

June 12, 1996

Mr. Ted C. Feigenbaum
Executive Vice President and
Chief Nuclear Officer
Northeast Utilities Service Company
c/o Mr. Terry L. Harpster
P.O. Box 128
Waterford, CT 06385

Dear Mr. Feigenbaum:

The Commission has requested the Office of the Federal Register to publish the enclosed "Notice of Consideration of Issuance of Amendment to Facility Operating License, Proposed No Significant Hazards Consideration Determination, and Opportunity for Hearing." This notice relates to your amendment application dated May 23, 1996, which would revise the Technical Specifications (TS) for the Overtemperature ΔT time constants in TS Table 2.2-1 and the Steam Line Pressure Negative Rate High Steam Line Isolation time constant on TS Table 3.3-4.

Sincerely,

Maudette Griggs for
Vernon L. Rooney, Senior Project Manager
Northeast Utilities Project Directorate
Division of Reactor Projects - I/II
Office of Nuclear Reactor Regulation

Docket No. 50-423

Enclosure: Notice

cc w/enclosure: See next page

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

June 12, 1996

Mr. Ted C. Feigenbaum
Executive Vice President and
Chief Nuclear Officer
Northeast Utilities Service Company
c/o Mr. Terry L. Harpster
P.O. Box 128
Waterford, CT 06385

SUBJECT: NOTICE OF CONSIDERATION OF ISSUANCE OF AMENDMENT - MILLSTONE
NUCLEAR POWER STATION, UNIT NO. 3 (TAC NO. M95469)

Dear Mr. Feigenbaum:

The Commission has requested the Office of the Federal Register to publish the enclosed "Notice of Consideration of Issuance of Amendment to Facility Operating License, Proposed No Significant Hazards Consideration Determination, and Opportunity for Hearing." This notice relates to your amendment application dated May 23, 1996, which would revise the Technical Specifications (TS) for the Overtemperature ΔT time constants in TS Table 2.2-1 and the Steam Line Pressure Negative Rate High Steam Line Isolation time constant on TS Table 3.3-4.

Sincerely,

A handwritten signature in cursive script, appearing to read "Maudette Griggs".

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

Docket No. 50-423

Enclosure: Notice

cc w/enclosure: See next page

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UNITED STATES NUCLEAR REGULATORY COMMISSIONNORTHEAST NUCLEAR ENERGY COMPANY, ET AL.DOCKET 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 (the licensee) for operation of the Millstone Nuclear Power Station, Unit No. 3, located in New London County, Connecticut.

The proposed amendment would revise the Technical Specifications (TS) for the Overtemperature delta T time constants in TS Table 2.2-1 and the Steam Line Pressure Negative Rate High Steam Line Isolation time constant on TS Table 3.3-4.

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.

The Commission has made a proposed determination 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, which is presented below:

The proposed changes do not involve a [significant hazards consideration] SHC because the changes would not:

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

The proposed Technical Specification changes will revise the mathematical notations associated with the time constants in Tables 2.2-1 and 3.3-4. The proposed changes do not modify the value of any time constant.

The proposed changes to Table 2.2-1 will replace the current equalities with inequalities in order to indicate the direction of conservatism for the time constants τ_1 , τ_2 , τ_4 , τ_5 and τ_7 . These time constants are used in Note 1 and Note 3 for the Overtemperature [Δ] T and Overpower [Δ] T trips.

The proposed change to Table 3.3-4 will revise the direction of the inequality from "less than or equal to" to "greater than or equal to" in order to indicate the correct direction of conservatism for the time constant for the rate-lag controller for the Steam Line Pressure-Negative Rate-High trip.

The proposed changes will modify the setpoint calibration of plant instrumentation in a manner that is consistent with the Millstone Unit No. 3 setpoints analysis since the time constants will be treated as limits with a direction of conservatism. Based on the nature of the change, there is no effect on the probability of occurrence of previously evaluated accidents.

The changes noted above related to the time constants in Tables 2.2-1 are intended to indicate that the associated time constants are limiting values. The correction to the inequality in Table 3.3-4 is made to indicate the correct direction of conservatism for this time constant. The treatment of the time constants as limiting values and the correction to Table 3.3-4 are consistent with the setpoints analysis for Millstone Unit No. 3. No changes are made to the specific time constant values. Therefore, the changes will not increase the consequences of an accident previously evaluated.

Thus, the proposed changes will not involve a significant increase in the probability or consequences of an accident previously evaluated.

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

The proposed Technical Specification changes will revise the mathematical notations associated with the time constants in Tables 2.2-1 and 3.3-4. The proposed changes do not modify the value of any time constant.

