



**UNITED STATES
NUCLEAR REGULATORY COMMISSION**
REGION I
475 ALLENDALE ROAD
KING OF PRUSSIA, PA 19406-1415

March 3, 2008

Mr. Keith J. Polson
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
(REPORTS 05000220/2008001 AND 05000410/2008001)**

Dear Mr. Polson:

On February 12, 2008, the U.S. Nuclear Regulatory Commission (NRC) staff completed its performance review of Nine Mile Point Nuclear Station (NMPNS). Our technical staff reviewed performance indicators (PIs) for the most recent quarter and inspection results for the period from January 1 through December 31, 2007. 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.

This performance review and enclosed inspection plan do not include security information. A separate letter designated and marked as "Official Use Only—Security Information" will include the security cornerstone review and resultant inspection plan.

Overall, NMPNS Units 1 and 2 operated in a manner that preserved public health and safety and fully met all cornerstone objectives. Plant performance at Unit 1 for the most recent quarter was within the Regulatory Response column of the NRC's Action Matrix based upon all Green PIs and one finding of low to moderate safety significance (White) identified in January 2007. The White finding involved your Licensed Operator Requalification Training Program for Unit 1. Specifically, the annual dynamic simulator exam integrity was unintentionally compromised at Unit 1 for calendar years 2005 and 2006. The NRC has completed a supplemental inspection in accordance with inspection procedure 95001. The results of that inspection were provided in NRC Supplemental Inspection Report 05000220/2007007. As a result of that review, this finding will be closed and will no longer be considered for plant assessment purposes, effective January 1, 2008. Plant performance at Unit 2 for the most recent quarter in 2007, 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. Therefore, we plan to conduct reactor oversight process (ROP) baseline inspections at Units 1 and 2.

The enclosed inspection plan details the inspections, less those related to physical protection scheduled through June 30, 2009. The inspection plan is provided to allow for the resolution of any scheduling conflicts and personnel availability issues well in advance of inspector arrival onsite. 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.

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 Glenn Dentel of my staff at 610-337-5233, with any questions you may have regarding this letter or the inspection plan.

Sincerely,

/RA/

David C. Lew, Director
Division of Reactor Projects
Region I

Docket Nos. 50-220, 50-410
License Nos. DPR-63, NPF-69

Enclosure: Nine Mile Point Inspection/Activity Plan

cc w/encl:

M. J. Wallace, President, Constellation Generation
J.M. Heffley, Senior Vice President and Chief Nuclear Officer
C. W. Fleming, Esquire, Senior Counsel, Constellation Energy Group, LLC
M. J. Wetterhahn, Esquire, Winston and Strawn
M. Balboni, Deputy Secretary, New York State Energy, Research, and Development Authority
J. Spath, Program Director, New York State Energy Research and Development Authority
P. D. Eddy, Electric Division, NYS Department of Public Service
C. Donaldson, Esquire, Assistant Attorney General, New York Department of Law
Supervisor, Town of Scriba
T. Judson, Central NY Citizens Awareness Network
D. Katz, Citizens Awareness Network
C. Adrienne Rhodes, Chairman and Executive Director,
State Consumer Protection Board

K. Polson

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DATE	02/26/08		02/27/08		02/29/08			

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Nine Mile Point
Inspection / Activity Plan
01/01/2008 - 06/30/2009

