

NMP1L3704
RS-26-118

10 CFR 50.90

August 19, 2026

U.S. Nuclear Regulatory Commission
ATTN: Document Control Desk
Washington, DC 20555-0001Nine Mile Point Nuclear Station, Unit 1
Renewed Facility Operating License No. DPR-63
NRC Docket No. 50-220

Subject: License Amendment Request to Modify Surveillance Requirements in Support of the Surveillance Frequency Control Program

Pursuant to 10 CFR 50.90, "Application for amendment of license, construction permit, or early site permit," Constellation Energy Generation, LLC (CEG) is requesting approval for proposed changes to the Technical Specifications (TS), Appendix A of Renewed Facility Operating License No. DPR-63 for Nine Mile Point Nuclear Station, Unit 1 (NMP1).

The proposed change modifies a note in the Technical Specifications Surveillance Requirements for Intermediate Range Monitoring (IRM) instrumentation in conflict with the Surveillance Frequency Control Program (SFCP). This change is consistent with NUREG-1433, Revision 5, "Standard Technical Specifications, General Electric BWR/4 Plants."

This request is subdivided as follows:

- Attachment 1 provides a description and assessment of the proposed changes.
- Attachment 2 provides the existing TS pages marked up to show the proposed changes.

These proposed changes have been reviewed and approved by the site's Plant Operations Review Committee in accordance with the requirements of the CEG Quality Assurance Program.

CEG requests approval of the proposed amendment by March 15, 2027 to support the Spring refuel outage. The amendment shall be implemented within 60 days following NRC approval. This implementation period will provide adequate time for the affected station documents to be revised using the appropriate change control mechanisms.

In accordance with 10 CFR 50.91, "Notice for public comment; State consultation," paragraph (b)(1), CEG is notifying the State of New York of this application for license amendment by transmitting a copy of this letter and its attachments to the designated State Officials.

There are no regulatory commitments contained in this letter. Should you have any questions concerning this submittal, please contact Jesse Brown at 267-533-6355.

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Revise SR note for IRMs
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I declare under penalty of perjury that the foregoing is true and correct. Executed on the 19th day of August 2026.

Respectfully,

**Knowles,
Justin W**

Digitally signed by
Knowles, Justin W
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Justin W. Knowles
Senior Manager - Licensing
Constellation Energy Generation, LLC

Attachments:

1. Evaluation of Proposed Change
2. Proposed Technical Specification Changes (Mark-Ups)

cc: USNRC Region I, Regional Administrator
USNRC Project Manager, NMP
USNRC Senior Resident Inspector, NMP
A. L. Peterson, NYSERDA
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ATTACHMENT 1
Evaluation of Proposed Change

- 1.0 SUMMARY DESCRIPTION
- 2.0 DETAILED DESCRIPTION
- 3.0 TECHNICAL EVALUATION
- 4.0 REGULATORY EVALUATION
 - 4.1 Applicable Regulatory Requirements/Criteria
 - 4.2 Precedent
 - 4.3 No Significant Hazards Consideration
 - 4.4 Conclusions
- 5.0 ENVIRONMENTAL CONSIDERATION
- 6.0 REFERENCES

1.0 SUMMARY DESCRIPTION

Pursuant to 10 CFR 50.90, "Application for amendment of license, construction permit, or early site permit," Constellation Energy Generation, LLC (CEG), proposes changes to the Technical Specifications (TS), Appendix A of Renewed Facility Operating License No. DPR-63 for Nine Mile Point Nuclear Station, Unit 1 (NMP1).

The proposed change revises note (g) of the TS Surveillance Requirement (SR) for IRM Instrument Channel Tests in Table 4.6.2a and 4.6.2g. This change is consistent with NUREG-1433, Revision 5, "Standard Technical Specifications, General Electric BWR/4 Plants." (Reference 6.1)

2.0 DETAILED DESCRIPTION

NMP1 TS 3.6.2 and SR 4.6.2, "Protective Instrumentation," provides the limiting conditions for operation and the SRs for plant instrumentation that performs a safety function. TS SR 4.6.2.a requires testing at the frequency specified in the Surveillance Frequency Control Program (SFCP) unless otherwise noted in Tables 4.6.2a to 4.6.2m. Per note (g) the Intermediate Range Monitor (IRM) instrument Channel Tests in table 4.6.2a and 4.6.2g require the testing to be performed "Within 24 hours before startup, if not performed within the previous 7 days." This requirement is specified in note (g) and is in addition to the frequency in the SFCP.

