

Mr. J. A. Price
Vice President - Nuclear Technical Services - Millstone
Dominion Nuclear Connecticut, Inc.
P. O. Box 128
Waterford, Connecticut 06385

August 8, 2002

SUBJECT: MILLSTONE NUCLEAR POWER STATION, UNITS 1, 2, AND 3 - ISSUANCE
OF AMENDMENTS RE: PHYSICAL PROTECTION LICENSE CONDITION AND
PLANT NAME (TAC NOS. MB2874, MB2875, AND MB2876)

Dear Mr. Price:

The U.S. Nuclear Regulatory Commission (the Commission) has issued the enclosed Amendment Nos. 110, 269 and 208 to Facility Operating License Nos. DPR-21, DPR-65 and NPF-49 for the Millstone Nuclear Power Station, Unit Nos. 1, 2 and 3, respectively, in response to your application dated August 8, 2001.

The amendment incorporates two changes into each operating license. Specifically, the physical protection (security) related license condition is revised to indicate that the physical security program plans listed may, rather than do, contain safeguards information; and the plant name is changed from the 'Millstone Nuclear Power Station' to the 'Millstone Power Station.'

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

Sincerely,

/RA/

John B. Hickman, Project Manager, Section 2
Project Directorate IV
Division of Licensing Project Management
Office of Nuclear Reactor Regulation

Docket Nos. 50-245, 50-336
and 50-423

Enclosures: 1. Amendment No. 110 to DPR-21
2. Amendment No. 269 to DPR-65
3. Amendment No. 208 to NPF-49
4. Safety Evaluation

SECURITY-RELATED INFORMATION
10 CFR 2.790(d) INFORMATION

cc w/encls: See next page

Mr. J. A. Price
Vice President - Nuclear Technical Services - Millstone
Dominion Nuclear Connecticut, Inc.
P. O. Box 128
Waterford, Connecticut 06385

August 8, 2002

SUBJECT: MILLSTONE NUCLEAR POWER STATION, UNITS 1, 2, AND 3 - ISSUANCE
OF AMENDMENTS RE: PHYSICAL PROTECTION LICENSE CONDITION AND
PLANT NAME (TAC NOS. MB2874, MB2875, AND MB2876)

Dear Mr. Price:

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

Sincerely,
/RA/

John B. Hickman, Project Manager, Section 2
Project Directorate IV & Decommissioning
Division of Licensing Project Management
Office of Nuclear Reactor Regulation

Docket Nos. 50-245, 50-336
and 50-423

Enclosures: 1. Amendment No.110 to DPR-21
2. Amendment No. 269 to DPR-65
3. Amendment No. 208 to NPF-49
4. Safety Evaluation

cc w/encls: See next page

SECURITY-RELATED INFORMATION
10 CFR 2.790(d) INFORMATION

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GTracy

ACCESSION NO.: ML022260415

***No Legal Objection**

OFFICE	PDIV-2/PM	PDIV-2/LA	PDI-2/PM	PDI-2/PM	IOLB/BC	OGC	PDI-2/SC	PDIV-2/SC
NAME	JHickman	EPeyton	JHarrison	VNurses	GTracy	*SUttal	J Zimmerman for JClifford	SDembek
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Millstone Nuclear Power Station
Units 1, 2, and 3

cc:

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Millstone Nuclear Power Station
Units 1, 2, and 3

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75 State Street, 7th Floor
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DOMINION NUCLEAR CONNECTICUT, INC.

DOCKET NO. 50-245

MILLSTONE POWER STATION, UNIT 1

AMENDMENT TO FACILITY OPERATING LICENSE

Amendment No.110
License No. DPR-21

1. The Nuclear Regulatory Commission (the Commission) has found that:
 - A. The application for amendment by Northeast Nuclear Energy Company (the licensee) dated August 8, 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, Facility Operating License No. DPR-21 is amended as indicated in the attachment to this license amendment.

3. The license amendment is effective as of its date of issuance and shall be implemented within 60 days of issuance.

FOR THE NUCLEAR REGULATORY COMMISSION

/RA/

Jack Donohew, for
Stephen Dembek, Chief, Section 2
Project Directorate IV
Division of Licensing Project Management
Office of Nuclear Reactor Regulation

Attachment: Changes to the Operating
License

Date of Issuance: August 8, 2002

ATTACHMENT TO LICENSE AMENDMENT NO. 110

FACILITY OPERATING LICENSE NO. DPR-21

DOCKET NO. 50-245

Replace the following pages of Facility Operating License No. DPR-21 with the attached revised pages. The revised pages are identified by amendment number and contain marginal lines indicating the areas of change.

