



**UNITED STATES
NUCLEAR REGULATORY COMMISSION**

REGION I
475 ALLENDALE ROAD
KING OF PRUSSIA, PA 19406-1415

March 4, 2009

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 05000220/2009001 AND 05000410/2009001)**

Dear Mr. Polson:

On February 9, 2009, the 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, 2008. 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, 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 Performance Indicators (PIs) indicating performance at a level requiring no additional NRC oversight (Green). Plant performance at Unit 2 for the most recent quarter, was within the Regulatory Response Column of the NRC's Action Matrix, based on all inspection findings being classified as having very low safety significance (Green) and one PI of low to moderate safety significance (White). The White PI identified in the fourth quarter 2008, involved the Mitigating Systems Performance Index (MSPI) for Cooling Water Systems. Specifically, the PI crossed the White threshold due to a combination of availability challenges associated with service water pump maintenance activities, and reliability challenges associated with the introduction of foreign material into the service water pump suction in November 2008.

As a result of the White PI, the NRC will provide additional regulatory oversight for NMPNS Unit 2 to include a supplemental inspection using Inspection Procedure 95001, "Inspection for One or Two White Inputs in a Strategic Performance Area," when your staff notifies us of your readiness for this inspection. This inspection is conducted to provide assurance that the root causes and contributing causes of risk significant performance issues are understood, that the extent of condition and extent of cause of risk significant performance issues are identified, and that licensee corrective actions to risk significant performance issues are sufficient to address the root causes and contributing causes, and will prevent recurrence. In 2009, we will also conduct the reactor oversight process baseline inspections at Unit 1 and 2.

The enclosed inspection plan details the inspections, less those related to physical protection scheduled through June 30, 2010. In addition to baseline inspections, we plan on conducting a license renewal commitments inspection on Unit 1. 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/ Original Signed by:

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

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

Enclosure: Nine Mile Point Inspection/Activity Plan

cc w/encl:

M. Wallace, Vice – Chairman, Constellation Energy
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T. Judson, Central NY Citizens Awareness Network
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J. Evans, LIPA
G. Detter, Manager, Corp Nuclear Safety and Security, Constellation Energy
C. Adrienne Rhodes, Chairman and Executive Director, State Consumer Protection Board

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Enclosure: Nine Mile Point Inspection/Activity Plan

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NAME	JHawkins/jrh*	GDentel/gtd*	DLew/dcl				
DATE	02/23/09	02/23/09	03/04/09				

*see prior concurrence

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Nine Mile Point
Inspection / Activity Plan
01/01/2009 - 06/30/2010

