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DOC DATE: 02/27/78
DATE RCVD: 02/27/78

DOCTYPE: LETTER NOTARIZED: YES

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LTR 1 ENCL 10

SUBJECT:
FORWARDING PLEADING ENTITLED: "REQUEST FOR EXTENSION OF LATEST
COMPLETION DATE", RE CONSTRUCTION COMPLETION OF UNIT 2.

PLANT NAME: NINE MILE POINT - UNIT 2

REVIEWER INITIAL: XJM
DISTRIBUTOR INITIAL:

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REQUESTS FOR EXEMPTIONS (ALL TYPES)
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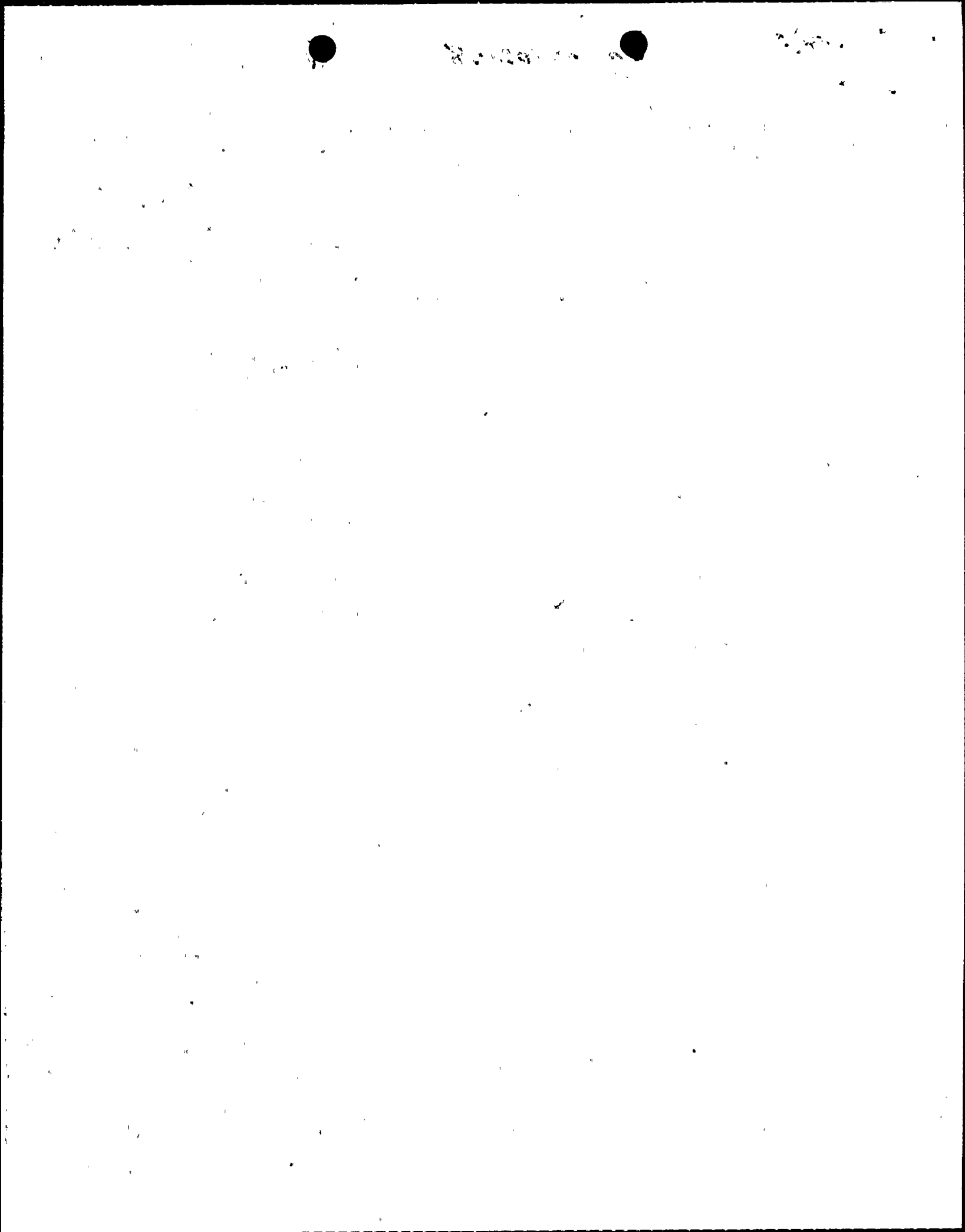
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February 27, 1978

* RESIDENT PARTNERS WASHINGTON OFFICE
* ADMITTED TO THE DISTRICT OF COLUMBIA BAR

FEB 27 1978

WASHINGTON
Mail Section

Mr. Edson G. Case
Acting Director
Office of Nuclear Reactor
Regulation
U.S. Nuclear Regulatory Commission
Washington, D.C. 20555

Re: Niagara Mohawk Power Corporation
Nine Mile Point Unit 2
Docket No. 50-410

Dear Mr. Case:

As counsel for Niagara Mohawk Power Corporation,
I enclose herewith an original and 10 copies of a pleading
entitled "Request for Extension of Latest Completion Date."

