

EXHIBITS SUPPORTING NRC STAFF BRIEF AND SUMMARY OF RELEVANT FACTS,
DATA AND ARGUMENTS UPON WHICH THE STAFF PROPOSES TO RELY AT ORAL
ARGUMENT ON CONTENTIONS 4, 5, AND 6

1. Millstone Nuclear Power Station, Unit No. 3, Proposed Revision to Technical Specification, Spent Fuel Pool Rerack (TSCR 3-22-98), March 19, 1999
 - Attachment 1 - Marked Up Pages
 - Attachment 2 - Retype of Proposed Revision
 - Attachment 3 - Background and Safety Summary
 - Attachment 4 - Significant Hazards Consideration and Environmental Considerations
 - Attachment 5 - Holtec International Licensing Report for Spent Fuel Rack Installation at Millstone Nuclear Station Unit 3 (Non-proprietary version)
2. Statement of Professional Qualifications of James C. Linville
3. SECY-97-003, "Millstone Restart Review Process," Jan. 13, 1997.
 - Attachment 1 - Millstone Unit 3 Restart Assessment Plan, Dec. 17, 1996
 - Attachment 2 - Millstone Independent Corrective Action Verification Program Oversight Inspection Plan - Dec. 17, 1996
4. NRC Inspection Manual Chapter 0350, "Staff Guidelines for Oversight of Operating Reactor Facilities in an Extended Shutdown as a Result of Significant Performance Problems."
5. Millstone Restart Assessment Plan, Rev. 5, Sept. 4, 1998
6. Transcript, "Commission Briefing on Operating Reactors and Fuel Facilities," May 25, 2000
7. Statement of Professional Qualifications of Antone C. Cerne
8. Millstone Unit 3 Final Safety Analysis Report Section 9.1.2, "Spent Fuel Storage"
9. Millstone Unit 3 Technical Specification 6.8.1, "Administrative Controls"
10. Millstone Unit 3 Final Safety Analysis Report Section 13.5, "Plant Procedures"
11. Notice of Violation and Proposed Imposition of Civil Penalties - \$2,100,000 (NRC Inspection Report Nos. 50-245/50-336/50-423: 95-44, 95-82, 96-01, 96-03, 96-04, 96-05, 96-06, 96-08, 96-09, 96-201), Dec. 10, 1997
12. Plant Information Report No. 3-94-079, "Fuel Misplacement," Jan. 14, 1994
13. Adverse Condition Report Transmittal Sheet, ACR # 710, "SFP Crane Operator Went to Wrong Location [;] Stopped by Checker, Apr. 27, 1995

14. Deposition of Gordon Thompson, PhD, *Northeast Nuclear Energy Co.* (Millstone Nuclear Power Station, Unit No. 3), Docket No. 50-423-LA-3, May 10, 2000
15. Deposition of Gordon Thompson, Ph.D., *Carolina Power & Light Co.* (Shearon Harris Nuclear Power Plant), Docket No. 50-400-LA, Oct. 21, 1999
16. ANSI, "American National Standard for Nuclear Criticality Safety in Operations with Fissionable Materials Outside Reactors," ANSI/ANS-8.1-1983, Oct. 1983
17. Millstone Nuclear Power Station, Unit No. 3, Modification of Proposed Revision to Technical Specification - Spent Fuel Pool Rerack (TSCR 3-22-98), April 17, 2000
18. Millstone Nuclear Power Station Surveillance Procedure SP 3866, Rev. 3, "Spent Fuel Pool Boron Concentration", Nov. 8, 1996
19. Millstone Nuclear Power Station Surveillance Procedure SP 31022, Rev. 4, "Spent Fuel Pool Criticality Requirements," Apr. 20, 1997
20. Statement of Professional Qualifications of Laurence I. Kopp
21. Statement of Professional Qualifications of Anthony C. Attard
22. Memorandum from W.B. McCool to Atomic Energy Commission, "Proposed Amendment to 10 CFR 50:General Design Criteria for Nuclear Power Plant Construction Permits," AEC-R 2/57, June 16, 1967
23. Proposed rule, General Design Criteria for Nuclear Power Plant Construction Permits, 32 Fed. Reg. 10,213 (1967).
24. Letter, W.B. Cottrell, Oak Ridge National Laboratory, to H.L. Price, Atomic Energy Commission, "Review of USAEC 'General Design Criteria for Nuclear Power Plant Construction Permits,' July 11, 1967," Sept. 6, 1967
25. Memorandum, H.L. Price, AEC, to Commissioners, "Status Report on General Design Criteria," July 6, 1970
26. Comparison of Published Criteria (July 11, 1967) and Revised Criteria (July 15, 1969)
27. Letter, B.K. Grimes, NRC, to All Power Reactor Licensees, "OT Position for Review and Acceptance of Spent Fuel Storage and Handling Applications," Apr. 14, 1978
28. Abstract, R.J. Nodvik, "Evaluation of Mass Spectrometric and Radiochemical Analysis of Yankee Core I Spent Fuel," Mar. 1966
29. U.S. Nuclear Regulatory Commission, Draft Regulatory Guide 1.13, "Proposed Revision 2 to Regulatory Guide 1.13, 'Spent Fuel Storage Facility Design-Basis,'" Dec. 1981

