

September 13, 2007

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

SUBJECT: NINE MILE POINT NUCLEAR STATION - NRC EVALUATED EMERGENCY  
PREPAREDNESS EXERCISE - INSPECTION REPORT NOS.  
05000220/2007502 AND 05000410/2007502

Dear Mr. Polson:

On August 16, 2007, the U.S. Nuclear Regulatory Commission (NRC) completed an inspection of the 2007 evaluated emergency preparedness exercise at your Nine Mile Point Nuclear Station. The enclosed inspection report documents the inspection results, which were discussed on August 16, 2007, with you and other members of your staff.

The inspection examined activities conducted under your license as they relate to safety and compliance with the Commission's rules and regulations and with the conditions of your license. The inspectors reviewed selected procedures and records, observed activities, and interviewed personnel.

Based on the results of this inspection, no findings of significance were identified.

In accordance with 10 CFR 2.390 of the NRC's "Rules of Practice," a copy of this letter and its enclosure and your response (if any) will be 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).

Sincerely,

**/RA/**

James M. Trapp, Chief  
Plant Support Branch 1  
Division of Reactor Safety

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Vice President Nine Mile Point  
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*/RA/*

James M. Trapp, Chief  
Plant Support Branch 1  
Division of Reactor Safety

SUNSI Review Complete:    JMT    (Reviewer's Initials)

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K. Polson

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Docket Nos: 50-220, 50-410  
License No: DPR-63, NPF-69

Enclosure: Inspection Report Nos. 05000220/2007502 and 05000410/2007502  
w/Attachment: Supplemental Information

cc w/encl:

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J.M. Heffley, Senior Vice President and Chief Nuclear Officer  
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REGION I

Docket No: 50-220, 50-410

License No: DPR-63, NPF-69

Report No: 05000220/2007502 and 05000410/2007502

Licensee: Nine Mile Point Nuclear Station, LLC (NMPNS)

Facility: Nine Mile Point Nuclear Station, Units 1 and 2

Location: Lake Road  
Oswego, NY

Dates: July 31, 2007 through August 16, 2007

Inspectors: S. Barr, Sr. Emergency Preparedness Inspector, DRS, Region I (Lead)  
B. Norris, Sr. Project Engineer, DRP, Region I  
R. Cureton, Emergency Preparedness Inspector, DRS, Region I  
R. Rolph, Radiation Specialist, DRS, Region I

Approved by: James M. Trapp, Chief  
Plant Support Branch 1  
Division of Reactor Safety

Enclosure

## SUMMARY OF FINDINGS

IR 05000220/2007-502, IR 05000410/2007-502; 07/31/2007 - 08/16/2007; Nine Mile Point Nuclear Station, Units 1 and 2; Exercise Evaluation; Emergency Action Level and Emergency Plan Changes; Emergency Preparedness Performance Indicators.

This was an announced inspection conducted by four region-based inspectors. No findings of significance were identified. The NRC's program for overseeing the safe operation of commercial nuclear power reactors is described in NUREG-1649, "Reactor Oversight Process," Revision 4, dated December 2006.

### **Cornerstone: Emergency Preparedness**

A. NRC-Identified and Self-Revealing Findings

No findings of significance were identified

B. Licensee-Identified Findings

None.

## Report Details

### 1. REACTOR SAFETY

Cornerstone: Emergency Preparedness (EP)

#### 1EP1 Exercise Evaluation (71114.01 - 1 Sample)

##### a. Inspection Scope

Prior to the exercise, an in-office review was conducted of the exercise objectives and scenario submitted to the NRC, to determine if the exercise would test major elements of the emergency plan as required by 10 CFR 50.47(b)(14). A description of the evaluation conducted by the NRC during the exercise is described below. Overall, this inspection activity represented the completion of one sample on a biennial cycle.

The exercise evaluation consisted of the following review and assessment:

- The adequacy of Nine Mile Point's performance in the biennial full-participation exercise regarding the implementation of the risk-significant planning standards (RSPS) in 10 CFR 50.47 (b)(4), (5), (9), and (10), which are emergency classification, offsite notification, radiological assessment, and protective action recommendations, respectively.
- The overall adequacy of Nine Mile Point's emergency response facilities with regard to NUREG-0696, "Functional Criteria for Emergency Response Facilities," and Emergency Plan commitments. The facilities assessed were the Control Room Simulator, the Technical Support Center (TSC), the Operations Support Center (OSC), the Joint Information Center (JIC), and the Emergency Operations Facility (EOF).
- Other performance areas, such as, the emergency response organization's (ERO's) recognition of abnormal plant conditions, command and control, intra- and inter-facility communications, prioritization of mitigation activities, utilization of repair and field monitoring teams, interface with offsite agencies, staffing and procedure adequacy, and the overall implementation of the emergency plan and its implementing procedures.
- Past performance issues from the last NRC exercise report and Nine Mile Point's drill reports to determine effectiveness of corrective actions as demonstrated during this exercise to ensure compliance with 10 CFR 50.47(b)(14).
- The post-exercise critiques to evaluate Nine Mile Point's self-assessment of its ERO performance during the exercise and to ensure compliance with 10 CFR 50, Appendix E, Paragraph IV.F.2.g.

