

November 5, 1993

Docket No. 50-423

Mr. John F. Opeka  
Executive Vice President, Nuclear  
Connecticut Yankee Atomic Power Company  
Northeast Nuclear Energy Company  
Post Office Box 270  
Hartford, Connecticut 06141-0270

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Dear Mr. Opeka:

SUBJECT: NOTICE OF CONSIDERATION OF ISSUANCE OF AMENDMENT TO FACILITY  
OPERATING LICENSE, PROPOSED NO SIGNIFICANT HAZARDS CONSIDERATION  
DETERMINATION, AND OPPORTUNITY FOR A HEARING - MILLSTONE UNIT 3  
(TAC NO. M87216)

The Commission has forwarded the enclosed "Notice of Consideration of Issuance  
of Amendment to Facility Operating License, Proposed No Significant Hazards  
Consideration Determination, and Opportunity for a Hearing" to the Office of  
the Federal Register for publication.

The notice relates to your application dated November 4, 1993, as supplemented  
November 4, 1993. The proposed amendment to the Technical Specification would  
increase the required supplementary leak collection and release system (SLCRS)  
drawdown time from 60 seconds to 120 seconds and increase the required vacuum  
to 0.4 inches, based on a compensating reduction in containment leakage rate.

Sincerely,

Original signed by:

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

Enclosure:  
As stated

cc w/enclosure:  
See next page

\*SEE PREVIOUS CONCURRENCE

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UNITED STATES  
NUCLEAR REGULATORY COMMISSION

WASHINGTON, D.C. 20555-0001

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Executive Vice President, Nuclear  
Connecticut Yankee Atomic Power Company  
Northeast Nuclear Energy Company  
Post Office Box 270  
Hartford, Connecticut 06141-0270

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Sincerely,

A handwritten signature in black ink, appearing to read "Vernon L. Rooney". The signature is written over a horizontal line.

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

Enclosure:  
As stated

cc w/enclosure:  
See next page

Mr. John F. Opeka  
Northeast Nuclear Energy Company

Millstone Nuclear Power Station  
Unit 3

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UNITED STATES NUCLEAR REGULATORY COMMISSIONNORTHEAST NUCLEAR ENERGY COMPANYDOCKET NO. 50-423NOTICE OF CONSIDERATION OF ISSUANCE OF AMENDMENT TO  
FACILITY OPERATING LICENSE, PROPOSED NO SIGNIFICANT HAZARDS  
CONSIDERATION DETERMINATION, AND OPPORTUNITY FOR A HEARING

The U.S. Nuclear Regulatory Commission (the Commission) is considering issuance of an amendment to Facility Operating License No. NPF-49, issued to Northeast Nuclear Energy Company (NNECO/the licensee), for operation of the Millstone Nuclear Power Station, Unit No. 3, located in New London County, Connecticut.

The proposed amendment would increase the required supplementary leak collection and release system (SLCRS) drawdown time from 60 seconds to 120 seconds and increase the required vacuum to 0.4 inches, based on compensating reductions in containment leak rate.

Because the present Technical Specifications are impractical for plant operation, the Technical Specifications must be changed before plant operation resumes. The plant is presently shutdown for an extended maintenance and refueling outage and resumption of operations is expected in early November. In order to process the proposed license amendment without unduly impacting scheduled resumption of operation exigent approval is required. The licensee has stated that the exigent situation could not have been avoided because of a recently-revealed lack of understanding of the SLCRS characteristics.



Before issuance of the proposed license amendment, the Commission will have made findings required by the Atomic Energy Act of 1954, as amended (the Act) and the Commission's regulations.

Pursuant to 10 CFR 50.91(a)(6) for amendments to be granted under exigent circumstances, the NRC staff must determine that the amendment request involves no significant hazards consideration. Under the Commission's regulations in 10 CFR 50.92, this means that operation of the facility in accordance with the proposed 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 a margin of safety. As required by 10 CFR 50.91(a), the licensee has provided its analysis of the issue of no significant hazards consideration (SHC), which is presented below:

The proposed changes do not involve an SHC because the changes would not:

1. Involve a significant increase in the probability or consequences of an accident previously evaluated.

The ability of the SLCRS and ABFS [auxiliary building filtration system] to meet the proposed Technical Specification to draw a negative pressure of 0.4 inches water gauge in the auxiliary building at the 24'-6" elevation within 120 seconds after a start signal (this time includes the diesel generator start and load time of approximately 10 seconds) is established through the evaluation of modification-related operating time changes and the use of prior test data. The test results confirmed that the SLCRS/ABFS will achieve drawdown to a negative pressure of 0.4 inches water gauge as measured at the 24'-6" elevation in the auxiliary building within 120 seconds following an accident signal. NNECO is confident that the pertinent set of tests comprising the integrated test program are all-encompassing and that the system, when subjected to a comprehensive test series, has responded appropriately. This was a probing test series which established a detailed understanding of how the combined systems operate and respond to any credible accident scenario.

