

March 8, 2004

Mr. David A. Christian
Senior Vice President and Chief Nuclear Officer
Dominion Nuclear Connecticut, Inc.
Innsbrook Technical Center
5000 Dominion Boulevard
Glen Allen, VA 23060-6711

SUBJECT: DETERMINATION OF ACCEPTABILITY AND SUFFICIENCY FOR DOCKETING, PROPOSED REVIEW SCHEDULE, AND OPPORTUNITY FOR A HEARING REGARDING THE APPLICATIONS FROM DOMINION NUCLEAR CONNECTICUT, INC. FOR RENEWAL OF THE OPERATING LICENSES FOR THE MILLSTONE POWER STATION, UNITS 2 AND 3 (TAC NOS. MC1825 AND MC1826)

Dear Mr. Christian:

On January 22, 2004, the U.S. Nuclear Regulatory Commission (NRC) received Dominion Nuclear Connecticut, Inc. applications for renewal of Operating Licenses DPR-65 and NPF-49 for the Millstone Power Station, Units 2 and 3, respectively. Notice of receipt of these applications were published in the *Federal Register* on February 3, 2004 (69 FR 5197).

The NRC staff has determined that the Dominion Nuclear Connecticut, Inc. has submitted sufficient information that your applications are acceptable for docketing, in accordance with 10 CFR 54.19, 54.21, 54.22, 54.23, and 51.53(c). However, the staff's determination does not preclude requests for additional information as the review proceeds.

This letter forwards the staff's safety and environmental review schedule for the subject applications (Enclosure 1). The NRC staff will follow established review procedures and the enclosed schedule to complete the safety and environmental reviews required by 10 CFR Parts 54 and 51, respectively. This schedule has been established in accordance with a 30-month review plan, which includes time to conduct a hearing should a hearing be requested and granted. Milestones for hearing activities are not included in the enclosed schedule because these dates are established by the Commission and the Atomic Safety and Licensing Board.

I would like to stress that this is a very ambitious schedule. Nevertheless, the NRC staff will make every effort to meet the goal of this schedule. We request that you inform the staff as early as possible should potential delays arise in your support of the schedule.

Finally, we have also enclosed, for your information, a copy of the notice relating to your applications that are being sent to the Office of the *Federal Register* for publication (Enclosure 2). This notice provides the opportunity to request a hearing and to file a petition for leave to intervene.

Mr. David A. Christian

- 2 -

If you have any questions on this matter, please contact Mr. Russell Arrighi License Renewal Project Manager for the Millstone Power Station, Units 2 and 3, by telephone at 301-415-3936 or via electronic mail at rja1@nrc.gov.

Sincerely,

/RA/

Pao-Tsin Kuo, Program Director
License Renewal and Environmental Impacts
Division of Regulatory Improvement Programs
Office of Nuclear Reactor Regulation

Docket Nos. 50-336 and 50-423

Enclosures: As stated

cc w/encls: See next page

Mr. David A. Christian

- 2 -

If you have any questions on this matter, please contact Mr. Russell Arrighi License Renewal Project Manager for the Millstone Power Station, Units 2 and 3, by telephone at 301-415-3936 or via electronic mail at rja1@nrc.gov.

Sincerely,

/RA/

Pao-Tsin Kuo, Program Director
License Renewal and Environmental Impacts
Division of Regulatory Improvement Programs
Office of Nuclear Reactor Regulation

Docket Nos. 50-336 and 50-423

Enclosures: As stated

cc w/encls: See next page

DISTRIBUTION:

See next page

Accession no.:

Document Name: C:\ORPCheckout\FileNET\ML040680968.wpd

Accession No: ML040680968

OFFICE	LA:RLEP	PM:RLEP	OGC	SC:RLEP-A	PD:RLEP
NAME	M. Jenkins	R. Arrighi	C. Marco	S. Lee	PT Kuo
DATE	3/3/04	3/3/04	3/4/04	3/8/04	3/8/04

OFFICIAL RECORD COPY

HARD COPY

RLEP RF

R. Arrighi

E-MAIL:

PUBLIC

J. Craig

D. Matthews

F. Gillespie

C. Grimes

RidsNrrDe

E. Imbro

G. Bagchi

K. Manoly

W. Bateman

J. Calvo

R. Jenkins

P. Shemanski

J. Fair

S. Black

B. Boger

D. Thatcher

R. Pettis

G. Galletti

C. Li

J. Moore

R. Weisman

M. Mayfield

A. Murphy

S. Smith (srs3)

S. Duraiswamy

Y. L. (Renee) Li

RLEP Staff

J. Eads

V. Nerses

C. Marco

D. Screnci, RI

OPA

MILLSTONE, UNITS 2 AND 3, LICENSE RENEWAL APPLICATIONS REVIEW SCHEDULE

Milestone	Schedule	Actual
Receive license renewal applications	01/22/04	01/22/04
Federal register Notice (FRN) published for receipt and availability	02/03/04	02/03/04
Public Meeting - Safety review overview	02/17/04	02/17/04
FRN published for acceptance/rejection/opportunity for hearing	03/12/04	
FRN published for intent/environmental scoping meeting	04/02/04	
Scoping and screening methodology audit complete	05/07/04	
Deadline for filing hearing requests and petitions for intervention	05/11/04	
Public Meeting - Environmental scoping meeting	05/18/04	
Environmental scoping period ends	06/04/04	
Environmental requests for additional information (RAIs) issued	07/02/04	
Regional scoping inspection complete	07/30/04	
GALL audits complete	08/04	
Final set of safety RAIs issued	08/16/04	
Environmental RAIs responses received	08/20/04	
Final set of safety RAI responses received	09/17/04	
Regional aging management program inspection complete	10/01/04	
Draft supplemental environmental impact statement (SEIS) issued	12/10/04	
FRN published for availability/comment on draft SEIS	12/17/04	
Regional Third Optional Inspection complete	TBD	
Public Meeting to discuss draft SEIS	01/12/05	
Safety evaluation report (SER) with open items issued	02/24/05	
End of draft SEIS comment period	03/02/05	
Advisory Committee on Reactor Safeguards (ACRS) Subcommittee meeting on SER with open items	04/05	
SER open items responses received	04/21/05	
Final SEIS issued	07/22/05	
FRN published for availability of final SEIS	07/29/05	
Regional Administer's letter issued	08/05	
SER issued	08/02/05	
ACRS Full Committee meeting on SER	09/05	
ACRS letter issued	09/05	
Commission Paper with staff recommendations	04/22/06	
Commission decision (30 months)	07/22/06	

UNITED STATES NUCLEAR REGULATORY COMMISSION
DOMINION NUCLEAR CONNECTICUT, INC.
MILLSTONE POWER STATION, UNITS 2 AND 3
NOTICE OF ACCEPTANCE FOR DOCKETING OF THE APPLICATIONS
AND NOTICE OF OPPORTUNITY FOR HEARING REGARDING RENEWAL OF
FACILITY OPERATING LICENSE NOS. DPR-65 AND NPF-49
FOR AN ADDITIONAL 20-YEAR PERIOD
DOCKET NOS. 50-336 AND 50-423

The U.S. Nuclear Regulatory Commission (NRC or the Commission) is considering applications for the renewal of Operating License Nos. DPR-65 and NPF-49, which authorize the Dominion Nuclear Connecticut, Inc., to operate the Millstone Power Station at 2700 megawatts thermal for Unit 2 and at 3411 megawatts thermal for Unit 3, respectively. The renewed licenses would authorize the applicant to operate Millstone Power Station, Units 2 and 3, for an additional 20-years beyond the period specified in the current licenses. The current operating license for the Millstone Unit 2 (DRP-65) expires on July 31, 2015; the current operating license for Millstone Unit 3 expires on November 25, 2025.

On January 22, 2004, the Commission's staff received applications from Dominion Nuclear Connecticut, Inc. filed pursuant to 10 CFR Part 54, to renew the Operating License Nos. DPR-65 and NPF-49 for Millstone Power Station, Units 2 and 3, respectively. A Notice of Receipt and Availability of the license renewal applications, "Dominion Nuclear Connecticut, Inc., Notice of Receipt and Availability of Application for Renewal of Millstone Power Station, Units 2 and 3, Facility Operating License Nos. DPR-65 and NPF-49 for Additional 20-Year Period," was published in the *Federal Register* on February 3, 2004 (69 FR 5197).