REMOVE

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INSERT

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DOMINION NUCLEAR CONNECTICUT, INC.

(MILLSTONE POWER STATION, UNIT 1)

DOCKET NO. 50-245

FACILITY OPERATING LICENSE

License No. DPR-21

1. The Nuclear Regulatory Commission (the Commission) has found that:
 - A. The application for an operating license filed by the applicant complies with the standards and requirements of the Atomic Energy Act of 1954, as amended (the Act), and the rules and regulations of the Commission, as set forth in 10 CFR Chapter I, and all required notifications to other agencies or bodies have been duly made;
 - B. Deleted.
 - C. The facility will be decommissioned in conformity with the provisions of the Act, and the rules and regulations of the Commission;
 - D. Deleted.
 - E. Dominion Nuclear Connecticut, Inc. (the licensee) is technically qualified to engage in the activities authorized by this operating license, in accordance with the rules and regulations of the Commission;
 - F. The licensee has furnished proof of financial protection that satisfies the requirements of 10 CFR Part 140;
 - G. The issuance of this license will not be inimical to the common defense and security or to the health and safety of the public; and
 - H. The issuance of this license is in accordance with 10 CFR Part 51 of the Commission's regulations and all applicable requirements have been satisfied; and
 - I. Deleted.

2. Provisional Operating License No. DPR-21, dated October 7, 1970, as amended, was superseded in its entirety by Facility Operating License No. DPR-21 issued to Northeast Nuclear Energy Company and transferred to Dominion Nuclear Connecticut, Inc. on March 31, 2001. It applies to the permanently defueled condition as follows:
 - A. This license applies to the Millstone Power Station, Unit 1, a single cycle, boiling light-water reactor, and electric generating equipment (the facility). The facility is located on the licensee's site in Waterford, Connecticut, and is described in the license application, as amended, and the Safety Analysis Report, as supplemented and amended (herein the application).
 - B. Subject to the conditions and requirements incorporated herein, the Commission hereby licenses Dominion Nuclear Connecticut, Inc.:
 - (1) Pursuant to Section 104b of the Atomic Energy Act of 1954, as amended (the Act), and 10 CFR Part 50, "Domestic Licensing of Production and Utilization Facilities," to possess, the facility at the designated location in Waterford, Connecticut in accordance with the procedures and limitations set forth in this license;
 - (2) Pursuant to the Act and 10 CFR Part 70, "Domestic Licensing of Special Nuclear Material," to possess at any time special nuclear material that was used as reactor fuel in accordance with the limitations for storage as described in the Safety Analysis Report, as supplemented and amended.
 - (3) Pursuant to the Act and 10 CFR Parts 30, 40 and 70 to receive, possess, and use at any time sealed sources for reactor instrumentation and radiation monitoring equipment calibration, and as fission detectors in amounts as required and possess any byproduct, source and special nuclear material as sealed neutron sources that was used for reactor startup; and
 - (4) Pursuant to the Act and 10 CFR Parts 30 and 70, to possess, but not to separate, such byproduct and special nuclear material as may be produced by operation of the facility.
 - C. This license shall be deemed to contain and is subject to the conditions specified in the following Commission regulations in 10 CFR Part 20, Section 30.34 of Part 30, Section 40.41 of Part 40, Sections 50.54 and 50.59 of Part 50, and Section 70.32 of Part 70; and is subject to all applicable provisions of the Act and rules, regulations and orders of the Commission now or hereafter in effect; and is subject to the additional conditions specified below:
 - (1) Deleted.

(2) Technical Specifications

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

(3) Deleted.

(4) Physical Protection

The licensee shall fully implement and maintain in effect all provisions of the Commission-approved physical security, guard 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 may contain Safeguards Information protected under 10 CFR 73.21, are entitled: "Millstone Power Station Physical Security Plan," with revisions submitted through March 29, 1988; "Millstone Power Station Suitability, Training and Qualification Plan," with revisions submitted through July 21, 1986; and "Millstone Power Station Safeguards Contingency Plan," with revisions submitted through October 30, 1985. Changes made in accordance with 10 CFR 73.55 shall be implemented in accordance with the schedule set forth therein.

