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SUBJECT: Provides info requested in 980922 RAI re 970430 application for amend to license NPF-69, to relocate meteorological monitoring instrumentation requirements in TS to USAR.

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John H. Mueller
Senior Vice President and
Chief Nuclear Officer

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November 12, 1998
NMP2L 1834

U. S. Nuclear Regulatory Commission
Attn: Document Control Desk
Washington, DC 20555

RE: Nine Mile Point Unit 2
Docket No. 50-410
NPF-69

Subject: Request for Additional Information

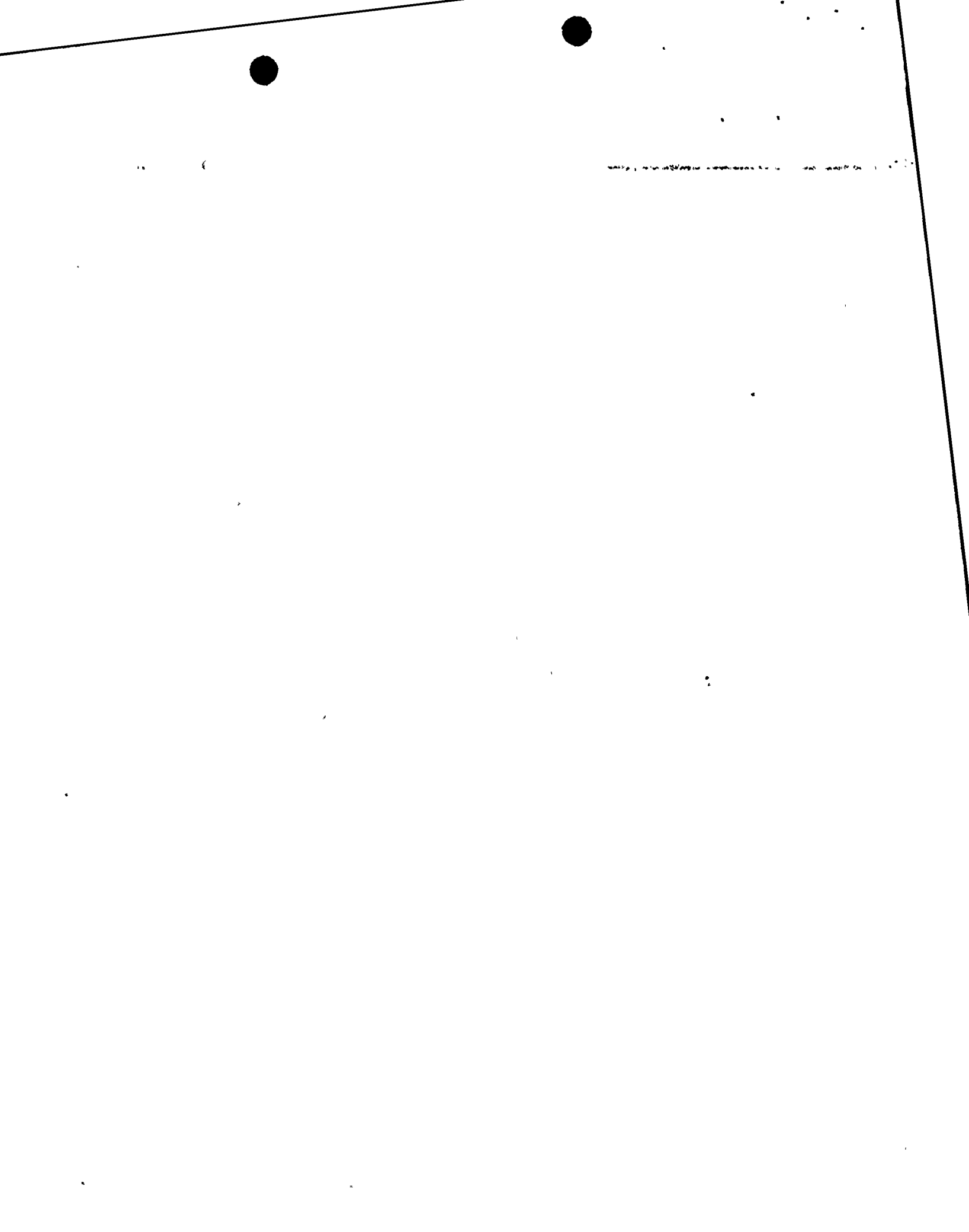
Gentlemen:

