November 3, 1995

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

SUBJECT: ISSUANCE OF AMENDMENT (TAC NO. M91184)

Dear Mr. Opeka:

The Commission has issued the enclosed Amendment No.¹⁹¹ to Facility Operating License No. DPR-65 for the Millstone Nuclear Power Station, Unit No. 2, in response to your application dated December 21, 1994, as supplemented February 22, 1995.

The amendment revises the License Condition C.(3), Fire Protection, and certain of the Technical Specifications (TS) related to fire protection requirements. The Amendment changes the TS by relocating them to another controlled document, the Technical Requirements Manual. Implementation of alternative safe shutdown equipment TS, consistent with Generic Letter 81-12, should be pursued with a license amendment independent of this amendment.

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,

Original signed by:

Guy S. Vissing, Senior Project Manager Project Directorate I-3 Division of Reactor Projects - I/II Office of Nuclear Reactor Regulation

- - -

Docket No. 50-336

GVissing

Enclosures: 1. Amendment No. 191 to DPR-65 2. Safety Evaluation

cc w/encls: See next page <u>DISTRIBUTION:</u> Docket File SNorris PUBLIC OGC PDI-3 Plant GHill (2) SVarga CGrimes LNicholson, RGI CMcCracken PMcKee ACRS

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UNITED STATES NUCLEAR REGULATORY COMMISSION

WASHINGTON, D.C. 20555-0001

November 3, 1995

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The amendment revises the License Condition C.(3), Fire Protection, and certain of the Technical Specifications (TS) related to fire protection requirements. The Amendment changes the TS by relocating them to another controlled document, the Technical Requirements Manual referenced in the Final Safety Analysis Report. Implementation of alternative safe shutdown equipment TS, consistent with Generic Letter 81-12, should be pursued with a license amendment independent of this amendment.

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

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Guy S. Vissing, Senior Project Manager Project Directorate I-3 Division of Reactor Projects - I/II Office of Nuclear Reactor Regulation

Docket No. 50-336

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cc w/encls: See next page

J. Opeka Northeast Nuclear Energy Company

cc:

Lillian M. Cuoco, Esq. Senior Nuclear Counsel Northeast Utilities Service Company P.O. Box 270 Hartford, CT 06141-0270

F. R. Dacimo, Vice President Haddam Neck Station Connecticut Yankee Atomic Power Company 362 Injun Hollow Road East Hampton, CT 06424-3099

Kevin T. A. McCarthy, Director Monitoring and Radiation Division Department of Environmental Protection 79 Elm Street Hartford, CT 06106-5127

Allan Johanson, Assistant Director Office of Policy and Management Policy Development and Planning Division 80 Washington Street Hartford, CT 06106

S. E. Scace, Vice President Nuclear Operations Services Northeast Utilities Service Company P.O. Box 128 Waterford, CT 06385

Nicholas S. Reynolds Winston & Strawn 1400 L Street, NW Washington, DC 20005-3502

R. M. Kacich, Director Nuclear Planning, Licensing & Budgeting Northeast Utilities Service Company P.O. Box 128 Waterford, CT 06385

W. J. Baranowski, Acting Director Nuclear Quality and Assessment Services Northeast Utilities Service Company P.O. Box 128 Waterford, CT 06385

Regional Administrator Region I U.S. Nuclear Regulatory Commission 475 Allendale Road King of Prussia, PA 19406 Millstone Nuclear Power Station Unit 2

> First Selectmen Town of Waterford Hall of Records 200 Boston Post Road Waterford, CT 06385

P. D. Swetland, Resident Inspector
Millstone Nuclear Power Station
c/o U.S. Nuclear Regulatory Commission
P.O. Box 513
Niantic, CT 06357

Donald B. Miller, Jr. Senior Vice President Millstone Station Northeast Nuclear Energy Company P.O. Box 128 Waterford, CT 06385

G. H. Bouchard, Nuclear Unit Director Millstone Unit No. 2 Northeast Nuclear Energy Company P.O. Box 128 Waterford, CT 06385

Charles Brinkman, Manager Washington Nuclear Operations ABB Combustion Engineering 12300 Twinbrook Pkwy, Suite 330 Rockville, MD 20852