(5) On the closing date of the transfer of MP1 to DNC, DNC shall: 1) obtain from the Selling Owners of MP1 the decommissioning trust fund for MP1 in an amount no less than \$268,300,000; and 2) receive a parent company guarantee pursuant to 10 CFR 50.75(e)(1)(iii)(B) (to be updated annually as required under 10 CFR 50.75(f)(1) and 50.82(a)(8)(iv), unless otherwise approved by the NRC) in an amount which, when combined with the decommissioning trust fund for MP1, equals a total of the site-specific decommissioning funding cost as of the closing date of the transfer as estimated (in year 2000 dollars) in accordance with 10 CFR 50.82 (including the use of a 2 percent annual real rate of return as provided in 10 CFR 50.75(e)(1)(i)).

(6) The decommissioning trust agreement for Millstone, Unit No. 1 at the time the transfer of the unit to Dominion Nuclear Connecticut, Inc. is effected and thereafter, is subject to the following:

(a) The decommissioning trust agreement must be in a form acceptable to the NRC.

DOMINION NUCLEAR CONNECTICUT, INC.

DOCKET NO. 50-336

MILLSTONE POWER STATION, UNIT NO. 2

AMENDMENT TO FACILITY OPERATING LICENSE

Amendment No.269
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 August 8, 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, Facility Operating License No. DPR-65 is amended as indicated in the attachment to this license amendment.

3. This license amendment is effective as of the date of issuance, and shall be implemented within 60 days of issuance.

FOR THE NUCLEAR REGULATORY COMMISSION

/RA/

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

Attachment: Changes to the Operating
License

Date of Issuance: August 8, 2002

ATTACHMENT TO LICENSE AMENDMENT NO. 269

FACILITY OPERATING LICENSE NO. DPR-65

DOCKET NO. 50-336

Replace the following pages of Facility Operating License No. DPR-65 with the attached revised pages. The revised pages are identified by amendment number and contain marginal lines indicating the areas of change.

REMOVE

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DOMINION NUCLEAR CONNECTICUT, INC.

DOCKET NO. 50-336

(Millstone Power Station, Unit 2)

FACILITY OPERATING LICENSE

License No. DPR-65

1. The Nuclear Regulatory Commission (the Commission) having found that:
 - A. The application for license by the applicant 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 and all required notifications to other agencies or bodies have been duly made;
 - B. Construction of the Millstone Power Station, Unit 2, (facility) has been substantially completed in conformity with Construction Permit No. CPPR-76 and the application, as amended, the provisions of the Act and the rules and regulations of the Commission;
 - C. The facility will operate in conformity with the application, as amended, the provisions of the Act, and the rules and regulations of the Commission;
 - D. There is reasonable assurance: (i) that the activities authorized by this amended operating license can be conducted without endangering the health and safety of the public, and (ii) that such activities will be conducted in compliance with the rules and regulations of the Commission;
 - E. The licensee is technically and financially qualified to engage in the activities authorized by this operating license in accordance with the rules and regulations of the Commission;

- F. The licensee has satisfied the applicable provisions of 10 CFR Part 140, "Financial Protection Requirements and Indemnity Agreements", of the Commission's regulations;
 - G. The issuance of this amended operating license will not be inimical to the common defense and security or to the health and safety of the public;
 - H. After weighing the environmental, economic, technical, and other benefits of the facility against environmental and other costs and considering available alternatives, the issuance of Amendment No. 4 to Facility Operating License No. DPR-65, subject to the conditions for protection of the environment set forth herein, is in accordance with 10 CFR Part 50, Appendix D, of the Commission's regulations and all applicable requirements of said Appendix D have been satisfied; and
 - I. The receipt, possession, and use of source, byproduct, and special nuclear material as authorized by this amended license will be in accordance with the Commission's regulations in 10 CFR Parts 30, 40, and 70, including 10 CFR Sections 30.33, 40.32, 70.23 and 70.31.
2. Facility Operating License No. DPR-65, issued to The Connecticut Light and Power Company, Western Massachusetts Electric Company, and Northeast Nuclear Energy Company, and transferred to Dominion Nuclear Connecticut, Inc. on March 31, 2001, is hereby amended in its entirety to read as follows:
- A. This amended license applies to the Millstone Power Station, Unit 2, a pressurized water nuclear reactor and associated equipment (the facility), owned by Dominion Nuclear Connecticut, Inc. The facility is located on the north shore of Long Island Sound and on the east side of Niantic Bay in the Town of Waterford, Connecticut, about three miles from New London, Connecticut, and is described in the "Final Safety Analysis Report" as supplemented and amended (Amendments 13 through 42, and the Environmental Report as amended (Amendments 1 through 5).
 - B. Subject to the conditions and requirements incorporated herein, the Commission hereby licenses Dominion Nuclear Connecticut, Inc.:
 - (1) Pursuant to Section 104b of the Act and 10 CFR Part 50, "Licensing of Production and Utilization Facilities," to possess, use, and operate the facility at the designated location on the north shore of Long Island Sound and on the east side of Niantic Bay, in the Town of Waterford, Connecticut, about three miles from New London, Connecticut, in accordance with the procedures and limitations set forth in this amended license.

