

UNITED STATES NUCLEAR REGULATORY COMMISSION

NIAGARA MOHAWK POWER CORPORATION

DOCKET NO. 50-220

NOTICE OF DENIAL OF AMENDMENT TO FACILITY OPERATING LICENSE

AND OPPORTUNITY FOR HEARING

The U.S. Nuclear Regulatory Commission (the Commission) has denied a request by Niagara Mohawk Power Corporation, (licensee) for an amendment to Facility Operating License No. DPR-63 issued to the licensee for operation of Nine Mile Point Nuclear Station Unit No. 1, located in Oswego County, New York. Notice of Consideration of Issuance of this amendment was published in the FEDERAL REGISTER on October 12, 1994 (59 FR 51620).

The purpose of the licensee's amendment request was to revise the Technical Specifications (TSs) to change pressure/temperature limits in Section 3.2.2.

The NRC staff has concluded that the licensee's request cannot be granted. The licensee was notified of the Commission's denial of the proposed change by a letter dated

By October 30, 1995 , the licensee may demand a hearing with respect to the denial described above. Any person whose interest may be affected by this proceeding may file a written petition for leave to intervene.

A request for hearing or petition for leave to intervene must be filed with the Secretary of the Commission, U.S. Nuclear Regulatory Commission, Washington, DC 20555, Attention: Docketing and Services Branch, or may be

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delivered to the Commission's Public Document Room, the Gelman Building, 2120 L Street, NW., Washington, DC, by the above date.

A copy of any petitions should also be sent to the Office of the General Counsel, U.S. Nuclear Regulatory Commission, Washington, DC 20555, and to Mark J. Wetterhahn, Esquire, Winston & Strawn, 1400 L Street, NW., Washington, DC 20005-3502, attorney for the licensee.

For further details with respect to this action, see (1) the application for amendment dated September 1, 1994, as supplemented December 5 and 20, 1994, and (2) the Commission's letter to the licensee dated September 22, 1995.

These documents are available for public inspection at the Commission's Public Document Room, the Gelman Building, 2120 L Street, NW., Washington, DC, and at the local public document room located at the Reference and Documents Department, Penfield Library, State University of New York, Oswego, New York 13126.

Dated at Rockville, Maryland, this 22th day of September 1995.

FOR THE NUCLEAR REGULATORY COMMISSION



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



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B. Sylvia

Additional details of our review and the basis for the staff's conclusions are provided in the enclosed SE.

A copy of the Notice of Denial of Amendment to be published in the Federal Register is enclosed for your information. By this letter we are closing TAC No. M90288. Questions may be directed to the Licensing Project Manager, Dr. Gordon E. Edison, at 301-415-1448.

Sincerely,

Original signed by:

Gordon E. Edison, Senior Project Manager  
Project Directorate I-1  
Division of Reactor Projects - I/II  
Office of Nuclear Reactor Regulation

Docket No. 50-220

- Enclosures: 1. Safety Evaluation
- 2. Notice of Denial

cc w/encls: See next page

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