Very truly yours,

LEBOEUF, LAMB, LEIBY & MACRAE

By Eugene B. Thomas, Jr.
Eugene B. Thomas, Jr.
Partner

Attorneys for Niagara Mohawk
Power Corporation

Enclosures

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BEFORE THE UNITED STATES
NUCLEAR REGULATORY COMMISSION

In the Matter of)
)
NIAGARA MOHAWK POWER CORPORATION)
(Nine Mile Point Unit 2))

Docket No. 50-410

REQUEST FOR EXTENSION
OF LATEST COMPLETION DATE

Pursuant to Section 2.109 of the Commission's Rules of Practice and Section 50.55(b) of the Commission's Regulations, Niagara Mohawk Power Corporation, holder of Construction Permit No. CPPR-112, hereby requests an extension of its latest completion date for Nine Mile Point Unit 2. In support of such request, Niagara Mohawk Power Corporation states as follows:

- (1) In the aforesaid construction permit, the latest completion date specified is July 31, 1978. At this time, the project is about 20 percent complete and cannot be finished within the time specified in the construction permit;
- (2) Niagara Mohawk Power Corporation requests that the latest completion date in the construction permit be extended to December 31, 1984;



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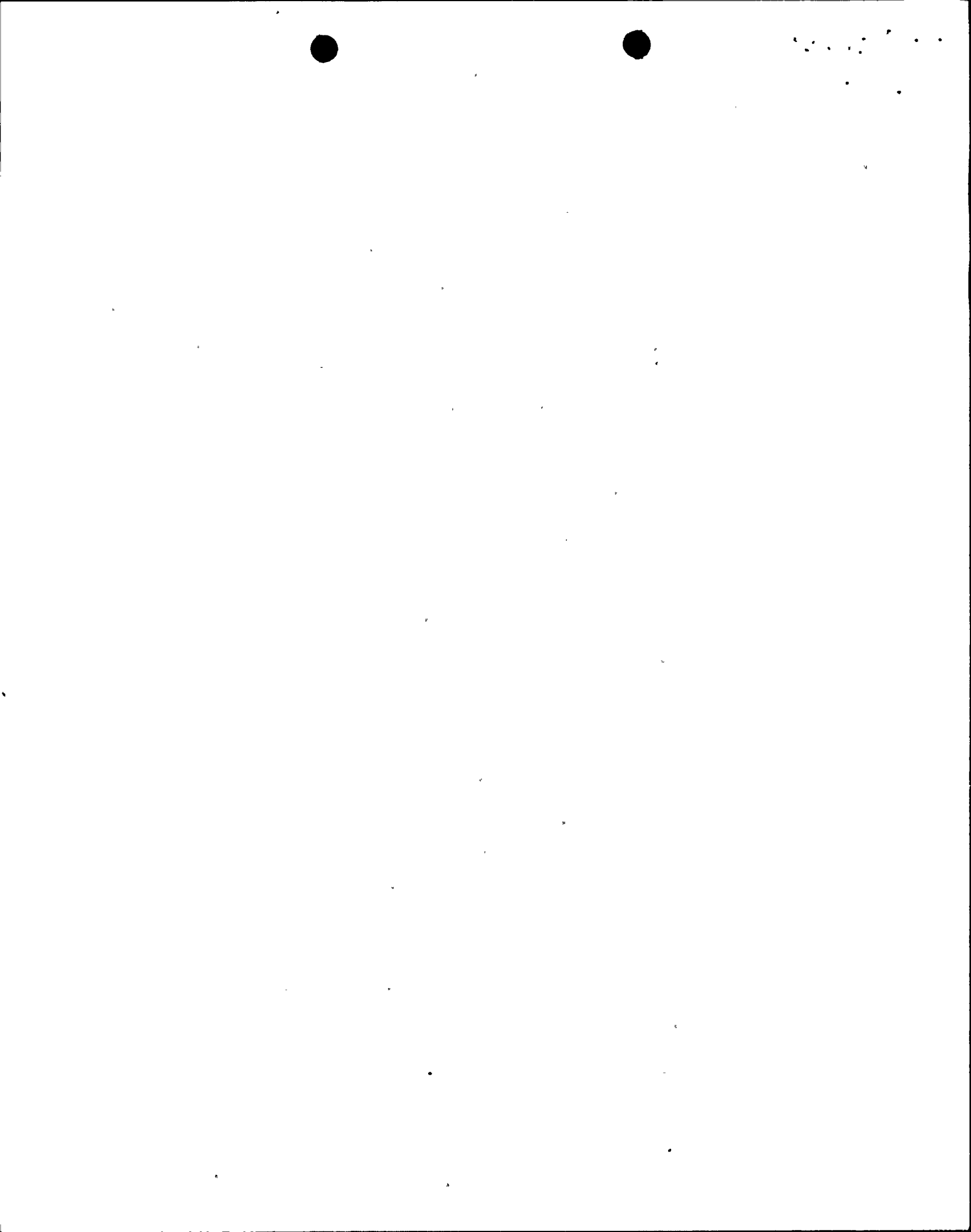
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- (3) In late 1973, the then President of the United States publicly announced the seriousness of the energy crisis confronting the United States. Immediately thereafter and continuing to this time, there has been a reduction in the use of electricity and, consequently, for power demand in Niagara Mohawk Power Corporation's service area. Accordingly, the need for this facility to produce power has been postponed.
- (4) Niagara Mohawk Power Corporation, along with other privately owned public utilities, experienced difficulty in obtaining funds for construction at rates which were considered reasonable. This lack of funds at reasonable rates has caused the construction of the facility to be delayed.
- (5) In addition to the above, the following unanticipated causes for delay have occurred during the construction period.