UNITED STATES NUCLEAR REGULATORY COMMISSION

WASHINGTON, D.C. 20555-0001

NORTHEAST NUCLEAR ENERGY COMPANY

THE CONNECTICUT LIGHT AND POWER COMPANY

THE WESTERN MASSACHUSETTS ELECTRIC COMPANY

DOCKET NO. 50-336

MILLSTONE NUCLEAR POWER STATION, UNIT NO. 2

AMENDMENT TO FACILITY OPERATING LICENSE

Amendment No. 191 License No. DPR-65

- 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 December 21, 1994, as supplemented February 22, 1995, 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. DPR-65 is hereby amended by modifying paragraph 2.C.(3) on page 4 to read as follows:
 - (3) <u>Fire Protection</u>

The licensee shall implement and maintain in effect all provisions of the approved fire protection program as described in the Final Safety Analysis Report and as approved in the SER dated September 19, 1978, and supplements dated October 21, 1980, November 11, 1981, October 31, 1985, April 15, 1986, January 15, 1987, April 29, 1988, July 17, 1990, and November 3, 1995, subject to the following provisions.

The licensee may make changes to the approved Fire Protection Program without prior approval of the Commission only if those changes would not adversely affect the ability to achieve and maintain safe shutdown in the event of a fire.

The license is also 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. DPR-65 is hereby amended to read as follows:

(2) <u>Technical Specifications</u>

The Technical Specifications contained in Appendix A, as revised. through Amendment No. 191, are hereby incorporated in the license. The licensee shall operate the facility in accordance with the Technical Specifications.

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

FOR THE NUCLEAR REGULATORY COMMISSION

Uho O

Phillip F. McKee, Director Project Directorate I-3 Division of Reactor Projects - I/II Office of Nuclear Reactor Regulation

Attachments: 1. Page 4 of License 2. Changes to the Technical Specifications

Date of Issuance:

*Page 4 is attached, for convenience, for the composite license to reflect this change.

(3) <u>Fire Protection</u>

The licensee shall implement and maintain in effect all provisions of the approved fire protection program as described in the Final Safety Analysis Report and as approved in the SER dated September 19, 1978, and supplements dated October 21, 1980, November 11, 1981, October 31, 1985, April 15, 1986, January 15, 1987, April 29, 1988, July 17, 1990, and November 3, 1995, subject to the following provisions.

The licensee may make changes to the approved Fire Protection Program without prior approval of the Commission only if those changes would not adversely affect the ability to achieve and maintain safe shutdown in the event of a fire.

(4) <u>Physical Protection</u>

The licensee shall fully implement and maintain in effect all provisions of the Commission-approved physical security, quard training and qualification, and safeguards contingency plans including amendments made pursuant to provisions of the Miscellaneous Amendments and Search Requirements revisions to 10 CFR 73.55 (51 FR 27817 and 27822) and to the authority of 10 CFR 50.90 and 10 CFR 50.54(p). The plans, which contain Safeguards Information protected under 10 CFR 73.21, are entitled: "Millstone Nuclear Power Station Physical Security Plan," with revisions submitted through March 29, 1988: "Millstone Nuclear Power Station Suitability, Training and Qualification Plan," with revision submitted through July 21, 1986; and "Millstone Nuclear Power Station Safeguards Contingency Plan," with revisions submitted through October 30, 1985. Changes made in accordance with 10 CFR 73.55 will be implemented in accordance with the schedule set forth therein.

Amendment No. 43, 75, 107, 129, 191

ATTACHMENT TO LICENSE AMENDMENT NO.191

FACILITY OPERATING LICENSE NO. DPR-65

DOCKET NO. 50-336

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	Insert
Kemove V VIII XIII $3/4$ 3-43 $3/4$ 3-44 $3/4$ 3-45 $3/4$ 3-45a $3/4$ 7-33 $3/4$ 7-34 B $3/4$ 7-6 B $3/4$ 7-7 $6-2$ $6-4$ $6-5$	V VIII XIII 3/4 3-43 3/4 3-44 3/4 3-45 3/4 3-45 3/4 3-45 3/4 3-45 3/4 7-33 3/4 7-34 B 3/4 7-6 B 3/4 7-7 6-2 6-4 6-5
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3/4.7.9 Deleted

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3/4.7.10 Deleted

PLANT SYSTEMS

3/4.7.11 ULTIMATE HEAT SINK

LIMITING CONDITION FOR OPERATION

3.7.11 The ultimate heat sink shall be OPERABLE with an average water temperature of less than or equal to 75°F at the Unit 2 intake structure.

