

Docket No.: 50-423

JUN 09 1982

Mr. E. James Ferland
Executive Vice President
Northeast Nuclear Energy Company
Post Office Box 270
Hartford, Connecticut 06101

Dear Mr. Ferland:

Subject: Issuance of Amendment No. 9 to CPPR-113, Millstone Nuclear Power Station, Unit 3

Your letter, dated May 11, 1982, transmitted an application for an amendment to the Millstone Nuclear Power Station, Unit 3 (Millstone-3) Construction Permit to reduce the Millstone-3 ownership share to be transferred from Public Service Company of New Hampshire (PSNH) to the Connecticut Municipal Electric Energy Cooperative (CMEEC) from 1.7391% (20 MW), as authorized in Amendment No. 7 to CPPR-113, to 1.0435% (12 MW). The transfer of shares as authorized by Amendment No. 7 never took place.

On March 24, 1982, the Commission issued a final rule amending the Commission's regulations to eliminate requirements with respect to financial qualifications for power reactor applicants. Therefore, the staff is no longer evaluating the financial qualifications of the purchasers as they relate to the proposed action, on the basis of the final rule published in the Federal Register on March 31, 1982, and effective on that date.

We have reviewed the application to reduce the ownership share to be transferred by PSNH to CMEEC from 1.7391% to 1.0435%. We find that the application complies with the standards and requirements of the Atomic Energy Act of 1954, as amended, and the Commission's rules and regulations set forth in 10 CFR Chapter I.

Further, we conclude that granting the requested amendment does not involve a significant hazards consideration, and is not inimical to the health and safety of the public. The bases for these conclusions are set forth in the enclosed Safety Evaluation. Prior public notice of the amendment was not required since the amendment does not involve a significant hazards considerations.

We have also concluded that the amendment involves actions which are insignificant from the standpoint of environmental impact and that, pursuant to 10 CFR Section 51.5 (d)(4), an environmental impact statement, or a negative declaration and an environmental impact appraisal, need not be prepared in connection with the issuance of the amendment.

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Enclosed is Amendment No. 9 to CPPR-113 and a copy of a related notice which has been forwarded to the Office of the Federal Register for publication.

Sincerely,

Original signed by
Darrell G. Eisenhut

Darrell G. Eisenhut, Director
Division of Licensing
Office of Nuclear Reactor Regulation

Enclosures:

- 1. Amendment No. 9 to CPPR-113
- 2. Staff Safety Evaluation
- 3. Federal Register Notice

cc: See next page

SEE AMIT #9

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NORTHEAST NUCLEAR ENERGY COMPANY, ET AL.*
DOCKET NO. 50-423
MILLSTONE NUCLEAR POWER STATION, UNIT 3
AMENDMENT TO CONSTRUCTION PERMIT

Amendment No. 9
Construction Permit No. CPPR-113

1. The Nuclear Regulatory Commission (the Commission) having found that:
 - A. The application for amendment to the Millstone Nuclear Power Station, Unit 3 (Millstone-3) Construction Permit contained in a letter, dated May 11, 1982, reducing the Millstone-3 ownership share to be transferred from Public Service Company of New Hampshire (PSNH) to Connecticut Municipal Electric Energy Cooperative (CMEEC) from 1.7391% (20 MW), as authorized in Amendment No. 7 to CPPR-113, to 1.0435% (12 MW), complies with the standards and requirements of the Atomic Energy Act of 1954, as amended, and the Commission's rules and regulations set forth in 10 CFR Chapter I. (The transfer of ownership shares as authorized by Amendment No. 7 never took place.)
 - B. The issuance of this amendment will not be inimical to the common defense and security or to the health and safety of the public.
 - C. Issuance of this amendment will not result in any environmental impacts not previously considered.
2. Accordingly, Construction Permit No. CPPR-113 is amended to reflect a change in ownership shares. A new paragraph is added as follows:

*The following are the holders of Construction Permit No. CPPR-113: Ashburnham Municipal Light Plant, Boylston Municipal Lighting Plant, Central Main Power Company, Central Vermont Public Service Corporation, Chicopee Municipal Lighting Plant, City of Burlington, Vermont, City of Holyoke, Connecticut Municipal Electric Energy Cooperative, Massachusetts Gas and Electric Department, The Connecticut Light and Power Company, Fitchburg Gas and Electric Light Company, Green Mountain Power Corporation, The Hartford Electric Light Company, Marblehead Municipal Light Department, Massachusetts Municipal Wholesale Electric Company, Middleton Municipal Light Department, Montaup Electric Company, New England Power Company, North Attleborough Electric Department, Northeast Nuclear Energy Company, Paxton Municipal Light Department, Peabody Municipal Light Plant, Public Service Company of New Hampshire, Shrewsbury Light Department, Templeton Municipal Lighting Plant, Town of South Hadley Electric Light Department, The United Illuminating Company, Vermont Electric Cooperative, Inc., Vermont Electric Power Company, Inc., The Village of Lyndonville Electric Department, Wakefield Municipal Light Department, West Boylston Municipal Lighting Plant, Western Massachusetts Electric Company, Westfield Gas and Electric Light Department, Vermont Electric Generation and Transmission Cooperative, Inc., Vermont Public Power Supply Authority and Washington Electric Cooperative, Inc.

