

May 8, 2002

Mr. J. A. Price
Vice President - Nuclear Technical Services - Millstone
c/o Mr. David A. Smith
Dominion Nuclear Connecticut, Inc.
Rope Ferry Road
Waterford, CT 06385-0128

SUBJECT: MILLSTONE NUCLEAR POWER STATION, UNIT NOS. 2 AND 3 - ISSUANCE
OF AMENDMENTS RE: RELOCATING VARIOUS REACTOR COOLANT
SYSTEM TECHNICAL SPECIFICATIONS TO THE RESPECTIVE UNIT'S
TECHNICAL REQUIREMENTS MANUAL (TAC NOS. MB2273 AND MB2240)

Dear Mr. Price:

By application dated June 4, 2001, Dominion Nuclear Connecticut, Inc., (DNC), requested changes to the Technical Specifications (TSs) for Millstone Nuclear Power Station, Unit Nos. 2 (MP2) and 3 (MP3). For both units, DNC proposed to relocate TSs 3/4.4.7, "Chemistry," 3/4.4.9.2, "Pressure/Temperature Limits - Pressurizer," and 3/4.4.11, "Reactor Coolant System Vents," to the respective unit's Technical Requirements Manual (TRM). For MP2, DNC also proposed a revision to TS Section 6.9, "Special Reports," related to the relocation of TS 3/4.4.11. For MP3, DNC also proposed to relocate TS 3.4.10, "Structural Integrity," to the MP3 TRM, and replace TS 4.4.10 with a new TS administrative controls program, TS 6.17, "Reactor Coolant Pump Flywheel Inspection Program." DNC also proposed appropriate conforming changes to the associated TS Bases and TS index pages.

The staff completed its review of the DNC application and concluded that the proposed TS changes are acceptable. A copy of the related Safety Evaluation is enclosed. Notice of Issuances will be included in the Commission's biweekly Federal Register notice.

Sincerely,

/RA/

Victor Nerses, Sr. Project Manager, Section 2
Project Directorate I
Division of Licensing Project Management
Office of Nuclear Reactor Regulation

Docket Nos. 50-336 and 50-423

Enclosure: Safety Evaluation

cc w/encl: See next page

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DOMINION NUCLEAR CONNECTICUT, INC.

DOCKET NO. 50-336

MILLSTONE NUCLEAR POWER STATION, UNIT NO. 2

AMENDMENT TO FACILITY OPERATING LICENSE

Amendment No. 266
License No. DPR-65

1. The Nuclear Regulatory Commission (the Commission) has found that:
 - A. The application for amendment by the applicant dated June 4, 2001, 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. DPR-65 is hereby amended to read as follows:

- (2) Technical Specifications

- The Technical Specifications contained in Appendix A, as revised through Amendment No. 266, 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, and shall be implemented within 60 days of issuance. The implementation of this amendment shall include the relocation of certain technical specification requirements to the Millstone Nuclear Power Station, Unit No. 2 Technical Requirements Manual as described in the licensee's application dated June 4, 2001, and evaluated in the staff's Safety Evaluation attached to this amendment.

FOR THE NUCLEAR REGULATORY COMMISSION

/RA/

James W. Clifford, Chief, Section 2
Project Directorate I
Division of Licensing Project Management
Office of Nuclear Reactor Regulation

Attachment: Changes to the Technical
Specifications

Date of Issuance: May 8, 2002

ATTACHMENT TO LICENSE AMENDMENT NO. 266

FACILITY OPERATING LICENSE NO. DPR-65

DOCKET NO. 50-336

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

Remove

VI
XII
3/4 4-10
3/4 4-11
3/4 4-12
3/4 4-21
3/4 4-23
B 3/4 4-4
B 3/4 4-7
B 3/4 4-8

Insert

VI
XII
3/4 4-10
3/4 4-11
3/4 4-12
3/4 4-21
3/4 4-23
B 3/4 4-4
B 3/4 4-7
B 3/4 4-8

DOMINION NUCLEAR CONNECTICUT, INC., ET AL.

DOCKET NO. 50-423

MILLSTONE NUCLEAR POWER STATION, UNIT NO. 3

AMENDMENT TO FACILITY OPERATING LICENSE

Amendment No. 204
License No. NPF-49

1. The Nuclear Regulatory Commission (the Commission) has found that:
 - A. The application for amendment by the applicant dated June 4, 2001, 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. 204, and the Environmental Protection Plan contained in Appendix B, both of which are attached hereto, are hereby incorporated in the license. Dominion Nuclear Connecticut, Inc. 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 issuance, and shall be implemented within 60 days of issuance. The implementation of this amendment shall include the relocation of certain technical specification requirements to the Millstone Nuclear Power Station, Unit No. 3 Technical Requirements Manual as described in the licensee's application dated June 4, 2001, and evaluated in the staff's Safety Evaluation attached to this amendment.