APPLICABILITY: MODES 1, 2, 3, AND 4

ACTION:

With the requirements of the above specification not satisfied, be in at least HOT STANDBY within 6 hours and in COLD SHUTDOWN within the following 30 hours.

SURVEILLANCE REQUIREMENTS

- 4.7.11 The ultimate heat sink shall be determined OPERABLE:
 - a. At least once per 24 hours by verifying the average water temperature at the Unit 2 intake structure to be within limits.
 - b. At least once per 6 hours by verifying the average water temperature at the Unit 2 intake structure to be within limits when the average water temperature exceeds 70°F.

INSTRUMENTATION

BASES

3/4.3.3.6 DELETED

3/4.3.3.7 DELETED

3/4.3.3.8 Accident Monitoring Instrumentation

The OPERABILITY of the accident monitoring instrumentation ensures that sufficient information is available on selected plant parameters to monitor and assess these variables during and following an accident. This capability is consistent with the recommendations of NUREG-0578, "TMI-2 Lessons Learned Task Force Status Report and Short-Term Recommendations".

B 3/4 3-4 Amendment No. 35, 49, 55, 199, 127, 191

PLANT SYSTEMS

BASES

When the cause of the rejection of a snubber is clearly established and remedied for that snubber and for any other snubbers that may be generically susceptible, that snubber may be exempted from being counted as inoperable. Generically susceptible snubbers are those which are of a specific make or model and have the same design features directly related to rejection of the snubber by visual inspection, or are similarly located or exposed to the same environmental conditions such as temperature, radiation, and vibration. Due to the size and location of the steam generator hydraulic snubbers, regular removal and testing as specified for hydraulic and mechanical snubbers would represent a significant undertaking during each refueling outage. As such, these snubbers have been treated separately and are tested and refurbished as a group in accordance with the manufacturer's recommended preventative maintenance program.

When a snubber is found inoperable, an engineering evaluation is performed, in addition to the determination of the snubber mode of failure, in order to determine if any safety-related component or system has been adversely affected by the inoperability of the snubber.

The engineering evaluation shall determine whether or not the snubber mode of failure has imparted a significant effect or degradation on the supported component or system.

To provide assurance of snubber reliability, a representative sample of the installed snubbers will be tested during plant shutdowns at eighteen (18) month intervals. Observed failures of these sample snubbers shall require testing of additional units.

Hydraulic snubbers and mechanical snubbers may each be treated as a different entity for the above surveillance programs.

The service life of a snubber is evaluated via manufacturer input and information through consideration of the snubber service conditions and associated installation and maintenance records (newly installed snubber, seal replaced, spring replaced, in high radiation area, in high temperature area, etc...). The requirement to monitor the snubber service life is included to ensure that the snubbers periodically undergo a performance evaluation in view of their age and operating conditions. These records will provide statistical bases for future consideration of snubber service life. The requirements for the maintenance of records and the snubber service life review are not intended to affect plant operation.

3/4.7.9 DELETED

PLANT SYSTEMS

BASES

3/4.7.10 DELETED

3/4.7.11 ULTIMATE HEAT SINK

The limitations on the ultimate heat sink temperature ensure that sufficient cooling capacity is available to either,

1) provide normal cooldown of the facility, or 2) to mitigate the effects of accident conditions within acceptable limits.

The limitations on maximum temperature are based on a 30-day cooling water supply to safety related equipment without exceeding their design basis temperature.

ADMINISTRATIVE CONTROLS

FACILITY STAFF (CONTINUED)

- d. An individual qualified in radiation protection procedures shall be on site when fuel is in the reactor. (Table 6.2-1)
- e. ALL CORE ALTERATIONS after the initial fuel loading shall be directly supervised by either a licensed Senior Reactor Operator or Senior Reactor Operator Limited to Fuel Handling who has no other concurrent responsibilities during this operation.
- f. Administrative procedures shall be developed and implemented to limit the working hours of unit staff who perform safetyrelated functions. These procedures should follow the general guidance of the NRC Policy Statement on working hours (Generic Letter No. 82-12).