30. Letter, J. Flaherty, Atomics International, to Secretary, Atomic Energy Commission
Sept. 25, 1967
31. Deposition of David Lochbaum, *Northeast Nuclear Energy Co.* (Millstone Nuclear Power
Station, Unit No. 3), Docket No. 50-423-LA-3, May 10, 2000
32. NRC Combined Inspection 50-245/99-08, 50-336/99-08, 50-423/99-08, Sept. 20, 1999
33. NONE - Next Exhibit is Exhibit No. 35
34. NONE - Next Exhibit is Exhibit No. 35
35. NRC Millstone Independent Review Team, "Report of Review of Allegations in NRC
Office of Investigations Case Nos. 1-96-002, 1-96-007, 1-97-007, and Associated
Lessons Learned," Mar. 12, 1999
36. Letter, J. Linville, NRC, to R. Necci, Northeast Nuclear Energy Company, "Mid-Cycle
Plant Performance Review, Millstone Unit 3 (PPR) - Millstone Station," Sept. 30, 1999
37. Millstone Nuclear Power Station, Unit No. 3 Response to Requests for Additional
Information, Spent Fuel Pool Rerack (TAC No. MA5137), May 5, 2000
38. Millstone Nuclear Power Station, Unit No. 3 Response to Request for Additional
Information, Spent Fuel Pool Rerack (TAC No. NA5137, June 16, 2000
39. Letter, J. Linville, NRC, to R. Necci, Northeast Nuclear Energy Company, "Plant
Performance Review - Millstone Unit 3," Apr. 9, 1999
40. Letter, J. Linville, NRC, to S. Scace, Northeast Nuclear Energy Company, "Plant
Performance Review - Millstone Unit 3," Mar. 31, 2000
41. Letter, L.J. Callan, NRC, to B. Kenyon, Northeast Nuclear Energy Company, June 29,
1998
42. SECY-98-119, "Remaining Issues Related to Recovery of Millstone Nuclear Power
Station, Unit 3," May 28, 1998
Attachment 1 - Independent Corrective Action Verification Program
Attachment 2 - Corrective Action Program
Attachment 3 - Operational Safety Team Inspection
43. NRC Combined Inspection 50-245/99-05; 50-336/99-05; and 50-423/9905, June 3, 1999
44. NRC Combined Inspection 50-245/99-09, 50-336/99-09, and 50-423/99-09, Aug. 10,
1999-Oct. 4, 1999
45. NRC Combined Inspection 05000336/99012, 05000423/99012, Dec. 21, 1999

46. SECY 99-10, "Closure of Order Requiring Independent, Third-Party Oversight of Northeast Nuclear Energy Company's Implementation of Resolution of the Millstone Station Employees' Safety Concerns," Jan. 12, 1999
47. Staff Requirements Memorandum - SECY-99-010 - Closure of Order Requiring Third-Party Oversight of Northeast Nuclear Energy Company's Implementation of Resolution of the Millstone Station's Employees' Safety Concerns, May 25, 1999
48. U.S. Nuclear Regulatory Commission, Regulatory Guide 3.4, Revision 2, "Nuclear Criticality Safety in Operations with Fissionable Materials at Fuel and Materials Facilities," Mar. 1986
49. Memorandum, L.I. Kopp, NRC, to T. Collins, NRC, "Guidance on the Regulatory Requirements for Criticality Analysis of Fuel Storage at Light-Water Reactor Power Plants," Aug. 19, 1998
50. Memorandum from G.A. Arlotto, NRR, to R.F. Fraley, ACRS, "Draft 1, Regulatory Guide 1.13, Revision 2, 'Spent Fuel Storage Facility Design Basis,'" Sept. 23, 1981
51. Millstone Unit 3 Technical Specification 3.9.1.1.
52. *Northeast Nuclear Energy Co.* (Millstone Nuclear Power Station, Unit No. 3), Docket No. 50-423-LA-3, Affidavit of Barry R. Letts, June 16, 2000