

October 22, 2003

Mr. Peter E. Katz  
Vice President Nine Mile Point  
Nine Mile Point Nuclear Station, LLC.  
P.O. Box 63  
Lycoming, NY 13093

SUBJECT: NINE MILE POINT - NRC EVALUATED EMERGENCY PREPAREDNESS DRILL  
INSPECTION REPORT NOS. 05000220/2003009 AND 05000410/2003009

Dear Mr. Katz:

The enclosed report documents an inspection at the Nine Mile Point Nuclear Power Station, which evaluated the performance of your emergency response organization during the October 2, 2003, quarterly drill and the post-drill critique as specified in the reactor oversight program. The inspectors discussed the findings of this inspection with Mr. Abbott and other members of your staff on October 6, 2003.

This inspection was an examination of 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. Within these areas, the inspection consisted of a selected examination of procedures and representative records, observations of activities, and interviews with personnel.

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

In accordance with 10 CFR 2.790 of the NRC's "Rules of Practice," a copy of this letter and its enclosure 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).

Should you have any questions regarding this report, please contact Mr. Richard J. Conte at (610) 337-5183.

Sincerely,

*/RA/*

Richard J. Conte, Chief  
Operational Safety Branch  
Division of Reactor Safety

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

Enclosures: Inspection Report Nos. 05000220/2003009 and 05000410/2003009  
w/Attachment: Supplemental Information

Mr. Peter E. Katz

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cc w/encl:

M. J. Wallace, President, Nine Mile Point Nuclear Station, LLC

J. M. Petro, Jr., Esquire, Counsel, Constellation Energy Group, Inc.

M. Wetterhahn, Esquire, Winston and Strawn

W. M. Flynn, President, New York State Energy, Research,  
and Development Authority

C. Adrienne Rhodes, Chairman and Executive Director, State Consumer  
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P. D. Eddy, Electric Division, NYS Department of Public Service  
Supervisor, Town of Scriba

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Mr. Peter E. Katz

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U. S. NUCLEAR REGULATORY COMMISSION

REGION I

Docket Nos: 50-220, 50-410

License Nos: DPR-63, NPF-69

Report Nos: 05000220/2003009 and 05000410/2003009

Licensee: Nine Mile Point Nuclear Station, LLC (NMPNS)

Facility: Nine Mile Units 1 and 2

Location: Lake Road  
Scriba, NY

Dates: October 1 - 6, 2003

Inspectors: D. Silk, Sr. Emergency Preparedness Inspector (Lead)  
E. Knutson, Resident Inspector, Nine Mile, DRP  
J. Noggle, Sr. Health Physicist, DRS  
G. Johnson, Operations Engineer, DRS

Observers: J. Hernandez, Reactor Engineer  
V. Rodriguez, Reactor Engineer

Approved by: Richard J. Conte, Chief  
Operational Safety Branch  
Division of Reactor Safety

Enclosure

## SUMMARY OF FINDINGS

IR 05000220/2003-009, 05000410/2003-009; 10/1-6/2003; Nine Mile Point Nuclear Power Station; Emergency Preparedness Drill Report; Emergency Preparedness Performance Indicator Verification.

This team inspection was conducted by regional based inspectors and a resident inspector. 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 July 2000.

### **Cornerstone: Emergency Preparedness**

A. NRC-Identified and Self-Revealing Findings

No findings of significance were identified.

B. Licensee-Identified Violations

None

## Report Details

### 1. REACTOR SAFETY

Cornerstone: Emergency Preparedness (EP)

#### 1EP1 Exercise Evaluation

##### a. Inspection Scope (IP 7111401)

An in-office review was conducted of Constellation drill objectives and scenario submitted to the NRC on September 22, 2003, to determine if the Nine Mile Point drill would test major elements of the Emergency Plan as required by 10 CFR 50.47(b)(14).

The onsite inspection consisted of the following reviews and assessments:

- The adequacy of Constellation's drill performance focusing on 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 and its implementation of NUREG-0696, "Functional Criteria for Emergency Response Facilities" and Emergency Plan commitments. The facilities assessed were the simulator, Technical Support Center (TSC), Operations Support Center (OSC) Emergency Operations Facility (EOF) and Joint News Center (JNC).
- Other performance areas besides the RSPS, 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 drill to ensure compliance with 10CFR50.47(b)(14).
- The licensee maintained commitments documented in SECY-00-238 to continue interfaces with offsite agencies in the area of emergency preparedness.
- The post-drill critique to evaluate Constellation's self-assessment of its ERO performance during the drill and to ensure compliance with 10CFR50 Appendix E.IV.F.2.g.