6.3 FACILITY STAFF QUALIFICATIONS

- 6.3.1 Each member of the facility staff shall meet or exceed the minimum qualifications of ANSI N18.1-1971 for comparable positions, except for:
 - a. If the Operations Manager does not hold a senior reactor operator license for Millstone Unit No. 2, then the Operations Manager shall have held a senior reactor operator license at a Pressurized Water Reactor and an individual serving in the capacity of the Assistant Operations Manager shall hold a senior reactor operator license for Millstone Unit No. 2.
 - b. The Shift Technical Advisor (STA) who shall meet the requirements of Specification 6.3.1.b.1 or 6.3.1.b.2.
 - 1. Dual-role individual: Must hold a senior reactor operator's license at Millstone Unit No. 2, meet the STA training criteria of NUREG-0737, Item I.A.1.1, and meet one of the following educational alternatives:
 - a. Bachelor's degree in engineering from an accredited institution;
 - b. Professional Engineer's license obtained by the successful completion of the PE examination;

TABLE 6.2-1(3)

,	APPLICABLE	MODES
LICENSE CATEGORY	1, 2, 3 & 4	5 & 6
Senior Reactor Operator	2	100
Reactor Operator	2	1
Non-Licensed Operator	2	1
Shift Technical Advisor	1(4)	None Required

MINIMUM SHIFT-CREW COMPOSITION⁽²⁾

- (1) Does not include the licensed Senior Reactor or Senior Reactor Operator Limited to Fuel Handling individual supervision CORE ALTERATIONS after the initial fuel loading.
- (2) The above shift crew composition and the qualified health physics technician of Section 6.2.2 may be less than the minimum requirements for a period of time not to exceed 2 hours in order to accommodate unexpected absence provided expeditious actions are taken to fill the required position.
- (3) Requirements for minimum number of licensed operators on shift during operation in modes other than cold shutdown or refueling are contained in 10CFR50.54(m).
- (4) The Shift Technical Advisor position can be filled by either of the two Senior Reactor Operators (a dual-role individual), if he meets the requirements of Specification 6.3.1.b.1.

ADMINISTRATIVE CONTROLS

6.4 TRAINING

A retraining and replacement training program for the facility staff shall be maintained under the direction of the Senior Vice President — Millstone Station and shall meet or exceed the requirements and recommendations of Section 5.5 of ANSI N18.1-1971 and 10 CFR Part 55.59. The Director-Nuclear Training has the overall responsibility for the implementation of the Training Program.

6.5 REVIEW AND AUDIT

6.5.1 <u>Plant Operations Review Committee (PORC)</u>

Function

6.5.1.1 The PORC shall function to advise the Nuclear Unit Director on all matters related to nuclear safety.

Composition

6.5.1.2 The PORC shall be composed of the:

Chairperson:	Nuclear Unit Director
Vice Chairperson & Member:	Operations Manager
Member:	Maintenance Manager
Member:	Instrument and Controls Manager
Member:	Reactor Engineer
Member:	Radiation Protection Supervisor or Chemistry Supervisor
Member:	Engineering Manager
Member:	Staff Engineer

<u>Alternates</u>

6.5.1.3 Alternate members shall be appointed in writing by the PORC Chairperson to serve on a temporary basis; however, no more than two alternates shall participate in PORC activities at any one time.

ADMINISTRATIVE CONT.___S

Meeting Frequency

6.5.1.4 The PORC shall meet at least once per calendar month and as convened by the PORC Chairperson.

<u>Quorum</u>

6.5.1.5 A quorum of the PORC shall consist of the Chairperson, or Vice Chairperson, or Senior Vice President — Millstone Station and four members including alternates.

<u>Responsibilities</u>

- 6.5.1.6 The PORC shall be responsible for:
 - a. Review of 1) all procedures, except common site procedures, required by Specification 6.8 and changes thereto, 2) any other proposed procedures or changes thereto as determined by the Nuclear Unit Director to affect nuclear safety.
 - b. Review of all proposed tests and experiments that affect nuclear safety.
 - c. Review of all proposed changes to Sections 1.0 5.0 of these Technical Specifications.
 - d. Review of all proposed changes or modifications to plant systems or equipment that affect nuclear safety.
 - e. Investigation of all violations of the Technical Specifications and preparation and forwarding of a report covering evaluation and recommendations to prevent recurrence to the Executive Vice President-Nuclear and to the Chairperson of the Nuclear Review Board.
 - f. Review of all REPORTABLE EVENTS.
 - g. Review of facility operations to detect potential safety hazards.
 - h. Performance of special reviews and investigations and reports thereon as requested by the Chairperson of the Nuclear Review Board.
 - i. Render determinations in writing if any item considered under 6.5.1.6(a) through (d) above, as appropriate and as provided by 10CFR50.59 or 10CFR50.92, constitutes an unreviewed safety question or requires a significant hazards consideration determination.
 - j. Review of the fire protection program and implementing procedure.

