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July 14, 2000
NMP2L 1975

U.S. Nuclear Regulatory Commission
Attn: Document Control Desk
Washington, DC 20555

RE: Nine Mile Point Unit 277
 Docket No. 50-410
 NPF-69
(TAC Nos. MA3822, MA9482, MA9094, and MA7119)

Gentlemen:

Niagara Mohawk Power Corporation (NMPC) hereby transmits an Application for Amendment to Nine Mile Point Unit 2 (NMP2) Facility Operating License (OL) NPF-69. Enclosed as Attachment A is the proposed change to the License Conditions as set forth in the OL. The supporting information and analyses demonstrating that the proposed change involves no significant hazards considerations pursuant to 10CFR50.92 are included as Attachment B. Attachment C provides a "marked-up" copy of the affected OL page. NMPC's determination that the proposed change meets the criteria for categorical exclusion from performing an environmental assessment is included as Attachment D.

The proposed change to the NMP2 OL contained herein will allow a delay in implementation of the Improved Technical Specifications (ITS) to December 31, 2000. NMP2 OL Amendment No. 91, issued on February 15, 2000 (TAC No. MA3822), requires the ITS to be implemented by August 31, 2000. Specifically, License Condition 2.C.(10), "Additional Condition 1," of the OL is revised to indicate that implementation of License Amendment No. 91 shall be completed no later than December 31, 2000. The affected license conditions involve (1) the relocation of Current Technical Specification (CTS) requirements to licensee controlled documents during the implementation of the ITS and (2) the schedule for the first performance of new or revised Surveillance Requirements (SRs).

Unanticipated resource requirements during the Spring 2000 Refueling Outage (RFO7) and other circumstances have resulted in a slippage in the schedule for implementation of the ITS. Although efforts have been undertaken to bring the project back on schedule, including the assignment of new project management and increased management oversight, NMPC has concluded that it would be prudent to allow additional time for the transition from the CTS to the ITS. Of primary concern related to the schedule slippage is the delay in the completion of the Technical Requirements Manual (TRM). Timely

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completion of the TRM is necessary to allow the Operations shift crews a transition period of operating the plant using the CTS and ITS in parallel in order to familiarize themselves with the differences. Implementation of the ITS by August 31, 2000 would preclude an adequate transition period. It is believed that an operational transition period is essential to proper ITS implementation to assure a well controlled transition from the CTS to the ITS.

Therefore, NMPC is requesting a deferral of the ITS implementation date to December 31, 2000. Since the current implementation date for ITS is August 31, 2000, approval of this license amendment is needed by August 25, 2000, with implementation by August 31, 2000 (TAC No. MA9482 has been assigned to track this request).

In addition, License Amendment No. 92 was approved and issued on March 2, 2000 (TAC No. MA7119). This amendment permitted the use of the already installed Oscillation Power Range Monitoring (OPRM) System. The associated CTS pages have been implemented to allow activation of the OPRM System. The ITS formatted pages were to be implemented with Amendment No. 91 (ITS) no later than August 31, 2000. To be consistent with the proposed deferral date for ITS implementation, NMPC requests that the implementation date for License Amendment No. 92 also be deferred to December 31, 2000.

NMPC submitted revisions to License Amendment No. 92 on June 7, 2000 (NMP2L 1967/TAC No. 9094) and June 13, 2000 (NMP2L 1969/TAC No. MA7119) for corrections of administrative and typographical errors. NMPC requests that the implementation date for these changes also be deferred to December 31, 2000 to be consistent with the proposed ITS implementation date.

Pursuant to 10CFR50.91(b)(1), NMPC has provided a copy of this license amendment application and the associated analyses regarding no significant hazard considerations to the appropriate state representative.

Very truly yours,



John T. Conway
Vice President Nuclear Generation

JTC/CDM/kcm
Attachments

xc: Mr. H. J. Miller, NRC Regional Administrator, Region 1
Ms. M. K. Gamberoni, Acting Section Chief PD-1, Section 1, NRR
Mr. G. K. Hunegs, NRC Senior Resident Inspector
Mr. P. S. Tam, Senior Project Manager, NRR
Mr. John P. Spath
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Albany, NY 12203-6399
Records Management

UNITED STATES NUCLEAR REGULATORY COMMISSION

In the Matter of

Niagara Mohawk Power Corporation

Nine Mile Point Unit 2

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Docket No. 50-410

APPLICATION FOR AMENDMENT TO OPERATING LICENSE

Pursuant to Section 50.90 of the Regulations of the Nuclear Regulatory Commission, Niagara Mohawk Power Corporation, holder of Facility Operating License (OL) No. NPF-69, hereby requests the revision of License Condition 2.C.(10), "Additional Condition 1," as set forth in the OL. The proposed change has been reviewed in accordance with Section 6.5 of the Technical Specifications.

