



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

September 1, 2009

Mr. Sam Belcher  
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. Belcher:

On August 12, 2009, the NRC staff completed its performance review of Nine Mile Point Nuclear Station (NMPNS). Our technical staff reviewed performance indicators (PIs) for the most recent quarter and inspection results for the period from July 1, 2008, through June 30, 2009. 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 at Nine Mile Point Unit 1 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).

Plant performance for the most recent quarter at Nine Mile Point Unit 2 was within the Regulatory Response Column of the NRC's Action Matrix, based on one PI being classified as having low to moderate safety significance (White). The Mitigating Systems Performance Index (MSPI), Cooling Water Systems crossed the White significance threshold in the 4th quarter 2008 and has remained above the threshold through the first two quarters of 2009. The White PI was due to a combination of high unavailability for service water pump maintenance activities and reliability challenges following introduction of foreign material into the service water pump suctions in November 2008. On July 20, 2009, we were notified by your staff of your readiness for the NRC to conduct a supplemental inspection to review the actions taken to address the degraded SW pumps. Therefore, we conducted a supplemental inspection using Inspection Procedure 95001, "Inspection for One or Two White Inputs in a Strategic Performance Area," from August 24 to 28, 2009. The results of this inspection will be provided to you in separate correspondence and may result in a change to our assessment of the plant's performance and the facility inspection plan.

Based on our current assessment of performance for Nine Mile Point, we plan to conduct, the reactor oversight process (ROP) baseline inspections at Unit 1 and 2, as well as the

supplemental inspection at Unit 2 using Inspection Procedure 95001.

The enclosed inspection plan details the inspections, less those related to physical protection, scheduled through December 31, 2010. 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).

As you may know, the NRC is currently evaluating the scope and frequency of all the baseline inspection procedures as part of our biennial review of the ROP. 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 at (610) 337-5233 with any questions you may have regarding this letter or the inspection plan.

Sincerely,

**/RA/**

James W. Clifford, Acting 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. Wallace, Vice-Chairman, Constellation Energy  
H. Barron, President, CEO & Chief Nuclear Officer, Constellation Energy Nuclear Group  
C. Fleming, Esquire, Senior Counsel, Nuclear Generation, Constellation Energy Group, LLC  
M. Wetterhahn, Esquire, Winston & Strawn  
T. Syrell, Director, Licensing, Nine Mile Point Nuclear Station  
J. Spath, Program Director, New York State Energy Research and Development Authority  
F. Murray, New York State Energy Research and Development Authority  
P. Eddy, New York State Department of Public Service  
C. Donaldson, Esquire, Assistant Attorney General, New York Department of Law  
Supervisor, Town of Scriba  
P. Church, Oswego County Administrator  
T. Judson, Central NY Citizens Awareness Network  
D. Katz, Citizens Awareness Network  
J. Evans, LIPA

S. Belcher

2

G. Detter, Manager, Corp Nuclear Safety and Security, Constellation Energy

M. Bockstein, Chairman and Executive Director,  
State Consumer Protection Board

R. Thomson, FEMA RII RAC

supplemental inspection at Unit 2 using Inspection Procedure 95001.

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**/RA/**

James W. Clifford, Acting Director  
Division of Reactor Projects

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

**SUNSI Review Complete: nsp\* (Reviewer's Initials)**

DOCUMENT NAME: S:\ROP-10 Mid-Cycle Review\Branch 1\NMP MidCycle Ltr 09.doc

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DATE	08/21/09	08/24/09	09/01/09				

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**Nine Mile Point**  
**Inspection / Activity Plan**  
**07/01/2009 - 12/31/2010**