Millstone	Unit	2
0167		

6-6

ADMINISTRATIVE CONTPOLS

Meeting Frequency

6.5.2.4 The SORC shall meet at least once per six months and as convened by the SORC Chairperson.

Quorum

6.5.2.5 A quorum of the SORC shall consist of the Chairperson or Vice Chairperson and five members including alternates.

<u>Responsibilities</u>

- 6.5.2.6 The SORC shall be responsible for:
 - a. Review of 1) all common site procedures required by Specification 6.8 and changes thereto, 2) any other proposed procedures or changes thereto as determined by the Senior Vice President — Millstone Station to affect site nuclear safety.
 - b. Review of all proposed changes to Section 6.0 "Administrative Controls" of these Technical Specifications.
 - c. Performance of special reviews and investigations and reports as requested by the Chairperson of the Site Nuclear Review Board.
 - d. Review of the Plant Security Plan and implementing procedures and shall submit changes to the Chairperson of the Site Nuclear Review Board.
 - e. Review of the Emergency Plan and implementing procedures and shall submit recommended changes to the Chairperson of the Site Nuclear Review Board.
 - f. Review of all common site proposed tests and experiments that affect nuclear safety.
 - g. Review of all common site proposed changes or modifications to systems or equipment that affect nuclear safety.
 - h. Render determinations in writing or meeting minutes if any item considered under 6.5.2.6(a) through (g) above, as appropriate and as provided by 10CFR50.59 or 10CFR50.92, constitutes an unreviewed safety question or requires a significant hazards consideration determination.
 - i. Review of the common site fire protection program and implementing procedures.

<u>Authority</u>

- 6.5.2.7 The SORC shall:
 - a. Recommend to the Senior Vice President— Millstone Station written approval or disapproval in meeting minutes of items considered under 6.5.2.6(a) through (g) above.

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ADMINISTRATIVE CONTROLS

SPECIAL REPORTS (CONT.)

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- b. Inoperable Meteorological Monitoring Instrumentation, Specification 3.3.3.4.
- c. Safety Class 1 Inservice Inspection Program Review, Specification 4.4.10.1.
- d. ECCS Actuation, Specifications 3.5.2 and 3.5.3.
- e. Deleted
- f. Deleted
- g. RCS Overpressure Mitigation, Specification 3.4.9.3.
- h. Radiological Effluent Reports required by Specifications 3.11.1.2, 3.11.2.2, 3.11.2.3 and 3.11.4.
- i. Degradation of containment structure, Specification 4.6.1.6.4.
- j. Steam Generator Tube Inspection, Specification 4.4.5.1.5.
- k. Accident Monitoring Instrumentation, Specification 3.3.3.8.
- 1. Radiation Monitoring Instrumentation, Specification 3.3.3.1.
- m. Reactor Coolant System Vents, Specification 3.4.11.

6.10 RECORD RETENTION

- 6.10.1 The following records shall be retained for at least five years:
 - a. Records and logs of facility operation covering time interval at each power level.
 - b. Records and logs of principal maintenance activities, inspections, repair and replacement of principal items of equipment related to nuclear safety.
 - c. All REPORTABLE EVENTS.
 - d. Records of surveillance activities, inspections, and calibrations required by these technical specifications.
 - e. Records of reactor tests and experiments.
 - f. Records of changes made to operating procedures.



