

May 15, 1990

Docket No. 50-423

Mr. Edward J. Mroczka
Senior Vice President
Nuclear Engineering and Operations
Connecticut Yankee Atomic Power Company
Northeast Nuclear Energy Company
Post Office Box 270
Hartford, Connecticut 06141-0270

Dear Mr. Mroczka:

SUBJECT: ISSUANCE OF AMENDMENT (TAC NO. 76413)

The Commission has issued the enclosed Amendment No. 49 to Facility Operating License No. NPF-49 for Millstone Nuclear Power Station, Unit No. 3, in response to your application dated April 2, 1990.

The amendment modifies ACTION statement "c" of Technical Specification 3.7.12.1, "Fire Suppression Water System", to state that the provisions of Specification 3.0.3 and 3.0.4 are not applicable.

A copy of the related Safety Evaluation is also enclosed. The notice of issuance will be included in the Commission's biweekly Federal Register notice.

Sincerely,

/s/

David H. Jaffe, Project Manager
Project Directorate I-4
Division of Reactor Projects - I/II
Office of Nuclear Reactor Regulation

Enclosures:

- 1. Amendment No. 49 to NPF-49
- 2. Safety Evaluation

cc w/enclosures:
See next page

LA:PDI-4
SNorris
4/24/90

PM:PDI-4
DJaffe
9/24/90

D:PDI-4
JStolz
4/24/90 for

OGC
4/27/90

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May 15, 1990

AMENDMENT NO. 49 TO FACILITY OPERATING LICENSE NO. NPF-49

Docket File

NRC & Local PDR

Plant File

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B. Boger (14A2)

J. Stolz

S. Norris

D. Jaffe

OGC

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E. Jordan (MNBB 3302)

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UNITED STATES
NUCLEAR REGULATORY COMMISSION
WASHINGTON, D. C. 20555

NORTHEAST NUCLEAR ENERGY COMPANY, ET AL.

DOCKET NO. 50-423

MILLSTONE NUCLEAR POWER STATION, UNIT NO. 3

AMENDMENT TO FACILITY OPERATING LICENSE

Amendment No. 49
License No. NPF-49

1. The Nuclear Regulatory Commission (the Commission) has found that:
 - A. The application for amendment by Northeast Nuclear Energy Company, et al. (the licensee) dated April 2, 1990, complies with the standards and requirements of the Atomic Energy Act of 1954, as amended (the Act), and the Commission's rules and regulations set forth in 10 CFR Chapter I;
 - B. The facility will operate in conformity with the application, the provisions of the Act, and the rules and regulations of the Commission;
 - C. There is reasonable assurance (i) that the activities authorized by this amendment can be conducted without endangering the health and safety of the public, and (ii) that such activities will be conducted in compliance with the Commission's regulations;
 - D. The issuance of this amendment will not be inimical to the common defense and security or to the health and safety of the public; and
 - E. The issuance of this amendment is in accordance with 10 CFR Part 51 of the Commission's regulations and all applicable requirements have been satisfied.

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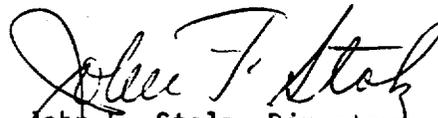
2. Accordingly, the license is amended by changes to the Technical Specifications as indicated in the attachment to this license amendment, and paragraph 2.C.(2) of Facility Operating License No. NPF-49 is hereby amended to read as follows:

(2) Technical Specifications

The Technical Specifications contained in Appendix A, as revised through Amendment No. 49, and the Environmental Protection Plan contained in Appendix B, both of which are attached hereto are hereby incorporated in the license. The licensee shall operate the facility in accordance with the Technical Specifications and the Environmental Protection Plan.

3. This license amendment is effective as of the date of its issuance, to be implemented within 30 days of issuance.

FOR THE NUCLEAR REGULATORY COMMISSION



John F. Stolz, Director
Project Directorate I-A
Division of Reactor Projects - I/II
Office of Nuclear Reactor Regulation

Attachment:
Changes to the Technical
Specifications

Date of Issuance: May 15, 1990

ATTACHMENT TO LICENSE AMENDMENT NO.

FACILITY OPERATING LICENSE NO. NPF-49

DOCKET NO. 50-423

Replace the page 3/4 7-30 of the Appendix A Technical Specifications with the enclosed page. The revised page is identified by amendment number and contains vertical lines indicating the areas of change. The corresponding overleaf pages is provided to maintain document completeness.

PLANT SYSTEMS

SURVEILLANCE REQUIREMENTS (Continued)

- b. Stored sources not in use - Each sealed source and fission detector shall be tested prior to use or transfer to another licensee unless tested within the previous 6 months. Sealed sources and fission detectors transferred without a certificate indicating the last test date shall be tested prior to being placed into use; and
 - c. Startup sources and fission detectors - Each sealed startup source and fission detector shall be tested within 31 days prior to being subjected to core flux or installed in the core and following repair or maintenance to the source.
- 4.7.11.3 Reports - A report shall be prepared and submitted to the Commission on an annual basis if sealed source or fission detector leakage tests reveal the presence of greater than or equal to 0.005 microCurie of removable contamination.

