

September 14, 2005

Mr. James A. Spina
Vice President Nine Mile Point
Nine Mile Point Nuclear Station, LLC
P.O. Box 63
Lycoming, NY 13093

SUBJECT: NINE MILE POINT STATION - NRC EVALUATED EMERGENCY
PREPAREDNESS EXERCISE - INSPECTION REPORT NOS.
05000220/2005008 AND 05000410/2005008

Dear Mr. Spina:

On August 26, 2005, the US Nuclear Regulatory Commission (NRC) completed an inspection at your Nine Mile Point Station 1. The enclosed inspection report documents the inspection results, which were discussed on August 26, 2005, with yourself, and other members of your staff.

The inspection examined activities conducted under your license as they relate to safety and compliance with the Commission's rules and regulations and with the conditions of your license. The inspectors reviewed emergency plan procedures, previous drill reports, observed the exercise activities, and interviewed selected emergency preparedness personnel from your staff.

Based on the results of this inspection, no findings of significance were identified.

In accordance with 10CFR2.390 of the NRC's "Rules of Practice," a copy of this letter and its enclosure and your response (if any) will be 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).

Sincerely,

/RA/

Raymond K. Lorson, Chief
Plant Support Branch 1
Division of Reactor Safety

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

Mr. James A. Spina

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Enclosure: Inspection Report Nos. 05000220/2005008 and 05000410/2005008
w/Attachment: Supplemental Information

cc w/encl:

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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

Mr. Peter Smith, President, 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

J. Picciano, Acting Regional Director, FEMA, Region II

Mr. James A. Spina

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U. S. NUCLEAR REGULATORY COMMISSION REGION I

REGION I

Docket Nos: 50-220, 50-410

License Nos: DPR-63, NPF-69

Report Nos: 05000220/2005008, 05000410/2005008

Licensee: Constellation Generation Group, LLC

Facility: Nine Mile Point Station

Location: Lake Road
Scriba, NY

Dates: August 15 - 26, 2005

Inspectors: D. Silk, Senior Emergency Preparedness Inspector, DRS (Lead)
G. Hunegs, Senior Resident Inspector, Nine Mile Point, DRP, Branch 1
B. Norris, Senior Projects Engineer, Projects Branch 6, DRP
S. LaVie, Senior Emergency Preparedness Specialist, NSIR

Observers: G. Smith, Sr. Physical Security Inspector, Plant Support Branch 1, DRS
A. Ziedonis, Reactor Engineer, Projects Branch 5, DRP
H. Jones, Reactor Engineer, Projects Branch 1, DRP

Approved by: Raymond K. Lorson, Chief
Plant Support Branch 1
Division of Reactor Safety

Enclosure

SUMMARY OF FINDINGS

IR 05000220/2005008, 05000410/2005008; 08/15/2005-08/26/2005; Nine Mile Point Station; Emergency Preparedness Exercise; Emergency Preparedness Performance Indicators.

This inspection was conducted by three region-based inspectors and an emergency preparedness specialist from NSIR. No findings of significance were identified. The NRC's program for overseeing the safe operation of commercial nuclear power reactors is described in NUREG-1649, "Reactor Oversight Process," Revision 3, dated August 2000.

A. NRC-Identified Findings

Cornerstone: Emergency Preparedness

None.

B. Licensee-Identified Findings

None.

Report Details

1. REACTOR SAFETY

Cornerstone: Emergency Preparedness (EP)

1EP1 Exercise Evaluation (71114.01 - 1 Sample)

a. Inspection Scope

Prior to the exercise, an in-office review was conducted of the exercise objectives and scenario submitted to the NRC to determine if the exercise would test major elements of the emergency plan as required by 10 CFR 50.47(b)(14). This inspection activity represents the completion of one sample on a biennial cycle.

The onsite inspection consisted of the following review and assessment:

- The adequacy of Constellation's performance in the biennial full-participation exercise regarding the implementation of the risk-significant planning standards (RSPS) in 10 CFR 50.47 (b) (4), (5), (9) & (10) which are emergency classification, offsite notification, radiological assessment, and protective action recommendations, respectively.
- The overall adequacy of Constellation's emergency response facilities with regard to NUREG-0696, "Functional Criteria for Emergency Response Facilities," and Emergency Plan commitments. The facilities assessed were the control room simulator, the Technical Support Center (TSC), the Operations Support Center (OSC), and the Emergency Operations Facility (EOF).
- Other performance areas, such as, the emergency response organization's (ERO) recognition of abnormal plant conditions, command and control, intra- and inter-facility communications, prioritization of mitigation activities, utilization of repair and field monitoring teams, interface with offsite agencies, and the overall implementation of the emergency plan and its implementing procedures.
- Past performance issues from NRC inspection reports and Constellation's drill reports to determine effectiveness of corrective actions as demonstrated during this exercise to ensure compliance with 10 CFR 50.47(b)(14).
- The post-exercise critique to evaluate Constellation's self-assessment of its ERO performance during the exercise and to ensure compliance with 10 CFR 50 Appendix E.IV.F.2.g.

