

March 2, 2005

Mr. James A. Spina  
Vice President Nine Mile Point  
Nine Mile Point Nuclear Station, LLC  
P.O. Box 63  
Lycoming, NY 13093

SUBJECT: ANNUAL ASSESSMENT LETTER - NINE MILE POINT NUCLEAR STATION  
(REPORT 05000220/2005001 AND 05000410/2005001)

Dear Mr. Spina:

On February 10, 2005, the NRC staff completed its end-of-cycle plant performance assessment of the Nine Mile Point Nuclear Station. The end-of-cycle review for Nine Mile Point involved the participation of the reactor technical divisions in evaluating performance indicators (PIs) for the most recent quarter and inspection results for the period from January 1 through December 31, 2004. 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 so that you will have an opportunity to prepare for these inspections and to inform us of any planned inspections that may conflict with your plant activities.

This performance review and enclosed inspection plan do not include physical protection information. A separate letter designated and marked as "Exempt from Public Disclosure in accordance with 10 CFR 2.390" will include the physical protection review and resultant inspection plan.

Overall, Nine Mile Point operated in a manner that preserved public health and safety, and fully met all cornerstone objectives. Plant performance for the most recent quarter, as well as for the first three quarters of the assessment cycle, 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, we plan to conduct only reactor oversight process (ROP) baseline inspections at your facility through September 30, 2006. We also plan on conducting several non-ROP inspections which include license renewal inspections. A Supplemental Inspection was completed in September 2004, for the Unplanned Scrams per 7000 Critical Hours at Unit 2, which was White during the third quarter of 2003. The Supplemental Inspection determined that your corrective actions were sufficient to address the causes and prevent recurrence.

The enclosed inspection plan details the inspections, less those related to physical protection, scheduled through September 30, 2006. The plan includes those inspections being conducted for license renewal. The inspection plan is provided to minimize the resource impact on your staff and to allow for scheduling conflicts and personnel availability to be resolved in advance of inspector arrival onsite.

Mr. James A. Spina

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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 mid-cycle review meeting.

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).

If circumstances arise which cause us to change the inspection plan, we will contact you to discuss the change as soon as possible. Please contact me at (610) 337-5186 with any questions you may have regarding this letter or the inspection plan.

Sincerely,

**/RA/**

James M. Trapp, Chief  
Reactor Projects Branch 1  
Division of Reactor Projects

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

Enclosure: Nine Mile Point Inspection/Activity Plan

Mr. James A. Spina

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cc w/encl:

M. J. Wallace, President, Constellation Generation

M. Heffley, Senior Vice President and Chief Nuclear Officer

J. M. Petro, Jr., Esquire, Counsel, Constellation Energy Group, Inc.

M. J. Wetterhahn, Esquire, Winston and Strawn

P. R. Smith, President, New York State Energy, Research, and Development Authority

J. Spath, Program Director, New York State Energy Research and Development Authority

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C. Donaldson, Esquire, Assistant Attorney General, New York Department of Law  
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C. Adrienne Rhodes, Chairman and Executive Director, State Consumer Protection Board  
Institute of Nuclear Power Operations (INPO)

Mr. James A. Spina

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Distribution w/encl: (via E-mail)

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- Region I Docket Room (with concurrences)

**SISP Review Complete:**   nsp   (Reviewer's Initials)

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NAME	NPerry/		JTrapp/						
DATE	02/28/05		02/28/05						

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**Nine Mile Point**  
**Inspection / Activity Plan**  
**03/01/2005 - 09/30/2006**