The proposed change to the OL is set forth in Attachment A to this application. The proposed change revises the OL to allow a delay in the implementation of the Improved Technical Specifications (ITS). Specifically, License Condition 2.C.(10) is revised to change the prescribed date for implementation of License Amendment No. 91 from August 31, 2000 to December 31, 2000. The affected license conditions involve (1) the relocation of Current Technical Specification (CTS) requirements to licensee controlled documents during the implementation of the ITS and (2) the schedule for the first performance of new or revised Surveillance Requirements (SRs). The delay in the implementation date is required to allow for the necessary operational transition period from the CTS to the ITS.

The proposed change will not authorize any change in the types of effluents or in the authorized power level of the facility. Supporting information and analyses which demonstrate that the proposed change involves no significant hazards considerations pursuant to 10CFR50.92 are included as Attachment B.

WHEREFORE, Applicant respectfully requests that OL No. NPF-69 be amended in the form attached hereto as Attachment A.

NIAGARA MOHAWK POWER CORPORATION

By


John T. Conway
Vice President Nuclear Generation

Subscribed and Sworn to before me
on this 14 day of July 2000.


NOTARY PUBLIC

SUSAN L. SABINE
"Notary Public, State of New York"
Qualified in Oswego County
Registration No. 01SA6031903
Commission Expires 10-12-2001

ATTACHMENT A

NIAGARA MOHAWK POWER CORPORATION

LICENSE NO. NPF-69

DOCKET NO. 50-410

Proposed Changes to the Facility Operating License (OL)

Replace existing page 5 of the OL with the attached page. This page has been retyped in its entirety with marginal markings to indicate the change.

(6) Initial Startup Test Program (Section 14, SER, SSERs 4 and 5)

Any changes to the Initial Test Program described in Section 14 of the Final Safety Analysis Report made in accordance with the provisions of 10 CFR 50.59 shall be reported in accordance with 50.59(b) within one month of such change.

(7) Operation with Reduced Feedwater Temperature (Section 15.1, SSER 4)

Niagara Mohawk Power Corporation shall not operate the facility with reduced feedwater temperature for the purpose of extending the normal fuel cycle. The facility shall not be operated with a feedwater heating capacity less than that required to produce a feedwater temperature of 405°F at the rated steady-state conditions unless analyses supporting such operations are submitted by Niagara Mohawk Power Corporation and approved by the staff.

(8) Safety Parameter Display System (SPDS) (Section 18.2, SSERs 3 and 5)

Prior to startup following the first refueling outage, Niagara Mohawk Power Corporation shall have operational an SPDS that includes the revisions described in their letter of November 19, 1985. Before declaring the SPDS operational, the licensee shall complete testing adequate to ensure that no safety concerns exist regarding the operation of the Nine Mile Point Nuclear Station, Unit No. 2 SPDS.

(9) Detailed Control Room Design Review (Section 18.1, SSERs 5 and 6)

(a) Deleted per Amendment No. 24 (12-18-90)

(b) Prior to startup following the first refueling outage, Niagara Mohawk Power Corporation shall provide the results of the reevaluation of normally lit and nuisance alarms for NRC review in accordance with its August 21, 1986 letter.

(c) Prior to startup following the first refueling outage, Niagara Mohawk Power Corporation shall complete permanent zone banding of meters in accordance with its August 4, 1986 letter.

(10) Additional Condition 1

The licensee is authorized by Amendment No. 91 to relocate certain Technical Specification requirements previously included in Appendix A to licensee-controlled documents, as described in Table R, Relocated Specifications and Removal of Details Matrix, attached to the NRC Staff's safety evaluation dated February 15, 2000, enclosed with the amendment. Implementation of Amendment No. 91 shall include the relocation of these requirements to the appropriate documents, which shall be completed no later than December 31, 2000. The relocations to the Updated Safety Analysis Report shall be reflected in updates completed in accordance with 10 CFR 50.71(e).