WASHINGTON, D.C. 20555-0001

SAFETY EVALUATION BY THE OFFICE OF NUCLEAR REACTOR REGULATION

RELATED TO AMENDMENT NO. 191

TO FACILITY OPERATING LICENSE NO. DPR-65

NORTHEAST NUCLEAR ENERGY COMPANY

THE CONNECTICUT LIGHT AND POWER COMPANY

THE WESTERN MASSACHUSETTS ELECTRIC COMPANY

MILLSTONE NUCLEAR POWER STATION, UNIT NO. 2

DOCKET NO. 50-336

1.0 INTRODUCTION

Section 50.48, "Fire protection," of Part 50 of Title 10 of the Code of Federal Regulations (10 CFR Part 50) requires that each operating nuclear power plant have a fire protection plan that satisfies Criterion 3 (GDC 3), "Fire protection," of Appendix A to 10 CFR Part 50. The fire protection plan must describe the overall fire protection program for the facility, outline the plans for fire protection, fire detection, and fire suppression capability, and limitations of fire damage. The program must also describe specific features necessary to implement the program, such as administrative controls and personnel requirements for fire prevention and manual fire suppression activities, automatic and manually operated fire detection and suppression systems, and the means to limit fire damage to structures, systems, or components important to safety so that the capability to safely shut down the plant is ensured. The U.S. Nuclear Regulatory Commission (NRC) staff approved the Millstone Nuclear Power Station, Unit 2 (Millstone 2) fire protection program in Safety Evaluation Reports dated September 19, 1978, October 21, 1980, November 11, 1981, October 31, 1985, April 15, 1986, January 15, 1987, April 29, 1988, and July 17, 1990.

By letter dated December 21, 1994, as supplemented February 22, 1995, the Northeast Nuclear Energy Company (the licensee or NNECO) submitted a request for changes to the Millstone 2 fire protection program in accordance with the guidance provided in Generic Letter (GL) 86-10, "Implementation of Fire Protection Requirements," and GL 88-12, "Removal of Fire Protection Requirements from Technical Specifications." Specifically, the licensee proposed to incorporate the NRC-approved fire protection program and major commitments, including the fire hazard analysis, into the Final Safety Analysis Report (FSAR), and to revise the Operating License to include the NRC's standard fire protection license condition. In addition, the licensee proposed to relocate the requirements of Technical Specifications (TS)

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Section 3.3.3.7 and Table 3.3.10 (Fire Detection Instrumentation), TS Section 3.7.9.1 (Fire suppression Water System), TS Section 3.7.9.2 (Spray and/or Sprinkler Systems), TS Section 3.7.10 (Penetration Fire Barriers), and their associated bases and incorporate them in the revised fire protection program [(the Technical Requirements Manual (TRM)]. The licensee proposed to remove TS Section 6.2.2.f for site fire brigade staffing and modify Table 6.2-1 to remove minimum shift crew requirements for the fire brigade and incorporate . them into the TRM. The licensee proposed to remove the TS Section 6.4.2 requirements related to fire brigade training and incorporate these into the TRM. The licensee proposed to add TS Section 6.5.1.6.j requirements to include the review of the fire protection program and implementing procedures as an additional responsibility of the Plant Operating Review Committee (PORC). Also, the licensee proposed to add TS Section 6.5.1.6.1 requirements that include the responsibility for the review of common site fire protection program and implementing procedures by the Site Operations Review Committee (SORC). The licensee proposed to remove the TS Sections 6.9.2.e and 6.9.2.f requirements for special reports for inoperable fire protection and detection equipment. License amendments that relocate the fire protection requirements to the FSAR in accordance with GL 86-10 and GL 88-12 do not revise the requirements for fire protection operability, testing, or inspections. Such amendments simply replace the fire protection TS sections with the standard fire protection license condition. The license condition implements and maintains the NRC-approved fire protection program, including the fire protection requirements previously specified in the TS, in accordance with 10 CFR 50.48. Therefore, such amendments, including the one proposed by the licensee, are administrative in nature and have no effect on the public health and safety.

The letter of February 22, 1995, provided clarifying information within the scope of the original submittal and did not change the staff's initial proposed no significant hazards consideration determination.

2.0 BACKGROUND

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Section 182a of the Atomic Energy Act of 1954, as amended (the Act) requires applicants for nuclear power plant operating licenses to state TS to be included as part of the license. The Commission's regulatory requirements related to the content of TS are set forth in 10 CFR 50.36. That regulation requires that the TS include items in five specific categories, including (1) safety limits, limiting safety system settings and limiting control settings; (2) limiting conditions for operation; (3) surveillance requirements; (4) design features; and (5) administrative controls. However, the regulation does not specify the particular requirements to be included in a plant's TS.

The Commission has provided guidance for the contents of TS in its "Final Policy Statement on Technical Specifications Improvements for Nuclear Power Reactors" ("Final Policy Statement"), 58 FR 39132 (July 22, 1993), in which the Commission indicated that compliance with the Final Policy Statement satisfies Section 182a of the Act. In particular, the Commission indicated that certain items could be relocated from the TS to licensee-controlled documents, consistent with the standard enunciated in *Portland General Electric Co.* (Trojan Nuclear Plant), ALAB-531, 9 NRC 263, 273 (1979). In that case, the Atomic Safety and Licensing Appeal Board indicated that "technical specifications are to be reserved for those matters as to which the imposition of rigid conditions or limitations upon reactor operation is deemed necessary to obviate the possibility of an abnormal situation or event giving rise to an immediate threat to the public health and safety." The criteria set forth in the policy statement have been incorporated into 10 CFR 50.36 (60 FR 36953).

