

February 8, 2005

Mr. David A. Christian
Sr. Vice President and Chief Nuclear Officer
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5000 Dominion Boulevard
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SUBJECT: MILLSTONE POWER STATION, UNIT NO. 2 - ENVIRONMENTAL
ASSESSMENT AND FINDING OF NO SIGNIFICANT IMPACT
(TAC NO. MC5056)

Dear Mr. Christian:

Enclosed is a copy of the Environmental Assessment and Finding of No Significant Impact related to your application dated November 5, 2004, requesting an exemption from the requirements in Title 10 of the *Code of Federal Regulations* (10 CFR) Part 50, Section 68, "Criticality Accident Requirements," Subsection (b)(1). The proposed exemption would allow the handling and storage of spent nuclear fuel in a 10 CFR Part 72 licensed spent fuel storage container in the Millstone Power Station, Unit 2 spent fuel pool with credit for soluble boron in the criticality analysis.

The Environmental Assessment is being forwarded to the Office of the Federal Register for publication.

Sincerely,

/RA/

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

Docket No. 50-336

Enclosure: As stated

cc w/encl: See next page

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Millstone Power Station, Unit No. 2

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UNITED STATES NUCLEAR REGULATORY COMMISSIONDOMINION NUCLEAR CONNECTICUT, INC.DOCKET NO. 50-336MILLSTONE POWER STATION, UNIT NO. 2ENVIRONMENTAL ASSESSMENT AND FINDING OFNO SIGNIFICANT IMPACT

The U.S. Nuclear Regulatory Commission (NRC or the Commission) is considering issuance of an exemption from Title 10 of the *Code of Federal Regulations* (10 CFR) Part 50, Section 68, "Criticality Accident Requirements," Subsection (b)(1) for Facility Operating License No. DPR-65, issued to Dominion Nuclear Connecticut, Inc. (the licensee), for operation of the Millstone Power Station, Unit No. 2 (MP2), located in New London County, Connecticut. Therefore, as required by 10 CFR 51.21, the NRC is issuing this environmental assessment and finding of no significant impact.

ENVIRONMENTAL ASSESSMENTIdentification of the Proposed Action:

The proposed action would exempt the licensee from the requirements of 10 CFR 50.68, "Criticality Accident Requirements," Subsection (b)(1) during the handling and storage of spent nuclear fuel in a 10 CFR Part 72 licensed spent fuel storage container that is in the MP2 spent fuel pool. The proposed action is in accordance with the licensee's application dated November 5, 2004.

The Need for the Proposed Action:

Under 10 CFR 50.68(b)(1), the Commission sets forth the following requirement that must be met, in lieu of a monitoring system capable of detecting criticality events:

Plant procedures shall prohibit the handling and storage at any one time of more fuel assemblies than have been determined to

be safely subcritical under the most adverse moderation conditions feasible by unborated water.

Section 50.12(a) allows licensees to apply for an exemption from the requirements of 10 CFR Part 50 if the regulation is not necessary to achieve the underlying purpose of the rule and other conditions are met. The licensee stated that compliance with 10 CFR 50.68(b)(1) is not necessary for handling the 10 CFR Part 72 licensed contents of the cask system, which is designed to preclude conditions for accidental criticality events, to achieve the underlying purpose of the rule.

Environmental Impacts of the Proposed Action:

The NRC has completed its evaluation of the proposed action and concludes that the exemption described above would continue to satisfy the underlying purpose of 10 CFR 50.68(b)(1). The details of the NRC staff's safety evaluation will be provided in the exemption that will be issued as part of the letter to the licensee approving the exemption to the regulation.

The proposed action will not significantly increase the probability or consequences of accidents. No changes are being made in the types of effluents that may be released offsite. There is no significant increase in the amount of any effluent release off site. There is no significant increase in occupational or public radiation exposure. Therefore, there are no significant radiological environmental impacts associated with the proposed action.

With regard to potential non-radiological impacts, the proposed action does not have a potential to affect any historic sites. It does not affect non-radiological plant effluents and has no other environmental impact. Therefore, there are no significant non-radiological environmental impacts associated with the proposed action.

Accordingly, the NRC concludes that there are no significant environmental impacts associated with the proposed action.

Environmental Impacts of the Alternatives to the Proposed Action:

As an alternative to the proposed action, the staff considered denial of the proposed action (i.e., the “no-action” alternative). Denial of the application would result in no change in current environmental impacts. The environmental impacts of the proposed action and the alternative action are similar.

Alternative Use of Resources:

The action does not involve the use of any different resources than those previously considered in the Final Environmental Statement for the MP2 dated June 1973.

Agencies and Persons Consulted:

On December 23, 2004, the staff consulted with the Connecticut State official, Michael Firsick, of the Department of Environmental Protection, regarding the environmental impact of the proposed action. The State official had no comments.

FINDING OF NO SIGNIFICANT IMPACT

On the basis of the environmental assessment, the NRC concludes that the proposed action will not have a significant effect on the quality of the human environment. Accordingly, the NRC has determined not to prepare an environmental impact statement for the proposed action.

For further details with respect to the proposed action, see the licensee’s letter dated November 5, 2004. Documents may be examined, and/or copied for a fee, at the NRC’s Public Document Room (PDR), located at One White Flint North, 11555 Rockville Pike (first floor), Rockville, Maryland. Publicly available records will be accessible electronically from the Agencywide Documents Access and Management System (ADAMS) Public Electronic Reading Room on 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 PDR Reference staff at 1-800-397-4209 or 301-415-4737, or

send an e-mail to pdr@nrc.gov. (Note: As of the date of issuance of this letter, public access to ADAMS has been temporarily suspended so that security reviews of publicly available documents may be performed and potentially sensitive information removed. Please check the NRC Web site for updates on the resumption of ADAMS access.)

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

FOR THE NUCLEAR REGULATORY COMMISSION

/RA/

Darrell J. Roberts, Chief, Section 2
Project Directorate I
Division of Licensing Project Management
Office of Nuclear Reactor Regulation