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3.E.(4)e. The following ownership shares may be transferred as indicated:

TO: Connecticut Municipal Electric Energy Cooperative 1.0435%

FROM: Public Service Company of New Hampshire 1.0435%

3. This Amendment is effective as of the date of issuance.

FOR THE NUCLEAR REGULATORY COMMISSION

Original signed by Darrell G. Eisenhut

Darrell G. Eisenhut, Director Division of Licensing

Date of Issuance: JUN 09 1982

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ENCLOSURE

SAFETY EVALUATION

MILLSTONE NUCLEAR POWER STATION, UNIT 3

INTRODUCTION

By letter dated May 11, 1982, Northeast Nuclear Energy Company (NNECO), the lead applicant and operating agent of the Millstone Nuclear Power Station, Unit 3, (Millstone-3) requested an amendment to its Construction Permit, CPPR-113, to reduce the ownership share in Millstone-3 to be transferred from the Public Service Company of New Hampshire (PSNH) to the Connecticut Municipal Electric Energy Cooperative (CMEEC) from 1.7391% (20 MW), as previously authorized in Amendment No. 7, to 1.0435% (12 MW). Although Amendment No. 7 was approved on September 9, 1981, the 1.7391% ownership interest was never transferred from PSNH to CMEEC.

The NRC staff has completed its review of all safety-significant matters related to the issuance of the construction permit amendment as requested in the May 11, 1982 application. This Safety Evaluation is issued in support of Amendment No. 9 to Construction Permit CPPR-113, approving the reduction of ownership shares in Millstone-3 to be transferred from PSNH to CMEEC as stated above.

The purpose of the Safety Evaluation is to examine the impact of the proposed change in ownership shares as described above on the conclusions presented in Section 21.0 of the "Safety Evaluation of the Millstone Point Nuclear Power Station, Unit No. 3," (Construction Permit Stage) issued March 13, 1974. Specifically, the evaluation addresses the resultant changes or lack of changes in the following:

1. The design of the facility or requirements for safety-related information, and
2. The conclusions concerning the health and safety of the public.

EVALUATION

We have reviewed NNECO's application for a construction permit amendment as identified above. Our review of safety-related matters and our conclusions concerning each item are described in the following subsections of the evaluation report.

Design of the Facility

We have reviewed the application for amendment submitted by the letter of May 11, 1982, and find no information which leads us to conclude that the requested amendment to the construction permit will result in design changes to the facility. We note that the letter states that the transfer will in no way affect "...the operation and control of the Millstone Unit No. 3 project....or result in design changes to the facility" and furthermore, "will not endanger the health and safety of the public and does not involve any significant increase in the

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probability or consequences of an accident or any significant decrease in the safety margin". We interpret those statements as the applicants' intent regarding the requested action.

On the basis of our review of the application for amendment and the above statement by Northeast Nuclear Energy Company, we conclude that the proposed reduction of ownership shares to be transferred from PSNH to CMEEC from 1.7391% to 1.0435% will not result in safety-significant design changes to the facility. Further, we find that our conclusions in Section 21.0 of the Safety Evaluation Report (Construction Permit Stage) for Millstone-3 will not be altered by the issuance of the requested amendment to the Construction Permit CPPR-113.

Financial Qualifications of the Applicants

NRC Financial Qualifications Requirements

In the above referenced Safety Evaluation Report and in the Safety Evaluations prepared in support of earlier construction permit amendments to approve the sale or transfer of ownership shares among the co-owner utilities, the NRC staff evaluated the financial qualifications of each party that might be impacted by its assumption of a new ownership interest. The NRC regulations relating to the determination of an applicant's financial qualifications were set forth in Section 50.33(f) and Appendix C to 10 CFR Part 50. These regulations stated that there must be reasonable assurance that the applicant can obtain the funds to design and construct the plant including the initial fuel core.

On March 24, 1982 the Commission issued an amendment to its regulations to eliminate entirely the requirements for financial qualification review and findings for electric utilities that are applying for construction permits or operating licenses for production or utilization facilities, including amendments to construction permits and operating license. In view of this action by the Commission, which was immediately effective upon publication in the Federal Register on March 31, 1982, the NRC Staff is no longer evaluating the financial qualifications of the applicants/co-owners.

SUMMARY OF THE SAFETY EVALUATION

We have examined the impact on safety considerations of amending Construction Permit CPPR-113 to reduce the ownership shares to be transferred from PSNH to CMEEC for Millstone-3. We have concluded that the requested amendment will not result in safety-significant design changes to the facility.

