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UNITED STATES
NUCLEAR REGULATORY COMMISSION
WASHINGTON, D.C. 20555-0001

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USNRC

November 29, 1999

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Mr. Tim Judson
Syracuse Peace Council
924 Burnet Avenue
Syracuse, NY 13203

OFFICE OF SECRETARY
RULEMAKING AND
ADJUDICATIONS STAFF

Dear Mr. Judson:

I am responding to the Petition you filed on behalf of yourself and others on May 24, 1999, as supplemented by letter dated August 10, 1999, pursuant to Section 2.206 of Title 10 of the Code of Federal Regulations (10 CFR 2.206). In the initial Petition, you requested that the U.S. Nuclear Regulatory Commission (Commission or NRC) suspend the operating license issued to Niagara Mohawk Power Corporation (NMPC or licensee) for Nine Mile Point Nuclear Station, Unit 1 (NMP1), until (1) NMPC releases the most recent inspection data on the plant's core shroud; (2) a public meeting can be held in Oswego County, New York, to review this inspection data and the repair design to core shroud vertical welds V9 and V10; and (3) an adequate public review of the safety of the plant's continued operation is accomplished. On June 11, 1999, we acknowledged receipt of your letter, addressed the issues raised in your Petition with respect to restart of NMP1 from its 1999 refueling outage, and explained why a meeting to provide for public review of the shroud reinspection results and repair was not warranted before restart.

In the supplemental letter dated August 10, 1999, you reiterated the request for the meeting to provide for public review of the shroud reinspection data and repair, even though it would not take place until after restart. You indicated that the meeting agenda should also include the cracks that were identified in the main drain line and control rod stub tubes during the hydrostatic testing of the reactor vessel during NMP1's 1999 refueling outage. You are concerned that the "leak-before-break" approach may not be adequate for aging reactors, and you believe that the problem of cracks spreading to other system components is only being identified piecemeal. You also believe that the crack growth rate for shroud vertical weld V-10, based upon the measurements during the 1999 refueling outage, exceeded the NRC's accepted limit.

Your request was referred to me pursuant to 10 CFR 2.206. The enclosed Final Director's Decision (Decision) addresses the issues raised in your Petition and its supplement. As discussed in the Decision, the issues raised in the Petition do not represent a significant safety issue and the actions requested in the Petition are not granted.

A copy of the Decision will be filed with the Secretary of the Commission for the Commission's review in accordance with 10 CFR 2.206(c). As provided by this regulation, the Decision will constitute the final action of the Commission 25 days after the date of issuance of the Decision unless the Commission, on its own motion, institutes a review of the Decision within that time.

I have also enclosed a copy of the notice of "Issuance of Final Director's Decision Under 10 CFR 2.206" that has been filed with the Office of the Federal Register for publication.

PDR ADOCIC

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T. Judson

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We recognize your effort to bring these issues to our attention and appreciate your interest in and concern for ensuring public health and safety and the continued operational safety of nuclear power reactors. Please feel free to contact Darl Hood, Project Manager, at 301-415-3049 (e-mail dsh@nrc.gov) to discuss these or any future concerns you have regarding NMPC or the Nine Mile Point Nuclear Station.

Sincerely,



Brian W. Sheron, Acting Director
Office of Nuclear Reactor Regulation

Docket Nos. 50-220 and 50-410 (2.206)

Enclosures: 1. Director's Decision 99-14
2. Federal Register notice

cc w/encis: See next page

Nine Mile Point Nuclear Station
Unit Nos. 1 and 2

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