The Commission's staff has determined that Dominion Nuclear Connecticut, Inc. has submitted sufficient information in accordance with 10 CFR 54.19, 54.21, 54.22, 54.23, and 51.53(c) that is acceptable for docketing. The current Docket Nos. 50-336 and 50-423 for Operating License Nos. DPR-65 and NPF-49, respectively, will be retained. The docketing of the renewal applications does not preclude requesting additional information as the review proceeds, nor does it predict whether the Commission will grant or deny the application.

Before issuance of each requested renewed license, the NRC will have made the findings required by the Atomic Energy Act of 1954, as amended (the Act), and the Commission's rules and regulations. In accordance with 10 CFR 54.29, the NRC will issue a renewed license on the basis of its review if it finds that actions have been identified and have been or will be taken with respect to (1) managing the effects of aging during the period of extended operation on the functionality of structures and components that have been identified as requiring aging management review, and (2) time-limited aging analyses that have been identified as requiring review, such that there is reasonable assurance that the activities authorized by the renewed licenses will continue to be conducted in accordance with the current licensing basis (CLB), and that any changes made to the plant's CLB comply with the Act and the Commission's regulations.

Additionally, in accordance with 10 CFR 51.95(c), the NRC will prepare an environmental impact statement that is a supplement to the Commission's NUREG-1437, "Generic Environmental Impact Statement for License Renewal of Nuclear Power Plants," dated May 1996. Pursuant to 10 CFR 51.26, and as part of the environmental scoping process, the staff intends to hold a public scoping meeting. Detailed information regarding this meeting will be included in a future *Federal Register* notice.

Within 60 days after the date of publication of this *Federal Register* Notice, the applicant may file a request for a hearing, and any person whose interest may be affected by this

proceeding and who wishes to participate as a party in the proceeding must file a written request for a hearing and a petition for leave to intervene with respect to the renewal of the licenses. Requests for a hearing and a petition for leave to intervene shall be filed in accordance with the Commission's "Rules of Practice for Domestic Licensing Proceedings" in 10 CFR Part 2. Interested persons should consult a current copy of 10 CFR 2.309, which is available at the Commission's Public Document Room (PDR), located at One White Flint North, 11555 Rockville Pike (first floor), Rockville, Maryland 20852 and is accessible from the Agencywide Documents Access and Management System's (ADAMS) Public Electronic Reading Room on the Internet at the NRC Web site, <http://www.nrc.gov/reading-rm/adams.html>. Persons who do not have access to ADAMS or who encounter problems in accessing the documents located in ADAMS should contact the NRC's PDR reference staff at 1-800-397-4209, or by email at pdr@nrc.gov. If a request for a hearing or a petition for leave to intervene is filed within the 60-day period, the Commission or a presiding officer designated by the Commission or by the Chief Administrative Judge of the Atomic Safety and Licensing Board Panel will rule on the request and/or petition; and the Secretary or the Chief Administrative Judge of the Atomic Safety and Licensing Board will issue a notice of a hearing or an appropriate order. In the event that no request for a hearing or petition for leave to intervene is filed within the 60-day period, the NRC may, upon completion of its evaluations and upon making the findings required under 10 CFR parts 51 and 54, renew the licenses without further notice.

As required by 10 CFR 2.309, a petition for leave to intervene shall set forth with particularity the interest of the petitioner in the proceeding, and how that interest may be affected by the results of the proceeding, taking into consideration the limited scope of matters that may be considered pursuant to 10 CFR parts 51 and 54. The petition must specifically explain the reasons why intervention should be permitted with particular reference to the

following factors: (1) the nature of the requestor's/petitioner's right under the Atomic Energy Act to be made a party to the proceeding; (2) the nature and extent of the requestor's/petitioner's property, financial, or other interest in the proceeding; and (3) the possible effect of any decision or order which may be entered in the proceeding on the requestor's/petitioner's interest. The petition must also set forth the specific contentions which the petitioner/requestor seeks to have litigated at the proceeding.

Each contention must consist of a specific statement of the issue of law or fact to be raised or controverted. In addition, the requestor/petitioner shall provide a brief explanation of the bases of each contention and a concise statement of the alleged facts or the expert opinion that supports the contention on which the requestor/petitioner intends to rely in proving the contention at the hearing. The requestor/petitioner must also provide references to those specific sources and documents of which the requestor/petitioner is aware and on which the requestor/petitioner intends to rely to establish those facts or expert opinion. The requestor/petitioner must provide sufficient information to show that a genuine dispute exists with the applicant on a material issue of law or fact. ¹Contentions shall be limited to matters within the scope of the action under consideration. The contention must be one that, if proven, would entitle the requestor/petitioner to relief. A requestor/petitioner who fails to satisfy these requirements with respect to at least one contention will not be permitted to participate as a party.

