



UNITED STATES  
**NUCLEAR REGULATORY COMMISSION**  
REGION I  
475 ALLENDALE ROAD  
KING OF PRUSSIA, PENNSYLVANIA 19406-1415

August 31, 2007

Mr. Keith J. Polson  
Vice President Nine Mile Point  
Nine Mile Point Nuclear Station, LLC  
P.O. Box 63  
Lycoming, NY 13093

**SUBJECT: MID-CYCLE PERFORMANCE REVIEW AND INSPECTION PLAN -  
NINE MILE POINT NUCLEAR STATION**

Dear Mr. Polson:

On August 14, 2007, the NRC staff completed its performance review of Nine Mile Point Nuclear Station for the first half of the calendar year 2007 assessment cycle. Our technical staff reviewed performance indicators (PIs) for the most recent quarter and inspection results over the previous twelve months. The purpose of this letter is to inform you of our assessment of your safety performance during this period and our plans for future inspections at your facility.

This performance review and enclosed inspection plan do not include security information. A separate letter designated and marked as "Official Use Only—Security Information" will include the security cornerstone review and resultant inspection plan.

Plant performance for the most recent quarter of 2007 at Nine Mile Point Unit 1 was within the Regulatory Response column of the NRC's Action Matrix, based on all Green PIs and one finding of low to moderate safety significance (White) identified in January 2007. This finding involved your Licensed Operator Requalification Training Program. Specifically, the annual dynamic simulator exam integrity was unintentionally compromised at Nine Mile Point Unit 1 for calendar years 2005 and 2006. Your staff has informed the NRC that you will be ready on August 31, 2007, for the NRC to review your actions taken to address this finding. Therefore, we plan to conduct supplemental inspection 95001 beginning on November 5, 2007. The objective of the supplemental inspection is to provide assurance that the root and contributing causes of risk significant performance issues are understood, the extent of condition is identified, and the corrective actions are sufficient to prevent recurrence.

Plant performance for the most recent quarter of 2007 at Nine Mile Point Unit 2 was within the Licensee Response column of the NRC's Action Matrix, based on all inspection findings being classified as having very low safety significance (Green) and all PIs indicating performance at a level requiring no additional NRC oversight (Green). Therefore, in addition to the aforementioned supplemental inspection, we plan to conduct reactor oversight process (ROP) baseline inspections at Nine Mile Point Units 1 and 2.

The enclosed inspection plan details the inspections, less those related to physical protection, scheduled through December 31, 2008. The inspection plan is provided to allow for the resolution of any scheduling conflicts and personnel availability issues well in advance of inspector arrival onsite. Routine resident inspections are not listed due to their ongoing and continuous nature. The inspections in the last nine months of the inspection plan are tentative and may be revised at the end-of-cycle review.

In accordance with 10 CFR 2.390 of the NRC's "Rules of Practice," a copy of this letter and its enclosure will be made available electronically for public inspection in the NRC Public Document Room or from the Publicly Available Records (PARS) component of NRC's document system (ADAMS). ADAMS is accessible from the NRC Web site at <http://www.nrc.gov/reading-rm/adams.html> (the Public Electronic Reading Room).

The NRC is currently evaluating the scope and frequency of all baseline inspection procedures. If the results of the evaluation, or any other circumstances, cause us to change the inspection plan, we will contact you to discuss the change as soon as possible. Please contact Glenn Dentel of my staff at 610-337-5233 with any questions you may have regarding this letter or the inspection plan.

Sincerely,

*/RA/*

David C. Lew, Director  
Division of Reactor Projects

Docket Nos. 50-220, 50-410  
License Nos. DPR-63, DPR-59

Enclosure: Nine Mile Point Inspection/Activity Plan

cc w/encl:

M. J. Wallace, President, Constellation Generation  
J.M. Heffley, Senior Vice President and Chief Nuclear Officer  
C. W. Fleming, Esquire, Senior Counsel, Constellation Energy Group, LLC  
M. J. Wetterhahn, Esquire, Winston and Strawn  
M. Balboni, Deputy Secretary for Public Safety, New York State Energy, Research, and Development Authority  
J. Spath, Program Director, New York State Energy Research and Development Authority  
P. D. Eddy, Electric Division, NYS Department of Public Service  
C. Donaldson, Esquire, Assistant Attorney General, New York Department of Law  
Supervisor, Town of Scriba  
T. Judson, Central NY Citizens Awareness Network  
D. Katz, Citizens Awareness Network  
C. Adrienne Rhodes, Chairman and Executive Director,  
State Consumer Protection Board  
Institute of Nuclear Power Operations (INPO)

