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UNITED STATES OF AMERICA  
NUCLEAR REGULATORY COMMISSION

DOCKETED  
USNRC

BEFORE THE ATOMIC SAFETY AND LICENSING BOARD

In the Matter of:	:	Docket No. 50-423-LA-S	00 APR 28 P4:12
	:		
Northeast Nuclear Energy Company	:		
	:		
(Millstone Nuclear Power Station,	:		
Unit No. 3)	:	ASLBP No. 00-771-01-LA	

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CONNECTICUT COALITION AGAINST MILLSTONE AND  
LONG ISLAND COALITION AGAINST MILLSTONE  
SUPPLEMENTAL REPLY TO NORTHEAST NUCLEAR ENERGY COMPANY'S  
FIRST SET OF INTERROGATORIES

The Connecticut Coalition Against Millstone ("CCAM") and the Long Island Coalition Against Millstone ("CAM") (collectively, "Intervenors") herewith supplement their reply dated March 20, 2000 to Northeast Nuclear Energy Company's First Set of Interrogatories, as follows:

**Interrogatory No. 4-2:** Please identify any and all actual events, at Millstone Station or elsewhere, on which Intervenors intend to rely as a basis for Contention 4.

Any or all of the events described in the documents listed in the response to Interrogatory No. 4-1 may be used, as well as events described in "Appendix B" of the file in In the Matter of Carolina Power & Light (Shearon Harris Nuclear Power Plant), Docket No. 50-400-LA, ASLBP No. 99-762-02-LA ("Harris Case").

**Interrogatory No. 4-3:** Please identify any and all hypothetical design basis scenarios on which Intervenors intend to reply as a basis for Contention 4.

Any or all of the design basis scenarios described in the Millstone 3 Updated Final Safety Analysis Report may be used;

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SECY-02

additional scenarios may involve fuel mispositioning and/or dilution of soluble boron.

**Interrogatory No. 4-4:** Please identify and describe "another kind of rack device" that would allow for less reliance on administrative controls than the racks proposed by NNECO, as suggested by counsel for Intervenors during the December 13, 1999 prehearing conference. (Tr. at 87)

The kind or rack device would be a low or medium density storage rack; the rack design would not require that credit be taken for burnup, decay time or soluble boron.

**Interrogatory No. 4-5:** Please state the basis for concluding that there is a nexus between the 1999 fuel fabrication facility criticality accident in Japan and the likelihood of a criticality accident in the Millstone Unit 3 SFSP.

The fatality at Tokaimura, Japan, resulted from a criticality that was caused by failure to follow administrative controls. Failure to follow the administrative controls proposed at Millstone 3 can also produce a criticality.

**Interrogatory No. 4-6:** Please state the basis for concluding that there is a nexus between the 1999 loss of an unmanned spacecraft and the likelihood of a criticality accident in the Millstone Unit 3 SFSP.

The 1999 loss of a spacecraft was caused by miscommunication during data entry and verification. Petitioners contend that this event demonstrates that highly trained, dedicated, responsible persons can and do make mistakes. Petitioners contend that placing

more and more reliance on people (i.e., administrative controls) increases the potential for mistakes.

**Interrogatory No. 5-1:** Please identify any and all documents on which Intervenors intend to rely as a basis for Contention 5.

See response to Interrogatory No. 4-1.

**Interrogatory No. 5-2:** Please identify any and all actual events, at Millstone Station or elsewhere, on which Intervenors intend to rely as a basis for Contention 5.

Any or all of the actual events described in the documents listed in the response to Interrogatory No. 5-1 may be used, as well as "Appendix B" in the Harris Case.

**Interrogatory No. 5-3:** Please identify any and all hypothetical design basis scenarios on which Intervenors intend to rely as a basis for Contention 5.

Any or all of the design basis scenarios described in the Millstone 3 Updated Final Safety Analysis Report may be used; additional scenarios may involve fuel mispositioning and/or dilution of soluble boron.

