

MAR 20 1978

Docket No: 50-410

Ms. Shirley A. Brand  
R.F.D. #1, Box 169  
Highland, New York 12528

Dear Ms. Brand:

Distribution:

Docket File

NRC PDR

Local PDR

LWR#4 File

B. Bordenick, OELD

S. Varga

W. Kane

M. Service

By letter dated September 20, 1976, to the United States Nuclear Regulatory Commission (Commission) you requested information relative to the ownership of the Nine Mile Point Nuclear Station, Unit 2. Additionally, you requested answers to a number of questions relating to the current status of the construction permit for the facility. In our letter to you dated November 5, 1976, we provided the information you sought.

As a follow-up on our previous correspondence, and for your current information regarding the above matter, I am enclosing copies of the following documents which were recently filed by Niagara Mohawk Power Corporation and relate to your original request:

- (1) "Amendment to Application for Licenses" which would amend Construction Permit No. CPPR-112, to include Central Hudson Gas & Electric Corporation, Long Island Lighting Company, New York State Electric & Gas Corporation and Rochester Gas and Electric Corporation as co-owners of the Nine Mile Point, Unit 2 facility - filed on February 6, 1978.
- (2) "Request for Extension of Latest Completion Date" for Nine Mile Point, Unit 2 - filed on February 27, 1978.

If you desire to have your name placed on the Commission Staff's service list for Nine Mile Point Nuclear Station, Unit 2 docket, please notify us either by letter or by calling Mr. William F. Kane at 301-492-7831. Mr. Kane is the Licensing Project Manager for the facility in question.

Sincerely,

Original signed by:

S. A. Varga

S.A. Varga, Chief  
Light Water Reactors Branch No. 4  
Division of Project Management

Enclosures:  
As stated

OFFICE >	DPM:LWR#4	DPM:LWR#4	DPM:LWR#4			
SURNAME >	W Kane	M Service	S A Varga			
DATE >	3/20/78	3/20/78	3/20/78			

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BEFORE THE UNITED STATES  
NUCLEAR REGULATORY COMMISSION

In the Matter of )  
 )  
NIAGARA MOHAWK POWER CORPORATION )  
(Nine Mile Point Unit 2) )

Docket No. 50-410

AMENDMENT TO  
APPLICATION FOR LICENSES

The purpose of this Amendment to the Application for Licenses is to request amendment of Construction Permit No. CPPR-112 to include Central Hudson Gas & Electric Corporation, Long Island Lighting Company, New York State Electric & Gas Corporation and Rochester Gas and Electric Corporation as co-owners of the Nine Mile Point Unit 2 facility of Niagara Mohawk Power Corporation.

In support of this request for amendment, Niagara Mohawk Power Corporation states as follows:

On September 22, 1975, the above-named utilities entered into an agreement, hereinafter referred to as the Basic Agreement, with Niagara Mohawk Power Corporation, whereby each of the utilities would own, as tenants in common, the following proportional interests of the Nine Mile Point Unit 2 facility:



Niagara Mohawk Power Corporation	41%
Central Hudson Gas & Electric Corporation	9%
Long Island Lighting Company	18%
New York State Electric & Gas Corporation	18%
Rochester Gas and Electric Corporation	14%

Participants will share the electrical output and pay construction costs according to their respective shares in the facility. Niagara Mohawk Power Corporation is acting as Applicant and has the responsibility for licensing, design, procurement, construction, operation and all related functions with respect to the facility. Participants have delegated to Niagara Mohawk Power Corporation the authority to act in their behalf in prosecuting such further facility and materials license applications and amendments as may be required by law or regulations.

None of the participating utilities is owned, controlled or dominated by an alien, a foreign corporation, or a foreign government.

1. A copy of the Basic Agreement is attached hereto as Exhibit A.

2. The directors and principal officers of Niagara Mohawk Power Corporation, their citizenships and the addresses of such persons are attached hereto as Exhibit B.



3. The principal places of business, the directors and principal officers of the co-owners, their citizenships and the addresses of such persons are attached hereto as Exhibit C.

4. The Annual Reports of each of the participating utilities are about to be published. These reports will show the financial qualifications of each of the participants. When available, these Reports will be submitted to the Commission to support the participants' financial qualifications.

5. In accordance with Section 103 of the Atomic Energy Act of 1954, as amended, and Appendix L to Part 50 and Section 50.33 a of the Commission's regulations, the Appendix L information entitled "Information Requested by the Attorney General for Antitrust Review" is filed herewith on behalf of all the participants. This information is attached hereto as Exhibit D.

6. The latest cost estimates (not including allowance for funds used during construction) for the completion of the facility are as follows:





Total nuclear production plant costs	\$1,018,335,000
Transmission, distribution and general plant costs	7,559,000
Nuclear fuel inventory costs for first core	<u>71,474,000</u>
TOTAL ESTIMATED COSTS	\$1,097,368,000

7. Attached hereto as Exhibit E is a list of principal trade and news publications for each of the participants.

8. Except as herein expressly amended, the contents of the Application for Licenses, filed June 15, 1972, are hereby confirmed.

WHEREFORE, Niagara Mohawk prays (1) as it did in its original Application for Licenses; and (2) that Construction Permit CPPR-112 be amended to include Central Hudson Gas & Electric Corporation, Long Island Lighting Company, New York State Electric & Gas Corporation and Rochester Gas and Electric Corporation as co-owners of Nine Mile Point Unit 2.

IN WITNESS WHEREOF, Niagara Mohawk Power Corporation has caused its name to be hereunto signed by Gerald K. Rhode, Vice President-System Project Management, this 1st day of February, 1978.



NIAGARA MOHAWK POWER CORPORATION

By 

GERALD K. RHODE  
Vice President-System Project  
Management

Subscribed and sworn to before  
me this 21 day of February, 1978.