The SFCP was approved for use at NMP1 in letter dated May 31, 2016 (reference 6.2). This note conflicts with the purpose of the SFCP. For example, if a surveillance frequency extension under the SFCP determined a revised test frequency of greater than 7 days, this note would nullify such an extension. The requirement to perform an instrument Channel Test within 24 hours before startup is not included in NUREG-1433, Revision 5, "Standard Technical Specifications, General Electric BWR/4 Plants," (Reference 6.1) and unnecessarily creates a resource and operational burden during the pivotal time leading to reactor startup. It requires re-testing equipment that is already operable and tested within the required testing frequency per the SFCP. The note was not addressed by the application to adopt TSTF-425 during the SFCP submittal.

The proposed change is to eliminate this requirement in note (g) to be consistent with NUREG-1433 and the use of the SFCP. Note (g) in TS Table 4.6.2a and 4.6.2g will be revised as follows with red strikethrough text for deletion:

- (g) ~~Within 24 hours before startup, if not performed within the previous 7 days.~~ Not required to be performed during shutdown until 12 hours after entering startup from run.

The Tech Spec markups are provided in Attachment 2.

3.0 TECHNICAL EVALUATION

The reactor protection system (RPS) automatically initiates a reactor scram to prevent exceeding established limits. The reactor protection system is a dual channel type. Each trip

system except the manual scram has two independent instrument channels. Operation of either channel will trip the trip system, i.e., the trip logic of the channel is one-out-of-two. A simultaneous trip of both trip systems will cause a reactor scram, i.e., the tripping logic of the trip systems is two-out-of-two. The tripping logic of the total system is referred to as one-out-of-two taken twice. This system will accommodate any single failure and still perform its intended function and in addition, provide protection against spurious scrams. The reliability of the dual channel system or probability that it will perform its intended function is less than that of a one-out-of-two system and somewhat greater than that of a two-out-of-three system.

The rod block instrumentation prevents fuel damage occurring from a local power disturbance during the worst single rod withdrawal, due to Operator error or equipment malfunction starting from any permitted power condition. The signals for initiating a rod block differ from RPS in that only one of the two trip systems is required to initiate a rod block.

The proposed change does not alter the design, function or testing ability of the RPS and the rod block instrumentation as described above. The change aligns the required testing frequency with NUREG-1433 and the station approved use of the SFCP (Reference 6.2)

4.0 REGULATORY ANALYSIS

4.1 Applicable Regulatory Requirements/Criteria

NMP1 is approved to implement a Surveillance Frequency Control Program (Reference 6.2). The program is required to be implemented in accordance with NEI 04-10, "Risk-Informed Method of Control of Surveillance Frequencies," Revision 1.

10 CFR 50.36(c), "Technical specifications," describes Surveillance requirements as follows:

(3) Surveillance requirements are requirements relating to test, calibration, or inspection to assure that the necessary quality of systems and components is maintained, that facility operation will be within safety limits, and that the limiting conditions for operation will be met.

The proposed amendment has no impact on the continued conformance with the requirements of 10 CFR 50.36 and does not affect compliance with the regulations.

4.2 Precedent

Letter from NRC to Entergy, "Waterford Steam Electric Station, Unit 3 – Issuance of Amendment No. 273 Re: Technical Specification Surveillances to be Performed in Accordance with the Surveillance Frequency Control Program," dated February 28, 2025 (ML25042A104). This Amendment resolves similar conflicts following implementation of the SFCP at Waterford.

4.3 No Significant Hazards Consideration

Pursuant to 10 CFR 50.90, "Application for amendment of license, construction permit, or early site permit, " Constellation Energy Generation, LLC (CEG), proposes changes to the Technical

Specifications (TS), Appendix A of Renewed Facility Operating License No. DPR-63 for Nine Mile Point Nuclear Station, Unit 1. The proposed change revises a Surveillance Requirement note that conflicts with the approved use of a Surveillance Frequency Control Program and aligns with NUREG-1433, Revision 5.

According to 10 CFR 50.92, "Issuance of amendment," paragraph (c), a proposed amendment to an operating license involves no significant hazards consideration if operation of the facility in accordance with the proposed amendment would not:

- (1) Involve a significant increase in the probability or consequences of any accident previously evaluated; or
- (2) Create the possibility of a new or different kind of accident from any accident previously evaluated; or
- (3) Involve a significant reduction in a margin of safety.