FOR THE NUCLEAR REGULATORY COMMISSION

/RA/

James W. Clifford, Chief, Section 2
Project Directorate I
Division of Licensing Project Management
Office of Nuclear Reactor Regulation

Attachment: Changes to the Technical
Specifications

Date of Issuance: May 8, 2002

ATTACHMENT TO LICENSE AMENDMENT NO. 204

FACILITY OPERATING LICENSE NO. NPF-49

DOCKET NO. 50-423

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

Remove

vii
viii
xiii
xiv
xix
3/4 4-25
3/4 4-26
3/4 4-27
3/4 4-37
3/4 4-42
3/4 4-43
3/4 4-43a
6-26
B 3/4 4-5
B 3/4 4-12
B 3/4 4-13
B 3/4 4-14
B 3/4 4-15
B 3/4 4-27

Insert

vii
viii
xiii
xiv
xix
3/4 4-25
3/4 4-26
3/4 4-27
3/4 4-37
3/4 4-42
3/4 4-43
3/4 4-43a
6-26
B 3/4 4-5
B 3/4 4-12
B 3/4 4-13
B 3/4 4-14
B 3/4 4-15
B 3/4 4-27

SAFETY EVALUATION BY THE OFFICE OF NUCLEAR REACTOR REGULATION
RELOCATION OF VARIOUS REACTOR COOLANT SYSTEM TECHNICAL SPECIFICATIONS
MILLSTONE NUCLEAR POWER STATION, UNIT NOS. 2 AND 3
FACILITY OPERATING LICENSE NOS. DPR-65 AND NPF-49
DOCKET NOS. 50-336 AND 50-423

1.0 INTRODUCTION

By application dated June 4, 2001, Dominion Nuclear Connecticut, Inc., (the licensee or DNC), requested changes to the Technical Specifications (TSs) for Millstone Nuclear Power Station, Unit Nos. 2 (MP2) and 3 (MP3). For both units, the licensee proposed to relocate TSs 3/4.4.7, "Chemistry;" 3/4.4.9.2, "Pressure/Temperature Limits - Pressurizer;" and 3/4.4.11, "Reactor Coolant System Vents," to the respective unit's Technical Requirements Manual (TRM). For MP2, the licensee also proposed a revision to TS Section 6.9, "Special Reports," related to the relocation of TS 3/4.4.11. For MP3, the licensee also proposed to relocate TS 3.4.10, "Structural Integrity," to the MP3 TRM, and replace TS 4.4.10 with a new TS administrative controls program, TS 6.17, "Reactor Coolant Pump Flywheel Inspection Program." The licensee also proposed appropriate conforming changes to the associated TS Bases and TS index pages.

2.0 BACKGROUND

Section 182a of the Atomic Energy Act (the Act) requires applicants for nuclear power plant operating licenses to state TSs 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 TSs include items in five specific categories, including (1) safety limits, limiting safety system settings and limiting control settings; (2) limiting condition for operation (LCOs); (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 TSs in its "Final Policy Statement on Technical Specifications Improvements for Nuclear Power Reactors" (FPS), (58 FR 39132) July 22, 1993, in which the Commission indicated that compliance with the FPS satisfies § 182a of the Act. In particular, the Commission indicated that certain items could be relocated from the TSs 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."

Consistent with this approach, the FPS identified four criteria to be used in determining whether particular safety functions are required to be included in the TSs, as follows:

- Criterion 1* Installed instrumentation that is used to detect, and indicate in the control room, a significant abnormal degradation of the reactor coolant pressure boundary.
- Criterion 2* A process variable, design feature, or operating restriction that is an initial condition of a design basis accident or transient analysis that either assumes the failure of or presents a challenge to the integrity of a fission product barrier.
- Criterion 3* A structure, system, or component that is part of the primary success path and which functions or actuates to mitigate a design basis accident or transient that either assumes the failure of or presents a challenge to the integrity of a fission product barrier.
- Criterion 4* A structure, system, or component which operating experience or probabilistic risk assessment has shown to be significant to public health and safety.

These criteria have been codified in 10 CFR 50.36 (specifically in 10 CFR 50.36(c)(2)(ii)). See Final Rule, "Technical Specifications," 60 FR 36593 (July 19, 1995). As a result, TS requirements which fall within or satisfy any of the criteria in the FPS must be retained in the TSs, while those TS requirements which do not fall within or satisfy these criteria may be relocated to licensee-controlled documents.

The Final Policy Statement provides that those existing TS LCOs which do not satisfy these four specified criteria may be relocated to the Final Safety Analysis Report (FSAR), such that future changes could be made to these provisions pursuant to 10 CFR 50.59. Other requirements may be relocated to more appropriate documents (e.g. Security Plan and Quality Assurance (QA) Plan) and controlled by the applicable regulatory requirement.