By letter dated April 30, 1997 Niagara Mohawk Power Corporation (NMPC) proposed a license amendment to the Nine Mile Point Unit 2 (NMP2) Technical Specifications (TS) that would relocate meteorological monitoring instrumentation requirements in the TS to the Updated Safety Analysis Report (USAR). The April 30, 1997 amendment request was prepared utilizing the guidance of NRC Generic Letter (GL) 95-10. GL 95-10 indicated that the NRC "staff has concluded that the meteorological instrumentation does not meet the 10CFR50.36 criteria and need not be included in TSs. The staff has determined that requirements related to the meteorological monitoring instrumentation may be moved from the TSs to the UFSAR and that any subsequent changes to the provisions may be controlled pursuant to 10CFR50.59."

In its April 30, 1997 submittal, NMPC also requested that the special reporting requirements of the meteorological provisions be deleted on the basis that NMPC would continue to evaluate meteorological instrumentation inoperability for reportability in accordance with the reporting criteria of 10CFR50.72 and 10CFR50.73. NMPC based this request for deletion of special reporting requirements upon previous NRC Safety Evaluation Reports (SERs) issued in conjunction with the approval of TS Amendment requests submitted by other nuclear utilities. Specifically, the NRC SER issued with the approval of Davis-Besse Nuclear Power Station (DBNPS) Unit No. 1 TS Amendment No. 201 indicated that, "[a]ccordingly, the staff has concluded that eliminating the special reporting requirements is an administrative change that will be replaced by the reporting requirements of 10CFR50.72 and 10CFR50.73. This administrative change will have no effect on the health and safety of the public. Therefore, the staff finds this change acceptable." Moreover, the NRC SER issued with the approval of Joseph M. Farley Nuclear Plants Units 1 and 2 TS Amendments No. 115 and No. 107, respectively, indicated that, "[t]he staff finds that deleting special reporting requirements related to this instrumentation is acceptable. The staff bases this conclusion on the existence of adequate reporting requirements in such regulations as 10CFR50.72 and 50.73."

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Page 2

By letter dated September 22, 1998, the NRC transmitted a request for additional information (RAI) with respect to the NMPC submittal. In this RAI, the staff asked NMPC to define the requirements of 10CFR50.72 and 10CFR50.73 as they would apply in lieu of the special reporting requirements of the current NMP2 TS. The NRC also asked NMPC to provide more explicit information as to how the transfer of the meteorological surveillance requirements would be accomplished. Accordingly, the attachment to this letter provides the requested information.

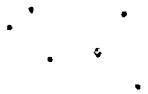
Sincerely,



John H. Mueller
Senior Vice President and
Chief Nuclear Officer

JHM/KLL/kap
Attachment

xc: Mr. H. J. Miller, NRC Regional Administrator
Mr. S. S. Bajwa, Director, Project Directorate I-1, NRR
Mr. G. K. Hunegs, Senior Resident Inspector
Mr. D. S. Hood, Senior Project Manager, NRR
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Records Management



ATTACHMENT

REQUEST FOR ADDITIONAL INFORMATION

NIAGARA MOHAWK POWER CORPORATION

NINE MILE POINT NUCLEAR STATION UNIT NO. 2

Request for Information #1.1

Identify the specific provisions of 10CFR50.72 and 10CFR50.73 that would apply if one or more meteorological monitoring instrumentation channels should be inoperable for more than 7 days.

Required Response #1.1

In lieu of the current special reporting requirement, the loss of meteorological assessment capability would be assessed for reportability consistent with the requirements of 10CFR50.72(b)(1)(v) non-emergency events, one-hour reports, as "[a]ny event that results in a major loss of emergency assessment capability, offsite response capability, or communications capability..."

NMPC has reviewed the current requirements of 10CFR50.73 and has determined that they do not apply to the loss of meteorological instrumentation. Therefore, no report would be submitted pursuant to that regulation.

Request for Information #1.2

State your understanding as to how and when (or if) the NRC would be notified of this condition (one or more meteorological monitoring instrumentation channels inoperable for more than 7 days) if TS 3.3.7.3a is deleted as proposed.

