

28 MAY 1986

MEMORANDUM FOR: Robert M. Bernero, Director, Division of BWR Licensing,  
Office of Nuclear Reactor Regulation

FROM: R. W. Starostecki, Director  
Division of Reactor Projects, Region I

SUBJECT: DRAFT NINE MILE POINT UNIT 2 LOW POWER LICENSE

By memorandum dated May 5, 1986, you solicited comments regarding the proposed license for Nine Mile Point Nuclear Station Unit 2 (less attachments and Appendix A). Based on the licensee's delays in completing construction and preoperational testing, I believe that this review is somewhat premature. Nonetheless, we have reviewed the subject material and in consideration of the licensee's readiness to support fuel load offer the following comments:

1. We do not concur with the applicant's estimated May 29, 1986 fuel load date since only 67 percent of the preoperation test program was complete as of May 12, 1986.
2. We will submit our report on construction completion status and readiness for operations as part of the basis for Region I's recommendation, prior to the issuance of an operating license, and will address concurrence in the issuance of an operating license at that time. Based on progress to date, we estimate that the facility will be ready for fuel load in August 1986 and that our report will be submitted sometime in July. We have informed the licensee that we are currently working to this schedule, but that we will make adjustments as necessary to support licensing based on the facility readiness for operations.
3. In light of the above, our only comments on the proposed license conditions at this time pertain to the proposed exemptions. On items 2.D.v) a) d) and h) the Mode requirement should be changed from 3 to 2 because a BWR must be operated in the startup mode before a high enough temperature can be reached to achieve hot shutdown, and these systems should be operable prior to that time. Again we emphasize that as a result of the incomplete status of the preoperation test program additional license conditions may be necessary.
4. In regards to Appendix A (Tech Specs) to the Licensee, we are still working with your staff to obtain satisfactory resolution to some of the comments we submitted in my January 29, 1986 memorandum. We are pleased that about 80% of the approximately 100 comments we submitted have been incorporated or appropriately addressed. However, of those which remain to be resolved there are a few that have not been incorporated on the basis that they do not conform to Standard Technical Specifications (STS). While we recognize the need for STS,

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our plant operations experience with recent NTOL plants compels us to seek to change those TS which could compromise plant safety or which pose operational and enforcement problems in that they cannot be adhered to. My staff will continue to pursue resolution of these matters before issuance of an operating license for Nine Mile Point Unit 2. If they cannot reach a consensus, I propose that we review the issue(s) in about a month.

R. W. Starostecki, Director  
Division of Reactor Projects

Enclosure: As stated

cc:

- E. Adensam, BWR/D No.3
- D. Vassallo, NRR
- M. Haughey, BWR/D No.3

bcc:

- T. Murley
- S. Ebreter
- T. Martin
- L. Bettenhausen
- R. Gramm
- J. Linville
- S. Collins

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