The inspectors reviewed the documents listed in Attachment 1 to this report.

Enclosure

b. Findings

No findings of significance were identified.

1EP4 Emergency Action Level and Emergency Plan Changes (7111404 - 1 sample)a. Inspection Scope

During this inspection period, the NRC received and acknowledged the changes made to the Nine Mile Point emergency plan in accordance with 10 CFR 50.54(q). The licensee had determined that the changes did not decrease the effectiveness to the plan and that the changes continue to meet the requirements of 10 CFR 50.47(b) and Appendix E to 10 CFR 50. The inspectors conducted a sampling review of the changes that could potentially result in a decrease in effectiveness. This review does not constitute an approval of the changes and, as such, the changes are subject to future NRC inspection. The inspection was conducted in accordance with NRC Inspection Procedure 71114, Attachment 4, and the applicable requirements in 10 CFR 50.54(q) were used as reference criteria. This inspection activity represents the completion of one sample on an annual cycle.

b. Findings

No findings of significance were identified.

4. OTHER ACTIVITIES (OA)4OA1 Performance Indicator (PI) Verification (71151- 3 Samples)a. Inspection Scope

The inspectors reviewed data for the EP PIs which are: (1) Drill and Exercise Performance (DEP); (2) ERO Drill Participation; and (3) Alert and Notification System (ANS) Reliability. The inspector reviewed supporting documentation from drills and ANS testing in the third and fourth quarters of 2004 and the first two quarters of 2005 to verify the accuracy of the reported data. The review of these performance indicators was conducted in accordance with NRC Inspection Procedure 71151. The acceptance criteria used for the review were 10 CFR 50.9 and NEI 99-02, Revision 2, "Regulatory Assessment Performance Indicator Guidelines." This inspection activity represents the completion of three samples on an annual cycle.

b. Findings

No findings of significance were identified.

40A2 Identification and Resolution of Problems (71152: 1 sample)

a. Inspection Scope

The inspectors reviewed Constellation's critique findings as documented in drill and exercise reports from 2004 and 2005. These reviews were conducted to determine if significant performance trends exist and to determine the effectiveness of licensee corrective actions based upon ERO performance during this exercise. The inspectors verified that issues identified during this exercise were entered into Constellation's corrective action program and are listed in the attachment to this report. The inspection was conducted in accordance with NRC Inspection Procedure 71114, Attachment 01. 10 CFR 50.47(b)(14); and Appendix E IV.F.2.g were used as reference criteria.

b. Findings and Observations

No findings of significance were identified. The inspectors noted that the licensee was self-critical at identifying issues during this exercise.

40A6 Meetings, including Exit

The inspectors presented the inspection results to Mr. James Spina, Site Vice President, and other members of the licensee's staff at the conclusion of the inspection on August 26, 2005. The licensee had no objections to the NRC observations. No proprietary information was provided to the inspectors during this inspection.

ATTACHMENT

SUPPLEMENTAL INFORMATION

KEY POINTS OF CONTACT

Licensee Personnel

J. Jones, Emergency Preparedness Manager
J. Kaminski, Senior Emergency Planner

LIST OF ITEMS OPENED, CLOSED, AND DISCUSSED

Opened, Closed, Discussed

None

LIST OF DOCUMENTS REVIEWED

Section 1EP1: Exercise Evaluation

Nine Mile Point Station Emergency Plan
Emergency Plan Implementing Procedures

Section 1EP4: Emergency Action Level and Emergency Plan Changes

EALs 2.1.2; 2.2.3; 3.4.2; and 4.2.2
EPIP-EPP-23, Emergency Personnel Action Procedure, Rev 18
EPIP-EPP-13, Emergency Response Facilities Activation and Operation, Rev 14
EPIP-EPP-10, Security Contingency Event, Rev 9

Section 4OA1: Performance Indicator Verification

EPMP-EPP-05, Emergency Preparedness Program Self Assessment, Rev 12

Section 4OA2: Identification and Resolution of Problems

2004 Practice Drill Critique
2004 Exercise Critique
2005 Practice Drill Critique
DER 2005-3158
DER 2005-3192
DER 2005-3193
DER 2005-3194

DER 2005-3195
DER 2005-3196

LIST OF ACRONYMS

| | |
|------|------------------------------------|
| ANS | Alert and Notification System |
| AR | Action Report |
| CFR | Code of Federal Regulations |
| DEP | Drill and Exercise Performance |
| ERO | Emergency Response Organization |
| EOF | Emergency Operations Facility |
| EP | Emergency Preparedness |
| ERO | Emergency Response Organization |
| IR | Issue Report |
| NRC | Nuclear Regulatory Commission |
| OSC | Operations Support Center |
| PI | Performance Indicator |
| RSPS | Risk Significant Planning Standard |
| TSC | Technical Support Center |