In addition to the above criteria in 10 CFR 50.36, the staff reviewed the proposed changes using other applicable regulatory guidance and docketed information including the following:

- The description of LCO in 10 CFR Part 50.36(c)(2);
- The description of each system associated with a specification that the licensee has proposed to relocate to the TRM;
- Letter from Thomas E. Murley, NRC, to industry owners groups chairmen, dated May 9, 1988. This letter forwarded a report entitled, "NRC Staff Review of Nuclear Steam Supply System Vendor Owners Groups' Application of the Commission's Interim Policy Statement Criteria to Standard Technical Specifications," (the NRC "Split Report").
- The model TSs contained in the improved standard technical specifications (STS), NUREG-1432, Revision 2, "Standard Technical Specifications, Combustion Engineering Plants," dated October 10, 2001 (used in reviewing changes to Millstone Unit 2 TSs);

and NUREG-1431, Revision 2, "Standard Technical Specifications, Westinghouse Plants," dated October 10, 2001 (used in reviewing changes to Millstone Unit 3 Tss).

- 10 CFR 50.59; changes to the specifications proposed for relocation to the TRM will require evaluation in accordance with 10 CFR 50.59.

3.0 EVALUATION

The FPS states that LCOs and associated requirements that do not satisfy or fall within any of the four specified criteria presently contained in 10 CFR 50.36 may be relocated from existing TSs (an NRC-controlled document) to appropriate licensee-controlled documents. The staff reviewed the RCS related TSs proposed for relocation from the MP2 and MP3 current TSs against these criteria, as described below. These specifications include the LCOs, action statements, and associated surveillance requirements. The TRM is an acceptable location for these requirements because the TRM is incorporated by reference into the MP2 and MP3 FSARs. Therefore, changes to these relocated requirements will be adequately controlled by the licensee under 10 CFR 50.59. In addition, these requirements will continue to be implemented by appropriate station procedures (i.e., operating procedures, maintenance procedures, surveillance and testing procedures, and work control procedures).

MP2 and MP3 TS 3/4.4.7, "Reactor Coolant System (RCS) - Chemistry"

The current TS requirements on RCS chemistry help to ensure the integrity of the RCS by limiting oxygen, chloride, and fluoride concentrations. Long-term elevated concentrations of these elements can lead to potential stress corrosion attack of RCS components. However, exceeding current TS chemical limits does not result in an immediate threat to the integrity of the RCS, nor are these elements considered initiators of any accident previously analyzed. The limits on RCS oxygen, fluoride, and chloride concentrations are not directly pertinent to the safety analysis, but rather describe preventive limits to aid in ensuring the long-term integrity of the RCS. Assurance of RCS integrity is also provided through inservice inspection and engineering evaluations of structural integrity. Thus, the RCS chemistry LCO, action and surveillance requirements do not meet the criteria of 10 CFR 50.36(c)(2)(ii) for retention in the MP2 and MP3 TSs. Therefore, it is acceptable to relocate these specifications to the respective unit's TRM.

MP2 and MP3 TS 3/4.4.9.2, "Reactor Coolant System - Pressurizer"

The current TS requirements on pressurizer pressure/temperature limits ensure pressurizer temperature maximum heatup and cooldown rates are maintained within the design criteria assumptions for fatigue analysis as required by the American Society of Mechanical Engineers (ASME) Boiler and Pressure Vessel (BVP) Code. This TS also limits auxiliary spray water differential temperature. The current TS Bases state that "the pressurizer temperature limits are not derived from design basis accident (DBA) analyses. They are prescribed during normal operation to avoid encountering temperature and temperature rate of change conditions that might cause the initiation/propagation of undetected cracks and cause failure of the [pressurizer] pressure boundary." Thus, these limits are consistent with structural analysis results but they are not initial condition assumptions of a DBA or transient that either assumes the failure of or presents a challenge to the integrity of a fission product barrier. The licensee stated in its submittal that these limits are "applicable to an operating restriction associated with

a transient analysis, which [if not followed] could in the long term challenge the integrity of a fission product barrier [the pressurizer pressure boundary]. However, the integrity of the pressurizer for [exceeding] these [heatup and cooldown limits] is maintained through engineering evaluation of the long-term effects of temperature transients, not through any activities performed by the plant staff during operation.” RCS integrity is also assured through inservice inspection and engineering evaluations of structural integrity. Thus the pressurizer heatup and cooldown LCO limits and spray water differential temperature LCO limit, and the associated action and surveillance requirements do not meet the criteria of 10 CFR 50.36(c)(2)(ii) for retention in the MP2 and MP3 TSs. Therefore, it is acceptable to relocate these specifications to the respective unit’s TRM.