PLANT SYSTEMS

3/4.7.12 FIRE SUPPRESSION SYSTEMS

FIRE SUPPRESSION WATER SYSTEM

LIMITING CONDITION FOR OPERATION

3.7.12.1 The Fire Suppression Water System shall be OPERABLE with:

- a. At least three fire suppression pumps, each with a capacity of 1800 gpm, with their discharge aligned to the fire suppression header,
- b. Separate water supplies, each with a minimum contained volume of 200,000 gallons, and
- c. An OPERABLE flow path capable of taking suction from the fire water tanks and transferring the water through distribution piping with OPERABLE sectionalizing control or isolation valves to the yard hydrant curb valves, hose standpipes, the first valve upstream of the water flow alarm device on each sprinkler and the first valve upstream of the deluge valve on each Deluge or Spray System required to be OPERABLE per Specifications 3.7.12.2, 3.7.12.5, and 3.7.12.6.

APPLICABILITY: At all times.

ACTION:

- a. With one pump and/or one water supply inoperable, restore the inoperable equipment to OPERABLE status within 7 days or provide an alternate backup pump or supply. The provisions of Specifications 3.0.3 and 3.0.4 are not applicable.
- b. With two pumps inoperable, establish a continuous fire watch of the turbine building with back-up fire suppression equipment within 1 hour. The provisions of Specifications 3.0.3 and 3.0.4 are not applicable.
- c. With the Fire Suppression Water System otherwise inoperable, establish a backup Fire Suppression Water System within 24 hours. The provisions of Specifications 3.0.3 and 3.0.4 are not applicable.



UNITED STATES
NUCLEAR REGULATORY COMMISSION
WASHINGTON, D. C. 20555

SAFETY EVALUATION BY THE OFFICE OF NUCLEAR REACTOR REGULATION

RELATED TO AMENDMENT NO. 49

TO FACILITY OPERATING LICENSE NO. NPF-49

NORTHEAST NUCLEAR ENERGY COMPANY, ET AL.

MILLSTONE NUCLEAR POWER STATION, UNIT NO. 3

DOCKET NO. 50-423

INTRODUCTION

By application for license amendment date April 2, 1990, Northeast Nuclear Energy Company, et al. (the licensee), requested changes to Millstone Unit 3 Technical Specifications (TS).

The proposed amendment would modify ACTION statement "c" of TS 3.7.12.1, "Fire Suppression Water System", to state that the provisions of Specification 3.0.3 and 3.0.4 are not applicable.

DISCUSSION AND EVALUATION

On March 15, 1990 a leak in the Millstone Unit No. 3 yard fire water supply header was detected. To make a repair, it was determined that an underground section of the northeast fire water header needed to be isolated. On March 19, 1990, bypass jumper 390-16 was approved by the plant operations review committee (PORC) which established compensatory measures to be taken during the isolation and repair of the northeast fire header. This allowed the northeast section of the yard fire water supply header to be isolated and removed from service for excavation, location and repair of the leak. Additional lengths of fire hose were supplied to hydrant hose No. 4. A continuous fire patrol was established at the reserve station service transformer and alternate sources of fire protection water were supplied to the fuel and engineered safety features buildings to ensure compliance with the Limiting Condition for Operation of TS 3.7.12.1. Subsequently, on March 30, 1990, Millstone Unit 3 was shutdown for unrelated causes. Since Millstone Unit 3 was being operated within the "Action Statement" of TS 3.7.12.1, the requirements of TS 3.0.4 would not allow restart of the plant without repair of the fire water supply header. In addition, TS 3.0.3 requires that when a limiting condition for operation (LCO) is not met, except as provided in the associated ACTION Statement, within one hour action shall be initiated to place the plant in a mode in which the TS does not apply. Since TS 3.7.12.1 applies at all times, TS 3.0.3 could not be met.

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The NRC staff has recognized that TS 3.0.4 has been applied in an inconsistent fashion. In this regard, for cases in which TS allow unlimited operation with compensatory measures being taken for inoperable equipment, restart of the facility with the same inoperable equipment should not be prevented. The NRC staff position on TS 3.0.4 is contained in Generic Letter (GL) 87-09, "Sections 3.0 and 4.0 of the Standard Technical Specifications (STS) on the Applicability of Limiting Conditions for Operation and Surveillance Requirements," which we issued on June 4, 1987. A resolution for generic problems associated with TS 3.0.4 was proposed by GL 87-09.

By letter dated April 1, 1990 the licensee requested a Temporary Waiver of Compliance (TWC) to allow start-up within the "Action Statement" of TS 3.7.12.1 in that TS 3.0.4 should not be applicable. The TWC was subsequently issued on April 2, 1990 to be effective immediately and remain in effect until the proposed license amendment dated April 2, 1990 is issued.