  
NOTARY PUBLIC

HAZEL J. CARRICK  
Notary Public in the State of New York  
Qualified in Onon. Co. No. 4524460  
My Commission Expires March 30, 1978



BEFORE THE UNITED STATES  
NUCLEAR REGULATORY COMMISSION

In the Matter of )  
NIAGARA MOHAWK POWER CORPORATION )  
(Nine Mile Point Unit 2) )

Docket No. 50-410

REQUEST FOR EXTENSION  
OF LATEST COMPLETION DATE

Pursuant to Section 2.109 of the Commission's Rules of Practice and Section 50.55(b) of the Commission's Regulations, Niagara Mohawk Power Corporation, holder of Construction Permit No. CPPR-112, hereby requests an extension of its latest completion date for Nine Mile Point Unit 2. In support of such request, Niagara Mohawk Power Corporation states as follows:

- (1) In the aforesaid construction permit, the latest completion date specified is July 31, 1978. At this time, the project is about 20 percent complete and cannot be finished within the time specified in the construction permit;
- (2) Niagara Mohawk Power Corporation requests that the latest completion date in the construction permit be extended to December 31, 1984;



(3) In late 1973, the then President of the United States publicly announced the seriousness of the energy crisis confronting the United States. Immediately thereafter and continuing to this time, there has been a reduction in the use of electricity and, consequently, for power demand in Niagara Mohawk Power Corporation's service area. Accordingly, the need for this facility to produce power has been postponed.

(4) Niagara Mohawk Power Corporation, along with other privately owned public utilities, experienced difficulty in obtaining funds for construction at rates which were considered reasonable. This lack of funds at reasonable rates has caused the construction of the facility to be delayed.

(5) In addition to the above, the following unanticipated causes for delay have occurred during the construction period.

- i. Additional time is required due to design changes, such as safety/relief valve piping relocation, required to mitigate Mark II containment dynamic loads. This area is under Commission review, and additional requirements may result from that review.





ii. Additional time is required due to intensive study of geological features and phenomena as reported to the Commission in Niagara Mohawk Power Corporation's letter dated December 13, 1976.

iii. Additional time is required due to a change from once-through to closed loop circulating water cooling. This change was reported to the Commission by letter dated July 19, 1976.

iv. Additional time is required due to complete redesign of electrical raceway systems and major structural changes in the Reactor Building, Control Building, and cable tunnels to implement the Regulatory Guide 1.75 separation requirements.

v. Additional time is required due to labor problems including work stoppages in 1976 and 1977.

vi. Additional time is required due to shortage of qualified welders, and material procurement delays, such as for the primary containment liner.



- vii. Additional time is required due to a delay in the granting of the original Construction Permit which was not reflected in the previously revised dates for earliest and latest completion of the facility (see Attachment 1).
- viii. Additional time is required to implement NRC requirements for flood protection of ECCS pumps.
- ix. Additional time is required due to the implementation of pipe whip protection requirements similar to those expressed in Regulatory Guide 1.46 which impacted the schedule for completion of pipe stress analysis and liner fabrication.
- x. Additional time is required due to the imposition of Regulatory Guide 1.89 requirements on Class IE Equipment Vendors which has resulted in shortages of acceptable vendors.



(6) In Niagara Mohawk Power Corporation's opinion, the requested action involves no significant hazards, consideration; good cause has been shown for the delay; and the extension of the latest completion date which has been requested is for a reasonable period.

WHEREFORE, Niagara Mohawk Power Corporation requests that the latest date in Construction Permit No. CPPR-112 be extended until December 31, 1984.

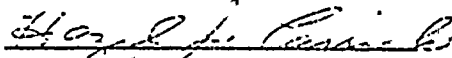
Respectfully submitted,

NIAGARA MOHAWK POWER CORPORATION

By 

Gerald K. Rhode  
Vice President - System Project  
Management

Subscribed and sworn to  
before me this 24<sup>th</sup> day of  
February, 1978.

  
NOTARY PUBLIC

HAZEL J. CARRICK  
Notary Public in the State of New York  
Qualified in Onon. Co. No. 4524460  
My Commission Expires March 30, 1978



LAW OFFICES OF  
LEBOEUF, LAMB, LEIBY & MACRAE

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CABLE ADDRESS  
LALALU, WASHINGTON

Daniel M. Head, Esq.  
Atomic Safety and Licensing  
Board Panel  
U.S. Atomic Energy Commission  
Washington, D. C. 20545

Re: Niagara Mohawk Power Corporation  
Nine Mile Point Unit 2  
AEC Docket No. 50-410

Dear Mr. Head:

During our conference call this morning with counsel for all parties except the Environmental Defense Fund, I mentioned that Niagara Mohawk had one revision to the form of proposed construction permit which was distributed by the AEC Regulatory Staff on February 28, 1974.

The Applicant's proposed change concerns the earliest and latest completion dates mentioned in paragraph 3.A. on page 3 of the proposed construction permit. Under the present circumstances, Applicant believes and thereby requests that the earliest completion date be October 1, 1978 and the latest date for completion of the facility be April 1, 1980.

We would appreciate having the Board revise the construction permit in this respect:

Very truly yours,

LEBOEUF, LAMB, LEIBY & MACRAE

By

E. B. Thomas, Jr.  
Partner

cc: See page 2.





cc: Dr. Marvin M. Mann  
Dr. William E. Martin  
Richard I. Goldsmith, Esq.  
Carmine J. Clemente, Esq.  
Mrs. Suzanne Weber  
Anthony Z. Roisman, Esq.  
Bernard M. Bordenick, Esq.  
Secretary, U.S. Atomic Energy Commission  
Atomic Safety and Licensing Appeal Board



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