

MARCH 22 1978

Docket No. 50-220

Niagara Mohawk Power Corporation
ATTN: Mr. Donald P. Dise
Vice President - Engineering
300 Erie Boulevard West
Syracuse, New York 13202

Gentlemen:

Enclosed for your information is a copy of a Notice of Granting
an Exemption from the Requirements of General Design Criterion 50,
"Containment Design Basis", of Appendix A to 10 CFR Part 50 for
Nine Mile Point Unit No. 1 which has been filed with the Office
of the Federal Register for publication.

Sincerely,

Original signed by

George Lear, Chief
Operating Reactors Branch #3
Division of Operating Reactors

Enclosure:
Exemption

cc w/enclosures:
See next page

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UNITED STATES
NUCLEAR REGULATORY COMMISSION
WASHINGTON, D. C. 20555

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Sincerely,

A handwritten signature in cursive script, reading "George Lear", is written over the typed name.

George Lear, Chief
Operating Reactors Branch #3
Division of Operating Reactors

Enclosure:
Exemption

cc w/enclosures:
See next page

Niagara Mohawk Power Corporation - 2 -

MARCH 22 1978

cc: Eugene B. Thomas, Jr., Esquire
LeBoeuf, Lamb, Leiby & MacRae
1757 N Street, N. W.
Washington, D. C. 20036

Anthony Z. Roisman
Natural Resources Defense Council
917 15th Street, N. W.
Washington, D. C. 20005

T. K. DeBoer, Director
Technological Development Programs
State of New York
Energy Office
Swan Street Building
CORE 1 - Second Floor
Empire State Plaza
Albany, New York 12223

Mr. Robert P. Jones, Supervisor
Town of Scriba
R. D. #4
Oswego, New York 13126

Niagara Mohawk Power Corporation
ATTN: Mr. Thomas Perkins
Plant Superintendent
Nine Mile Point Plant
300 Erie Boulevard West
Syracuse, New York 13202

Chief, Energy Systems Analysis Branch (AW-459)
Office of Radiation Programs
U. S. Environmental Protection Agency
Room 645, East Tower
401 M Street, N. W.
Washington, D. C. 20460

U. S. Environmental Protection Agency
Region II Office
ATTN: EIS COORDINATOR
26 Federal Plaza
New York, New York 10007

Oswego County Office Building
46 E. Bridge Street
Oswego, New York 13126

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UNITED STATES NUCLEAR REGULATORY COMMISSION

DOCKET NO. 50-220

NIAGARA MOHAWK POWER CORPORATION

NOTICE OF GRANTING AN EXEMPTION FROM THE
REQUIREMENTS OF GENERAL DESIGN CRITERION 50,
"CONTAINMENT DESIGN BASIS", OF APPENDIX A
TO 10 CFR PART 50

The U.S. Nuclear Regulatory Commission (The Commission) has granted an exemption from the requirements of General Design Criterion 50, "Containment Design Basis", of Appendix A to 10 CFR Part 50 to Niagara Mohawk Power Corporation (the Licensee). This exemption relates to the demonstrated safety margin of the Mark I containment system for Nine Mile Point Unit No. 1 for recently identified hydrodynamic suppression pool loads associated with a postulated design basis loss of coolant accident and provides for operation under the conditions specified in the NRC staff's "Mark I Containment Short Term Program Safety Evaluation Report" and under any resulting Technical Specification requirements. To this extent, this exemption encompasses any related requirements of 10 CFR Part 50, Section 50.55(a), and General Design Criterion 1. This exemption is effective as of the date of its issuance.

The Commission has evaluated the demonstrated safety margin of the containment system for Nine Mile Point Unit No. 1 under present

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conditions and has concluded that sufficient margin exists to preclude undue risk to the health and safety of the public. This evaluation is documented in the staff's "Mark I Containment Short Term Program Safety Evaluation Report," NUREG-0408, December 1977.

This exemption is granted for an interim period of approximately two years while a more detailed review is conducted. At the conclusion of this review, the design safety margin of the containment system for Nine Mile Point Unit No. 1 will be restored to that which was originally intended at the time Nine Mile Point Unit No. 1 was licensed for operation. The basis for this exemption is set forth in the letter to the licensee granting the exemption, dated February 28, 1978.

The Commission has determined that the granting of this exemption will not result in any significant environmental impact and that pursuant to 10 CFR Section 51.5(d)(4) an environmental impact statement or negative declaration and environmental impact appraisal need not be prepared in connection with this action.

For further details with respect to this action, see (1) the Commission's letter to the licensee dated February 28, 1978, and (2) the Commission's

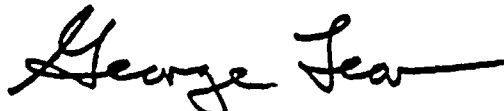
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"Mark I Containment Short Term Program Safety Evaluation Report," NUREG-0408, December 1977.

These items are available for public inspection at the Commission's Public Document Room, 1717 H Street, N.W., Washington, D. C. and at the Oswego County Office Building, 46 E. Bridge Street, Oswego, New York 13126. A copy of item (1) may be obtained upon request addressed to the U.S. Nuclear Regulatory Commission, Washington, D.C. 20555, Attention: Director, Division of Operating Reactors. A copy of item (2) may be obtained upon request addressed to the National Technical Information Service, Springfield, Virginia 22161.

Dated at Bethesda, Maryland this 22nd day of March 1978.

FOR THE NUCLEAR REGULATORY COMMISSION

A handwritten signature in cursive script that reads "George Lear". The signature is written in dark ink and is positioned above the printed name and title.

George Lear, Chief
Operating Reactors Branch #3
Division of Operating Reactors

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