(3) Fire Protection

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) Physical Protection

The licensee shall fully implement and maintain in effect all provisions of the Commission-approved physical security, guard 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 CFR 27817 and 27822) and to the authority of 10 CFR 50.90 and 10 CFR 50.54(p). The plans, which may contain Safeguards Information protected under 10 CFR 73.21, are entitled: "Millstone Power Station Physical Security Plan," with revisions submitted through March 29, 1988; "Millstone Power Station Suitability, Training, and Qualification Plan," with revision submitted through July 21, 1986; and "Millstone 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.

(5) Additional Conditions

The additional Conditions contained in Appendix B, as revised through Amendment No. 256 are hereby incorporated in the license. The licensee shall operate the facility in accordance with the additional conditions.

DOMINION NUCLEAR CONNECTICUT, INC.

DOCKET NO. 50-423

MILLSTONE POWER STATION, UNIT NO. 3

AMENDMENT TO FACILITY OPERATING LICENSE

Amendment No. 208
License No. NPF-49

1. The Nuclear Regulatory Commission (the Commission) has found that:
 - A. The application for amendment by Northeast Nuclear Energy Company, et al. (the licensee) dated August 8, 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, Facility Operating License No. NPF-49 is amended as indicated in the attachment to this license amendment.

3. This license amendment is effective as of the date of issuance, and shall be implemented within 60 days of issuance.

FOR THE NUCLEAR REGULATORY COMMISSION

/RA/

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

Attachment: Changes to the Operating
License

Date of Issuance: August 8, 2002

ATTACHMENT TO LICENSE AMENDMENT NO. 208

FACILITY OPERATING LICENSE NO. NPF-49

DOCKET NO. 50-423

Replace the following pages of Facility Operating License No. NPF-49 with the attached revised pages. The revised pages are identified by amendment number and contain marginal lines indicating the areas of change.

REMOVE

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DOMINION NUCLEAR CONNECTICUT, INC., ET AL.⁽¹⁾

DOCKET NO. 50-423

MILLSTONE POWER STATION, UNIT NO. 3

FACILITY OPERATING LICENSE

License No. NPF-49

1. The Nuclear Regulatory Commission (the Commission) has found that:
 - A. The application for license filed by the applicant 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, and all required notifications to other agencies or bodies have been duly made;
 - B. Construction of the Millstone Power Station, Unit No. 3 (the facility) has been substantially completed in conformity with Construction Permit No. CPPR-113 and the application, as amended, the provisions of the Act, and the regulations of the Commission;
 - C. The facility will operate in conformity with the application, as amended, the provisions of the Act, and the regulations of the Commission, (except as exempted from compliance, see Section 2.D below);
 - D. There is reasonable assurance: (1) that the activities authorized by this operating license can be conducted without endangering the health and safety of the public, and (2) that such activities will be conducted in compliance with the Commission's regulations set forth in 10 CFR Chapter I, (except as exempted from compliance, see Section 2D below):

(1) Dominion Nuclear Connecticut, Inc., et al. (the licensees) consists of Dominion Nuclear Connecticut, Inc., Central Vermont Public Service Corporation and Massachusetts Municipal Wholesale Electric Company. Dominion Nuclear Connecticut, Inc. is authorized to act as the agent and representative for Central Vermont Public Service Corporation and Massachusetts Municipal Wholesale Electric Company and has exclusive responsibility and control over the physical operation and maintenance of the facility.