Enclosure

The inspectors reviewed various documentation which are listed in the Attachment to this report. Included in this, the inspectors reviewed Deviation Event Report (DER) 2003-4271 generated by the licensee during the inspection regarding the dose assessment team needs to consider all available information for conducting "what if" calculations and overall command and control of the dose assessment area.

b. Findings

No findings of significance were identified.

**4. OTHER ACTIVITIES**

4OA1 Performance Indicator (PI) Verification

a. Inspection Scope (IP 71151)

The inspectors reviewed the licensee's procedure for developing the 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 also reviewed the licensee's drill/exercise reports, training records and ANS testing data since the last NRC PI inspection, conducted in July 2002 to verify the accuracy of the reported data. The data was reviewed up to, and including, the third quarter of 2003. The review was conducted in accordance with NRC Inspection Procedure 71151. The acceptance criteria used for the review are in accordance with 10 CFR 50.9 and NEI 99-02, Revision 1, Regulation Assessment Performance Indicator Guideline.

b. Findings

No findings of significance were identified.

4OA2 Identification and Resolution of Problems

a. Inspection Scope (IP 7111401)

The inspectors reviewed Constellation's critique findings documented in 2001, 2002, and 2003 drill and exercise reports to determine if significant performance trends exist and to determine the effectiveness of licensee corrective actions based upon ERO performance during the drill. The inspectors verified that issues identified during this drill were entered into Constellation's corrective action program and reviewed condition reports related to significant findings from past drill/exercise reports to assess the adequacy of the corrective actions.

b. Findings

No findings of significance were identified.

40A6 Meetings, including Exit

On October 6, 2003, the inspectors presented the inspection results to Mr. R. Abbott and other members of Constellation's staff who acknowledged the results. The inspectors confirmed that proprietary information was not provided or examined during the inspection.



## **SUPPLEMENTAL INFORMATION**

### **KEY POINTS OF CONTACT**

#### Nine Mile Point Nuclear Power Plant

S. DiCriscio, Emergency Preparedness Specialist  
J. Jones, Emergency Preparedness Manager  
J. Kaminski, Emergency Preparedness Specialist

### **LIST OF ITEMS OPENED, CLOSED, AND DISCUSSED**

#### Opened

None

#### Discussed

None

#### Closed

None

### **LIST OF DOCUMENTS REVIEWED**

#### Section 1EP1 Exercise Evaluation

Nine Mile Point Site Emergency Plan, Rev 48

DERs Generated from the October 2, 2003, Drill

2003-4249	2003-4252	2003-4256
2003-4250	2003-4254	2003-4257
2003-4251	2003-4255	2003-4271

#### Section 4OA1 Performance Indicator (PI) Verification

Procedures

EPIP-EPP-20, Emergency Notification, Rev 16  
EPMP-EPP-05, Emergency Preparedness Program Self Assessment, Rev 9  
EPMP-EPP-08, Maintenance, Testing, and Operation of the Oswego County Prompt Notification System, Rev 10

## Section 4OA2 Identification and Resolution of Problems

### Exercise/Drill Reports:

12/4/01 Unit 2 Site Exercise Report  
2/28/02 Unit 2 Site Drill Report  
5/9/02 Unit 1 Site Drill Report  
10/3/02 Unit 1 Site Drill Report  
6/19/03 Unit 1 Site Exercise Report

### **LIST OF ACRONYMS**

ANS	Alert and Notification System
CFR	Code of Federal Regulations
DEP	Drill and Exercise Performance
DER	Deviation Event Report
EOF	Emergency Operations Facility
EP	Emergency Preparedness
ERO	Emergency Response Organization
IP	Inspection Procedure
JNC	Joint News Center
NRC	Nuclear Regulatory Commission
OSC	Operations Support Center
PI	Performance Indicator
RSPS	Risk Significant Planning Standard
SDP	Significant Determination Process
TSC	Technical Support Center