These tests show that the SLCRS and ABFS equipment are capable of developing a negative pressure in excess of 0.4 inches water gauge within the auxiliary building at the 24'-6" elevation. There is reasonable assurance that this can be accomplished within 120 seconds (this time includes the diesel generator start and load times). Furthermore, testing recently completed following implementation of previously identified modifications validated the system's ability to perform its intended function in the requisite time frame.

Extension of the time allowed to achieve drawdown of secondary containment from 60 seconds to 120 seconds (these times include the diesel generator start and load time of approximately 10 seconds) will have a negligible impact on heating and cooling. Plant experience has shown that heatup and cooldown of thick-walled concrete structures, such as the Millstone Unit No. 3 auxiliary building, is a relatively slow process. Also, natural convection within the auxiliary building tends to stabilize temperatures. Following an accident signal, ventilation equipment is restarted promptly. Therefore, heatup or cooldown, during short periods while ventilation fans and/or heaters are inactive, is insignificant and can be neglected.

The proposed change to decrease the containment integrated leakage rate at the design basis pressure from 0.65 wt./day to 0.3 wt./day has been evaluated to determine the impact of the proposed lower leakage criteria on the Millstone Unit No. 3 containment test program. It was determined that the leakage results from the type "A," "B," and "C" tests for the current refueling outage provide assurance of containment integrity even under the proposed leakage criteria. Also, the results of the bypass leakage are within the proposed limit. The proposed upper bound for the overall integrated leakage of 0.30 wt./day is more restrictive than the current upper bound of 0.65 wt./day.

NNECO has determined that the overall effect of increasing the time to draw a negative pressure of 0.4 inches water gauge as measured at the 24'6" elevation of the auxiliary building from 60 seconds to 120 seconds and reducing the containment integrated leakage rates at the design basis pressure of 0.65 wt./day to 0.3 wt./day was to reduce the calculated doses. Previously, the EAB [exclusion area boundary] thyroid and whole body doses as documented in the Millstone Unit No. 3 FSAR [Final Safety Analysis Report] were calculated to be 150 rem and 19.5 rem, respectively, while the previously docketed LPZ [low population zone] doses to the thyroid and whole body were calculated to be 31.6 rem and 3.5 rem, respectively. Utilizing the proposed revisions and the revised application of containment recirculation spray DF [decontamination factor], the EAB thyroid and whole body doses were calculated to be 141 rem and 9.4 rem, respectively, and the LPZ thyroid and whole body doses were calculated to be 29.8 rem and 1.7 rem, respectively. It was also

concluded that the totalcuries of each iodine and noble gas isotope is less over each time period for this analysis than for the current analysis of record. This indicates that the control room and technical support center doses will be lower.

The proposed change to delineate the equipment required to comprise an operable SLCRS in the LCO [limiting condition for operation] for Technical Specification 3.6.6.1 would impose an additional restriction on the operation of Millstone Unit No. 3.

The proposed change to delineate the equipment necessary to comprise an operable ABFS in the LCO for Technical Specification 3.7.9, and the proposed change to require compliance with the action statements of Technical Specification 3.6.6.1 when an ABFS is declared inoperable in the action statements for Technical Specification 3.7.9 will impose additional restrictions on the operation of Millstone Unit No. 3. The proposed revision to Bases Section 3/4.7.9 will ensure that the basis and the LCO for Technical Specification 3.7.9 are consistent with each other.

The proposal to replace the phrase "a halogenated hydrocarbon refrigerant" denoted in Technical Specification Surveillances 4.6.6.1.f, 4.7.7.g, and 4.7.9.f with the phrase "an acceptable" will not change any of the acceptance criteria for the charcoal filter leak rate test. The changes are being proposed to permit Millstone Unit No. 3 to cope with the future ban of certain halogenated hydrocarbons. Because the changes will not impact the assumed efficiency of the charcoal filters, the calculated dose consequences of any postulated accident will not be affected.

