



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

NIAGARA MOHAWK POWER CORPORATION

DOCKET NO. 50-410

NINE MILE POINT NUCLEAR STATION, UNIT 2

AMENDMENT TO FACILITY OPERATING LICENSE

Amendment No. 70
License No. NPF-69

1. The Nuclear Regulatory Commission (the Commission) has found that:
 - A. The application for amendment by Niagara Mohawk Power Corporation (the licensee) dated January 6, 1995, as supplemented April 18, 1995, complies with the standards and requirements of the Atomic Energy Act of 1954, as amended (the Act) and the Commission's rules and regulations set forth in 10 CFR Chapter 1;
 - B. The facility will operate in conformity with the application, the provisions of the Act, and the rules and regulations of the Commission;
 - C. There is reasonable assurance (i) that the activities authorized by this amendment can be conducted without endangering the health and safety of the public, and (ii) that such activities will be conducted in compliance with the Commission's regulations;
 - D. The issuance of this amendment will not be inimical to the common defense and security or to the health and safety of the public; and
 - E. The issuance of this amendment is in accordance with 10 CFR Part 51 of the Commission's regulations and all applicable requirements have been satisfied.
2. Accordingly, the license is amended by changes to the Technical Specifications as indicated in the attachment to this license amendment, and paragraph 2.C.(2) of Facility Operating License No. NPF-69 is hereby amended to read as follows:

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(2) Technical Specifications and Environmental Protection Plan

The Technical Specifications contained in Appendix A and the Environmental Protection Plan contained in Appendix B, both of which are attached hereto, as revised through Amendment No. 70 are hereby incorporated into this license. Niagara Mohawk Power Corporation shall operate the facility in accordance with the Technical Specifications and the Environmental Protection Plan.

3. This license amendment is effective as of the date of its issuance to be implemented within 30 days.

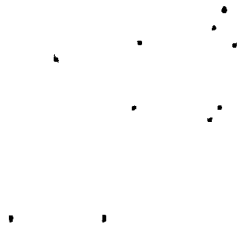
FOR THE NUCLEAR REGULATORY COMMISSION



Ledyard B. Marsh, Director
Project Directorate I-1
Division of Reactor Projects - I/II
Office of Nuclear Reactor Regulation

Attachment:
Changes to the Technical
Specifications

Date of Issuance: September 15, 1995



The proposed change would add the following to the action statements of TS Sections 3.8.1.1 and 3.8.1.2:

- a. With one or more diesel fuel storage tank(s) containing less than the minimum quantity of fuel oil but greater than or equal to 40,755 gallons of fuel for EDG*1 and EDG*3, or greater than or equal to 30,293 gallons for EDG*2, restore fuel oil to required levels within 48 hours or declare the affected diesel generator(s) inoperable.
- b. With one or more diesel generator(s) with new diesel fuel oil properties not within limits, restore stored fuel oil properties to required limits within 30 days or declare the affected diesel generator(s) inoperable.
- c. With one or more diesel generator(s) with stored fuel total particulates not within limits, restore stored fuel total particulates to required limits within 7 days or declare the affected diesel generator(s) inoperable.

As indicated in the above Section 1.0, certain circumstances may cause EDG fuel oil level(s) to drop below the 7-day limit. The restriction described in the above Section 2.2.a maintains at least 6-day fuel oil supply for each EDG and allows sufficient time for obtaining the requisite replacement volume and performing analyses required prior to addition of the fuel oil to the tank(s).

Based on our review, we consider that a period of 48 hours is sufficient to complete restoration of the required level prior to declaring the EDG(s) inoperable. This period is acceptable based on the remaining fuel oil inventory (at least 6 days), the fact that procedures are in place to obtain replacement, and the low probability of an event during this brief period. In addition, we find that this proposed additional restriction regarding storage tank fuel oil inventory for each EDG is in accordance with the guidance of NUREG-1434. Therefore, we find it acceptable.

3.3 TS Section 4.8.1.1.2.c - Surveillance

The licensee proposes to modify Surveillance Requirement 4.8.1.1.2.c by deleting description of the surveillance tests and referencing instead the Diesel Fuel Oil Testing Program which will be incorporated in Administrative Control Section 6.8.4 of the plants TSs. A detailed description of the tests will be included in Bases 3/4.8.1-3. Similarly, the requirement for periodic testing for particulate contamination will be relocated to Administrative Control Section 6.8.4 and detailed description included in Bases 3/4.8.1-3 which will delete Surveillance Requirement 4.8.1.1.2.d.