Constellation Energy Generation, LLC (CEG), has evaluated the proposed changes to the TS using the criteria in 10 CFR 50.92 and has determined that the proposed changes do not involve a significant hazards consideration.

1. Do the proposed changes involve a significant increase in the probability or consequences of an accident previously evaluated?

Response: No.

The proposed change does not impact the condition or performance of any plant structure, system, or component. The proposed change to the Intermediate Range Monitoring (IRM) instrumentation testing requirements allows the testing frequency to be controlled by the Surveillance Frequency Control Program (SFCP). Surveillance frequencies are not initiators to an accident, therefore the probability of an accident previously evaluated is not significantly increased. The instrumentation is still required to be operable, meet the acceptance criteria for the surveillance requirement, and be capable of performing any mitigation function assumed in the accident analysis.

Therefore, the proposed change does not involve a significant increase in the probability or consequences of an accident previously evaluated.

2. Do the proposed changes create the possibility of a new or different kind of accident from any accident previously evaluated?

Response: No.

The proposed change does not involve a physical alteration of the plant or a change in the methods used to respond to plant transients. No new or different equipment is being installed and no installed equipment is being removed or operated in a different manner. There is no alteration to the parameters within which the plant is normally operated or in the setpoints which initiate protective or mitigative actions. The instrumentation will continue to perform their required safety functions.

Therefore, the proposed change does not create the possibility of a new or different kind of accident from any accident previously evaluated.

3. Do the proposed changes involve a significant reduction in a margin of safety?

Response: No.

The proposed TS change does not impact station operation or any plant structure, system or component that is relied upon for accident mitigation. Margin of safety is established through the design of the plant structures, systems and components, the parameters within which the plant is operated, and the establishment of the setpoints for the actuation of equipment relied upon to respond to an event. These are not affected by the proposed change to the testing frequency note. The change does not impact the condition or performance of structures, systems or components relied upon for accident mitigation or any safety analysis assumptions.

Therefore, the proposed change does not involve a significant reduction in a margin of safety.

Based on the above, CEG concludes that the proposed change presents no significant hazards consideration under the standards set forth in 10 CFR 50.92(c), and, accordingly, a finding of "no significant hazards consideration" is justified.

4.4 Conclusions

In conclusion, based on the considerations discussed above, (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.

5.0 ENVIRONMENTAL CONSIDERATION

A review has determined the proposed change qualifies for a categorical exclusion from environmental review in accordance with 10 CFR 51.22. The proposed action is confined to surveillance, inspection, or testing requirements as described in 10 CFR 51.22(d)(1). The proposed action does not disturb any previously undisturbed ground and there is no significant change in the types or significant increase in the amounts of any effluents that may be released offsite, does not result in a significant increase in individual or cumulative public or occupational radiation exposure, and does not result in a significant increase in the potential for or consequences from radiological accidents. Therefore, pursuant to 10 CFR 51.22, neither an environmental assessment nor an environmental impact statement is required.

6.0 REFERENCES

- 6.1 NUREG-1433, Standard Technical Specifications, General Electric BWR/4 Plants, Revision 5, Volume 1, Specifications (ML21272A357).

- 6.2 NRC Letter to Exelon, "Nine Mile Point Nuclear Station, Unit 1 – Issuance of Amendment RE: Adoption of Technical Specification Task Force Traveler 425, Revision 3," dated May 31, 2016 (ML16081A256)

ATTACHMENT 2

Proposed Technical Specification Changes (Mark-Ups)

License Amendment Request

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**Modify Surveillance Requirements in Support of the
Surveillance Frequency Control program**

TS Pages

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TABLE 4.6.2a

INSTRUMENTATION THAT INITIATES SCRAM**Surveillance Requirement**

<u>Parameter</u>	<u>Sensor Check</u>	<u>Instrument Channel Test</u>	<u>Instrument Channel Calibration</u>
(1) Manual Scram	None	Note 1	None
(2) High Reactor Pressure	None	Note 1 ⁽¹⁾	Note 1 ⁽¹⁾
(3) High Drywell Pressure	None	Note 1 ⁽¹⁾	Note 1 ⁽¹⁾
(4) Low Reactor Water Level	Note 1	Note 1 ⁽¹⁾	Note 1 ⁽¹⁾
(5) High Water Level Scram Discharge Volume	None	Note 1	Note 1
(6) Main-Steam-Line Isolation Valve Position	None	Note 1	Note 1
(7) Deleted			