Unit Number	Planned Dates		Inspection Activity	Title	No. of Staff on Site
	Start	End			
			<b>8/31EXAM - U1 INITIAL OPERATOR LICENSING EXAM</b>		<b>7</b>
1	07/27/2009	07/30/2009	U01782	FY09 - NINE MILE POINT UNIT 1 INTIAL OPERATOR LICENSING EXAM	
1	08/31/2009	09/04/2009	U01782	FY09 - NINE MILE POINT UNIT 1 INTIAL OPERATOR LICENSING EXAM	
			<b>8/24 EXM - U2 INITIAL OPERATOR LICENSING EXAM</b>		<b>4</b>
1	07/27/2009	07/31/2009	U01698	FY09 - NINE MILE POINT 2 INITIAL OPERATOR EXAM	
1	08/24/2009	08/28/2009	U01698	FY09 - NINE MILE POINT 2 INITIAL OPERATOR EXAM	
			<b>71121 - OCC RAD SAFETY</b>		<b>1</b>
1,2	07/06/2009	07/10/2009	IP 7112102	ALARA Planning and Controls	
1,2	07/06/2009	07/10/2009	IP 7112102	ALARA Planning and Controls	
1,2	07/06/2009	07/10/2009	IP 7112103	Radiation Monitoring Instrumentation and Protective Equipment	
			<b>92702 - SLIV FOLLOW-UP</b>		<b>1</b>
1	07/20/2009	07/24/2009	IP 92702	Followup On Corrective Actions For Violations And Deviations	
			<b>SUPPL - 95001 SUPPL INSPECTION - WHITE SW PI</b>		<b>4</b>
2	08/24/2009	08/28/2009	IP 95001	Supplemental Inspection For One Or Two White Inputs In A Strategic Performance Area	
			<b>TI 173 - GROUNDWATER TI</b>		<b>1</b>
1,2	08/24/2009	08/28/2009	IP 2515/173	Review of the Implementation of the Industry Ground Water Protection Voluntary Initiative	
			<b>EP EXER - EP EXERCISE INSPECTION</b>		<b>5</b>
1,2	09/20/2009	09/26/2009	IP 7111401	Exercise Evaluation	
1,2	09/20/2009	09/26/2009	IP 7111404	Emergency Action Level and Emergency Plan Changes	
1,2	09/20/2009	09/26/2009	IP 71151	Performance Indicator Verification	
			<b>7111111B - BIENNIAL REQUAL INSP(U2) W P/F RESULTS</b>		<b>3</b>
1,2	11/30/2009	12/04/2009	IP 7111111B	Licensed Operator Requalification Program	
			<b>71152B - PI&amp;R BIENNIAL TEAM</b>		<b>4</b>
1,2	10/05/2009	10/09/2009	IP 71152B	Identification and Resolution of Problems	
1,2	10/19/2009	10/23/2009	IP 71152B	Identification and Resolution of Problems	
			<b>71121 - OCC RAD SAFETY</b>		<b>1</b>
1,2	11/09/2009	11/13/2009	IP 7112101	Access Control to Radiologically Significant Areas	
1,2	11/09/2009	11/13/2009	IP 7112102	ALARA Planning and Controls	
1,2	11/09/2009	11/13/2009	IP 7112103	Radiation Monitoring Instrumentation and Protective Equipment	
1,2	11/09/2009	11/13/2009	IP 71151	Performance Indicator Verification	
			<b>TI-177 - MANAGING GAS ACCUMULATION IN ECCS</b>		<b>5</b>
1,2	02/01/2010	02/05/2010	IP 2515/177	Managing Gas Accumulation In Emergency Core Cooling, Decay Heat Removal & Containment Spray System	
			<b>71121 - OCC RAD SAFETY</b>		<b>1</b>
2	04/19/2010	04/23/2010	IP 7112101	Access Control to Radiologically Significant Areas	
2	04/19/2010	04/23/2010	IP 7112102-7112102R	ALARA - Required	

