

Date: November 17, 2000

OFFICE OF NUCLEAR REACTOR REGULATION
NOTIFICATION OF SIGNIFICANT LICENSING ACTION

LICENSEE: Northeast Nuclear Energy Company
Millstone Nuclear Power Station, Unit No. 3
Docket No. 50-423

SUBJECT: PROPOSED ISSUANCE OF A FINAL NO SIGNIFICANT HAZARDS
CONSIDERATION DETERMINATION AND LICENSE AMENDMENT FOR
WHICH A HEARING HAS BEEN REQUESTED (TAC NO. MA5137)

This is to inform the Commission that a final no significant hazards consideration determination and license amendment will be issued 5 days after the date of this notice, to Northeast Nuclear Energy Company (NNECO). This action is being taken in response to the licensee's amendment application dated March 19, 1999, as supplemented on April 17, May 5, June 16, and July 26, 2000. This action will modify License No. NPF-49 for the Millstone Nuclear Power Station, Unit No. 3 by revising the Technical Specifications (TS) to support an increase in the spent fuel storage capacity by adding racks to the spent fuel pool (SFP). Specifically, the amendment consists of a revision to reactor fuel burn-up restrictions, pool capacities, Boron concentration, storage pattern, and nominal center-to-center distances between fuel assemblies in the racks to be installed in the SFP.

Connecticut Coalition Against Millstone and Long Island Coalition Against Millstone (CCAM/CAM), the intervenors, on October 6, 1999, requested a hearing on this license amendment. On February 9, 2000, the Atomic Safety and Licensing Board (ASLB) ruled that CCAM/CAM had standing and that 3 of the 11 CCAM/CAM proposed contentions were admissible for litigation. All three admitted contentions concern criticality issues. On April 19, 2000, the ASLB granted NNECO's request to hold the hearing in accordance with the hybrid hearing procedures of 10 CFR Part 2, Subpart K. On July 19, 2000, the ASLB heard oral arguments related to the three admitted contentions. In its Memorandum and Order dated October 26, 2000, the ASLB concluded that with respect to two of the three contentions admitted, there are no significant factual disputes that would warrant a further evidentiary hearing. On the third contention, the ASLB concluded that the "license condition" agreed to by all parties with respect to boron surveillance and concentration should be imposed on the amended license. Having concluded this, the ASLB ordered the hearing terminated. To comply with the ASLB order, the relevant TS was revised to include a requirement to the agreed upon boron surveillance and concentration. On November 13, 2000, CCAM/CAM petitioned the Commission for review of the Memorandum and Order for "erroneous rulings...regarding administrative controls and criticality prevention issues".

Contacts: Victor Nerses, NRR, 415-1484
Samuel Collins, Director, NRR, 415-1270

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ACCESSION NO. ML003768470

*See previous concurrence

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NAME	VNerses	TClark	EAdensam for JClifford	EAdensam	AHodgdon*
DATE	11/14/00	11/14/00	11/14/00	11/14/00	10/11/00
OFFICE	D:DLPM	ADPT:NRR	D:NRR	EDO	
NAME	SBlack for JZwolinski	JStrosnider for BSheron	SCollins	WTravers	
DATE	11/15/00	11/16/00	11/16/00	11/17/00	

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¹Do not declare as an *Official Agency Record* until **after** the amendment has been received by the licensee.

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