TABLE 4.6.2a (cont'd)

INSTRUMENTATION THAT INITIATES SCRAM**Surveillance Requirement**

<u>Parameter</u>	<u>Sensor Check</u>	<u>Instrument Channel Test</u>	<u>Instrument Channel Calibration</u>
(8) Shutdown Position of Reactor Mode Switch	None	Once during each major refueling outage	None
(9) Neutron Flux			
(a) IRM			
(i) Upscale	Note 1 ^(f)	Note 1 ^(g)	Note 1 ⁽ⁿ⁾
(ii) Inoperative	Note 1 ^(f)	Note 1 ^(g)	Note 1 ⁽ⁿ⁾
(b) APRM			
(i) Upscale	None	Note 1	Note 1 ^(m) Note 1 ⁽ⁿ⁾
(ii) Inoperative	None	Note 1	None
(10) Turbine Stop Valve Closure	None	Note 1	Note 1
(11) Generator Load Rejection	None	Note 1	Note 1

NOTES FOR TABLES 3.6.2a and 4.6.2a

- (a) May be bypassed when necessary for containment inerting.
- (b) May be bypassed in the refuel and shutdown positions of the reactor mode switch with a keylock switch.
- (c) May be bypassed in the refuel and startup positions of the reactor mode switch when reactor pressure is less than 600 psi, or for the purpose of performing reactor coolant system pressure testing and/or control rod scram time testing with the reactor mode switch in the refuel position.
- (d) No more than one of the four IRM inputs to each trip system shall be bypassed.
- (e) No more than two C or D level LPRM inputs to an APRM shall be bypassed and only four LPRM inputs to an APRM shall be bypassed in order for the APRM to be considered operable. No more than one of the four APRM inputs to each trip system shall be bypassed provided that the APRM in the other instrument channel in the same core quadrant is not bypassed. A Traversing In-Core Probe (TIP) chamber may be used as a substitute APRM input if the TIP is positioned in close proximity to the failed LPRM it is replacing.
- (f) Verify SRM/IRM channels overlap during startup after the mode switch has been placed in startup. Verify IRM/APRM channels overlap at least 1/2 decade during entry into startup from run (normal shutdown) if not performed within the previous 7 days.
- (g) ~~Within 24 hours before startup, if not performed within the previous 7 days.~~ Not required to be performed during shutdown until 12 hours after entering startup from run.
- (h) Each of the four isolation valves has two limit switches. Each limit switch provides input to one of two instrument channels in a single trip system.
- (i) May be bypassed when reactor power level is below 45%.
- (j) Trip upon loss of oil pressure to the acceleration relay.
- (k) May be bypassed when placing the reactor mode switch in the SHUTDOWN position and all control rods are fully inserted.
- (l) The trip circuit will be calibrated and tested in accordance with the Surveillance Frequency Control Program, the primary sensor will be calibrated and tested in accordance with the Surveillance Frequency Control Program.
- (m) This calibration shall consist of the adjustment of the APRM channel to conform to the power values calculated by a heat balance during reactor operation when thermal power $\geq 25\%$ of rated thermal power. Verify the calculated power does not exceed the APRM channels by greater than 2.0% of rated thermal power. Any APRM channel gain adjustment made in compliance with Specification 2.1.2a shall not be included in determining the difference.
- (n) Neutron detectors are excluded.

NOTES FOR TABLES 3.6.2a and 4.6.2a

A channel may be placed in an inoperable status for up to 6 hours for required surveillances without placing the Trip System in the tripped condition provided at least one Operable Instrument Channel in the same trip system is monitoring that parameter.

With one channel required by Table 3.6.2a inoperable in one or more Parameters, place the inoperable channel and/or that trip system in the tripped condition* within 12 hours or in accordance with the Risk Informed Completion Time Program (see Note 2).

With two or more channels required by Table 3.6.2a inoperable in one or more Parameters:

1. Within one hour, verify sufficient channels remain Operable or tripped* to maintain trip capability for the Parameter, and
2. Within 6 hours or in accordance with the Risk Informed Completion Time Program (see Note 2), place the inoperable channel(s) in one trip system and/or that trip system** in the tripped condition*, and
3. Within 12 hours or in accordance with the Risk Informed Completion Time Program (see Note 2), restore the inoperable channels in the other trip system to an Operable status or tripped*.