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			<b>71121 - OCC RAD SAFETY</b>		<b>1</b>
2	04/19/2010	04/23/2010	IP 7112103	Radiation Monitoring Instrumentation and Protective Equipment	
			<b>7111108G - U2 INSERVICE INSPECTION</b>		<b>1</b>
2	04/26/2010	04/30/2010	IP 7111108G	Inservice Inspection Activities - BWR	
			<b>7112203 - PUB RAD SAFETY - REMP</b>		<b>1</b>
1,2	06/28/2010	07/02/2010	IP 7112203	Radiological Environmental Monitoring Program (REMP) And Radioactive Material Control Program	
			<b>EP PROGR - EP PROGRAM INSPECTION</b>		<b>1</b>
1,2	07/12/2010	07/16/2010	IP 7111402	Alert and Notification System Testing	
1,2	07/12/2010	07/16/2010	IP 7111403	Emergency Response Organization Augmentation Testing	
1,2	07/12/2010	07/16/2010	IP 7111404	Emergency Action Level and Emergency Plan Changes	
1,2	07/12/2010	07/16/2010	IP 7111405	Correction of Emergency Preparedness Weaknesses and Deficiencies	
1,2	07/12/2010	07/16/2010	IP 71151-EP01	Drill/Exercise Performance	
1,2	07/12/2010	07/16/2010	IP 71151-EP02	ERO Drill Participation	
1,2	07/12/2010	07/16/2010	IP 71151-EP03	Alert & Notification System	
			<b>11/07EXM - U2 INITIAL OPERATOR LICENSING EXAM</b>		<b>6</b>
2	10/11/2010	10/15/2010	U01790	FY11 - NINE MILE POINT U2 INITIAL OPERATOR LICENSING EXAM	
			<b>11/14EXM - U1 OPERATOR LICENSING INITIAL EXAMS</b>		<b>5</b>
1	10/11/2010	10/15/2010	U01797	FY11-NINE MILE POINT U1 INITIAL OPERATOR LICENSING EXAM	
			<b>11/07EXM - U2 INITIAL OPERATOR LICENSING EXAM</b>		<b>6</b>
2	11/08/2010	11/12/2010	U01790	FY11 - NINE MILE POINT U2 INITIAL OPERATOR LICENSING EXAM	
			<b>11/14EXM - U1 OPERATOR LICENSING INITIAL EXAMS</b>		<b>5</b>
1	11/15/2010	11/19/2010	U01797	FY11-NINE MILE POINT U1 INITIAL OPERATOR LICENSING EXAM	
			<b>7111107T - TRIENNIAL HEAT SINK</b>		<b>1</b>
1,2	07/19/2010	07/23/2010	IP 7111107T	Heat Sink Performance	
			<b>71121 - OCC RAD SAFETY</b>		<b>1</b>
1,2	08/09/2010	08/13/2010	IP 7112101	Access Control to Radiologically Significant Areas	
1,2	08/09/2010	08/13/2010	IP 7112102-7112102R	ALARA - Required	
1,2	08/09/2010	08/13/2010	IP 7112103	Radiation Monitoring Instrumentation and Protective Equipment	
			<b>7111111B - REQUAL INSP (NMP1) WITH P/F RESULTS</b>		<b>3</b>
1,2	10/25/2010	10/29/2010	IP 7111111B	Licensed Operator Requalification Program	
			<b>MODS - PERMANENT PLANT MODIFICATIONS</b>		<b>5</b>
1,2	09/13/2010	09/17/2010	IP 7111117T	Evaluations of Changes, Tests, or Experiments and Permanent Plant Modifications	
1,2	09/27/2010	10/01/2010	IP 7111117T	Evaluations of Changes, Tests, or Experiments and Permanent Plant Modifications	
			<b>71121 - OCC RAD SAFETY</b>		<b>1</b>
1,2	11/15/2010	11/19/2010	IP 7112101	Access Control to Radiologically Significant Areas	

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	Start	End			
<b>71121 - OCC RAD SAFETY</b>					<b>1</b>
1,2	11/15/2010	11/19/2010	IP 7112102-7112102R	ALARA - Required	
1,2	11/15/2010	11/19/2010	IP 7112103	Radiation Monitoring Instrumentation and Protective Equipment	
1,2	11/15/2010	11/19/2010	IP 71151-OR01	Occupational Exposure Control Effectiveness	
1,2	11/15/2010	11/19/2010	IP 71151-PR01	RETS/ODCM Radiological Effluent	
<b>7112202 - PUB RAD SAFETY - RADWASTE</b>					<b>1</b>
1,2	12/13/2010	12/17/2010	IP 7112202	Radioactive Material Processing and Transportation	

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