

Mr. Neil S. Carns
Senior Vice President
and Chief Nuclear Officer
Northeast Nuclear Energy Company
c/o Mr. Richard T. Laudenat
Director - Regulatory Affairs
P.O. Box 128
Waterford, CT 06385

April 21, 1997

SUBJECT: ISSUANCE OF AMENDMENT (TAC NO. M94865)

Dear Mr. Carns:

The Commission has issued the enclosed Amendment No.138 to Facility Operating License No. NPF-49 for the Millstone Nuclear Power Station, Unit No. 3, in response to your application dated February 5, 1996.

The amendment deletes a clause from Technical Specification 4.0.5.a. Specifically, this change deletes the clause "(g), except where specific written relief has been granted by the Commission pursuant to 10 CFR Part 50, Section 50.55a(g)(6)(i)." The amendment also makes the appropriate changes to the Bases section. In addition, the Bases changes to Section B 3/4.7.7 and B 3/4.7.8, which were submitted with this amendment request, were issued with Amendment No. 136, dated April 10, 1997.

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

Sincerely

/s/

James W. Andersen, Project Manager
Special Projects Office - Licensing
Office of Nuclear Reactor Regulation

Docket No. 50-423

Enclosures: 1. Amendment No.138 to NPF-49
2. Safety Evaluation

cc w/encls: See next page

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UNITED STATES
NUCLEAR REGULATORY COMMISSION
WASHINGTON, D.C. 20555-0001

April 21, 1997

Mr. Neil S. Carns
Senior Vice President
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Northeast Nuclear Energy Company
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Sincerely,

A handwritten signature in black ink, appearing to be "JW Andersen", is written over the typed name.

James W. Andersen, Project Manager
Special Projects Office - Licensing
Office of Nuclear Reactor Regulation

Docket No. 50-423

Enclosures: 1. Amendment No. 138 to NPF-49
2. Safety Evaluation

cc w/encls: See next page

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Northeast Nuclear Energy Company

Millstone Nuclear Power Station
Unit 3

cc:

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UNITED STATES
NUCLEAR REGULATORY COMMISSION
WASHINGTON, D.C. 20555-0001

NORTHEAST NUCLEAR ENERGY COMPANY, ET AL.

DOCKET NO. 50-423

MILLSTONE NUCLEAR POWER STATION, UNIT NO. 3

AMENDMENT TO FACILITY OPERATING LICENSE

Amendment No. 138
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 February 5, 1996, 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, 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. 138, 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 60 days of issuance.

FOR THE NUCLEAR REGULATORY COMMISSION



Phillip F. McKee
Deputy Director for Licensing
Special Projects Office
Office of Nuclear Reactor Regulation

Attachment: Changes to the Technical
Specifications

Date of Issuance: April 21, 1997

ATTACHMENT TO LICENSE AMENDMENT NO. 138

FACILITY OPERATING LICENSE NO. NPF-49

DOCKET NO. 50-423

Replace the following pages of the Appendix A, Technical Specifications, with the attached pages. The revised pages are identified by amendment number and contain vertical lines indicating the areas of change.

Remove

3/4 0-2
B 3/4 4-15

Insert

3/4 0-2
B 3/4 4-15

APPLICABILITY

LIMITING CONDITION FOR OPERATION (Continued)

4.0.3 Failure to perform a Surveillance Requirement within the allowed surveillance interval, defined by Specification 4.0.2, shall constitute noncompliance with the OPERABILITY requirements for a Limiting Condition for Operation. The time limits of the ACTION requirements are applicable at the time it is identified that a Surveillance Requirement has not been performed. The ACTION requirements may be delayed for up to 24 hours to permit the completion of the surveillance when allowable outage time limits of the ACTION requirements are less than 24 hours. Surveillance Requirements do not have to be performed on inoperable equipment.

