

UNITED STATES OF AMERICA  
NUCLEAR REGULATORY COMMISSION

**DOCKETED 06/02/00**

BEFORE THE ATOMIC SAFETY AND LICENSING BOARD

In the Matter of	)	
	)	
NORTHEAST NUCLEAR ENERGY	)	
COMPANY	)	
	)	Docket No. 50-423-LA-3
(Millstone Nuclear Power Station,	)	
Unit No. 3)	)	
	)	

NRC STAFF'S THIRD SUPPLEMENTAL RESPONSE TO CONNECTICUT COALITION  
 AGAINST MILLSTONE AND LONG ISLAND COALITION AGAINST MILLSTONE'S  
 FIRST SET OF INTERROGATORIES AND REQUESTS FOR PRODUCTION  
 DIRECTED TO U.S. NUCLEAR REGULATORY COMMISSION

---

The Nuclear Regulatory Commission staff (Staff) hereby files this third supplement to Staff's Response to Connecticut Coalition Against Millstone (CCAM) and Long Island Coalition Against Millstone's (CAM) First Set of Interrogatories and Requests for Production, filed April 10, 2000.

I. SPECIFIC INTERROGATORIES

INTERROGATORY 4-1. Please identify any and all documents on which NRC intends to rely in support of its position on Contention 4.

STAFF RESPONSE: In addition to the documents identified in the Staff's Responses dated April 10, 2000 and May 25, 2000, the Staff intends to rely on the following documents: Plant Performance Review - Millstone Unit 3, March 31, 2000 - ADAMS Accession No. ML003695387; Mid-Cycle Plant Performance Review - Millstone Station, September 30, 1999 - NUDOCS Accession No. 9910050245 ; Plant Performance Review - Millstone Unit 3, April 9, 1999 - NUDOCS Accession No. 9904190275.

INTERROGATORY 5-1. Please identify any and all documents on which the NRC intends to rely in support of its position regarding Contention 5.

STAFF RESPONSE: In addition to the documents identified in the Staff's Responses of April 10, 2000 and May 25, 2000, the Staff intends to rely on the following documents: Holtec International Report HI-981907, "Licensing Report for Spent Fuel Rack Installation at Millstone Nuclear Station Unit 3 (Proprietary)." The Staff may rely on documents identified in the NRC Staff Responses to discovery requests in *Carolina Power & Light Co.* (Shearon Harris Nuclear Plant), docket number 50-400-LA.

INTERROGATORY 6-1. Please identify any and all documents or citations to documents on which NRC intends to rely in support of its position regarding Contention 6.

STAFF RESPONSE: See Staff response to Interrogatory 5-1.

## II. SPECIFIC DOCUMENT REQUESTS

REQUEST 6-5. All documents that state, imply or infer that the NRC might be informed or aware of the NRC Staff's position on the use of burnup credit for criticality control in SFSPs, including the NRC Staff's position in Reg. Guide 1.13.

STAFF RESPONSE: As stated in the Staff's Response of May 25, 2000, the NRC has issued numerous license amendments permitting the use of burnup credit in spent fuel pools. A list of NUDOCS accession numbers for the applications for such amendments, along with plant names, is attached.

Respectfully submitted,

Susan L. Uttal */RA/*  
Counsel for NRC Staff

Brooke D. Poole */RA/*  
Counsel for NRC Staff

Done at Rockville, Maryland  
this 2<sup>nd</sup> day of June, 2000

UNITED STATES OF AMERICA  
NUCLEAR REGULATORY COMMISSION

BEFORE THE ATOMIC SAFETY AND LICENSING BOARD

In the Matter of )  
)  
NORTHEAST NUCLEAR ENERGY ) Docket No. 50-423-LA-3  
COMPANY )  
)  
(Millstone Nuclear Power Station, )  
Unit No. 3) )

CERTIFICATE OF SERVICE

I hereby certify that copies of "NRC STAFF'S THIRD SUPPLEMENTAL RESPONSE TO CONNECTICUT COALITION AGAINST MILLSTONE AND LONG ISLAND COALITION AGAINST MILLSTONE'S FIRST SET OF INTERROGATORIES AND REQUESTS FOR PRODUCTION DIRECTED TO U.S. NUCLEAR REGULATORY COMMISSION" in the above-captioned proceeding have been served on the following through deposit in the Nuclear Regulatory Commission's internal mail system or; by deposit in the Nuclear Regulatory Commission's internal mail system with copies by electronic mail, as indicated by an asterisk; or by E-mail as indicated by a double asterisk, followed by a conforming copy via first-class mail this 2nd day of June 2000.