The proposal to rename definition section 1.12 as "SECONDARY CONTAINMENT BOUNDARY," and the resultant changes to Technical Specifications 3.6.1.2.c, 3.6.6.2, 3.6.6.3, and 4.6.6.3, Table 3.6-1, and Bases Sections 3/4.6.6.2, and 3/4.6.6.3 are editorial in nature. They do not have any safety impact. At this time removal of the SLCRS operability requirement from definition 1.12 will be denied, and will be reviewed in a future licensing action

2. Create the possibility of a new or different kind of accident from any accident previously evaluated.

The proposed changes do not compromise the ability of the SLCRS and ABFS to mitigate the consequences of an accident. A FMEA [failure modes and effects analysis/analyses] confirmed that the design changes implemented do not introduce any new single failure vulnerabilities. The proposed changes do not introduce any new or unique operational modes or accident precursors. Therefore, the proposed changes do not create the possibility of a new or different kind of accident from any accident previously evaluated.

3. Involve a significant reduction in a margin of safety.

NNECO has determined that the overall effect of increasing the time to draw a negative pressure of 0.4 inches water gauge as measured at the 24'-6" elevation of the auxiliary building from 60 seconds to 120 seconds and reducing the containment integrated leakage rates at the design basis pressure of 0.65 wt./day to 0.3 wt./day was to reduce the calculated doses. Previously the EAB thyroid and whole body doses were calculated to be 150 rem and 19.5 rem, respectively, while the previously docketed LPZ doses to the thyroid and whole body were calculated to be 31.6 rem and 3.5 rem, respectively. Utilizing the proposed revisions and the revised application of containment recirculation spray DF, the EAB thyroid and whole body doses were calculated to be 141 rem and 9.4 rem, respectively. The LPZ thyroid and whole body doses were calculated to be 29.8 rem and 1.7 rem, respectively. Therefore, the proposed changes do not involve a significant reduction in a margin of safety. On the contrary, the proposed changes would slightly increase the margin of safety as gauged by the reduction in the calculated EAB and LPZ thyroid and whole body doses and the reduction of the total curies of each iodine and noble gas isotope for the subject time frames. Further, there is no other parameter affected by this proposed amendment for which it can be concluded that the proposed changes result in a significant reduction in the margin of safety.

The NRC staff has reviewed the licensee's analysis and, based on this review, it appears that the three standards of 10 CFR 50.92(c) are satisfied. Therefore, the NRC staff proposes to determine that the amendment request involves no significant hazards consideration.

The Commission is seeking public comments on this proposed determination. Any comments received within 15 days after the date of publication of this notice will be considered in making any final determination.

Normally, the Commission will not issue the amendment until the expiration of the 15-day notice period. However, should circumstances change during the notice period, such that failure to act in a timely way would result, for example, in derating or shutdown of the facility, the Commission may issue the license amendment before the expiration of the 15-day notice period, provided that its final determination is that the

amendment involves no significant hazards consideration. The final determination will consider all public and State comments received. Should the Commission take this action, it will publish in the FEDERAL REGISTER a notice of issuance. The Commission expects that the need to take this action will occur very infrequently.

Written comments may be submitted by mail to the Rules Review and Directives Branch, Division of Freedom of Information and Publications Services, Office of Administration, U.S. Nuclear Regulatory Commission, Washington, DC 20555, and should cite the publication date and page number of this FEDERAL REGISTER notice. Written comments may also be delivered to Room P-223, Phillips Building, 7920 Norfolk Avenue, Bethesda, Maryland, from 7:30 a.m. to 4:15 p.m. Federal workdays. Copies of written comments received may be examined at the NRC Public Document Room, the Gelman Building, 2120 L Street, NW., Washington, DC 20555.

The filing of requests for hearing and petitions for leave to intervene is discussed below.

By December 13, 1993 , the licensee may file a request for a hearing with respect to issuance of the amendment to the subject facility operating license and any person whose interest may be affected by this proceeding and who wishes to participate as a party in the proceeding must file a written request for a hearing and a petition for leave to intervene. Requests for a hearing and a petition for leave to intervene shall be filed in accordance with the Commission's "Rules of Practice for Domestic Licensing Proceedings" in 10 CFR Part 2. Interested persons should consult a current copy of 10 CFR 2.714 which is available at the Commission's

Public Document Room, the Gelman Building, 2120 L Street, NW., Washington, DC 20555 and at the local public document room located at the Learning Resources Center, Thames Valley State Technical College, 574 New London Turnpike, Norwich, Connecticut 06360. If a request for a hearing or petition for leave to intervene is filed by the above date, the Commission or an Atomic Safety and Licensing Board, designated by the Commission or by the Chairman of the Atomic Safety and Licensing Board Panel, will rule on the request and/or petition; and the Secretary or the designated Atomic Safety and Licensing Board will issue a notice of hearing or an appropriate order.