4.0.4 Entry into an OPERATIONAL MODE or other specified condition shall not be made unless the Surveillance Requirement(s) associated with the Limiting Condition for Operation has been performed within the stated surveillance interval or as otherwise specified. This provision shall not prevent passage through or to OPERATIONAL MODES as required to comply with ACTION requirements.

4.0.5 Surveillance Requirements for inservice inspection and testing of ASME Code Class 1, 2, and 3 components shall be applicable as follows:

- a. Inservice inspection of ASME Code Class 1, 2, and 3 components and inservice testing of ASME Code Class 1, 2, and 3 pumps and valves shall be performed in accordance with Section XI of the ASME Boiler and Pressure Vessel Code and applicable Addenda as required by 10 CFR Part 50, Section 50.55a;
- b. Surveillance intervals specified in Section XI of the ASME Boiler and Pressure Vessel Code and applicable Addenda for the inservice inspection and testing activities required by the ASME Boiler and Pressure Vessel Code and applicable Addenda shall be applicable as follows in these Technical Specifications:

ASME Boiler and Pressure Vessel
Code and applicable Addenda
terminology for inservice
inspection and testing activities

Required frequencies for
performing inservice
inspection and testing
activities

Weekly
Monthly
Quarterly or every 3 months
Semiannually or every 6 months
Every 9 months
Yearly or annually

At least once per 7 days
At least once per 31 days
At least once per 92 days
At least once per 184 days
At least once per 276 days
At least once per 366 days

- c. The provisions of Specification 4.0.2 are applicable to the above required frequencies for performing inservice inspection and testing activities;

REACTOR COOLANT SYSTEM

BASES

while in MODES 4, 5, and 6 with the reactor vessel head installed and disallow start of an RCP if secondary temperature is more than 50° above primary temperature.

The Maximum Allow PORV Setpoint for the COPS will be updated based on the results of examinations of reactor vessel material irradiation surveillance specimens performed as required by 10 CFR Part 50, Appendix H, and in accordance with the schedule in Table 4.4-5.

3/4.4.10 STRUCTURAL INTEGRITY

The inservice inspection and testing programs for ASME Code Class 1, 2, and 3 components ensure that the structural integrity and operational readiness of these components will be maintained at an acceptable level throughout the life of the plant. These programs are in accordance with Section XI of the ASME Boiler and Pressure Vessel Code and applicable Addenda as required by 10 CFR 50.55a.

Components of the Reactor Coolant System were designed to provide access to permit inservice inspections in accordance with Section XI of the ASME Boiler and Pressure Vessel Code, 80 Edition and Addenda through Winter.

3/4.4.11 REACTOR COOLANT SYSTEM VENTS

Reactor Coolant System vents are provided to exhaust noncondensable gases and/or steam from the Reactor Coolant System that could inhibit natural circulation core cooling. The OPERABILITY of at least one Reactor Coolant System vent path from the reactor vessel head and the pressurizer steam space ensures that the capability exists to perform this function. The reactor vessel head vent path consists of two parallel flow paths with redundant isolation valves (3RCS*SV8095A, 3RCS*SV8096A and 3RCS*SV8095B, 3RCS*SV80965B) in each flow path. The pressurizer steam space vent path consists of two parallel paths with a power operated relief valve (PORV) and PORV block valve in series (3RCS*PCV455A, 3RCS*MV800A and 3RCS*PCV456, 3RCS*MV8000B).

The valve redundancy of the Reactor Coolant System vent paths serves to minimize the probability of inadvertent or irreversible actuation while ensuring that a single failure of a vent valve, power supply, or control system does not prevent isolation of the vent path.

The function, capabilities, and testing requirements of the Reactor Coolant System vents are consistent with the requirements of Item II.B.1 of NUREG-0737, "Clarification of TMI Action Plant Requirements," November 1980.