MP3 TS 3/4.4.10, “Reactor Coolant System - Structural Integrity”

Current TS 3/4.4.10 LCO states, “The structural integrity of ASME Code Class 1, 2, and 3 components shall be maintained in accordance with Specification 4.4.10.” The licensee proposed to relocate this LCO and associated action requirements to the TRM, and to move the associated surveillance requirement, TS 4.4.10, to a new administrative controls program, TS 6.17, “Reactor Coolant Pump Flywheel Inspection Program,” which is consistent with the STS.

The Action requirements associated with the TS 3/4.4.10 LCO require, prior to increasing RCS temperature above specified limits, either restoring the structural integrity of the affected components or isolating them. The LCO prescribes inspection requirements that are performed during station shutdown, and the associated action requirements must be completed prior to plant heatup and power operation; therefore, these are not part of the primary success path to mitigate a DBA. Since these requirements do not satisfy any of the criteria of 10 CFR 50.36(c)(2)(ii) for retention in the MP3 TSs, the staff concludes that it is acceptable to relocate this TS to the MP3 TRM.

Moving the reactor coolant pump flywheel ISI requirements from TS 3/4.4.10 to a new administrative controls program TS 6.17 is a change to a more appropriate section within the TS. The staff finds this acceptable because it is only an administrative change.

MP2 and MP3 TS 3/4.4.11, “Reactor Coolant System Vents”

The requirements of current TS 3/4.4.11 ensure that the RCS vents are available to exhaust non-condensable gases and/or steam from the RCS which could inhibit natural circulation core cooling following any event involving a loss of offsite power and requiring long-term cooling, such as a loss-of-coolant accident. Their function, capabilities, and testing requirements are consistent with the requirements of Item II.B.1 of NUREG-0737, “Clarification of TMI Action Plan Requirements.” However, the operation of RCS vents is not assumed in the safety analysis. The operation of these vents is an operator action after the event has occurred, and is only required when there is indication that natural circulation is not occurring. They are not components that are part of the primary success path which function or actuate to mitigate a design-basis accident or transient that either assumes the failure of or presents a challenge to the integrity of a fission product barrier. Therefore, the RCS vent specifications do not satisfy any of the criteria of 10 CFR 50.36(c)(2)(ii) for retention in the MP2 and MP3 TSs. Therefore, it is acceptable to relocate these specifications to the respective unit’s TRM.

MP2 TS 6.9.2.m

Current MP2 TS 6.9.2 summarizes those specifications that require special reports to be submitted under applicable conditions. MP2 TS 6.9.2.m identifies TS 3.4.11, "Reactor Coolant System Vents," as a specification which requires a special report under certain conditions. Specifically, if an inoperable pressurizer or reactor vessel head vent path is inoperable and cannot be restored to operable status within 30 days, the action requirements of TS 3/4.4.11 require submitting "a Special Report to the Commission pursuant to Specification 6.9.2 within the next 10 days outlining the cause of the malfunction and the plans for restoring the path to operable status." Since TS 3/4.4.11, which includes this reporting requirement, is being relocated to the MP2 TRM, the reference to it in MP2 TS 6.9.2.m is unnecessary. Thus MP2 TS 6.9.2.m will be deleted. This deletion is acceptable since it will have no adverse effect on plant safety because it is only a reporting requirement.

4.0 SUMMARY

The relocated specifications from the current MP2 and MP3 TSs discussed above are not required to be in the TSs because they do not fall within the criteria for mandatory inclusion in the TSs as stated in 10 CFR 50.36(c)(2)(ii). These specifications are not needed to obviate the possibility that an abnormal situation or event will give rise to an immediate threat to the public health and safety. In addition, appropriate controls have been established for all of the current specifications and information that are being moved to the TRM. Therefore, in accordance with the FPS, sufficient regulatory controls exist under the regulations, particularly 10 CFR 50.59. Accordingly, the TSs to be relocated, as described in detail in this SE, may be relocated from the MP2 and MP3 current TSs and placed in the respective unit's TRM.

5.0 INDEX PAGES

Associated with the above changes are appropriate revisions to TS index pages vi and xii for MP2 and TS index pages vii, viii, xiii, xiv, and xix for MP3. These page changes are administrative and acceptable.

6.0 MP2 AND MP3 TS BASES

Associated with the relocation of the RCS specifications discussed above, the licensee also proposed to move the accompanying TS Bases to the respective unit's TRM. This is appropriate because the associated TS requirements are being relocated to the TRM. Therefore, the staff has no objection to these Bases changes.

7.0 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.

8.0 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 (66 FR 55011). 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.

9.0 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 Contributors: J. Foster
C. Harbuck

Date: May 8, 2002

Millstone Nuclear Power Station
Units 2 and 3

cc:

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