Otherwise, take the ACTION required by Specification 3.6.2a for that Parameter.

* An inoperable channel or trip system need not be placed in the tripped condition where this would cause the Trip Function to occur. In these cases, if the inoperable channel is not restored to Operable status within the required time, the ACTION required by Specification 3.6.2a for the parameter shall be taken.

** This ACTION applies to that trip system with the most inoperable channels; if both trip systems have the same number of inoperable channels, the ACTION can be applied to either trip system.

(p) May be bypassed during reactor coolant system pressure testing and/or control rod scram time testing.

Note 1: Surveillance intervals are specified in the Surveillance Frequency Control Program unless otherwise noted in Table 4.6.2a

Note 2: Risk Informed Completion Time can only be applied when trip capability is maintained.

TABLE 4.6.2g

INSTRUMENTATION THAT INITIATES CONTROL ROD WITHDRAWAL BLOCK**Surveillance Requirement**

<u>Parameter</u>		<u>Sensor Check</u>	<u>Instrument Channel Test</u>	<u>Instrument Channel Calibration</u>
(1)	Deleted			
(2)	IRM			
a.	Detector not in Startup Position	N/A	Note 1 ^(g)	N/A
b.	Inoperative	N/A	Note 1 ^(g)	N/A
c.	Downscale	N/A	Note 1 ^(g)	Note 1 ⁽ⁱ⁾
d.	Upscale	N/A	Note 1 ^(g)	Note 1 ⁽ⁱ⁾
(3)	APRM			
a.	Inoperative	None	Note 1	None
b.	Upscale (Biased by Recirculation Flow)	None	Note 1	Note 1 ⁽ⁱ⁾
c.	Downscale	None	Note 1	Note 1 ⁽ⁱ⁾
(4)	Deleted			

TABLE 4.6.2g (cont'd)

INSTRUMENTATION THAT INITIATES CONTROL ROD WITHDRAWAL BLOCK**Surveillance Requirement**

<u>Parameter</u>		<u>Sensor Check</u>	<u>Instrument Channel Test</u>	<u>Instrument Channel Calibration</u>
(5)	Refuel Platform and Hoists	---	(see 4.5.2)	---
(6)	Mode Switch in Shutdown	---	Note 1	---
(7)	Mode Switch in Refuel (Blocks withdrawal of more than 1 rod)	---	Note 1	---
(8)	Deleted			

NOTES FOR TABLES 3.6.2G AND 4.6.2G

- (a) Deleted
- (b) No more than one of the four IRM inputs to each instrument channel shall be bypassed. These signals may be bypassed when the APRMs are onscale.
- (c) No more than one of the four APRM inputs to each instrument channel shall be bypassed provided that the APRM in the other instrument channel in the same core quadrant is not bypassed. No more than two C or D level LPRM inputs to an APRM shall be bypassed and only four LPRM inputs to only one APRM shall be bypassed in order for the APRM to be considered operable. In the Run mode of operation, bypass of two chambers from one radial core location in any one APRM shall cause that APRM to be considered inoperative. A Travelling In-Core Probe (TIP) chamber may be used as a substitute APRM input if the TIP is positioned in close proximity to the failed LPRM it is replacing. If one APRM in a quadrant is bypassed and meets all requirements for operability with the exception of the requirement of at least one operable chamber at each radial location, it may be returned to service and the other APRM in that quadrant may be removed from service for test and/or calibration only if no control rod is withdrawn during the calibration and/or test.
- (d) Deleted
- (e) Deleted
- (f) One sensor provides input to each of two instrument channels. Each instrument channel is in a separate trip system.
- (g) ~~Within 24 hours before startup, if not performed within the previous 7 days.~~ Not required to be performed during shutdown until 12 hours after entering startup from run.
- (h) The actuation of either or both trip systems will result in a rod block.
- (i) A channel may be placed in an inoperable status for up to 6 hours for required surveillance without placing the Trip System in the tripped condition, provided at least one other operable channel in the same Trip System is monitoring that Parameter.
- (j) Neutron detectors are excluded.

Note 1: Surveillance intervals are specified in the Surveillance Frequency Control Program unless otherwise noted in Table 4.6.2g.