Each contention shall be given a separate numeric or alpha designation within one of the following groups:

¹To the extent that the applications contain attachments and supporting documents that are not publically available because they are asserted to contain safeguards or proprietary information, petitioners desiring access to this information should contact the applicant or applicant's counsel and discuss the need for a protective order.

1. Technical - - primarily concerns/issues relating to technical and/or health and safety matters discussed or referenced in the applicant's safety analysis for the Millstone Power Station Unit 2 and Unit 3 license renewal applications.
2. Environmental - - primarily concerns issues relating to matters discussed or referenced in the Environmental Report for the license renewal applications.
3. Miscellaneous - - does not fall into one of the categories outlined above.

As specified in 10 CFR 2.309, if two or more requestors/petitioners seek to co-sponsor a contention, the requestors/petitioners shall jointly designate a representative who shall have the authority to act for the requestors/petitioners with respect to that contention. If a requestor/petitioner seeks to adopt the contention of another sponsoring requestor/petitioner, the requestor/petitioner who seeks to adopt the contention must either agree that the sponsoring requestor/petitioner shall act as the representative with respect to that contention, or jointly designate with the sponsoring requestor/petitioner a representative who shall have the authority to act for the requestors/petitioners with respect to that contention.

Those permitted to intervene become parties to the proceeding, subject to any limitations in the order granting leave to intervene, and have the opportunity to participate fully in the conduct of the hearing, including the opportunity to participate fully in the conduct of the hearing. A request for a hearing or a petition for leave to intervene must be filed by: (1) first class mail addressed to the Office of the Secretary of the Commission, U.S. Nuclear Regulatory Commission, Washington, D.C. 20555-0001, Attention: Rulemaking and Adjudications Staff; (2) courier, express mail, and expedited delivery services: Office of the Secretary, Sixteenth Floor, One White Flint North, 11555 Rockville Pike, Rockville, Maryland, 20852, Attention: Rulemaking and Adjudications Staff; (3) Email addressed to the Office of the Secretary, U.S. Nuclear Regulatory Commission, HEARINGDOCKET@NRC.GOV; or (4) facsimile transmission addressed to the Office of the Secretary, U.S. Nuclear Regulatory Commission,

Washington, D.C., Attention: Rulemakings and Adjudications Staff at 301-415-1101, verification number is 301-415-1966. A copy of the request for hearing and petition for leave to intervene must also be sent to the Office of the General Counsel, U.S. Nuclear Regulatory Commission, Washington, D.C. 20555-0001, and it is requested that copies be transmitted either by means of facsimile transmission to 301-415-3725 or by email to OGCMailCenter@nrc.gov. A copy of the request for hearing and petition for leave to intervene should also be sent to the attorney for the licensee.

Nontimely requests and/or petitions and contentions will not be entertained absent a determination by the Commission, the presiding officer, or the Atomic Safety and Licensing Board that the petition, request and/or contentions should be granted based on a balancing of the factors specified in 10 CFR 2.309(a)(1)(i)-(viii).

Detailed information about the license renewal process can be found at <http://www.nrc.gov/reactors/operating/licensing/renewal.html> on the NRC's Web page. Copies of the applications to renew the operating licenses for Millstone Power Station, Units 2 and 3, are available for public inspection at the Commission's PDR, located at One White Flint North, 11555 Rockville Pike (first floor), Rockville, Maryland, 20855-2738, and on the NRC's Web page at <http://www.nrc.gov/reactors/operating/licensing/renewal/applications.html> while the application is under review. The NRC maintains an Agencywide Documents Access and Management System (ADAMS), which provides text and image files of NRC's public documents. These documents may be accessed through the NRC's Public Electronic Reading Room on the Internet at <http://www.nrc.gov/reading-rm/adams.html> under ADAMS accession number ML0402701666. Persons who do not have access to ADAMS or if there are problems in accessing the documents located in ADAMS may contact the NRC Public Document Room Reference staff at 1-800-397-4209, 301-415-4737, or by e-mail to pdr@nrc.gov.

