

RAS 2587

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OFFICE OF THE SECRETARY
RULE MAKING AND
ADJUDICATIONS STAFF

December 20, 2000

Office of the Secretary
U.S. Nuclear Regulatory Commission
Washington DC 20555-0001

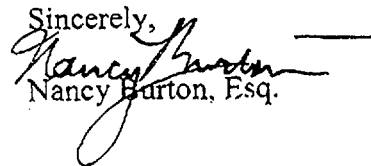
Re: Millstone Nuclear Power Generating Station
Docket No. 50-423-LA-3

Dear Sirs:

The Intervenor in these proceedings filed a Motion for Stay to the Commission electronically on December 19, 2000. The original and copies were mailed to all parties of record on December 19, 2000.

Attached please find a copy of the attachments to such motion.

Thank you for your assistance.

Sincerely,

Nancy Burton, Esq.

Via Telefax 301-415-1672
Encl.
cc: David A. Repka, Esq.
Ann P. Hodgdon, Esq.

Template = SECY-041

SECY-02

NRC Weekly Information Report
For the Week Ending November 24, 2000

Millstone Unit 1

Early this week, Millstone, Unit 1, informed the NRC that they could not confirm the location of two fuel pins. The licensee currently believes that they have located the box containing the fuel pins in the spent fuel pool. However, they will require GE assistance in order to lift the box and verify that it is the correct container. The licensee currently anticipates having GE personnel and equipment on site next week. The background on this issue is as follows:

In 1972, a once burned fuel assembly that was damaged by chloride intrusion in the reactor vessel was disassembled to allow testing by GE. During the disassembly, two of the fuel rods were bent and could not be put back in the assembly. These two fuel rods were put in a special fuel rod box. Records dated 1979 and 1980 show the box stored in the Northwest corner of the spent fuel pool. Records after 1980 do not show the fuel rod box in the fuel pool. Significant work, including two re-racks, has been performed on the fuel pool since 1980.

Due to the unique nature of the special fuel rod box the licensee does not consider it likely that the fuel pins have been mistakenly shipped out as waste. They currently believe that the fuel rods are still in the pool or were shipped to GE. To Date, GE has not identified any records of receiving the fuel pins. The licensee believes that the fuel rod box/pins were moved in the past to allow work to be performed in the pool and the movement not recorded. The licensee has identified a fuel pin container in the pool that may contain the fuel pins, but they have not been able to look in the container due to the need for a special tool which GE has but the licensee does not.

Currently, the licensee believes that the condition involves a lack of control of special nuclear material not an actual loss. Since the licensee does not believe that the fuel pins are in the public domain, 10 CFR 20.2201 only requires a formal report to the Commission within 30 days.

Daily Events Report

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|Power Reactor                                     |Event Number: 37596|
+-----+-----+
| FACILITY: MILLSTONE                             | REGION: 1 | NOTIFICATION DATE: 12/14/2000|
| UNIT: [1] [ ] [ ]                               | STATE: CT | NOTIFICATION TIME: 18:02[EST]|
| RXTYPE: [1] GE-3, [2] CE, [3] W-4-LP           |           | EVENT DATE: 12/14/2000|
+-----+-----+
| NRC NOTIFIED BY: DAVID DVORAK                   |           | EVENT TIME: 17:15[EST]|
| HQ OPS OFFICER: FANGIE JONES                   |           | LAST UPDATE DATE: 12/14/2000|
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| EMERGENCY CLASS: N/A                            | PERSON      ORGANIZATION|
| 10 CFR SECTION:                               | JOHN WHITE   R1        |
| APRE 50.72(b)(2)(vi) OFFSITE NOTIFICATION    |                 |
| BAB2 20.2201(a)(1)(ii) LOST/STOLEN LNM>10X  |                 |
+-----+-----+

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UNIT	SCRAM CODE	RX CRIT	INIT PWR	INIT RX MODE	CURR PWR	CURR RX MODE
1	N	N	0	Decommissioned	0	Decommissioned