Following the fire at the Browns Ferry Nuclear Power Plant on March 22, 1975. the Commission undertook a number of actions to ensure that improvements were implemented in the fire protection programs for all power reactor facilities. Because of the extensive modification of fire protection programs and the number of open issues resulting from staff evaluations, a number of revisions and alterations occurred in these programs over the years. Consequently, licensees were requested by GL 86-10 to incorporate the final NRC-approved fire protection program in their Final Safety Analysis Reports (FSARs). In this manner, the fire protection program, including the systems, certain administrative and technical controls, the organization, and other plant features associated with fire protection, would have a status consistent with that of other plant features described in the FSAR. In addition, the Commission concluded that a standard license condition, requiring compliance with the provisions of the fire protection program as described in the FSAR, should be used to ensure uniform enforcement of the fire protection requirements. Finally, the Commission stated that with the required actions, licensees may request an amendment to delete the fire protection TS that would now be unnecessary. Subsequently, the NRC issued GL 88-12 to give guidance for the preparation of the license amendment request to implement GL 86-10.

3.0 DISCUSSION

The TS changes proposed by NNECO are as follows:

- Delete TS 3.3.3.7 and Table 3.3.10 (Fire Detection Instrumentation), TS 3.7.9.1 (Fire Suppression Water System), TS 3.7.9.2 (Spray and/or Sprinkler Systems), TS 3.7.9.3 (Fire Hose Stations), TS 3.7.9.4 (Halon Fire Suppression Systems), TS 3.7.10 (Penetration Fire Barriers), and their associated bases and incorporate them into the Technical Requirements Manual (TRM).
- 2. Delete TS 6.2.2.f for site fire brigade staffing and modify Table 6.2-1 to remove minimum shift crew requirements for the fire brigade and incorporate into the TRM.
- 3. Delete TS 6.4.2 requirements related to the fire brigade training program and incorporate into the TRM.
- 4. Add TS 6.5.1.6.j to include the review of the fire protection program and implementing procedures as an additional responsibility of the Plant Operating Review Committee (PORC).

- 5. Add TS 6.5.1.6.i to include the responsibility for the review of common site fire protection program and implementing procedures by the Site Operations Review Committee (SORC).
- 6. Delete TS 6.9.2.e and TS 6.9.2.f related to the requirements for special reports for inoperable fire protection and detection equipment.

The licensee also proposed the following fire protection license condition:

The licensee shall implement and maintain in effect all provisions of the approved fire protection program as described in the Final Safety Analysis Report and as approved in the SER dated September 19, 1978, and supplements dated October 21, 1980, November 11, 1981, October 31, 1985, April 15, 1986, January 15, 1987, April 29, 1988, July 17, 1990, and October , 1995, respectively, subject to the following provisions.

The licensee may make changes to the approved Fire Protection Program without prior approval of the Commission only if those changes would not adversely affect the ability to achieve and maintain safe shutdown in the event of a fire.

4.0 EVALUATION

The NRC staff reviewed the license amendment request for Millstone 2 against the guidance provided in GLs 86-10 and 88-12. GL 86-10 requested that the licensee incorporate the NRC-approved fire protection program in its FSAR for the facility and specified a standard fire protection license condition. GL 88-12 addressed the elements a licensee should include in a license amendment request to remove the fire protection requirements from the plant These elements are (1) the NRC-approved fire protection program must be TS. incorporated into the FSAR; (2) the Limiting Conditions for Operation (LCOs) and Surveillance Requirements associated with fire detection systems, fire suppression systems, fire barriers, and the administrative controls that address fire brigade staffing would be relocated from the TS (the existing administrative controls associated with fire protection audits and specifications related to the capability for safe shutdown following a fire would be retained); (3) all operational conditions, remedial actions, and test requirements presently included in the TS for these systems, as well as the fire brigade staffing requirements, shall be incorporated into the fire protection program; (4) the standard fire protection license condition specified in GL 86-10 must be included in the facility operating license; (5) the Unit Review Group (Onsite Review Group) shall be given responsibility for the review of the fire protection program and implementing procedures and for the submittal of recommended changes to the Company Nuclear Review and Audit group (Offsite or Corporate Review Group); and (6) fire protection program implementation shall be added to the list of elements for which written procedures shall be established, implemented, and maintained. The licensee incorporated the NRC-approved fire protection program by reference into the Millstone 2 FSAR in June 1988. The licensee has, therefore, satisfied Element 1 of GL 88-12.