K. Polson

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David C. Lew, Director  
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**SUNSI Review Complete:     BAB4     (Reviewer's Initials)**

DOCUMENT NAME: S:\ROP 8 Mid Cycle Review\Letters for Mid Cycle\Branch 1 Mid-cycle letters\Nine Mile ROP-8 Mid-Cycle Ltr.wpd

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NAME	BBickett/BAB4	GDentel/GTD	DLew/DCL
DATE	08/30/07	08/31/07	08/31/07

Letter to Keith J. Polson from David C. Lew dated August 31, 2007

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**Nine Mile Point**  
**Inspection / Activity Plan**  
**07/01/2007 - 12/31/2008**

Unit Number	Inspection Activity	Title	No. of Staff on Site	Planned Dates Start	Planned Dates End	Inspection Type
	<b>7111401 - EP EXERCISE &amp; PI VERIFICATION</b>		<b>8</b>			
1,2	IP 7111401	Exercise Evaluation		07/30/2007	08/03/2007	Baseline Inspections
1,2	IP 7111404	Emergency Action Level and Emergency Plan Changes		07/30/2007	08/03/2007	Baseline Inspections
1,2	IP 71151-EP01	Drill/Exercise Performance		07/30/2007	08/03/2007	Baseline Inspections
1,2	IP 71151-EP02	ERO Drill Participation		07/30/2007	08/03/2007	Baseline Inspections
1,2	IP 71151-EP03	Alert & Notification System		07/30/2007	08/03/2007	Baseline Inspections
	<b>7112201 - PUB RAD SAFETY - RETS</b>		<b>1</b>			
1,2	IP 7112201	Radioactive Gaseous and Liquid Effluent Treatment and Monitoring Systems		08/08/2007	08/17/2007	Baseline Inspections
1,2	IP 71151-PR01	RETS/ODCM Radiological Effluent		08/08/2007	08/17/2007	Baseline Inspections
	<b>7111111B - L.O.REQUAL.PROG.(FOCUS U2)+P/F RVW</b>		<b>4</b>			
1,2	IP 7111111B	Licensed Operator Requalification Program		11/05/2007	11/09/2007	Baseline Inspections
	<b>MODS - MODS AND 50.59</b>		<b>4</b>			
1,2	IP 7111102	Evaluation of Changes, Tests, or Experiments		09/10/2007	09/14/2007	Baseline Inspections
1,2	IP 7111117B	Permanent Plant Modifications		09/10/2007	09/14/2007	Baseline Inspections
	<b>71121 - OCC RAD SAFETY</b>		<b>1</b>			
1,2	IP 7112101	Access Control to Radiologically Significant Areas		11/05/2007	11/09/2007	Baseline Inspections
1,2	IP 7112102	ALARA Planning and Controls		11/05/2007	11/09/2007	Baseline Inspections
1,2	IP 7112103	Radiation Monitoring Instrumentation and Protective Equipment		11/05/2007	11/09/2007	Baseline Inspections
1,2	IP 71151	Performance Indicator Verification		11/05/2007	11/09/2007	Baseline Inspections
	<b>95001 - WHITE FINDING FOLLOW UP</b>		<b>3</b>			
1	IP 95001	Supplemental Inspection For One Or Two White Inputs In A Strategic Performance Area		11/05/2007	11/09/2007	Supplemental Progra
	<b>3/10 EXM - U2 INITIAL OPERATOR LICENSING EXAM</b>		<b>4</b>			
1	U01740	FY08 NINE MILE POINT U- 2 OL EXAM		02/04/2008	02/08/2008	Not Applicable
1	U01740	FY08 NINE MILE POINT U- 2 OL EXAM		03/10/2008	03/14/2008	Not Applicable
	<b>7111108G - U2 INSERVICE INSPECTION</b>		<b>1</b>			
2	IP 7111108G	Inservice Inspection Activities - BWR		03/24/2008	03/28/2008	Baseline Inspections
	<b>71121 - OCC RAD SAFETY</b>		<b>1</b>			
1,2	IP 7112101	Access Control to Radiologically Significant Areas		03/24/2008	03/28/2008	Baseline Inspections
1,2	IP 7112102	ALARA Planning and Controls		03/24/2008	03/28/2008	Baseline Inspections
1,2	IP 7112103	Radiation Monitoring Instrumentation and Protective Equipment		03/24/2008	03/28/2008	Baseline Inspections
	<b>10/6EXAM - U1 INITIAL OPERATOR LICENSING EXAM</b>		<b>4</b>			
1	U01690	FY09 - NINE MILE POINT 1 INITIAL OPERATOR EXAM		09/15/2008	09/19/2008	Not Applicable
1	U01690	FY09 - NINE MILE POINT 1 INITIAL OPERATOR EXAM		10/06/2008	10/17/2008	Not Applicable
	<b>7112203 - PUB RAD SAFETY - REMP</b>		<b>1</b>			
1,2	IP 7112203	Radiological Environmental Monitoring Program (REMP) And Radioactive Material Control P		06/16/2008	06/20/2008	Baseline Inspections