Bases 3/4.8.1-3 were revised by adding detailed descriptions of the surveillance tests which previously were included in the Surveillance



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Requirements Sections. These descriptions were only slightly modified. The most significant change is in the definition of the test requirements for determining water and sediments in diesel fuel oil.

Relocation of the detail description of the surveillance tests to Bases, allows the licensee to perform their revisions under 10 CFR 50.59. The licensee has indicated that this would allow test procedures to be updated to reflect the changes in the ASTM standards.

The Diesel Fuel Oil Testing Program proposed by the licensee will be included in Administrative Controls Section 6.8.4 of the TSs. It will serve to assure adequate program control.

Relocation of detailed description of the test requirements for diesel fuel oil from Surveillance Requirements Sections of the TS to Bases follows the format suggested by the Improved STSs described in NUREG-1434. It is an administrative modification of the TS and it does not reduce level of control over the quality of diesel fuel oil in the plant. Therefore, it would not affect operation of the EDG.

In the proposed modification of Bases 3/4.8.1-3, the licensee specified that before addition to the storage tank, fuel oil should be tested for water and sediments in accordance with ASTM D4176-82. This test is applicable only to the fuel oil with ASTM color index of 5 or less. For some types of fuel oil this index may exceed this value.

There are two types of diesel fuel used in the nuclear industry: high sulfur fuel and low sulfur fuel. Since October 1993, when 40 CFR 80.29 went into effect, a blue dye had to be added to the high sulfur fuel. Licensees that use high sulfur fuel in operating their generators, would not be able to test the fuel for water and sediment as defined in ASTM D4176-82 (otherwise referred to as the "clear and bright" test). Due to the presence of the dye, the color indexes of the fuel, determined by ASTM D1500-82, will be above 5 making the fuel too opaque for determination of water and sediments content by the "clear and bright" procedure. An appropriate test for the high sulfur fuel would be the quantitative test ASTM D1796-83 which uses centrifugation as a means of separating out water and sediment from the oil phase. However, the licensee has indicated that only low sulfur diesel fuel oil is going to be used in the Nine Mile Point plant. The qualitative test for water and sediment, defined in ASTM D4176-82 "Free Water and Particulate Contamination in Distillate Fuels (Clear and Bright Pass/Fail Procedures), will be applicable as long as the licensee continues to use low sulfur fuel. Therefore, the staff offers no objection to the proposed change in Bases 3/4.8.1-3.

4.0 STATE CONSULTATION

In accordance with the Commission's regulations, the New York State official was notified of the proposed issuance of the amendment. The State official had no comments.



5.0 ENVIRONMENTAL CONSIDERATION

The amendment changes a requirement with respect to installation or use of a facility component located within the restricted area as defined in 10 CFR Part 20 and changes surveillance requirements. The NRC staff has determined that the amendment involves no significant increase in the amounts, and no significant change in the types, of any effluents that may be released offsite, and that there is no significant increase in individual or cumulative occupational radiation exposure. The Commission has previously issued a proposed finding that the amendment involves no significant hazards consideration, and there has been no public comment on such finding (60 FR 8747). Accordingly, the amendment meets the eligibility criteria for categorical exclusion set forth in 10 CFR 51.22(c)(9) and (c)(10). Pursuant to 10 CFR 51.22(b) no environmental impact statement or environmental assessment need be prepared in connection with the issuance of the amendment.

6.0 CONCLUSION

The Commission has concluded, based on the considerations discussed above, that: (1) there is reasonable assurance that the health and safety of the public will not be endangered by operation in the proposed manner, (2) such activities will be conducted in compliance with the Commission's regulations, and (3) the issuance of the amendment will not be inimical to the common defense and security or to the health and safety of the public.

Principal Contributors: B. Akins, K. Parczewski, D. Shum

Date: September 15, 1995

ATTACHMENT TO LICENSE AMENDMENT

AMENDMENT NO. 70 TO FACILITY OPERATING LICENSE NO. NPF-69

DOCKET NO. 50-410

Revise Appendix A as follows:

Remove Pages

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3/4 8-4
3/4 8-5
3/4 8-6
3/4 8-13
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B3/4 8-2
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Insert Pages

3/4 8-1
3/4 8-4
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B3/4 8-2
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