**UNITED STATES
NUCLEAR REGULATORY COMMISSION**
WASHINGTON, D.C. 20555-0001

SAFETY EVALUATION BY THE OFFICE OF NUCLEAR REACTOR REGULATION

RELATED TO AMENDMENT NO. 138

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 February 5, 1996, the Northeast Nuclear Energy Company, et al. (the licensee), submitted a request for changes to the Millstone Nuclear Power Station, Unit No. 3 Technical Specifications (TS). The requested changes would delete a clause from TS 4.0.5.a. Specifically, the change deletes the clause "(g), except where specific written relief has been granted by the Commission pursuant to 10 CFR Part 50, Section 50.55a(g)(6)(i)." The amendment also makes the appropriate changes to the Bases section. In addition, NNECO submitted changes to Bases Section 3/4.7.7 and 3/4.7.8 to add design basis information and provided clarification of system design and operation.

2.0 BACKGROUND

The Commission's final policy statement on TS improvements defines the scope of the TS and provides a criterion for technical design items to be included in, or relocated out of the TS document. On July 19, 1995 (60 FR 36953), the NRC published the final rule governing the implementation of this policy via a revision of 10 CFR 50.36, "Technical Specifications," which became effective August 18, 1995. The April 7, 1995, revised version of the Standard Technical Specifications (STS) (NUREG-1431), relocates the inservice testing requirements to the administrative controls section of the TS and deletes a portion of the inservice inspection requirements, retaining the reactor coolant pump flywheel inspections in the administrative controls section. NUREG-1482, "Guidelines for Inservice Testing at Nuclear Power Plants," Chapter 6, recommends that licensees revise their TS to incorporate the revised STS for inservice testing programs.

3.0 EVALUATION

Millstone Unit 3 TS 4.0.5.a currently states that "Inservice inspection of ASME Code Class 1, 2, and 3 components and inservice testing of ASME Code Class 1, 2, and 3 pumps and valves shall be performed in accordance with Section XI of the ASME Boiler and Pressure Vessel Code and applicable Addenda as required by 10 CFR Part 50, Section 50.55a(g), except where specific

written relief has been granted by the Commission pursuant to 10 CFR Part 50, Section 50.55a(g)(6)(i)." The licensee has requested a change that would delete the clause "(g), except where specific written relief has been granted by the Commission pursuant to 10 CFR Part 50, Section 50.55a(g)(6)(i)." from this TS.

By rulemaking effective September 8, 1993 (57 FR 34666), the NRC established paragraph (f) to separate the inservice testing program requirements from the inservice inspection program requirements in paragraph (g) of 10 CFR 50.55a. Therefore, deleting the reference to paragraph (g) of 10 CFR 50.55a in TS 4.0.5.a, is acceptable since TS 4.0.5.a pertains to both inservice testing program requirements and inservice inspection program requirements. By leaving the requirement that inservice inspection of ASME Code Class 1, 2, and 3 components and inservice testing of ASME Code Class 1, 2, and 3 pumps and valves shall be performed in accordance with Section XI of the ASME Boiler and Pressure Vessel Code and applicable Addenda as required by 10 CFR Part 50, Section 50.55a, the licensee includes both paragraphs (f) and (g), as appropriate.

In addition, Section 5.0 of the revised STS contains the requirements for the inservice testing and inservice inspection programs. These TS state, in part, that inservice testing and inspection be performed in accordance with Section XI of the ASME Boiler and Pressure Vessel Code and applicable Addenda as required by 10 CFR 50.55a. Therefore, this change to the licensee's TS is consistent with the revised STS and the regulatory guidance in NUREG-1482. The inservice testing and inservice inspection requirements are given in 10 CFR 50.55a, which the licensee documents via its 10-year interval program requirements. This change is acceptable since the regulatory requirements are delineated in 10 CFR 50.55a, and the change eliminates inconsistencies between the TS and the regulations.

Regarding the Bases changes to Section B 3/4.7.7 and B 3/4.7.8, by letter dated April 10, 1997, the NRC stated it had no objection to the wording and issued them as part of Amendment No. 136.

4.0 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.

5.0 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 (62 FR 8800 dated February 26, 1997).

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.

6.0 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: J. Andersen

Date: April 21, 1997