Charles Bechhoefer, Chairman\*  
Administrative Judge  
Atomic Safety and Licensing Board  
Mail Stop: T 3F-23  
U.S. Nuclear Regulatory Commission  
Washington, D.C. 20555-0001  
(E-mail copy to [CXB2@nrc.gov](mailto:CXB2@nrc.gov).)

Dr. Charles N. Kelber\*  
Administrative Judge  
Atomic Safety and Licensing Board  
Mail Stop: T 3F-23  
U.S. Nuclear Regulatory Commission  
Washington, D.C. 20555-0001  
(E-mail copy to [CNK@nrc.gov](mailto:CNK@nrc.gov).)

Dr. Richard F. Cole\*  
Administrative Judge  
Atomic Safety and Licensing Board  
Mail Stop: T 3F-23  
U.S. Nuclear Regulatory Commission  
Washington, D.C. 20555-0001  
(E-mail copy to [RFC1@nrc.gov](mailto:RFC1@nrc.gov).)

Office of the Secretary  
ATTN: Rulemaking and Adjudications  
Staff  
Mail Stop: O 16C-1  
U.S. Nuclear Regulatory Commission  
Washington, D.C. 20555-0001  
(E-mail copy to  
[HEARINGDOCKET@nrc.gov](mailto:HEARINGDOCKET@nrc.gov).)

Office of the Commission Appellate  
Adjudication  
Mail Stop: O 16C-1  
U.S. Nuclear Regulatory Commission  
Washington, D.C. 20555-0001

Lillian M. Cuoco, Esq. \*\*  
Northeast Utilities Service Co.  
107 Selden Street  
Berlin, CT 06037  
(E-mail copy to [cuocolm@nu.com](mailto:cuocolm@nu.com).)

Nancy Burton, Esq. \*\*  
147 Cross Highway  
Redding Ridge, CT 06876  
(E-mail copy to  
[nancyburtonsq@hotmail.com](mailto:nancyburtonsq@hotmail.com).)

Atomic Safety and Licensing Board  
Panel  
Mail Stop: T 3F-23  
U.S. Nuclear Regulatory Commission  
Washington, D.C. 20555-0001

David A. Repka, Esq. \*\*  
Counsel for Northeast Nuclear Energy  
Company  
Winston & Strawn  
1400 L. Street N.W.  
Washington, D.C. 20005-3502  
(E-mail copy to [drepka@winston.com](mailto:drepka@winston.com).)

---

Brooke D. Poole */RA/*  
Counsel for NRC Staff

K-087

ACCESSION NO. (APPL)

9609100090  
9211120029  
9903290224  
9803100252  
9409290144  
9501060126  
9108050006  
8911090315  
9811060161  
9502100361  
9212150042  
9602080177  
9505150014  
9704070035  
9504060079  
9401130066  
8906300205  
9305210191  
9204270153  
8805130152  
9302010215  
9406270394  
9411300069  
9403040270  
9305100003  
9103260396  
9002260041  
9005090384  
9204010283  
9512110144  
8903150108  
9206100159  
9312230108  
9711120195  
9209010014  
9011210050  
9711280193  
9704010350  
9611060027  
9803240098  
9508020060  
9708130341  
9707080012  
9707030029  
9801070046  
9807130093  
9902180028  
9812290056  
9904140188  
9906150275  
9906070150

PLANT

ANO-2 - 9701160231  
Beaver Valley 1 - 9311090321  
Byron & Braidwood - 820000 ) 11/19/99  
Callaway 1 ( )  
Catawba 1 9509110097  
Comanche Peak 1 & 2 - 9510020253  
Cook 1 & 2 - 9302160159  
Crystal River 3 - 9104240112  
Crystal River 3 - 9905030244  
Diablo Canyon 1 & 2 - 9506290193  
Fort Calhoun - 9308240229  
Fort Calhoun -  
Ginna  
Ginna  
Haddam Neck - 960129079  
Haddam Neck  
Indian Point 2  
Millstone 2  
Millstone 2  
Indian Point 3  
Maine Yankee  
McGuire 1 & 2  
Oconee 1, 2, 3  
Palo Verde 1, 2, 3  
Salem 1  
Seabrook  
Sequoyah 1 & 2  
Sequoyah 1 & 2  
Sequoyah 1 & 2  
San Onofre 2 & 3  
San Onofre 2 & 3  
South Texas 1 & 2  
Summer  
Surry 1 & 2  
TMI-1  
TMI-1  
Vogtle 1 & 2  
Waterford  
Watts Bar 1  
Wolf Creek  
Prairie Island 1 & 2  
Vogtle 1 & 2  
Farley 1 & 2  
Byron & Braidwood  
St. Lucie 2  
South Texas 1 & 2  
Comanche Peak 1 & 2  
Shearon Harris 1  
McGuire 1 & 2  
Palo Verde 1, 2, 3  
Davis Besse