On the basis of the above conclusion, we find that the issuance of the requested amendment approving the reduction in ownership shares to be transferred as previously stated will not be inimical to the health and safety of the public, and that our conclusions in Section 21.0 of the Safety Evaluation Report (Construction Permit Stage) related to Millstone-3 will remain unaltered. Further, we find that the requested amendment does not involve a significant

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hazards consideration because this action will not involve a significant increase in the probability or consequences of an accident, and this action will not involve a significant decrease in safety margin.

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J. M. Grant, Project Manager
Licensing Branch No. 1
Division of Licensing

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B. J. Youngblood, Chief
Licensing Branch No. 1
Division of Licensing

Dated: JUN 09 1982

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UNITED STATES NUCLEAR REGULATORY COMMISSION

DOCKET NO. 50-423

NORTHEAST NUCLEAR ENERGY COMPANY, ET AL.*

MILLSTONE NUCLEAR POWER STATION, UNIT 3

NOTICE OF ISSUANCE OF AMENDMENT TO CONSTRUCTION PERMIT

The U. S. Nuclear Regulatory Commission (the Commission) has issued Amendment No. 9 to Construction Permit No. CPPR-113. The amendment reflects the reduction in ownership shares to be transferred from Public Service Company of New Hampshire (PSNH) to the Connecticut Municipal Electric Energy Cooperative (CMEEC) from 1.7391% (20 MW), as previously authorized in Amendment No. 7 to CPPR-113, to 1.0435% (12MW). The transfer of ownership shares as authorized in Amendment No. 7 never took place.

The application for the amendment complies with the standards and requirements of the Atomic Energy Act of 1954, as amended (the Act), and the Commission's rules and regulations. The Commission has made appropriate findings as required by the Act and the Commission's rules and regulations in 10 CFR Chapter I, which are set forth in the amendment. Prior public notice

*The following are the holders of Construction Permit No. CPPR-113: Ashburnham Municipal Light Plant, Boylston Municipal Lighting Plant, Central Main Power Company, Central Vermont Public Service Corporation, Chicopee Municipal Lighting Plant, City of Burlington, Vermont, City of Holyoke, Connecticut Municipal Electric Energy Cooperative, Massachusetts Gas and Electric Department, The Connecticut Light and Power Company, Fitchburg Gas and Electric Light Company, Green Mountain Power Corporation, The Hartford Electric Light Company, Marblehead Municipal Light Department, Massachusetts Municipal Wholesale Electric Company, Middleton Municipal Light Department, Montaup Electric Company, New England Power Company, North Attleborough Electric Department, Northeast Nuclear Energy Company, Paxton Municipal Light Department, Peabody Municipal Light Plant, Public Service Company of New Hampshire, Shrewsbury Light Plant, Templeton Municipal Lighting Plant, Town of South Hadley Electric Light Department, The United Illuminating Company, Vermont Electric Cooperative, Inc., Vermont Electric Power Company, Inc., The Village of Lyndonville Electric Department, Wakefield Municipal Light Department, West Boylston Municipal Lighting Plant, Western Massachusetts Electric Company, Westfield Gas and Electric Light Department, Vermont Electric Generation and Transmission Cooperative, Inc., Vermont Public Power Supply Authority and Washington Electric Cooperative, Inc.

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of this amendment was not required since the amendment does not involve a significant hazards consideration.

For further details with respect to this action, see (1) the application for amendment, dated May 11, 1982; (2) Amendment No. 9 to Construction Permit CPPR-113; and (3) the Commission's related Safety Evaluation. All of these items are available for public inspection in the Commission's Public Document Room 1717 H Street, N. W., Washington, D.C., 20555 and at the Waterford Public Library, Rope Ferry Road, Route 156, Waterford Connecticut, 06385. Item (2) may be requested by writing to the U. S. Nuclear Regulatory Commission, Washington, D. C., 20555. Attention: Director, Technical Information and Document Control.

Dated at Bethesda, Maryland, this 9th day of June, 1982.

FOR THE NUCLEAR REGULATORY COMMISSION

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B. J. Youngblood, Chief
Licensing Branch No. 1
Division of Licensing

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SURNAME	JGrant/1g-yt	MRushbrook	BJYoungblood	MRothschild			
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DISTRIBUTION FOR ISSUANCE OF AMENDMENT NO. 9 TO CPPR-113, MILLSTONE NUCLEAR POWER
STATION, UNIT 3 DATED: JUN 09 1982

Document Control (50-423)

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LB#1 Rdg.

J. Grant

M. Rushbrook

J. Youngblood

M. Rothschild, OELD

D. Eisenhut/R. Purple

J. Souder

OIE

MPA

T. Barnhart (4)

W. Miller

W. Jones, OA (10)

B. P. Cotter, ASLBP

A. Rosenthal, ASLAP