 - i. Additional time is required due to design changes, such as safety/relief valve piping relocation, required to mitigate Mark II containment dynamic loads. This area is under Commission review, and additional requirements may result from that review.



- ii. Additional time is required due to intensive study of geological features and phenomena as reported to the Commission in Niagara Mohawk Power Corporation's letter dated December 13, 1976.

- iii. Additional time is required due to a change from once-through to closed loop circulating water cooling. This change was reported to the Commission by letter dated July 19, 1976.

- iv. Additional time is required due to complete redesign of electrical raceway systems and major structural changes in the Reactor Building, Control Building, and cable tunnels to implement the Regulatory Guide 1.75 separation requirements.

- v. Additional time is required due to labor problems including work stoppages in 1976 and 1977.

- vi. Additional time is required due to shortage of qualified welders, and material procurement delays, such as for the primary containment liner.



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- vii. Additional time is required due to a delay in the granting of the original Construction Permit which was not reflected in the previously revised dates for earliest and latest completion of the facility (see Attachment 1).

- viii. Additional time is required to implement NRC requirements for flood protection of ECCS pumps.

- ix. Additional time is required due to the implementation of pipe whip protection requirements similar to those expressed in Regulatory Guide 1.46 which impacted the schedule for completion of pipe stress analysis and liner fabrication.

- x. Additional time is required due to the imposition of Regulatory Guide 1.89 requirements on Class IE Equipment Vendors which has resulted in shortages of acceptable vendors.



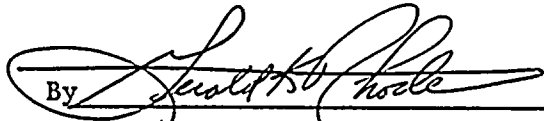
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(6) In Niagara Mohawk Power Corporation's opinion, the requested action involves no significant hazards consideration; good cause has been shown for the delay; and the extension of the latest completion date which has been requested is for a reasonable period.

WHEREFORE, Niagara Mohawk Power Corporation requests that the latest date in Construction Permit No. CPPR-112 be extended until December 31, 1984.