The staff has verified that a copy of the license renewal applications is also available to local residents near the Millstone Power Station at the Waterford Public Library, 49 Rope Ferry Road, Waterford, Connecticut 06385-2806, and at the Three Rivers Community College, Thames River Campus, 574 New London Turnpike, Norwich, Connecticut 06360.

Dated at Rockville, Maryland, this the 8th day of March 2004.

FOR THE NUCLEAR REGULATORY COMMISSION

/RA/

Pao-Tsin Kuo, Program Director
License Renewal and Environmental Impacts
Division of Regulatory Improvement Programs
Office of Nuclear Reactor Regulation

Millstone Power Station, Units 2 and 3

cc:

Lillian M. Cuoco, Esquire
Senior Counsel
Dominion Resources Services, Inc.
Rope Ferry Road
Waterford, CT 06385

Edward L. Wilds, Jr., Ph.D.
Director, Division of Radiation
Department of Environmental Protection
79 Elm Street
Hartford, CT 06106-5127

Regional Administrator, Region I
U.S. Nuclear Regulatory Commission
475 Allendale Road
King of Prussia, PA 19406

First Selectmen
Town of Waterford
15 Rope Ferry Road
Waterford, CT 06385

Mr. P. J. Parulis
Manager - Nuclear Oversight
Dominion Nuclear Connecticut, Inc.
Rope Ferry Road
Waterford, CT 06385

Mr. W. R. Matthews
Senior Vice President - Nuclear Operations
Dominion Nuclear Connecticut, Inc.
Rope Ferry Road
Waterford, CT 06385

Mr. John Markowicz
Co-Chair
Nuclear Energy Advisory Council
9 Susan Terrace
Waterford, CT 06385

Mr. Evan W. Woollacott
Co-Chair
Nuclear Energy Advisory Council
128 Terry's Plain Road
Simsbury, CT 06070

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

Mr. G. D. Hicks
Director - Nuclear Station Safety
and Licensing
Dominion Nuclear Connecticut, Inc.
Rope Ferry Road
Waterford, CT 06385

Ms. Nancy Burton
147 Cross Highway
Redding Ridge, CT 00870

Mr. William D. Meinert
Nuclear Engineer
Massachusetts Municipal Wholesale
Electric Company
Moody Street
P.O. Box 426
Ludlow, MA 01056

Mr. J. Alan Price
Site Vice President
Dominion Nuclear Connecticut, Inc.
Rope Ferry Road
Waterford, CT 06385

Mr. Chris L. Funderburk
Director, Nuclear Licensing and
Operations Support
Dominion Resources Services, Inc.
Innsbrook Technical Center
5000 Dominion Boulevard
Glen Allen, VA 23060-6711

Mr. David W. Dodson
Licensing Supervisor
Dominion Nuclear Connecticut, Inc.
Rope Ferry Road
Waterford, CT 06385

Millstone Power Station, Units 2 and 3

cc:

David R. Lewis
Shaw Pittman, LLC
2300 N. Street N.W.
Washington, D.C. 20037

Mr. S. E. Scace
Assistant to the Site Vice President
Dominion Nuclear Connecticut, Inc.
Rope Ferry Road
Waterford, CT 06385

Mr. M. J. Wilson
Manager - Nuclear Training
Dominion Nuclear Connecticut, Inc.
Rope Ferry Road
Waterford, CT 06385

Mr. A. J. Jordan, Jr.
Director - Nuclear Engineering
Dominion Nuclear Connecticut, Inc.
Rope Ferry Road
Waterford, CT 06385

Mr. S. P. Sarver
Director - Nuclear Station Operations
and Maintenance
Dominion Nuclear Connecticut, Inc.
Rope Ferry Road
Waterford, CT 06385

Mr. Charles Brinkman, Director
Washington Operations Nuclear Services
Westinghouse Electric Company
12300 Twinbrook Pkwy, Suite 330
Rockville, MD 20852

Mr. William D. Corbin
Director - Nuclear Projects Department
Innsbrook Technical Center
5000 Dominion Boulevard
Glen Allen, VA 23060-6711

Mr. William R. Watson, Jr.
Supervisor - License Renewal Project
Building 475/5
Millstone Power Station
Rope Ferry Road
Waterford, CT 06385