

**This letter forwards Security-Related Information in accordance with 10 CFR 2.390. The balance of this letter may be considered non-Security Related Information upon removal of Enclosure 3.**

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CENG<sup>SM</sup>

a joint venture of



Constellation  
Energy



NINE MILE POINT  
NUCLEAR STATION

June 11, 2012

U.S. Nuclear Regulatory Commission  
Washington, DC 20555-0001

**ATTENTION:** Document Control Desk

**SUBJECT:** Nine Mile Point Nuclear Station  
Unit No. 1, Docket No. 50-220

License Amendment Request Pursuant to 10 CFR 50.90: Adoption of NFPA 805, Performance-Based Standard for Fire Protection for Light Water Reactor Electric Generating Plants (2001 Edition)

Pursuant to 10 CFR 50.90, Nine Mile Point Nuclear Station, LLC (NMPNS) hereby requests an amendment to the Nine Mile Point Unit 1 (NMP1) Renewed Facility Operating License DPR-63. The proposed amendment is for adoption of a new risk-informed performance-based (RI-PB) fire protection licensing basis which complies with the requirements in 10 CFR 50.48(a) and 10 CFR 50.48(c); the guidance in Regulatory Guide (RG) 1.205, "Risk-Informed Performance-Based Fire Protection for Existing Light-Water Nuclear Power Plants," Revision 1, and National Fire Protection Association (NFPA) 805, "Performance-Based Standard for Fire Protection for Light Water Reactor Electric Generating Plants," 2001 Edition. This amendment request also follows the guidance in Nuclear Energy Institute (NEI) 04-02, "Guidance for Implementing a Risk-Informed, Performance-Based Fire Protection Program under 10 CFR 50.48(c)," Revision 2.

Information associated with the transition of the NMP1 fire protection licensing basis is contained in the NMP1 Transition Report (Enclosures 2 and 3), including the technical and regulatory justifications to support the amendment request. Consistent with the industry template for NFPA 805 transition requests, major topics in the Transition Report are presented in Attachments A through W of Enclosures 2 and 3. Specifically, proposed changes to the NMP1 operating license and Technical Specifications are provided

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in Attachments M and N, respectively. As documented in Attachment Q, NMPNS has concluded that the activities associated with the proposed amendment represent no significant hazards consideration under the standards set forth in 10 CFR 50.92.

A Fire Probabilistic Risk Assessment (PRA) to support the RI-PB change evaluations per RG 1.205, Regulatory Positions C.2.2 and C.4.3, has been completed, as discussed in Section 4.5 of the Transition Report. In accordance with the guidance in Regulatory Position C.2.2.4.2, the total risk change associated with pre-transition fire protection program variances for meeting the NFPA 805 RI-PB approach (via the fire risk evaluation process) has been evaluated. Upon completion of the plant modifications referenced in Attachment S of the Transition Report, the total change in risk associated with the NMP1 transition to NFPA 805 will meet the acceptance guidelines in RG 1.174, "An Approach for Using Probabilistic Risk Assessment in Risk-Informed Decisions on Plant-Specific Changes to the Licensing Basis."

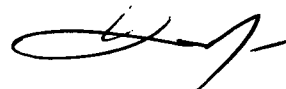
Enclosure 3 contains security-related sensitive information and is requested to be withheld from public disclosure under 10 CFR 2.390 and in accordance with Regulatory Issue Summary 2005-26, "Control of Sensitive Unclassified Nonsafeguards Information Related to Nuclear Power Reactors." A redacted version of the Transition Report with the security-related sensitive information removed is provided in Enclosure 2.

