

August 17, 1992

Mr. John F. Opeka
Executive Vice President, Nuclear
Connecticut Yankee Atomic Power Company
Northeast Nuclear Energy Company
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Dear Mr. Opeka:

SUBJECT: ISSUANCE OF AMENDMENT (TAC NO. M83305)

The Commission has issued the enclosed Amendment No. 68 to Facility Operating License No. NPF-49 for Millstone Nuclear Power Station, Unit No. 3, in response to your application dated April 28, 1992.

The amendment modifies Facility Operating License, NPF-49, by deleting the following license conditions: (1) 2.C.(5) Inservice Inspection Program and (2) 2.C.(10) Initial Test Program. These two license conditions have been satisfied and therefore, their existence is no longer necessary in the Operating License. Section 2.C of the license has been renumbered to accommodate the deletions.

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/

Vernon L. Rooney, Senior Project Manager
Project Directorate I-4
Division of Reactor Projects - I/II
Office of Nuclear Reactor Regulation

Enclosures:

1. Amendment No. 68 to NPF-49
2. Safety Evaluation

cc w/enclosures:

See next page

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Northeast Nuclear Energy Company

Millstone Nuclear Power Station
Unit 3

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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. 68
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 28, 1992, 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.

2. Accordingly, Facility Operating License No. NPF-49 is hereby amended by deleting paragraphs 2.C(5) and 2.C(10).*
3. This license amendment is effective as of the date of its issuance.

FOR THE NUCLEAR REGULATORY COMMISSION

Albert M. McGaynor for

John F. Stolz, Director
Project Directorate I-4
Division of Reactor Projects - I/II
Office of Nuclear Reactor Regulation

Attachment:
Pages 3 and 4 of license

Date of Issuance: August 17, 1992

*Pages 3 and 4, are attached, for convenience, for the composite license to reflect this change.

- (3) NNECO, pursuant to the Act and 10 CFR Parts 30, 40, and 70 to receive, possess, and use at any time any byproduct, source, and special nuclear material as sealed neutron sources for reactor startup, sealed sources for reactor instrumentation and radiation monitoring equipment calibration, and as fission detectors in amounts as required;
 - (4) NNECO, pursuant to the Act and 10 CFR Parts 30, 40, and 70 to receive, possess, and use in amounts as required any byproduct, source, or special nuclear material without restriction to chemical or physical form, for sample analysis or instrument calibration or associated with radioactive apparatus or components; and
 - (5) NNECO, pursuant to the Act and 10CFR Parts 30, 40, and 70 to possess, but not separate, such byproduct and special nuclear materials as may be produced by the operations of the facility.
- C. This license shall be deemed to contain and is subject to the conditions specified in the Commission's regulations set forth in 10 CFR Chapter I and is subject to all applicable provision of the Act and to the rules, regulations, and orders of the Commission now or hereafter in effect; and is subject to the additional conditions specified or incorporated below:
- (1) Maximum Power Level

Northeast Nuclear Energy Company is authorized to operate the facility at reactor core power levels not in excess of 3411 megawatts thermal (100 percent rated power) in accordance with the conditions specified herein.
 - (2) Technical Specifications

The technical specifications contained in Appendix A revised through Amendment No. , and the Environmental Protection Plan contained in Appendix B, both of which are attached hereto, are hereby incorporated into this license. Northeast Nuclear Energy Company shall operate the facility in accordance with the Technical Specifications and the Environmental Protection Plan.
 - (3) Fire Protection (Section 9.5.1, SER, SSER 2, SSER 4, SSER 5)
 - (a) NNECO shall implement and maintain in effect all provisions of the approved fire protection program as described in its Final Safety Analysis Report for the facility through Amendment 17 and as approved in the SER through Supplement No. 5, subject to provisions (b) and (c) below.
 - (b) NNECO may make no change to the approved fire protection program which would significantly decrease the level of fire protection in the plant without prior approval of the

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Commission. To make such a change, NNECO must submit an application for a license amendment pursuant to 10 CFR 50.90.

- (c) NNECO may make changes to features of the approved fire protection program which do not significantly decrease the level of fire protection without prior Commission approval provided:
 - (i) such changes do not otherwise involve a change in a license condition or Technical Specification or result in an unreviewed safety question (see 10 CFR 50.59); and
 - (ii) such changes do not result in failure to complete the fire protection program approved by the Commission prior to license issuance.