ATTACHMENT B

NIAGARA MOHAWK POWER CORPORATION LICENSE NO. NPF-69 DOCKET NO. 50-410

Supporting Information and No Significant Hazards Consideration Analysis

INTRODUCTION

By letter dated February 15, 2000, the NRC Staff issued Amendment No. 91 to Facility Operating License (OL) No. NPF-69 for Nine Mile Point Unit 2 (NMP2) that included two new license conditions and required implementation of the Improved Technical Specifications (ITS) by August 31, 2000. License Condition 2.C.(10), "Additional Condition 1," authorized the relocation of Current Technical Specification (CTS) requirements to licensee controlled documents during the implementation of the ITS. The ITS are based on NUREG-1433 and NUREG-1434, "Standard Technical Specifications for General Electric Plants, BWR/4 and BWR/6," Revision 1, dated April 1995. License Condition 2.C.(10) also stipulated that implementation of Amendment No. 91 be completed no later than August 31, 2000. License Condition 2.C.(11) prescribed the schedule for the first performance of new or revised Surveillance Requirements (SRs) relative to the implementation date for Amendment No. 91.

Niagara Mohawk Power Corporation (NMPC) has concluded that it would be prudent to allow additional time for the transition from the CTS to the ITS. Therefore, NMPC proposes to revise the OL for NMP2, as indicated in Attachment A to this amendment application, to allow a delay in the implementation of the ITS. Specifically, NMPC proposes to revise License Condition 2.C.(10) to change the prescribed date for implementation of License Amendment No. 91 from August 31, 2000 to December 31, 2000.

EVALUATION

Amendment No. 91 to the NMP2 OL added License Conditions 2.C.(10) and 2.C.(11). License Condition 2.C.(10) authorizes the relocation of CTS requirements to licensee controlled documents during the implementation of the ITS and also stipulates that implementation of Amendment No. 91 be completed no later than August 31, 2000. License Condition 2.C.(11) prescribes the schedule for the first performance of new or revised Surveillance Requirements (SRs) relative to the implementation date for Amendment No. 91. NMPC proposes to delay implementation of the ITS until December 31, 2000 and to revise License Condition 2.C.(10) to delay implementation of Amendment No. 91 consistent with the ITS implementation date. This change will delay for four months (1) ITS implementation, (2) the relocation of the CTS requirements to licensee controlled documents, and (3) the schedule for the first performances of the new and revised SRs.

The proposed delay in ITS implementation is necessary in order to allow Operations shift crews a transition period of operating the plant using the CTS and ITS in parallel to familiarize themselves with the differences. This operational transition period is considered

essential to proper ITS implementation. During the four month delay until the ITS are implemented, the CTS will remain in effect and NMP2 will continue to be operated in accordance with the NRC approved CTS requirements.

CONCLUSIONS

This change does not affect plant operation, or physically alter or change the function of any structures, systems, or components required to mitigate the consequence of a design basis accident. This change simply delays implementation of the ITS from August 31, 2000 to December 31, 2000. The delay is deemed necessary to allow for an operational transition period to properly implement the ITS. Since the plant will continue to be operated in accordance with the CTS until the ITS is implemented, this change is administrative in nature.

Based on the above evaluation and associated conclusions, NMPC believes there is reasonable assurance that the proposed License Amendment will not adversely affect the health and safety of the public and will not be inimical to the common defense and security.

NO SIGNIFICANT HAZARDS CONSIDERATION ANALYSIS

According to 10CFR50.91, at the time a licensee requests an amendment to its OL, the licensee must provide to the NRC its analysis, using the standards in 10CFR50.92, concerning the issue of no significant hazards consideration. According to 10CFR50.92(c), a proposed amendment to an operating license involves no significant hazards considerations if operation of the facility in accordance with the proposed amendment would not:

1. Involve a significant increase in the probability or consequences of an accident previously evaluated; or
2. Create the possibility of a new or different kind of accident from any accident previously evaluated; or
3. Involve a significant reduction in a margin of safety.

Niagara Mohawk Power Corporation (NMPC) has evaluated this proposed amendment pursuant to 10CFR50.91 and has determined that it involves no significant hazards considerations.

The following analysis has been performed:

The operation of Nine Mile Point Unit 2, in accordance with the proposed amendment, will not involve a significant increase in the probability or consequences of an accident previously evaluated.