- E. Dominion Nuclear Connecticut, Inc. is technically qualified to engage in the activities authorized by this license in accordance with the Commission's regulations set forth in 10 CFR Chapter I;
 - F. The licensees have satisfied the applicable provisions of 10 CFR Part 140 "Financial Protection Requirements and Indemnity Agreements" of the Commission's regulations;
 - G. The issuance of this license will not be inimical to the common defense and security or to the health and safety of the public;
 - H. After weighing the environmental, economic, technical and other benefits of the facility against environmental and other costs and considering available alternatives, the issuance of Facility Operating License No. NPF-49, subject to the conditions for protection of the environment set forth in the Environmental Protection Plan attached as Appendix B, is in accordance with 10 CFR Part 51 of the Commission's regulations and all applicable requirements have been satisfied; and
 - I. The receipt, possession, and use of source, byproduct and special nuclear material as authorized by this license will be in accordance with the Commission's regulations in 10 CFR Parts 30, 40, and 70.
2. Based on the foregoing findings regarding this facility, and pursuant to approval by the Nuclear Regulatory Commission at a meeting on January 29, 1986, the license for fuel loading and low power testing License No. NPF-44, issued on November 25, 1985, is superseded by Facility Operating License No. NPF-49 and hereby issued to Northeast Nuclear Energy Company, et al. (the licensees) and transferred to Dominion Nuclear Connecticut, Inc., et al. on March 31, 2001, to read as follows:
- A. This license applies to the Millstone Power Station, Unit 3, a pressurized water nuclear reactor and associated equipment (the facility), owned by the licensees. The facility is located in Waterford Township, New London County, Connecticut on the north shore of Long Island Sound, and is described in the licensees' "Final Safety Analysis Report", as supplemented and amended, and in the licensees' Environmental Report, as supplemented and amended.
 - B. Subject to the conditions and requirements incorporated herein, the Commission hereby licenses:
 - (1) Dominion Nuclear Connecticut, Inc., pursuant to Section 103 of the Act and 10 CFR Part 50, to possess, use and operate the facility at the designated location in New London County, Connecticut in accordance with the procedures and limitations set forth in this license;

Central Vermont Public Service Corporation and Massachusetts Municipal Wholesale Electric Company, pursuant to the Act and 10 CFR Part 50, to possess the facility at the designated location in New London County, Connecticut in accordance with the procedures and limitations set forth in this license.
 - (2) Dominion Nuclear Connecticut, Inc., pursuant to the Act and 10 CFR Part 70, to receive, possess and use at any time special nuclear material as reactor fuel, in accordance with the limitations for storage and amounts required for reactor operation, as described in the Final Safety Analysis Report, as supplemented and amended;

- D. Exemptions from certain requirements of Appendix J 10 CFR Part 50 (Section 6.2.6, SSER 4) and from a portion of the requirements of General Design Criterion 4 (Section 3.9.3.1, SSER 4) of Appendix A to 10 CFR Part 50 have previously been granted. See Safety Evaluation Report Supplement 4, November 1985. With these exemptions the facility will operate, to the extent authorized herein, in conformity with the application, as amended, the provisions of the Act, and the rules and regulations of the Commission.
- E. Dominion Nuclear Connecticut, Inc. shall fully implement and maintain in effect all provisions of the Commission-approved physical security, guard 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 may contain Safeguards Information protected under 10 CFR 73.21, are entitled: "Millstone Power Station Physical Security Plan," with revisions submitted through March 29, 1988; "Millstone Power Station Suitability, Training and Qualification Plan," with revision submitted through July 21, 1986; and "Millstone Power Station Safeguards Contingency Plan," with revisions submitted through October 30, 1985. Changes made in accordance with 10 CFR 73.55 shall be implemented in accordance with the schedule set forth therein.
- F. Except as otherwise provided in the Technical Specifications or Environmental Protection Plan, Dominion Nuclear Connecticut, Inc. shall report any violations of the requirements contained in Section 2.C of this license in the following manner: initial notification shall be made within 24 hours to the NRC Operations Center via the Emergency Notification System with written followup within thirty days in accordance with the procedures described in 10 CFR 50.73(b), (c) and (e).
- G. The licensees shall have and maintain financial protection of such type and in such amounts as the Commission shall require in accordance with Section 170 of the Atomic Energy Act of 1954, as amended, to cover public liability claims.
- H. Fire Protection (Section 9.5.1, SER, SSER 2, SSER4, SSER5)

Dominion Nuclear Connecticut, Inc. shall implement and maintain in effect all provisions of the approved fire protection program as described in the Final Safety Analysis Report for the facility and as approved in the SER (NUREG-1031) issued July 1984 and Supplements Nos. 2, 4, and 5 issued September 1985, November 1985 and January 1986, respectively, subject to the following provision:

SAFETY EVALUATION BY THE OFFICE OF NUCLEAR REACTOR REGULATION

RELATED TO AMENDMENT NOS. 110, 269 AND 208

TO FACILITY OPERATING LICENSE NOS. DPR-21, DPR-65 AND NPF-49

DOMINION NUCLEAR CONNECTICUT, INC.