NNECO shall maintain, in an auditable form, a current record of all such changes, including an analysis of the effects of the changes on the fire protection program, and shall make such records available to NRC inspectors upon request. All changes to the approved program shall be reported to the Director of the Office of Nuclear Reactor Regulation, together with the FSAR revisions required by 10 CFR 50.71(e).

(4) Salem ATWS Events Generic Letter 83-28

NNECO shall submit responses to and implement the requirements of Generic Letter 83-28 Salem ATWS Events on a schedule which is consistent with that given in their November 8, 1983 letter as modified by their letters dated March 16, 1984 and September 5, 1985.



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

SAFETY EVALUATION BY THE OFFICE OF NUCLEAR REACTOR REGULATION

RELATED TO AMENDMENT NO. 68

TO FACILITY OPERATING LICENSE NO. NPF-49

NORTHEAST NUCLEAR ENERGY COMPANY, ET AL.

MILLSTONE NUCLEAR POWER STATION, UNIT NO. 3

DOCKET NO. 50-423

1.0 INTRODUCTION

By letter dated April 28, 1992, the Northeast Nuclear Energy Company (NNECO/licensee), submitted a request for changes to the Millstone Nuclear Power Station, Unit No. 3, Facility Operating License NPF-49. The requested changes would delete the following license conditions: (1) 2.C(5) Inservice Inspection and (2) 2.C.(10) Initial Test Program. The licensee has proposed that the above conditions be deleted because they have been satisfied, and therefore, their existence is no longer necessary in the Operating License.

2.0 EVALUATION

On January 31, 1986, the NRC staff issued Facility Operating License No. NPF-49 to Northeast Nuclear Energy Company, et al. (the licensee) for operation of Millstone Unit No. 3. As part of NPF-49, the NRC specified that certain actions, "License Conditions," were to be undertaken by the licensee. The satisfaction of these conditions is described below.

License Condition 2.C(5)--Inservice Inspection Program

License Condition 2.C(5) in the Millstone Unit No. 3 Operating License requires that "Prior to May 25, 1986, NNECO shall submit the inservice inspection program which conforms to the ASME Code in effect on November 25, 1984 in accordance with 50.55(a)(g)(4), for NRC staff review and approval." By letter dated May 22, 1986, NNECO submitted to the NRC the Millstone Unit No. 3 Inservice Inspection Program Plan. The Program Plan was submitted for review and evaluation of its compliance with the requirements of Section XI of the ASME Boiler and Pressure Vessel Code, regulations, and plant Technical Specifications. In a letter dated February 8, 1991, the staff concluded that License Condition 2.C(5) had been met; therefore, removal of License Condition 2.C(5) is acceptable.

License Condition 2.C(10)--Initial Test Program

License Condition 2.C(10) in the Millstone Unit No. 3 Operating License requires that "Any changes to the Initial Test Program described in Section 14 of the FSAR made in accordance with the provisions of 10 CFR 50.59 shall be reported in accordance with 50.59(b) within one month of such change." NNECO made a series of submittals in accordance with License Condition 2.C(10). In a letter dated May 10, 1989, the NRC concluded that the changes to the Initial Test Program are acceptable and License Condition 2.C(10) had been met.

By letter dated March 27, 1992, NNECO informed the staff that a recent engineering review had revealed a change that had not been reported within one month, as called for by License Condition 2.C(10). NNECO also provided a review of the change with respect to the requirements of 10 CFR 50.59. By letter dated June 30, 1992, the staff, after reviewing the letter of March 27, 1992, concluded that the reporting requirement for this change was satisfied. Therefore, removal of License Condition 2.C(10) is acceptable.

3.0 STATE CONSULTATION

In accordance with the Commission's regulations, the Connecticut State official was notified of the proposed issuance of the amendment. The State official had no comments.

4.0 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. The NRC staff has 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 Commission has previously issued a proposed finding that the amendment involves no significant hazards consideration, and there has been no public comment on such finding (57 FR 30253). 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.

5.0 CONCLUSION

The Commission has 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, (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.

Principal Contributor: V. L. Rooney

Date: August 17, 1992