Required Response #1.2

NMPC will assess a loss of meteorological monitoring capability on a case-by-case basis according to the degree of degradation. Nine Mile Point Nuclear Station Emergency Plan Implementing Procedure EPIP-EPP-08, Offsite Dose Assessment and Protective Action Recommendation, contains guidance for use of Nine Mile Point meteorological data sources (including the Main Meteorological Tower, the Backup Meteorological Tower, and the Inland Meteorological Tower). The procedure identifies the main sources and acceptable backup sources required for meteorological assessment. This procedure guidance will be used to determine whether the minimum requirements for meteorological assessment can be met. Any condition or loss of instrumentation that would render ineffectual NMPC's ability to assess



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meteorological conditions for normal or accidental releases would then be reported pursuant to 10CFR50.72(b)(1)(v) (i.e., a one-hour phone call to the NRC Operations Center).

Request for Information #1.3

State whether reporting pursuant to 10CFR50.72 and 10CFR50.73 would outline "the cause of the malfunction and the plans for restoring the instrumentation to OPERABLE status."

Required Response #1.3

10CFR50.72 provides explicit requirements for reporting. Specifically, 10CFR50.72(c)(2)(ii) requires that the licensee immediately report the condition and the effectiveness of response or protective measures taken. This would require that NMPC outline the cause of the condition and plans for restoring the instrumentation to operable status. In addition, 10CFR50.72(c)(3) requires that the licensee maintain an "open, continuous communication channel with the NRC Operations Center upon request by the NRC." This would allow the NRC to request further information related to the condition if that information is needed for NRC understanding of the condition.

As noted in response 1.1, 10CFR50.73 does not apply to the loss of meteorological instrumentation.

Request for Information #1.4

Justify any significant reporting differences between the existing TS requirement and the reporting pursuant to 10CFR50.72 and 10CFR50.73.

Required Response #1.4

TS 3.3.7.3.a allows ten days for the report to be submitted following the inoperability of any associated instrument channel for more than seven days. Pursuant to 10CFR50.72, an immediate telephone notification will be made to the NRC Operations Center once it has been determined that a major loss of assessment capability for normal or accidental releases exists. Since backup instrumentation is available, loss of an individual channel would not be considered a major loss of assessment capability. As noted in response 1.2, procedural guidance is available to make this determination.

As noted in response 1.1, 10CFR50.73 does not apply to the loss of meteorological instrumentation.

NMPC concluded, as did the NRC in the SERs issued for Davis-Besse Technical Specifications (TS) Amendment No. 201 and Joseph M. Farley TS Amendments No. 115 (Unit 1) and No. 107 (Unit 2), that elimination of the special reporting requirements associated



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with the meteorological instrumentation monitoring requirements is justified based on the following:

1. Eliminating the special reporting requirements is an administrative change that will be replaced by adequate reporting requirements; i.e., 10CFR50.72.
2. The requirements for meteorological monitoring instrumentation do not meet the TS criteria in the Final Policy Statement (subsequently incorporated into 10CFR50.36) for inclusion of the meteorological requirements in the TS.
3. --The meteorological monitoring requirements, including the limiting conditions for operation and special reporting requirements, have been relocated from the General Electric (GE) Standard Technical Specifications for BWR/6 plants.

Request for Information #2.1

State whether the transfer of the information to the USAR will be accomplished in advance of the periodic FSAR update pursuant to 10CFR50.71 and, if so, describe the procedures and process by which this is accomplished.

Required Response #2.1

NMPC intends to relocate the TS information to the USAR as part of the next periodic update (scheduled to be completed by December 31, 1998). The USAR will be revised again pursuant to 10CFR50.71(e) to reflect the deletion of the special reporting requirements after the TS amendment application has been approved.

Request for Information #2.2

If transfer of the proposed information to the USAR will be accomplished after issuance of the license amendment, would a safety evaluation pursuant to 10CFR50.59 be performed in the event of a change in meteorological instrumentation involving degraded or inoperable conditions before the information is included in the USAR? If not, what change-control procedure/process would be followed regarding a change in the service condition of the meteorological monitoring instrumentation before the USAR is updated?

Required Response #2.2

As described above, NMPC will relocate the information (including the special reporting requirements) as part of the next periodic update by December 31, 1998 prior to issuance of the TS amendment.



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Request for Information #2.3

If transfer of the proposed information to the USAR will be accomplished after issuance of the license amendment, supplement your application to include a proposed license condition reflecting your commitment to transfer the information to the USAR by a specified date (or interval of time after issuance of the license amendment) and any interim controls that are to apply until the transfer is completed.

Required Response #2.3

As described above, NMPC will relocate the information (including the special reporting requirements) as part of the next periodic update by December 31, 1998 prior to issuance of the TS amendment.

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