EXIGENT CIRCUMSTANCES

The Commission's regulations, 10 CFR 50.91, contain provisions for issuance of amendments when the usual 30-day public notice period cannot be met. One type of special exception is an exigency. An exigency is a case where the staff and licensee need to act promptly, but failure to act promptly does not involve a plant shutdown, derating, or delay in startup. The exigency case usually represents an amendment involving a safety enhancement to the plant.

Under such circumstances, the Commission notifies the public in one of two ways: by issuing a Federal Register notice providing an opportunity for hearing and allowing at least two weeks for prior public comments, or by issuing a press release discussing the proposed changes, using the local media. In this case, the Commission used the first approach.

The licensee submitted the request for amendment on April 2, 1990. It was noticed in the Federal Register on April 13, 1990 (55 FR 14024), at which time the staff proposed a no significant hazards consideration determination. There were no public comments in response to the notice published in the Federal Register.

FINAL NO SIGNIFICANT HAZARDS CONSIDERATION DETERMINATION

The Commission's regulations in 10 CFR 50.92 state that the Commission may make a final determination that a license amendment involves no significant hazards considerations if operation of the facility in accordance with the amendment would not: (1) Involve a significant increase in the probability or consequences of an accident previously evaluated; or (2) create the possibility of a new or different kind of accident from any accident previously evaluated; or (3) involve a significant reduction in an margin of safety.

Operation of the facility in accordance with the proposed amendment will not involve a significant increase in the probability or consequences of an accident previously evaluated. Specification 3.0.3 requires when an LCO is not met, except as provided in the associated ACTION Statements, within one hour action shall be initiated to place the plant in a mode in which the

TS does not apply. Since TS 3.7.12.1 applies at all times, TS 3.0.3 cannot be met. It is noted that the systems, such as sprays, sprinklers and hoses that are supplied by the fire suppression water system and that protect safety-related equipment are individually controlled by other TS. These individual TS already have an exception to TS 3.0.3. Since compensatory measures are required for those systems affected by the fire suppression water system, it is concluded that there is no significant impact on the reliability of the systems. Specification 3.0.4 states that an entry into an operation mode shall not be made unless the LCO is met without reliance on ACTION statement. In this case the ACTION statement requires compensatory measures that provide a level of safety that is comparable to the LCO. Also, ACTION Statement 'c' allows operation for an unlimited period of time. Changing modes has no impact on the level of safety provided by the compensatory measures. Therefore, exception to TS 3.0.4 will have no impact on the reliability of the safety systems. The proposed change has no impact on the probability of an accident. There are no design basis accidents impacted by the proposed change. The fire suppression water system is not credited in any accident analysis nor is a fire an initiator assumed in any accident analysis. Therefore, there is no impact on the consequences or probability of any design basis accident.

Operation of the facility in accordance with the proposed amendment will not create the possibility of a new or different kind of accident from any accident previously evaluated. The proposed change will not affect plant response in any way, and there are no new failure modes associated with the change that would create a new accident. Compensatory measures are provided for the inoperable portion of the fire suppression water system so that the likelihood of fire that is not suppressed is not affected. Therefore, there is no impact on the probability of an unmitigated fire such that it should be considered part of the design basis.

Operation of the facility in accordance with the amendment will not involve a significant reduction in safety margin. The proposed change only affects the availability of the fire suppression water system and the compensatory measures, such as backup fire suppression water system, are provided for the inoperable portion of the fire suppression water system. Therefore, protective boundaries are not affected, and the proposed amendment is acceptable.

Based upon the above considerations, the staff concludes that the amendment meets the three criteria of 10 CFR 50.92. Therefore, the staff has made a final determination that the proposed amendment does not involve a significant hazards consideration.

ENVIRONMENTAL CONSIDERATION

The amendment changes a requirement with respect to installation or use of a facility component located within the restricted area as defined in 10 CFR Part 20. We have determined that the amendment involves no significant increase in the amounts, and no significant change in the types, of any effluents that may be released offsite, and that there is no significant increase in individual or cumulative occupational radiation exposure. The staff previously published

a proposed finding that the amendment involves no significant hazards consideration and there has been no public comment on such finding. Accordingly, the amendment meets the eligibility criteria for categorical exclusion set forth in 10 CFR 51.22(c)(9). Pursuant to 10 CFR 51.22(b), no environmental impact statement or environmental assessment need be prepared in connection with the issuance of the amendment.

CONCLUSION

We have concluded, based on the considerations discussed above, that (1) there is reasonable assurance that the health and safety of the public will not be endangered by operation in the proposed manner, and (2) such activities will be conducted in compliance with the Commission's regulations, and (3) the issuance of the amendment will not be inimical to the common defense and security or to the health and safety of the public.

Dated: May 15, 1990

Principal Contributor: D. H. Jaffe