NMPNS requests approval of the proposed license amendment in accordance with the normal NRC schedule for review of such amendments. Section 5.5 and Attachment S of the Transition Report discuss the implementation schedule proposed by NMPNS for transitioning NMP1 to the new fire protection licensing basis. Specifically, implementation of the new NFPA 805 fire protection program, including the items listed in Attachment S, Table S-2 (i.e., procedures changes, process updates, training of affected plant personnel), will occur within 180 days after NRC approval of the license amendment request. However, if that date falls within a scheduled refueling outage, then implementation will occur within 60 days after plant startup from that scheduled refueling outage. Implementation of the plant modifications associated with the transition to NFPA 805, identified in Attachment S, Table S-1, will be completed by no later than the first refueling outage following NRC approval of the license amendment request. No compensatory measures are required relative to the modifications listed in Attachment S. These implementation items and plant modifications may change as a result of the NRC review process. The regulatory commitments associated with this request are listed in Enclosure 1.

Pursuant to 10 CFR 50.91(b)(1), NMPNS has provided a copy of this license amendment request, with Enclosure 2, to the appropriate state representative.

Should you have any questions regarding the information in this submittal, please contact John J. Dosa, Director Licensing, at (315) 349-5219.

Very truly yours,



**STATE OF NEW YORK** :  
: **TO WIT:**  
**COUNTY OF OSWEGO** :

I, Ken Langdon, being duly sworn, state that I am Vice President-Nine Mile Point, and that I am duly authorized to execute and file this license amendment request on behalf of Nine Mile Point Nuclear Station, LLC. To the best of my knowledge and belief, the statements contained in this document are true and correct. To the extent that these statements are not based on my personal knowledge, they are based upon information provided by other Nine Mile Point employees and/or consultants. Such information has been reviewed in accordance with company practice and I believe it to be reliable.



Subscribed and sworn before me, a Notary Public in and for the State of New York and County of Onondaga, this 11<sup>th</sup> day of June, 2012.

**WITNESS** my Hand and Notarial Seal:

  
Notary Public

My Commission Expires:

3/17/2016  
Date

**DENNIS E. VANDEPUTTE**  
**Notary Public, State of New York**  
No. 01VA6183401  
**Qualified in Onondaga County**  
**Certificate Filed in Oswego County**  
**Commission Expires** 3/17/2016

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Enclosures:

1. List of Regulatory Commitments
2. Constellation Energy Nuclear Group, Nine Mile Point Nuclear Station, Unit 1, Transition Report (Redacted Version)
3. Constellation Energy Nuclear Group, Nine Mile Point Nuclear Station, Unit 1, Transition Report

cc: Regional Administrator, Region I, NRC (w/o Enclosure 2)  
Project Manager, NRC  
Resident Inspector, NRC (w/o Enclosure 2)  
A. L. Peterson, NYSDERDA (w/o Enclosure 3)

**ENCLOSURE 1**

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**LIST OF REGULATORY COMMITMENTS**

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**ENCLOSURE 1**  
**LIST OF REGULATORY COMMITMENTS**

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The following table identifies the regulatory commitments in this document. Any other statements in this submittal represent intended or planned actions. They are provided for information purposes and are not considered to be regulatory commitments.

<b>REGULATORY COMMITMENT</b>	<b>DUE DATE</b>
NMPNS will implement the new fire protection licensing basis, including the items listed in the NMP1 Transition Report, Attachment S, Table S-2, "Implementation Items."	Within 180 days after NRC approval of the license amendment request. If that date falls within a scheduled refueling outage, then within 60 days after plant startup from that scheduled refueling outage.
NMPNS will implement the plant modifications identified in the NMP1 Transition Report, Attachment S, Table S-1, "Plant Modifications Committed."	No later than the end of the first refueling outage following NRC approval of the license amendment request.

**ENCLOSURE 2**

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**CONSTELLATION ENERGY NUCLEAR GROUP  
NINE MILE POINT NUCLEAR STATION, UNIT 1  
TRANSITION REPORT (REDACTED VERSION)**

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**ENCLOSURE 3**

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**CONSTELLATION ENERGY NUCLEAR GROUP  
NINE MILE POINT NUCLEAR STATION, UNIT 1  
TRANSITION REPORT**

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Portions of the document provide in this Enclosure contain Security-Related Information.