The proposed changes to Table 2.2-1 will replace the current equalities with inequalities in order to indicate the direction of conservatism for the time constants τ_1 , τ_2 , τ_4 , τ_5 and τ_7 . These time constants are used in Note 1 and Note 3 for the Overtemperature [Δ] T and Overpower [Δ] T trips.

The proposed change to Table 3.3-4 will revise the direction of the inequality from "less than or equal to" to "greater than or equal to" in order to indicate the correct direction of conservatism for the time constant for the rate-lag controller for the Steam Line Pressure-Negative Rate-High trip.

The proposed changes, regarding the treatment of time constants as limits, will modify the operation of plant equipment, specifically the Reactor Trip System and engineered safety features actuation system trips noted above. However, these changes regarding the treatment of time constants are consistent with the existing Millstone Unit No. 3 setpoints analysis.

Based on the nature of the changes, the changes do not introduce any new failure modes or malfunctions and do not create the potential for a new unanalyzed accident. Thus, 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.

The proposed Technical Specification changes will revise the mathematical notations associated with the time constants in Tables 2.2-1 and 3.3-4. The proposed changes do not modify the value of any time constant.

The proposed changes to Table 2.2-1 will replace the current equalities with inequalities in order to indicate the direction of conservatism for the time constants τ_1 , τ_2 , τ_4 , τ_5 and τ_7 . These time constants are used in Note 1 and Note 3 for the Overtemperature [Δ] T and Overpower [Δ] T trips.

The proposed change to Table 3.3-4 will revise the direction of the inequality from "less than or equal to" to "greater than or equal to" in order to indicate the correct direction of conservatism for the time constant for the rate-lag controller for the Steam Line Pressure-Negative Rate-High trip.

The proposed changes to Technical Specification Tables 2.2-1 and 3.3-4 will ensure that the associated time constants will be calibrated in a manner that is consistent with the Millstone Unit No. 3 setpoints analysis since the time constants will be treated as limits with a direction of conservatism. Therefore, based on the nature of the changes, there is no adverse effect on the results of the FSAR [Final Safety Analysis Report] accident analysis and it is concluded that these changes are safe. Additionally, the changes do not adversely effect any equipment credited in the safety analysis and do not effect the probability of occurrence of any plant accident.

The changes do not have any significant impact on the protective boundaries and there is no reduction in the margin of safety as specified in the Technical Specifications. Thus, the proposed changes do not involve a significant reduction in a 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 30 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 30-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 30-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 and provide for opportunity for a hearing after 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 20555-0001, and should cite the publication date and page number of this FEDERAL REGISTER notice. Written comments may also be delivered to Room 6D22, Two White Flint North, 11545 Rockville Pike, Rockville, 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.

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

By July 17, 1996 , 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, and at the local public document room located at the Learning Resources Center, Three Rivers Community-Technical College, 574 New London Turnpike, Norwich, Connecticut,

and the Waterford Library, ATTN: Vince Juliano, 49 Rope Ferry Road, Waterford, Connecticut. 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 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 a hearing is requested, the Commission will make a final determination on the issue of no significant hazards consideration. 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.

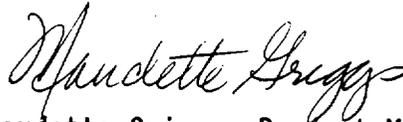
A request for a hearing or a petition for leave to intervene must be filed with the Secretary of the Commission, U.S. Nuclear Regulatory Commission, Washington, DC 20555-0001, Attention: Docketing and Services Branch, or may be delivered to the Commission's Public Document Room, the Gelman Building, 2120 L Street, NW., Washington, DC, 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 Phillip F. McKee: 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 20555-0001, and to Lillian M. Cuoco, Esq., Senior Nuclear Counsel, Northeast Utilities Service Company, P.O. Box 270, Hartford, CT 06141-0270, 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 May 23, 1996, which is available for public inspection at the Commission's Public Document Room, the Gelman Building, 2120 L Street, NW., Washington, DC, and at the local public document room located at the Learning Resources Center, Three Rivers Community-Technical College, 574 New London Turnpike, Norwich, Connecticut, and the Waterford Library, ATTN: Vince Juliano, 49 Rope Ferry Road, Waterford, Connecticut.

Dated at Rockville, Maryland, this 12th day of June 1996.

FOR THE NUCLEAR REGULATORY COMMISSION



Maudette Griggs, Project Manager
Northeast Utilities Project Directorate
Division of Reactor Projects - I/II
Office of Nuclear Reactor Regulation