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The licensee stated in its submittal of December 21, 1994, that it will incorporate the current TS LCOs and surveillance requirements for the fire detection systems, fire suppression systems, and the TS requirements related to fire brigade staffing into the Millstone 2 fire protection program. Therefore, the licensee will have satisfied Elements 2 and 3 of GL 88-12, with the exception of technical specifications for alternate safe shutdown equipment. The staff will pursue implementation of alternative safe shutdown equipment TS, consistent with GL 81-12, independent of this license amendment request.

The licensee proposed incorporating the standard fire protection license condition specified in GL 86-10 for Millstone 2. The licensee has, therefore, satisfied Element 4 of GL 88-12.

To satisfy Element 5 of GL 88-12, the licensee addressed changes to the administrative controls sections of the TS. The licensee will require the Plant Operations Review Committee (PORC) to review the fire protection program and implementing procedures as well as recommended changes as an additional responsibility. The licensee has, therefore, satisfied Element 5 of GL 88-12.

Element 6 of GL 88-12 specified that the licensee add fire protection program implementation to the administrative controls Section of the TS. This change is made to the list of elements for which written procedures shall be established, implemented, and maintained. Since TS 6.8.1 currently addresses the fire protection program, no changes are required and the licensee has, therefore, satisfied Element 6 of GL 88-12.

The licensee's proposed TS amendments for Millstone 2 are in accordance with NRC staff guidance provided in GLs 86-10 and 88-12.

In summary, the licensee has proposed to incorporate the existing TS fire protection requirements as stated above into the fire protection program (TRM) which is, by reference, incorporated in the FSAR. This conforms to staff guidance in GL 86-10, "Implementation of Fire Protection Requirements," and GL 88-12, "Removal of Fire Protection Requirements from Technical Specifications," for removing unnecessary fire protection TS in four major areas: fire detection systems, fire suppression systems, fire barriers and fire brigade staffing requirements. In addition, incorporating these requirements in the FSAR is consistent with NUREG-1434 and 10 CFR 50.36, as amended, because these TS do not impact reactor operations, do not identify a parameter which is an initial condition assumption for a design-basis accident or transient, do not identify a significant abnormal degradation of the reactor coolant pressure boundary and do not provide any mitigation of a design-basis event.

The fire protection plan required by 10 CFR 50.48, as implemented and maintained by the fire protection license condition, provides reasonable assurance that fires will not give rise to an immediate threat to public health and safety. Although there are aspects of the fire detection and mitigation functions that have been determined to be risk significant, such that Criterion 4 of 10 CFR 50.36 would otherwise seem to apply, the minimum

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requirements for those functions were established in GDC 3 and 10 CFR 50.48, and further controls are not necessary since the licensee must comply with these minimum requirements regardless of whether they are restated in the TS or not.

The licensee's fire protection program is required by 10 CFR 50.48, and any changes to that program are governed by 10 CFR 50.48 and license condition 2.C.(3), set forth above. Therefore, the requirements relocated to the FSAR may be controlled in accordance with 10 CFR 50.59.

These relocated requirements relating to fire protection features are not required to be in the TS under 10 CFR 50.36 or other regulations, or by Section 182a of the Act, and are not required to obviate the possibility of an abnormal situation or event giving rise to an immediate threat to the public health and safety. In addition, the staff finds that sufficient regulatory controls exist under 10 CFR 50.48 and 10 CFR 50.59 to address future changes to these requirements. Accordingly, the staff has concluded that these requirements may be relocated from the TS to the licensee's FSAR.

5.0 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.

6.0 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 and changes surveillance requirements. The amendment also change administrative procedures and requirements. 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 on such finding (60 FR 6303). Accordingly, the amendment meets the eligibility criteria for categorical exclusion set forth in 10 CFR 51.22(c)(9) and (10). 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.

7.0 <u>CONCLUSION</u>

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: G. Vissing

Date: November 3, 1995