The proposed amendment delays implementation of the Improved Technical Specifications (ITS) from August 31, 2000 to December 31, 2000. The proposed deferral of the ITS implementation date is necessary in order to allow Operations shift crews a transition period of operating the plant using the CTS and ITS in parallel to familiarize themselves

with the differences. This transition period is considered essential to proper ITS implementation.

The proposed change is administrative in nature in that it simply defers implementation of the ITS for four months. Until the ITS are implemented, the CTS will remain in effect and the unit will continue to be operated in accordance with the NRC approved CTS requirements. Since the change is administrative, previously evaluated accident precursors or initiators are not affected and, as a result, the probability of accident initiation will remain as previously evaluated. Furthermore, the change will not affect the design, function, or operation of any structures, systems, or components, nor will it affect any maintenance, modification, or testing activities. Thus, there will be no impact on the capability of any structures, systems, or components to perform their credited safety functions to prevent an accident or mitigate the consequences of an accident previously evaluated. It is, therefore, concluded that operation in accordance with the proposed change will not involve a significant increase in the probability or consequences of an accident previously evaluated.

The operation of Nine Mile Point Unit 2, in accordance with the proposed amendment, will not create the possibility of a new or different kind of accident from any accident previously evaluated.

Deferral of the ITS implementation date is an administrative change. As such, the proposed change will not affect the design, function, or operation of any plant structures, systems, or components, nor will it affect any maintenance, modification, or testing activities. Since the change is administrative, there will be no impact on the process variables, characteristics, or functional performance of any structures, systems, or components in a manner that could create a new failure mode. Furthermore, the change will not introduce any new modes of plant operation or eliminate any actions required to prevent or mitigate accidents. It is, therefore, concluded that operation in accordance with the proposed change will not create the possibility of a new or different kind of accident from any accident previously evaluated.

The operation of Nine Mile Point Unit 2, in accordance with the proposed amendment, will not involve a significant reduction in a margin of safety.

Deferral of the ITS implementation date is an administrative change. As such, the proposed change does not involve any hardware changes or physical alteration of the plant and the change will have no impact on the design or function of any structures, systems, or components. Furthermore, the change will not eliminate any requirements, impose any new requirements, or alter any physical parameters which could reduce the margin to an acceptance limit. It is, therefore, concluded that operation in accordance with the proposed change will not involve a significant reduction in a margin of safety.

ATTACHMENT C

**NIAGARA MOHAWK POWER CORPORATION
LICENSE NO. NPF-69
DOCKET NO. 50-410**

Marked-Up Copy of the Proposed Changes to the Facility Operating License (OL)

The current version of page 5 of the OL has been marked-up by hand to reflect the proposed change.

(6) Initial Startup Test Program (Section 14, SER, SSERs 4 and 5)

Any changes to the Initial Test Program described in Section 14 of the Final Safety Analysis Report made in accordance with the provisions of 10 CFR 50.59 shall be reported in accordance with 50.59(b) within one month of such change.

(7) Operation with Reduced Feedwater Temperature (Section 15.1, SSER 4)

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(9) Detailed Control Room Design Review (Section 18.1, SSERs 5 and 6)

(a) Deleted per Amendment No. 24 (12-18-90)

(b) Prior to startup following the first refueling outage, Niagara Mohawk Power Corporation shall provide the results of the reevaluation of normally lit and nuisance alarms for NRC review in accordance with its August 21, 1986 letter.

(c) Prior to startup following the first refueling outage, Niagara Mohawk Power Corporation shall complete permanent zone banding of meters in accordance with its August 4, 1986 letter.

(10) Additional Condition 1

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ATTACHMENT D

**NIAGARA MOHAWK POWER CORPORATION
LICENSE NO. NPF-69
DOCKET NO. 50-410**

Eligibility for Categorical Exclusion from Performing an Environmental Assessment

The provisions of 10CFR51.22 provide criteria for, and identification of, licensing and regulatory actions eligible for exclusion from performing an environmental assessment. Niagara Mohawk Power Corporation has reviewed the proposed amendment and determined that it relates to changes in recordkeeping, reporting, or administrative procedures or requirements. Therefore, the proposed amendment meets the eligibility criteria for categorical exclusion set forth in 10CFR51.22(c)(10) and pursuant to 10CFR51.22(b), no environmental impact statement or environmental assessment is required to be prepared in connection with this license amendment application.