EVENT TEXT

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| THE LOCATION OF 2 FUEL PINS IN THE SPENT FUEL POOL IS UNKNOWN|
| "As part of the ongoing decommissioning of Millstone Unit 1, a detailed|
| documentation of the fuel currently in the Unit 1 spent fuel pool is |
| underway. A detailed verification of spent fuel pool content records was|
| part of this effort. During this process, workers identified a discrepancy|
| in the paperwork relating to the location of two spent fuel pins that were|
| removed from a fuel assembly in October 1972. A search is underway; however,|
| these fuel pins have not yet been located among the 2,884 fuel assemblies|
| containing more than 140,000 fuel pins currently in the spent fuel pool. In|
| addition, workers are also searching pertinent records.                |
| "Due to the radiation levels of the fuel pins, if they were removed from the|
| spent fuel pool, the use of a shielded cask would have been required and the|
| shipment could have only been made to a licensed facility. Any other |
| movement of these pins from the site would have been immediately detected by|
| the site radiation monitoring system. Therefore, there is a high degree of |
| confidence that these pins are not in an unrestricted area and are under the|
| control of a licensed facility; either here in the spent fuel pool or |
| possibly at a licensed radioactive waste disposal site. As a result, we are|
| also confident that no overexposure of workers or members of the public has|
| resulted. An independent team with relevant expertise is on-site to assist|
| in an ongoing investigation to determine the location of the 2 fuel pins."|
| The licensee notified NRC Region 1 (Todd Jackson) and the state of |
| Connecticut. The licensee intends notifying the NRC Resident Inspector. |
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|Power Reactor

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April 4, 2000

UNITED STATES OF AMERICA
NUCLEAR REGULATORY COMMISSION

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))	ASLBP No. 00-771-01-LA

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

Northeast Nuclear Energy Company ("NNECO") hereby files an initial response to the Connecticut Coalition Against Millstone ("CCAM") and the Long Island Coalition Against Millstone's ("CAM") (collectively, "Intervenors") "First Set of Interrogatories and Requests for Production" ("Intervenors' First Discovery Requests"), a facsimile of which was served on NNECO on March 21, 2000. This initial response is directed to the Intervenors' interrogatories and is filed within 14 days of service, consistent with 10 CFR § 2.740b(b). NNECO will separately respond to Intervenors' document production requests in accordance with the schedule set forth in 10 CFR § 2.741(d).

I. GENERAL OBJECTIONS

These general objections apply throughout NNECO's responses to Intervenors' First Discovery Requests.

A. NNECO objects to Intervenors' interrogatories to the extent that they request discovery of information or documents protected under the attorney-client privilege, the

All fresh and spent fuel is handled as special nuclear material ("SNM"). When Millstone Station receives SNM, the applicable Unit maintains control over it and tracks its movement until it is shipped off site. The organization with primary responsibility for planning and implementing actual fuel movements for each Unit is the Reactor Engineering department in the Plant Engineering organization. Upon arrival of SNM on site, Reactor Engineering personnel (or designees) perform initial inspection and receipt, and Reactor Engineering assumes responsibility for controlling and maintaining material status of the SNM at all times.

Other organizations support Reactor Engineering in implementing and tracking the movement of fuel. Qualified Operations or vendor personnel under the direction of Reactor Engineering perform actual fuel movements. Health Physics personnel conduct associated radiological surveys and monitoring. Operations personnel operate the spent fuel pool. Maintenance of the required equipment and facilities is planned and performed by the Maintenance organization, or by contract under the direction of Reactor Engineering. Procedures are developed and maintained by the Procedures group of the Station Director's organization. Analysis to support fuel management and spent fuel pool criticality control is provided by the Nuclear Fuels branch of the Nuclear Engineering department. Independent quality assurance for all these activities is provided by the Nuclear Oversight organization.

F. Errors

Interrogatory No. F - 1: Please identify all instances of errors (at Millstone or other nuclear plants) in managing, moving, placing or tracking fresh or spent fuel and all documents pertinent thereto.

NNECO's Response: NNECO objects to Interrogatory No. F - 1 to the extent it asks to identify errors at "other nuclear plants" for the reasons explained in General Objection B.