Unit Number	Planned Dates		Inspection Activity	Title	No. of Staff on Site
	Start	End			
			RETAKE - NMP1 RETAKE EXAMS		3
1	03/02/2009	03/06/2009	U01785	FY09-NINE MILE POINT UNIT 1 RETAKE OPERATOR LICENSING EXAM	
1	03/02/2009	03/06/2009	U01785	FY09-NINE MILE POINT UNIT 1 RETAKE OPERATOR LICENSING EXAM	
			7112201 - PUB RAD SAFETY - RETS		1
1, 2	02/09/2009	02/13/2009	IP 7112201	Radioactive Gaseous and Liquid Effluent Treatment and Monitoring Systems	
			71121 - OCC RAD SAFETY		1
1	03/23/2009	03/27/2009	IP 7112101	Access Control to Radiologically Significant Areas	
1	03/23/2009	03/27/2009	IP 7112102	ALARA Planning and Controls	
1	03/23/2009	03/27/2009	IP 7112103	Radiation Monitoring Instrumentation and Protective Equipment	
			71003 - LR COMMITMENTS INSP - OUTAGE		2
1	03/30/2009	04/03/2009	IP 71003	Post-Approval Site Inspection for License Renewal	
			7111108G - U1 INSERVICE INSPECTION		1
1	03/30/2009	04/03/2009	IP 7111108G	Inservice Inspection Activities - BWR	
			8/24 EXM - U2 INITIAL OPERATOR LICENSING EXAM		4
1	07/20/2009	07/24/2009	U01698	FY09 - NINE MILE POINT 2 INITIAL OPERATOR EXAM	
			8/31EXAM - U1 INITIAL OPERATOR LICENSING EXAM		5
1	07/27/2009	07/30/2009	U01782	FY09 - NINE MILE POINT UNIT 1 INTIAL OPERATOR LICENSING EXAM	
			8/24 EXM - U2 INITIAL OPERATOR LICENSING EXAM		4
1	08/24/2009	08/28/2009	U01698	FY09 - NINE MILE POINT 2 INITIAL OPERATOR EXAM	
			8/31EXAM - U1 INITIAL OPERATOR LICENSING EXAM		5
1	08/31/2009	09/04/2009	U01782	FY09 - NINE MILE POINT UNIT 1 INTIAL OPERATOR LICENSING EXAM	
			TRI FIRE - TRIENNIAL FIRE PROTECTION INSPECTION		5
1, 2	06/01/2009	06/05/2009	IP 7111105T	Fire Protection [Triennial]	
1, 2	06/15/2009	06/19/2009	IP 7111105T	Fire Protection [Triennial]	
			71003 - LR COMMITMENTS INSP - NON-OUTAGE		5
1	06/08/2009	06/12/2009	IP 71003	Post-Approval Site Inspection for License Renewal	
1	06/22/2009	06/26/2009	IP 71003	Post-Approval Site Inspection for License Renewal	
			71121 - OCC RAD SAFETY		1
1, 2	07/06/2009	07/10/2009	IP 7112102	ALARA Planning and Controls	
1, 2	07/06/2009	07/10/2009	IP 7112102	ALARA Planning and Controls	
1, 2	07/06/2009	07/10/2009	IP 7112103	Radiation Monitoring Instrumentation and Protective Equipment	
			TI 173 - GROUNDWATER TI		1
1, 2	08/24/2009	08/28/2009	IP 2515/173	Review of the Implementation of the Industry Ground Water Protection Voluntary Initiative	
			EP EXER - EP EXERCISE INSPECTION		2
1, 2	09/20/2009	09/26/2009	IP 7111401	Exercise Evaluation	

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
01/01/2009 - 06/30/2010

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	Start	End			
			EP EXER - EP EXERCISE INSPECTION		2
1,2	09/20/2009	09/26/2009	IP 7111404	Emergency Action Level and Emergency Plan Changes	
1,2	09/20/2009	09/26/2009	IP 71151	Performance Indicator Verification	
			7111111B - BIENNIAL REQUAL INSP(U2) W P/F RESULTS		3
1,2	11/30/2009	12/04/2009	IP 7111111B	Licensed Operator Requalification Program	
			71152B - PI&R BIENNIAL TEAM		4
1,2	10/05/2009	10/09/2009	IP 71152B	Identification and Resolution of Problems	
1,2	10/19/2009	10/23/2009	IP 71152B	Identification and Resolution of Problems	
			71121 - OCC RAD SAFETY		1
1,2	11/02/2009	11/06/2009	IP 7112101	Access Control to Radiologically Significant Areas	
1,2	11/02/2009	11/06/2009	IP 7112102	ALARA Planning and Controls	
1,2	11/02/2009	11/06/2009	IP 7112103	Radiation Monitoring Instrumentation and Protective Equipment	
1,2	11/02/2009	11/06/2009	IP 71151	Performance Indicator Verification	
			71121 - OCC RAD SAFETY		1
2	04/19/2010	04/23/2010	IP 7112101	Access Control to Radiologically Significant Areas	
2	04/19/2010	04/23/2010	IP 7112102-7112102R	ALARA - Required	
2	04/19/2010	04/23/2010	IP 7112103	Radiation Monitoring Instrumentation and Protective Equipment	
			7111108G - U2 INSERVICE INSPECTION		1
2	04/26/2010	04/30/2010	IP 7111108G	Inservice Inspection Activities - BWR	
			7112203 - PUB RAD SAFETY - REMP		1
1,2	06/28/2010	07/02/2010	IP 7112203	Radiological Environmental Monitoring Program (REMP) And Radioactive Material Control Program	

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