Unit Number	Inspection Activity	Title	No. of Staff on Site	Planned Dates Start	Planned Dates End	Inspection Type
	<b>71002</b>	<b>- LICENSE RENEWAL - AGING MGMT</b>	<b>5</b>			
1,2	IP 71002	License Renewal Inspection		02/28/2005	03/04/2005	License Renewal Insp
	<b>71121</b>	<b>- OCC RAD SAFETY</b>	<b>1</b>			
1,2	IP 7112101	Access Control to Radiologically Significant Areas		03/28/2005	04/01/2005	Baseline Inspections
1,2	IP 7112102	ALARA Planning and Controls		03/28/2005	04/01/2005	Baseline Inspections
1,2	IP 7112103	Radiation Monitoring Instrumentation and Protective Equipment		03/28/2005	04/01/2005	Baseline Inspections
	<b>5/2+EXM</b>	<b>- U2 OPERATOR LICENSING INITIAL EXAMS</b>	<b>3</b>			
2	U01520	NINE MILE POINT UNIT 2 INITIAL EXAM (4/19-23/04)		04/04/2005	04/08/2005	Not Applicable
2	U01520	NINE MILE POINT UNIT 2 INITIAL EXAM (4/19-23/04)		05/02/2005	05/06/2005	Not Applicable
	<b>7111108G</b>	<b>- INSERVICE INSPECTION - U1</b>	<b>2</b>			
1	IP 7111108G	Inservice Inspection Activities - BWR		04/04/2005	04/08/2005	Baseline Inspections
	<b>7112203</b>	<b>- PUB RAD SAFETY - REMP</b>	<b>1</b>			
1,2	IP 7112203	Radiological Environmental Monitoring Program		04/25/2005	04/29/2005	Baseline Inspections
	<b>71121</b>	<b>- OCC RAD SAFETY</b>	<b>1</b>			
1,2	IP 7112101	Access Control to Radiologically Significant Areas		06/27/2005	07/01/2005	Baseline Inspections
1,2	IP 7112102	ALARA Planning and Controls		06/27/2005	07/01/2005	Baseline Inspections
1,2	IP 7112103	Radiation Monitoring Instrumentation and Protective Equipment		06/27/2005	07/01/2005	Baseline Inspections
	<b>7111401</b>	<b>- EXERCISE EVALUATION &amp; EP PI VERIFICATION</b>	<b>3</b>			
1,2	IP 7111401	Exercise Evaluation		08/15/2005	08/19/2005	Baseline Inspections
1,2	IP 71151	Performance Indicator Verification		08/15/2005	08/19/2005	Baseline Inspections
	<b>7112201</b>	<b>- PUB RAD SAFETY - RETS</b>	<b>1</b>			
1,2	IP 7112201	Radioactive Gaseous and Liquid Effluent Treatment and Monitoring Systems		08/22/2005	08/26/2005	Baseline Inspections
	<b>MODS</b>	<b>- MODS &amp; 50.59</b>	<b>5</b>			
1,2	IP 7111102	Evaluation of Changes, Tests, or Experiments		09/19/2005	09/23/2005	Baseline Inspections
1,2	IP 7111117B	Permanent Plant Modifications		09/19/2005	09/23/2005	Baseline Inspections
	<b>71152B</b>	<b>- PI&amp;R</b>	<b>4</b>			
1,2	IP 71152B	Identification and Resolution of Problems		10/17/2005	10/21/2005	Baseline Inspections
1,2	IP 71152B	Identification and Resolution of Problems		10/31/2005	11/04/2005	Baseline Inspections
	<b>71121</b>	<b>- OCC RAD SAFETY</b>	<b>1</b>			
1,2	IP 7112101	Access Control to Radiologically Significant Areas		11/14/2005	11/18/2005	Baseline Inspections
1,2	IP 7112102	ALARA Planning and Controls		11/14/2005	11/18/2005	Baseline Inspections
1,2	IP 7112103	Radiation Monitoring Instrumentation and Protective Equipment		11/14/2005	11/18/2005	Baseline Inspections
1,2	IP 71151	Performance Indicator Verification		11/14/2005	11/18/2005	Baseline Inspections
	<b>711111B</b>	<b>- LO REQUAL PROG (FOCUS ON U2 OPTST)</b>	<b>1</b>			
1	IP 711111B	Licensed Operator Requalification Program		11/14/2005	11/18/2005	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**  
**03/01/2005 - 09/30/2006**

Unit Number	Inspection Activity	Title	No. of Staff on Site	Planned Dates Start	Planned Dates End	Inspection Type
	<b>7111108G - INSERVICE INSPECTION - UNIT 2</b>		<b>1</b>			
2	IP 7111108G	Inservice Inspection Activities - BWR		03/20/2006	03/24/2006	Baseline Inspections
	<b>71121 - OCC RAD SAFETY</b>		<b>1</b>			
2	IP 7112101	Access Control to Radiologically Significant Areas		03/27/2006	03/31/2006	Baseline Inspections
2	IP 7112102	ALARA Planning and Controls		03/27/2006	03/31/2006	Baseline Inspections
2	IP 7112103	Radiation Monitoring Instrumentation and Protective Equipment		03/27/2006	03/31/2006	Baseline Inspections
	<b>5/29+EXM - U1 OPERATOR LICENSING INITIAL EXAM</b>		<b>3</b>			
1	U01588	NINE MILE, UNIT 1 INITIAL EXAM (8/06)		05/01/2006	05/05/2006	Not Applicable
1	U01588	NINE MILE, UNIT 1 INITIAL EXAM (8/06)		05/29/2006	06/02/2006	Not Applicable
	<b>TRI FIRE - TRIENNIAL FIRE PROTECTION INSPECTION</b>		<b>3</b>			
2	IP 7111105T	Fire Protection		05/08/2006	05/12/2006	Baseline Inspections
1	IP 7111105T	Fire Protection		05/22/2006	05/26/2006	Baseline Inspections
	<b>711112B - MAINTENANCE RULE</b>		<b>1</b>			
1,2	IP 711112B	Maintenance Effectiveness		06/19/2006	06/23/2006	Baseline Inspections
	<b>71121 - OCC RAD SAFETY</b>		<b>1</b>			
1,2	IP 7112101	Access Control to Radiologically Significant Areas		06/26/2006	06/30/2006	Baseline Inspections
1,2	IP 7112102	ALARA Planning and Controls		06/26/2006	06/30/2006	Baseline Inspections
1,2	IP 7112103	Radiation Monitoring Instrumentation and Protective Equipment		06/26/2006	06/30/2006	Baseline Inspections
	<b>71114 - EP PRGM INSP &amp; PI VERIFICATION</b>		<b>1</b>			
1,2	IP 7111402	Alert and Notification System Testing		07/10/2006	07/14/2006	Baseline Inspections
1,2	IP 7111403	Emergency Response Organization Augmentation Testing		07/10/2006	07/14/2006	Baseline Inspections
1,2	IP 7111404	Emergency Action Level and Emergency Plan Changes		07/10/2006	07/14/2006	Baseline Inspections
1,2	IP 7111405	Correction of Emergency Preparedness Weaknesses and Deficiencies		07/10/2006	07/14/2006	Baseline Inspections
1,2	IP 71151	Performance Indicator Verification		07/10/2006	07/14/2006	Baseline Inspections
	<b>SSDI - SSDI</b>		<b>6</b>			
1,2	IP 7111121	Safety System Design and Performance Capability		08/07/2006	08/11/2006	Baseline Inspections
1,2	IP 7111121	Safety System Design and Performance Capability		08/21/2006	08/25/2006	Baseline Inspections