MILLSTONE POWER STATION, UNITS 1, 2, AND 3

DOCKET NOS. 50-245, 50-336 AND 50-423

1.0 INTRODUCTION

By letter dated August 8, 2001, Dominion Nuclear Connecticut, Inc. (DNC, or the licensee) requested changes to Facility Operating License Nos. DPR-21, DPR-65 and NPF-49 for the Millstone Nuclear Power Station, Units 1, 2, and 3, respectively. The proposed changes would revise the physical protection (security) related license condition to indicate that the physical security program plans listed may, rather than do, contain safeguards information; and change the name of the 'Millstone Nuclear Power Station' to the 'Millstone Power Station.' Also, minor editorial changes were made to Facility Operating License No. NPF-49. These changes were discussed and agreed to by the licensee.

2.0 BACKGROUND

License Condition 2.C.(4) for Units 1 and 2 and 2.E for Unit 3, identifies the plans which describe the NRC approved program for physical protection of Millstone Units 1, 2, and 3. They are the Millstone Nuclear Power Station Physical Security Plan, the Millstone Nuclear Power Station Suitability, Training, and Qualification Plan, and the Millstone Nuclear Power Station Safeguards Contingency Plan. License Conditions 2.C.(4) and 2.E also indicate that the plans contain safeguards information protected under 10 CFR 73.21.

Section 73.21 imposes the requirement that a document containing safeguards information must be protected as such. In particular, 10 CFR 73.21(b)(1)(ix) states the specific types of safeguards information, documents, and reports that shall be protected are "Those portions of the facility guard qualification and training plan which disclose features of the physical security system or response procedures."

3.0 EVALUATION

The licensee revised the Millstone Nuclear Power Station Suitability, Training, and Qualification Plan to allow declassification of the document. Specifically, in Revision 15 to the Millstone Nuclear Power Station Suitability, Training, and Qualification Plan, those portions of the plan concerning features of the physical security system or response procedures were modified and

the related safeguards information relocated to other safeguards controlled documents. However, the document could not be declassified due to the requirements imposed by License Conditions 2.C.(4) and 2.E. As noted previously, 10 CFR 73.21, "Requirements for the protection of safeguards information," provides the criteria for what documents and types of information must be protected. This regulation specifies when safeguards information controls must be imposed. Having a license condition which states that: "The plans, which contain Safeguards Information protected under 10 CFR 73.21, ..." is redundant with the existing regulations. Therefore, the proposed addition of the word "may" to the aforementioned phrase does not decrease regulatory requirements and is administrative in nature. Based on the above, the proposed change is acceptable.

The licensee also proposed the deletion of the word "Nuclear" from the title of the physical security program plans listed under the security related license condition and when it is used in the phrase "Millstone Nuclear Power Station" elsewhere in the operating license. This change is purely administrative and does not alter any regulatory requirements or commitments made by the licensee. Therefore, the staff finds this proposed change to be acceptable.

4.0 STATE CONSULTATION

In accordance with the Commission's regulations, the Connecticut State official was notified of the proposed issuance of the amendment. The State official had no comments.

5.0 ENVIRONMENTAL CONSIDERATION

Pursuant to 10 CFR 51.21, 51.32 and 51.35, an environmental assessment and finding of no significant impact was published in the *Federal Register* on January 25, 2002 (67 FR 3742).

Accordingly, based upon the environmental assessment, the Commission has determined that issuance of these amendments will not have a significant effect on the quality of the human environment.

Also, these amendments relate to safeguards matters and do not involve any significant construction impacts. Accordingly, these amendments meet the eligibility criteria for categorical exclusion set forth in 10 CFR 51.22(c)(12). Pursuant to 10 CFR 51.22(b), no environmental impact statement or environmental assessment need be prepared in connection with the issuance of this amendment.

6.0 CONCLUSION

The Commission has concluded, based on the considerations discussed above, that (1) there is reasonable assurance that the health and safety of the public will not be endangered by operation in the proposed manner, (2) such activities will be conducted in compliance with the Commission's regulations, and (3) the issuance of the amendment will not be inimical to the common defense and security or to the health and safety of the public.

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Date: August 8, 2002