. 139 to the extent applicable.

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