As required by 10 CFR 2.714, a petition for leave to intervene shall set forth with particularity the interest of the petitioner in the proceeding, and how that interest may be affected by the results of the proceeding. The petition should specifically explain the reasons why intervention should be permitted with particular reference to the following factors: (1) the nature of the petitioner's right under the Act to be made a party to the proceeding; (2) the nature and extent of the petitioner's property, financial, or other interest in the proceeding; and (3) the possible effect of any order which may be entered in the proceeding on the petitioner's interest. The petition should also identify the specific aspect(s) of the subject matter of the proceeding as to which petitioner wishes to intervene. Any person who has filed a petition for leave to intervene or who has been admitted as a party may amend the petition without requesting leave of the Board up to 15 days prior to the first prehearing conference scheduled in the proceeding, but such an amended petition must satisfy the specificity requirements described above.

Not later than 15 days prior to the first prehearing conference scheduled in the proceeding, a petitioner shall file a supplement to the petition to intervene which must include a list of the contentions which are sought to be litigated in the matter. Each contention must consist of a specific statement of the issue of law or fact to be raised or controverted. In addition, the petitioner shall provide a brief explanation of the bases of the contention and a concise statement of the alleged facts or expert opinion which support the contention and on which the petitioner intends to rely in proving the contention at the hearing. The petitioner must also provide references to those specific sources and documents of which the petitioner is aware and on which the petitioner intends to rely to establish those facts or expert opinion. Petitioner must provide sufficient information to show that a genuine dispute exists with the applicant on a material issue of law or fact. Contentions shall be limited to matters within the scope of the amendment under consideration. The contention must be one which, if proven, would entitle the petitioner to relief. A petitioner who fails to file such a supplement which satisfies these requirements with respect to at least one contention will not be permitted to participate as a party.

Those permitted to intervene become parties to the proceeding, subject to any limitations in the order granting leave to intervene, and have the opportunity to participate fully in the conduct of the hearing, including the opportunity to present evidence and cross-examine witnesses.

If the amendment is issued before the expiration of the 30-day hearing period, the Commission will make a final determination on the issue of no significant hazards consideration. If a hearing is requested, the final determination will serve to decide when the hearing is held.

If the final determination is that the amendment request involves no significant hazards consideration, the Commission may issue the amendment and make it immediately effective, notwithstanding the request for a hearing. Any hearing held would take place after issuance of the amendment.

If the final determination is that the amendment request involves a significant hazards consideration, any hearing held would take place before the issuance of any amendment.

A request for a hearing or a petition for leave to intervene must be filed with the Secretary of the Commission, U.S. Nuclear Regulatory Commission, Washington, DC 20555, Attention: Docketing and Services Branch, or may be delivered to the Commission's Public Document Room, the Gelman Building, 2120 L Street, NW., Washington, DC 20555, by the above date. Where petitions are filed during the last 10 days of the notice period, it is requested that the petitioner promptly so inform the Commission by a toll-free telephone call to Western Union at 1-(800) 248-5100 (in Missouri 1-(800) 342-6700). The Western Union operator should be given Datagram Identification Number N1023 and the following message addressed to John F. Stolz, Director, Project Directorate I-4: petitioner's name and telephone number; date petition was mailed; plant name; and

publication date and page number of this FEDERAL REGISTER notice. A copy of the petition should also be sent to the Office of the General Counsel, U.S. Nuclear Regulatory Commission, Washington, DC 20555, and to Gerald Garfield, Esquire, Day, Berry & Howard, City Place, Hartford, Connecticut 06103-3499, attorney for the licensee.

Nontimely filings of petitions for leave to intervene, amended petitions, supplemental petitions and/or requests for hearing will not be entertained absent a determination by the Commission, the presiding officer or the presiding Atomic Safety and Licensing Board that the petition and/or request should be granted based upon a balancing of the factors specified in 10 CFR 2.714(a)(1)(i)-(v) and 2.714(d).

For further details with respect to this action, see the application for amendment dated November 4, 1993, as supplemented November 4, 1993, which are available for public inspection at the Commission's Public Document Room, the Gelman Building, 2120 L Street, NW., Washington, DC 20555, and at the local public document room, located at the Learning Resources Center, Thames Valley State Technical College, 574 New London Turnpike, Norwich, Connecticut 06360.

Dated at Rockville, Maryland, this 5th day of November 1993.

FOR THE NUCLEAR REGULATORY COMMISSION



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