With regard to Millstone, the following events have been identified as responsive to this request. NNECO does not concede, however, that these matters are relevant to the license amendment application at issue.

<i>DATE</i>	<i>UNIT</i>	<i>DESCRIPTION</i>
1/17/97	1	Determined that a spent fuel assembly in the spent fuel storage pool was not fully seated in the storage rack
1/14/97	1	Determined that an irradiated fuel assembly, stored in a damaged fuel container in a control rod storage rack, may have been an unanalyzed configuration
10/3/96	1	Determined that a spent fuel assembly in the spent fuel storage pool was not fully seated in the storage rack
3/6/96	1	Determined that new fuel assemblies moved over irradiated fuel assemblies in the spent fuel storage pool
11/14/95	1	A fuel assembly was placed in the spent fuel storage pool in the wrong orientation
10/12/95	2	A fuel assembly was moved to an incorrect location in the spent fuel storage pool and lowered until it came in contact with an assembly already placed in that location
4/26/95	3	While transferring fuel in the spent fuel storage pool, the crane operator inadvertently brought an assembly to the wrong location; the error was detected before the assembly was lowered
4/27/94	3	A fuel assembly was moved from one location in the spent fuel storage pool to an incorrect location and lowered until it came in contact with an assembly already placed in that location
6/12/87	1	A fuel assembly in the reactor core was found to be 90 degrees out of the proper orientation
3/18/85	2	A fuel assembly was lowered into contact with another assembly located in the fuel upender
9/18/74	1	Drop of unchanneled fuel assembly from main fuel grapple to spent fuel storage pool floor

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UNITED STATES OF AMERICA
NUCLEAR REGULATORY COMMISSION

In the Matter of: : Docket No. 50-423-LA-3
: :
Northeast Nuclear Energy : :
Company : :
: :
Millstone Nuclear Power : :
Station, Unit No. 3 : MAY 11, 2000

DEPOSITION OF MICHAEL C. JENSEN

CERTIFIED
COPY

Kathryn Orofino
Shea & Driscoll, LLC
Court Reporting Associates
16 Seabreeze Drive
Waterford, Connecticut 06385

1 Q And how long has -- and could you spell her
2 name please, Kathy.

3 A Emmons.

4 Q Emmons?

5 A E-M-M-O-N-S.

6 Q How long has she been at Millstone?

7 A I couldn't say with any accuracy, but it's in
8 the neighborhood of six or seven years.

9 Q Do you know what her qualifications are
10 professionally?

11 A I -- I can find out precisely. I know she
12 has a bachelor's degree and a master's degree, I
13 believe it's in -- the master's degree is in safety.
14 She has 23 years of experience, all of it with
15 Northeast Utilities, the bulk of that being with
16 Connecticut Yankee, where she was an operations
17 technician, and she was a reactor engineering
18 technician for Connecticut Yankee prior to coming over
19 to Millstone.

20 Q And that was six or seven years ago?

21 A Yes, it was.

22 Q Now, there is a description here of 11
23 events in response to Interrogatory F-1?

24 A Yes.

25 Q And who compiled this list?

1 A I believe the attorneys compiled it.

2 Q From what information?

3 A From the information supplied by Kathy Emmons
4 and others.

5 Q Who are the others?

6 A I don't know.

7 Q Did you provide any of the information?

8 A Directly, no.

9 Q Did you attempt to retrieve any of the
10 information in response to this interrogatory?

11 A What do you mean by "retrieve"?

12 Q Go into some kind of a record repository --

13 A No.

14 Q -- database.

15 A No, that was Kathy's job. That was her
16 assignment. I did review the list.

17 Q Now, do you know where she obtained -- where
18 she was able to locate these documents?

19 A I do not know the exact method that she used
20 to search out these documents, no.

21 Q What is your best understanding of where she
22 went to retrieve these documents?

23 A Well, there's several databases that she
24 could interrogate. There is a program called LIST,
25 which is Licensing -- I forget what the I stands for --

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Date: December 20, 2000

No. Pages: Cover + Nine

Comments:

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