This report does not include INPO and OUTAGE activities.  
This report shows only on-site and announced inspection procedures.

**Nine Mile Point**  
**Inspection / Activity Plan**  
**07/01/2007 - 12/31/2008**

Unit Number	Inspection Activity	Title	No. of Staff on Site	Planned Dates Start	Planned Dates End	Inspection Type
	<b>7112203 - PUB RAD SAFETY - REMP</b>		<b>1</b>			
1,2	IP 71151-PR01	RETS/ODCM Radiological Effluent		06/16/2008	06/20/2008	Baseline Inspections
	<b>EP - EP PROGRAM INSPECTION</b>		<b>1</b>			
1,2	IP 7111402	Alert and Notification System Testing		07/14/2008	07/18/2008	Baseline Inspections
1,2	IP 7111403	Emergency Response Organization Augmentation Testing		07/14/2008	07/18/2008	Baseline Inspections
1,2	IP 7111404	Emergency Action Level and Emergency Plan Changes		07/14/2008	07/18/2008	Baseline Inspections
1,2	IP 7111405	Correction of Emergency Preparedness Weaknesses and Deficiencies		07/14/2008	07/18/2008	Baseline Inspections
1,2	IP 71151-EP01	Drill/Exercise Performance		07/14/2008	07/18/2008	Baseline Inspections
1,2	IP 71151-EP02	ERO Drill Participation		07/14/2008	07/18/2008	Baseline Inspections
1,2	IP 71151-EP03	Alert & Notification System		07/14/2008	07/18/2008	Baseline Inspections
	<b>71121 - OCC RAD SAFETY</b>		<b>1</b>			
1,2	IP 7112101	Access Control to Radiologically Significant Areas		08/18/2008	08/22/2008	Baseline Inspections
1,2	IP 7112102	ALARA Planning and Controls		08/18/2008	08/22/2008	Baseline Inspections
1,2	IP 7112103	Radiation Monitoring Instrumentation and Protective Equipment		08/18/2008	08/22/2008	Baseline Inspections
	<b>7111121 - CDBI</b>		<b>6</b>			
1,2	IP 7111121	Component Design Bases Inspection		09/08/2008	09/12/2008	Baseline Inspections
1,2	IP 7111121	Component Design Bases Inspection		09/22/2008	09/26/2008	Baseline Inspections
1,2	IP 7111121	Component Design Bases Inspection		09/29/2008	10/03/2008	Baseline Inspections
	<b>7111111B - L.O.REQUAL.PROG.(FOCUS U1)+P/F RVW</b>		<b>5</b>			
1,2	IP 7111111B	Licensed Operator Requalification Program		12/01/2008	12/05/2008	Baseline Inspections
	<b>7111107B - BIENNIAL HEAT SINK INSPECTION</b>		<b>1</b>			
1,2	IP 7111107B	Heat Sink Performance		11/03/2008	11/07/2008	Baseline Inspections
	<b>71121 - OCC RAD SAFETY</b>		<b>1</b>			
1,2	IP 7112101	Access Control to Radiologically Significant Areas		11/03/2008	11/07/2008	Baseline Inspections
1,2	IP 7112102	ALARA Planning and Controls		11/03/2008	11/07/2008	Baseline Inspections
1,2	IP 71151-OR01	Occupational Exposure Control Effectiveness		11/03/2008	11/07/2008	Baseline Inspections
1,2	IP 71151-PR01	RETS/ODCM Radiological Effluent		11/03/2008	11/07/2008	Baseline Inspections
	<b>7112202 - PUB RAD SAFETY - RADWASTE</b>		<b>1</b>			
1,2	IP 7112202	Radioactive Material Processing and Transportation		12/08/2008	12/12/2008	Baseline Inspections