

March 30, 2000

Mr. John H. Mueller
Chief Nuclear Officer
Niagara Mohawk Power Corporation
Nine Mile Point Nuclear Station
Operations Building, Second Floor
P.O. Box 63
Lycoming, NY 13093

SUBJECT: NINE MILE POINT NUCLEAR STATION, UNIT NO. 1 - CORRECTION OF
OPERATING LICENSE DUE TO ERRORS LEFT BY AMENDMENT NO. 66
(TAC NO. MA7443)

Dear Mr. Mueller:

On November 2, 1984, the Commission issued Amendment No. 66 to Facility Operating License (OL) DPR-63 in response to Niagara Mohawk Power Corporation's amendment request dated February 1, 1984. Amendment No. 66 deleted Appendix B, Environmental Technical Specifications, in its entirety.

It recently came to my attention that your February 1, 1984, request did not propose to, and the staff's Amendment No. 66 did not delete references to Appendix B on OL pages 3 and 5. In fact, in subsequent amendments (numbered about 100) the NRC staff continued to reference Appendices A and B. Somewhere between Amendments 66 and 159 the staff started specifying the already deleted Appendix B as the "Environmental Protection Plan."

We determined that the failure to delete references to Appendix B in the OL, and subsequent continued references to Appendix B by amendments, were just oversights that have no substantive significance since Appendix B itself had ceased to exist as a result of Amendment No. 66. We thus conclude that deletion of such references now only amounts to an administrative correction to conform the OL to the intent of Amendment No. 66. Enclosed please find retyped pages 3 and 5 of the OL to reflect such correction.

Sincerely,

/RA/

Peter S. Tam, Senior Project Manager, Section 1
Project Directorate I
Division of Licensing Project Management
Office of Nuclear Reactor Regulation

Docket No. 50-220

Enclosure: Retyped OL pages 3 and 5

cc w/encl: See next page

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*E. Adensam concurred for Gamberoni

Nine Mile Point Nuclear Station
Unit No. 1

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- (4) Pursuant to the Act and 10 CFR Parts 30, 40 and 70, to receive, possess and use in amounts as required any byproduct, source or special nuclear material without restriction to chemical or physical form, for sample analysis or instrument and equipment calibration or associated with radioactive apparatus or components.
 - (5) Pursuant to the Act and 10 CFR Parts 30 and 70, to possess, but not separate, such byproduct and special nuclear materials as may be produced by the operation of the facility.
- C. This license shall be deemed to contain and is subject to the conditions specified in the following Commission regulations in 10 CFR Chapter I: Part 20, Section 30.34 of Part 30; Section 40.41 of Part 40; Section 50.54 and 50.59 of Part 50; and Section 70.32 of Part 70. The license is subject to all applicable provisions of the Act and to the rules, regulations, and orders of the Commission now or hereafter in effect and is also subject to the additional conditions specified or incorporated below:
- (1) Maximum Power Level

The licensee is authorized to operate the facility at steady state reactor core power levels not in excess of 1850 megawatts (thermal).
 - (2) Technical Specifications

The Technical Specifications contained in Appendix A, which is attached hereto, as revised through Amendment No.169, is hereby incorporated into this license. The licensee shall operate the facility in accordance with the Technical Specifications.

2.D.(7) Fire Protection

Niagara Mohawk Power Corporation shall implement and maintain in effect all provisions of the approved Fire Protection Program as described in the Final Safety Analysis Report (Updated) for the facility and as approved in the Fire Protection Safety Evaluation Report dated July 26, 1979, and in the fire protection Exemption issued March 21, 1983, subject to the following provision:

Niagara Mohawk Power Corporation may make changes to the approved Fire Protection Program without prior approval of the Commission only if those changes would not adversely affect the ability to achieve and maintain safe shutdown in the event of a fire.

2.D.(8) Hot Process Pipe Penetrations

Hot Process Pipe Penetrations in the Emergency Condenser Steam Supply (2 each), Main Steam (2 each), Feedwater (2 each), Cleanup Suction (1 each), and Cleanup Return (1 each) piping systems have been identified as not fully in conformance with FSAR design criteria. This anomaly in design condition from the original design is approved for the duration of Cycle 8 or until March 31, 1986, whichever occurs first, subject to the following conditions:

- (a) An unidentified leakage limit of a change of 1 gallon per minute in 24 hours to permit operation will be imposed by administrative control (Standing Order) at the facility from the forthcoming Cycle 8 outage.
- (b) The licensee shall restore the facility to a condition consistent with the FSAR or provide a change to the FSAR criteria for staff review and approval prior to restart from the forthcoming Cycle 8 outage.

E. The license is effective as of the date of issuance and shall expire on August 22, 2009.

FOR THE ATOMIC ENERGY COMMISSION

Original Signed by

A. Giambusso, Deputy Director
for Reactor Projects
Directorate of Licensing

Attachment:

Appendix A - Technical Specifications

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Date of Issuance: December 26, 1974

Amendments 33, 78, 126, 132
Correction letter dated 3/30/00

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