Respectfully submitted,

NIAGARA MOHAWK POWER CORPORATION

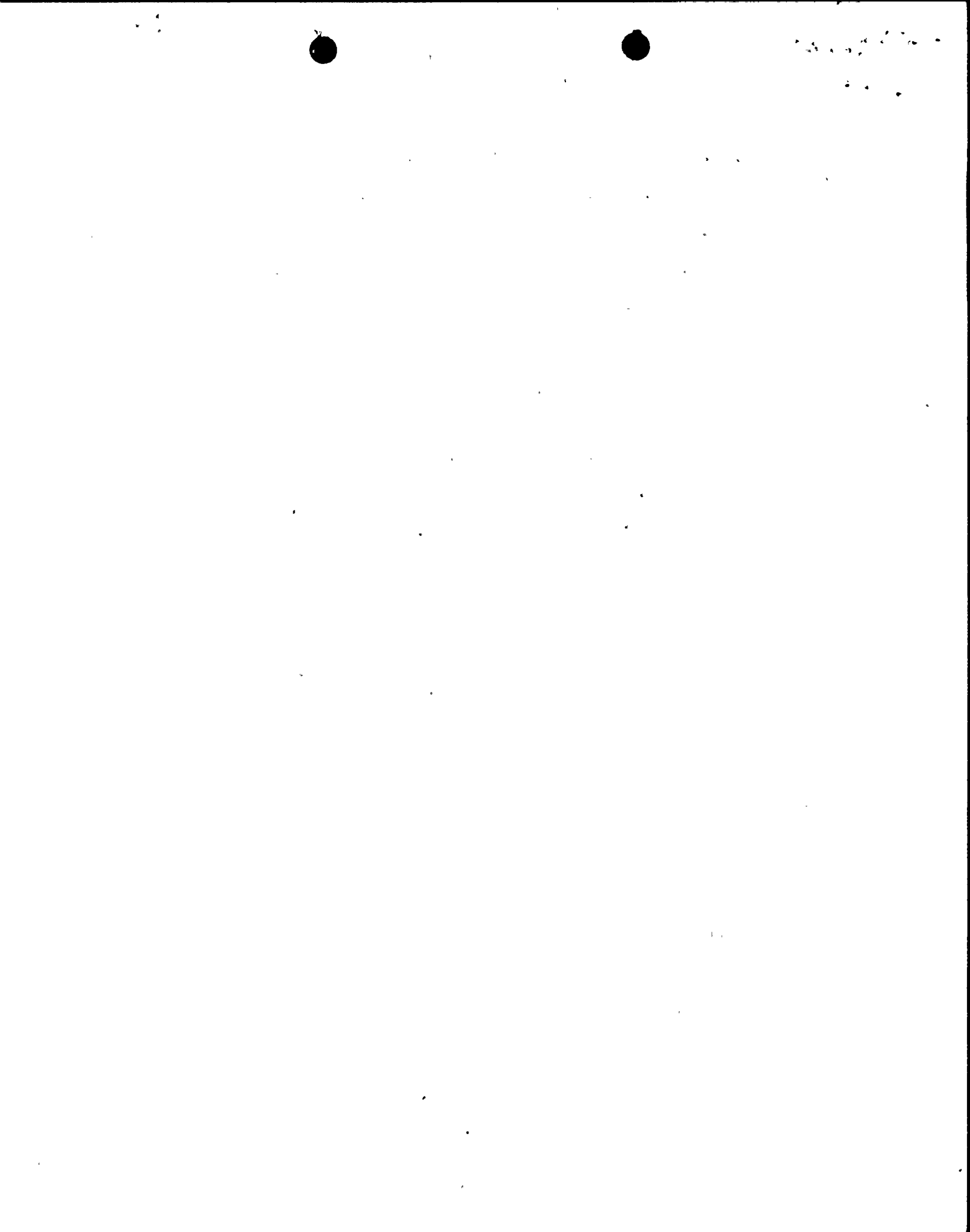
By 

Gerald K. Rhode
Vice President - System Project
Management

Subscribed and sworn to
before me this 24th day of
February, 1978.


NOTARY PUBLIC

HAZEL J. CARRICK
Notary Public in the State of New York
Qualified in Onon. Co. No. 4524460
My Commission Expires March 30, 1978



LAW OFFICES OF
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Daniel M. Head, Esq.
Atomic Safety and Licensing
Board Panel
U.S. Atomic Energy Commission
Washington, D. C. 20545

Re: Niagara Mohawk Power Corporation
Nine Mile Point Unit 2
AEC Docket No. 50-410

Dear Mr. Head:

During our conference call this morning with counsel for all parties except the Environmental Defense Fund, I mentioned that Niagara Mohawk had one revision to the form of proposed construction permit which was distributed by the AEC Regulatory Staff on February 28, 1974.

The Applicant's proposed change concerns the earliest and latest completion dates mentioned in paragraph 3.A. on page 3 of the proposed construction permit. Under the present circumstances, Applicant believes and thereby requests that the earliest completion date be October 1, 1978 and the latest date for completion of the facility be April 1, 1980.

We would appreciate having the Board revise the construction permit in this respect.

Very truly yours,

LEBOEUF, LAMB, LEIBY & MACRAE

By E. B. Thomas, Jr.

E. B. Thomas, Jr.
Partner

cc: See page 2.



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cc: Dr. Marvin M. Mann
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Mrs. Suzanne Weber
Anthony Z. Roisman, Esq.
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Secretary, U.S. Atomic Energy Commission
Atomic Safety and Licensing Appeal Board