Unit Number	Inspection Activity	Title	No. of Staff on Site	Planned Dates Start	Planned Dates End	Inspection Type
	3/10 EXM - U2 INITIAL OPERATOR LICENSING EXAM		3			
1	U01740	FY08 NINE MILE POINT U- 2 OL EXAM		02/04/2008	02/08/2008	Not Applicable
1	U01740	FY08 NINE MILE POINT U- 2 OL EXAM		03/10/2008	03/14/2008	Not Applicable
	7111108G - U2 INSERVICE INSPECTION		1			
2	IP 7111108G	Inservice Inspection Activities - BWR		03/24/2008	03/28/2008	Baseline Inspections
	71121 - OCC RAD SAFETY		1			
1,2	IP 7112101	Access Control to Radiologically Significant Areas		03/24/2008	03/28/2008	Baseline Inspections
1,2	IP 7112102	ALARA Planning and Controls		03/24/2008	03/28/2008	Baseline Inspections
1,2	IP 7112103	Radiation Monitoring Instrumentation and Protective Equipment		03/24/2008	03/28/2008	Baseline Inspections
	10/6EXAM - U1 INITIAL OPERATOR LICENSING EXAM		5			
1	U01690	FY09 - NINE MILE POINT 1 INITIAL OPERATOR EXAM		09/15/2008	09/19/2008	Not Applicable
1	U01690	FY09 - NINE MILE POINT 1 INITIAL OPERATOR EXAM		10/06/2008	10/17/2008	Not Applicable
	7112203 - PUB RAD SAFETY - REMP		1			
1,2	IP 7112203	Radiological Environmental Monitoring Program (REMP) And Radioactive Material Control Program		06/23/2008	06/27/2008	Baseline Inspections
1,2	IP 71151-PR01	RETS/ODCM Radiological Effluent		06/23/2008	06/27/2008	Baseline Inspections
	EP - EP PROGRAM INSPECTION		1			
1,2	IP 7111402	Alert and Notification System Testing		07/14/2008	07/18/2008	EP Baseline Inspection
1,2	IP 7111403	Emergency Response Organization Augmentation Testing		07/14/2008	07/18/2008	EP Baseline Inspection
1,2	IP 7111404	Emergency Action Level and Emergency Plan Changes		07/14/2008	07/18/2008	EP Baseline Inspection
1,2	IP 7111405	Correction of Emergency Preparedness Weaknesses and Deficiencies		07/14/2008	07/18/2008	EP Baseline Inspection
1,2	IP 71151-EP01	Drill/Exercise Performance		07/14/2008	07/18/2008	Baseline Inspections
1,2	IP 71151-EP02	ERO Drill Participation		07/14/2008	07/18/2008	Baseline Inspections
1,2	IP 71151-EP03	Alert & Notification System		07/14/2008	07/18/2008	Baseline Inspections
	TI 171 - TI 171		4			
1,2	IP 2515/171	Verification of Site Specific Implementation Of B.5.b Phase 2 & 3 Mitigating Strategies		07/28/2008	08/01/2008	Generic Safety Inspectio
	71121 - OCC RAD SAFETY		1			
1,2	IP 7112101	Access Control to Radiologically Significant Areas		08/11/2008	08/15/2008	Baseline Inspections
1,2	IP 7112102	ALARA Planning and Controls		08/11/2008	08/15/2008	Baseline Inspections
1,2	IP 7112103	Radiation Monitoring Instrumentation and Protective Equipment		08/11/2008	08/15/2008	Baseline Inspections
	7111111B - L.O.REQUAL.PROG.(FOCUS U1)+P/F RVW		3			
1,2	IP 7111111B	Licensed Operator Requalification Program		12/01/2008	12/05/2008	Baseline Inspections
	7111121 - CDBI		6			
1,2	IP 7111121	Component Design Bases Inspection		10/06/2008	10/10/2008	Baseline Inspections
1,2	IP 7111121	Component Design Bases Inspection		10/20/2008	10/24/2008	Baseline Inspections
1,2	IP 7111121	Component Design Bases Inspection		10/27/2008	10/31/2008	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
01/01/2008 - 06/30/2009

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	71121	- OCC RAD SAFETY	1			
1,2	IP 7112101	Access Control to Radiologically Significant Areas		11/03/2008	11/07/2008	Baseline Inspections
1,2	IP 7112102	ALARA Planning and Controls		11/03/2008	11/07/2008	Baseline Inspections
1,2	IP 71151-OR01	Occupational Exposure Control Effectiveness		11/03/2008	11/07/2008	Baseline Inspections
1,2	IP 71151-PR01	RETS/ODCM Radiological Effluent		11/03/2008	11/07/2008	Baseline Inspections
	7112202	- PUB RAD SAFETY - RADWASTE	1			
1,2	IP 7112202	Radioactive Material Processing and Transportation		12/08/2008	12/12/2008	Baseline Inspections
	7112201	- PUB RAD SAFETY - RETS	1			
1,2	IP 7112201	Radioactive Gaseous and Liquid Effluent Treatment and Monitoring Systems		02/09/2009	02/13/2009	Baseline Inspections
	7111108G	- U1 INSERVICE INSPECTION	1			
1	IP 7111108G	Inservice Inspection Activities - BWR		03/23/2009	03/27/2009	Baseline Inspections
	71121	- OCC RAD SAFETY	1			
1	IP 7112101	Access Control to Radiologically Significant Areas		03/23/2009	03/27/2009	Baseline Inspections
1	IP 7112102	ALARA Planning and Controls		03/23/2009	03/27/2009	Baseline Inspections
1	IP 7112103	Radiation Monitoring Instrumentation and Protective Equipment		03/23/2009	03/27/2009	Baseline Inspections
	TRI FIRE	- TRIENNIAL FIRE PROTECTION INSPECTION	3			
1,2	IP 7111105T	Fire Protection [Triennial]		06/01/2009	06/05/2009	Baseline Inspections
1,2	IP 7111105T	Fire Protection [Triennial]		06/15/2009	06/19/2009	Baseline Inspections