**Interrogatory No. 5-4:** Please describe any mechanism Intervenors believe could lead to boron dilution in the Millstone Unit 3 spent fuel storage pool, including, but not limited to, the source and quantity of water required to accomplish dilution.

Prior to responding, Intervenors wish to review the following materials mentioned in the NNEC response of April 4, 2000 to the Intervenors' First request for Interrogatories: (a) the six procedures listed on page 10; and (b) the calculation and the

procedure described in the bottom half of page 16.

**Interrogatory No. 5-5:** Please state whether the Intervenors have any challenge to the proposed 800 ppm boron concentration with respect to its sufficiency to control criticality, assuming the concentration is verified. If so, please state the nature of the challenge and the basis for it.

Petitioners do not challenge the proposed 800 ppm boron concentration, except as described in Contention 6.

**Interrogatory No. 5-6:** Please identify and describe any operational circumstances or conditions where Intervenors believe it would be appropriate to reduce boron concentration in the Millstone Unit 3 SFSP.

Petitioners understand this question to ask when and under what conditions it would be permissible to reduce boron concentration below the Technical Specification limit. Petitioners are not aware of any design bases operational events that would allow the Technical Specification limits to be violated. Petitioners believe that Technical Specifications and other regulatory requirements are to be complied with under all expected operating conditions.

**Interrogatory No. 5-7:** Please state the boron surveillance frequency that Intervenors believe would be sufficient to satisfy the concern of this contention.

Surveillance Requirement 3.7.16.1 in Section B 3.7.16, "Fuel Storage Pool Boron Concentration," of NUREG-1431 Rev. 1, "Standard Technical Specifications Westinghouse Plants," specifies a 7-day frequency for the surveillance of boron concentration in the

spent fuel pool water. Intervenors would have no objection to a 7-day surveillance frequency. However, Intervenors' lack of objection does not constitute an acceptance of credit being taken for soluble boron in either normal or accident conditions.

**Interrogatory No. 5-8:** Please state whether the frequency identified in the response to Interrogatory 5-7 should, in Intervenors' view, be incorporated into Technical Specifications, or whether inclusion in relevant plant operating procedures would be adequate.

As indicated in the response to Interrogatory No. 5-7, Intervenors believe that the surveillance frequency should be in the Millstone Technical Specifications.

**Interrogatory No. 5-9:** Please state the basis for concluding that there is a nexus between a mispositioning of fresh fuel at Oyster Creek and an increase in the probability of a criticality accident at the Millstone Unit 3 SFSP.

As in the response to Interrogatories No. 4-5 and No. 4-6, the nexus is the failure of administrative controls.

**Interrogatory No. 6-1:** Please identify any and all documents or citations to documents on which Intervenors intend to rely as a basis for Contention 6.

Please refer to Exhibit B of Intervenors' March 20 response. In addition, the Intervenors will rely on the Orange County brief submitted in the Harris case and its appendices.

**Interrogatory No. 6-2:** Please identify any and all actual events, at Millstone Station or elsewhere, on which Intervenors intend to rely as a basis for Contention 6.

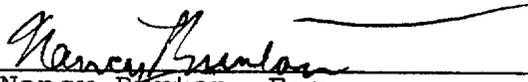
Please refer to response to Interrogatory No. 4-2.

Interrogatory No. 6-3: Please identify any and all hypothetical design basis scenarios on which Intervenors intend to rely as a basis for Contention 6.

Please refer to response to Interrogatory No. 4-3.

**THE INTERVENORS  
CONNECTICUT COALITION AGAINST MILLSTONE  
LONG ISLAND COALITION AGAINST MILLSTONE**

By:

  
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OFFICE OF THE SECRETARY  
U.S. NUCLEAR REGULATORY COMMISSION

CERTIFICATE OF SERVICE

I hereby certify that copies of "Connecticut Coalition Against Millstone and Long Island Coalition Against Millstone Supplemental Reply to Northeast Nuclear Energy Company's First Set of Interrogatories" in the above-captioned proceedings have been served on the following by deposit in the United States Mail, first class, this 25th day of April, 2000.

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Adjudications Staff)  
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