The inspectors reviewed the documents listed in the attachment to this report.

Enclosure

b. Findings

No findings of significance were identified.

1EP4 Emergency Action Level (EAL) and Emergency Plan Changes

a. Inspection Scope (71114.04 - 1 Sample)

Since the last NRC inspection of this program area, Emergency Plan Revisions 51, 52, and 53 were implemented based on the licensee's determination, in accordance with 10 CFR 50.54(q), that the changes resulted in no decrease in effectiveness of the Plan, and that the revised Plan continued to meet the requirements of 10 CFR 50.47(b) and Appendix E to 10 CFR 50. The inspectors inspected all EAL changes made since January 2006, and conducted a sampling review of the Emergency Plan changes, and changes to the lower-tier emergency plan implementing procedures, to evaluate for potential decreases in effectiveness of the Emergency Plan. However, this review was not documented in a Safety Evaluation Report and does not constitute formal NRC approval of the changes. Therefore, these changes remain subject to future NRC inspection in their entirety.

b. Findings

No findings of significance were identified.

**4. OTHER ACTIVITIES (OA)**

4OA1 Performance Indicator (PI) Verification (71151- 3 Samples)

a. Inspection Scope

The inspectors reviewed data for the Nine Mile Point EP PIs, which are: (1) Drill and Exercise Performance (DEP); (2) ERO Drill Participation; and (3) Alert and Notification System (ANS) Reliability. The last EP inspection at Nine Mile Point was in the first quarter of 2006, so the inspectors reviewed supporting documentation from drills and tests from all four quarters of 2006 and the first two quarters of 2007, to verify the accuracy of the reported PI data. The review of these performance indicators was conducted in accordance with NRC Inspection Procedure 71151. The acceptance criteria used for the review were documented in NEI 99-02, Revision 4, "Regulatory Assessment Performance Indicator Guidelines."

This inspection activity represented the completion of three samples on an annual cycle.

b. Findings

No findings of significance were identified.



40A6 Meetings, including Exit

On August 16, 2007, the inspector presented the inspection results to Mr. Keith J. Polson, Nine Mile Point Vice President, and other members of the Nine Mile Point staff. No proprietary information was provided to the inspectors during this inspection.

**ATTACHMENT**

**SUPPLEMENTAL INFORMATION**

**KEY POINTS OF CONTACT**

Licensee Personnel

K. Polson, Nine Mile Point Vice President  
J. Jones, Nine Mile Point Emergency Preparedness Manager  
G. Detter, Constellation Emergency Preparedness Director

**LIST OF ITEMS OPENED, CLOSED, AND DISCUSSED**

None

**LIST OF DOCUMENTS REVIEWED**

**Section 1EP1: Exercise Evaluation**

Nine Mile Point Nuclear Station Emergency Plan, Revisions 53  
Nine Mile Point Nuclear Station Emergency Plan Implementing Procedures  
Nine Mile Point Nuclear Station 2007 Evaluated Exercise Scenario Manual  
Nine Mile Point Nuclear Station 2006 Training Drill Reports  
Nine Mile Point Nuclear Station 2007 Training Drill Reports

**Section 1EP4: Emergency Action Level an Emergency Plan Changes**

Emergency Plan Maintenance Procedure, EPMP-EPP-01, Maintenance of Emergency Preparedness, Rev. 22  
EPMP-EPP-05, Emergency Planning Program Self Assessment, Rev. 14  
Nuclear Interface Procedure, NIP-LPP-01, Control of UFSARS, TRM, TS Bases, and NRC Approved Plans and Programs, Rev. 19

The revisions made to, and the 10 CFR 50.54(q) evaluations for, the following procedures:

Nine Mile Point Nuclear Station Emergency Plan, Revisions 51, 52, 53  
Emergency Plan Implementing Procedure, EPIP-EPP-01-EAL, Emergency Action Level Matrix Unit 1, Rev. 15  
EPIP-EPP-02-EAL, Emergency Action Level Matrix Unit 2, Rev. 14  
EPIP-EPP-02-EAL, Emergency Action Level Matrix Unit 2, Rev. 15

**Section 40A1: Performance Indicator Verification**

Drill/Exercise Performance Indicator Data, January 2006 - June 2007

ERO Drill Participation Performance Indicator Data, January 2006 - June 2007

ANS Reliability Performance Indicator Data, January 2006 - June 2007

**LIST OF ACRONYMS**

CFR	Code of Federal Regulations
ERO	Emergency Response Organization
EOF	Emergency Operations Facility
EP	Emergency Preparedness
ERO	Emergency Response Organization
JIC	Joint Information Center
NRC	Nuclear Regulatory Commission
OSC	Operations Support Center
RSPS	Risk Significant Planning Standard
TSC	Technical Support Center