

August 11, 2005

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

SUBJECT: MILLSTONE POWER STATION, UNIT NO. 3 - ISSUANCE OF AMENDMENT
RE: RELOCATION OF CERTAIN REFUELING TECHNICAL SPECIFICATIONS
TO THE TECHNICAL REQUIREMENTS MANUAL (TAC NO. MC6915)

Dear Mr. Christian:

The Commission has issued the enclosed Amendment No. 225 to Facility Operating License No. NPF-49 for the Millstone Power Station, Unit No. 3 (MPS3), in response to your application dated December 23, 2004. The amendment relocates certain Technical Specifications to the MPS3 Technical Requirements Manual.

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,

/RA/

George Wunder, Project Manager, Section 2
Project Directorate I
Division of Licensing Project Management
Office of Nuclear Reactor Regulation

Docket No. 50-423

Enclosures: 1. Amendment No. 225 to NPF-49
2. Safety Evaluation

cc w/encls: See next page

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DOMINION NUCLEAR CONNECTICUT, INC.

DOCKET NO. 50-423

MILLSTONE POWER STATION, UNIT NO. 3

AMENDMENT TO FACILITY OPERATING LICENSE

Amendment No. 225
License No. NPF-49

1. The Nuclear Regulatory Commission (the Commission) has found that:
 - A. The application for amendment by Dominion Nuclear Connecticut, Inc. (the licensee) dated December 23, 2005, 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. 225, 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 30 days of issuance.

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

Attachment: Changes to the Technical
Specifications

Date of Issuance: August 11, 2005

ATTACHMENT TO LICENSE AMENDMENT NO. 225

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

xi
xii
xv
3/4 9-5
3/4 9-6
3/4 9-7

Insert

xi
xiii
xv
3/4 9-5
3/4 9-6
3/4 9-7

SAFETY EVALUATION BY THE OFFICE OF NUCLEAR REACTOR REGULATION

RELATED TO AMENDMENT NO. 225

TO FACILITY OPERATING LICENSE NO. NPF-49

DOMINION NUCLEAR CONNECTICUT, INC.

MILLSTONE POWER STATION, UNIT NO. 3

DOCKET NO. 50-423

1.0 INTRODUCTION

By letter dated December 23, 2004, Dominion Nuclear Connecticut, Inc. (the licensee) submitted a request for changes to the Millstone Power Station, Unit No. 3 (MPS3) Technical Specifications (TSs) to the Nuclear Regulatory Commission (NRC or the Commission). The requested changes would relocate certain TSs related to refueling operations to the MPS3 Technical Requirements Manual (TRM). The specific TSs to be relocated to the TRM are TS 3/4.9.5, "Communications;" TS 3/4.9.6, "Refueling Machine;" and TS 3/4.9.7, "Crane Travel - Spent Fuel Storage Areas." The index pages would be changed as appropriate to accommodate these changes, and the associated Bases would be relocated to the TRM.

2.0 REGULATORY EVALUATION

Title 10 of the *Code of Federal Regulations* (10 CFR) Section 50.36 specifies the criteria for including limiting conditions for operation (LCOs) in the TSs for commercial nuclear power reactors. According to 10 CFR 50.36, an LCO must be established for items that meet one or more of the following criteria:

Criterion 1: Installed instrumentation that is used to detect, and indicate in the control room, a significant 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.

In the Standard Technical Specifications for Westinghouse Plants, Revision 3 (NUREG-1431), dated March 31, 2004, LCOs that do not meet the criteria of 10 CFR 50.36 have been removed. In accordance with 10 CFR 50.90, licensees can request amendments to their TSs, either to remove items that do not meet the criteria of 10 CFR 50.36 for inclusion, or for other reasons. These TS requirements may be relocated to other licensee-controlled documents.

Section 50.36(c)(4) of 10 CFR, "Design features," provides a general requirement that TSs include design information significant to safety that has not already been addressed in complying with (c)(1), "Safety limits, limiting safety system settings;" (c)(2), "Limiting conditions for operation;" or (c)(3), "Surveillance requirements." Thus information that is adequately covered by other sections of 10 CFR 50.36, or does not meet the fairly high threshold of "significant to safety" as interpreted in the improved standard TS documents, need not be in the Tss. Control of this removed material by other regulatory means is sufficient.

3.0 TECHNICAL EVALUATION

The proposed amendment would relocate three TSs and their associated bases to the TRM.

3.1 TS 3/4.9.5, "Communications"

TS 3/4.9.5 states that direct communications must be maintained between the control room and personnel at the refueling station. The associated Surveillance Requirement (SR) states the periodicity at which this direct communication must be verified. Communication between the control room and refueling personnel ensures that refueling personnel will be alerted promptly of any degradation in plant operation. The TS does not, however, cover installed instrumentation that is used to detect, and indicate in the control room, a significant degradation of the reactor coolant pressure boundary (RCPB). This TS, therefore, does not meet Criterion 1, as described above.

The requirement to have communication between the refueling station and the control room is not an assumption of any design basis accident (DBA); neither does this TS cover a process variable, design feature, nor operating restriction that is an initial condition of a DBA or transient analysis that either assumes the failure of, or presents a challenge to, the integrity of a fission product barrier. This TS, therefore, does not meet Criterion 2 as described above.

The communication equipment does not perform any accident mitigating functions. The TS does not cover a structure, system, or component (SSC) that is part of the primary success path which functions or actuates to mitigate a DBA or transient that either assumes the failure of, or presents a challenge to, the integrity of, a fission product barrier. This TS, therefore, does not meet Criterion 3, as described above.

Operational experience has not shown that the requirement for communications between the control room and the refueling station to be risk-significant to public health and safety; furthermore, the licensee has stated that probabilistic risk assessment has not shown the requirement to be significant to public health and safety. This TS, therefore, does not meet Criterion 4, as described above.

Current TS 3/4.9.5 does not meet any of the criteria of 10 CFR 50.36 for inclusion as an LCO in the TSs, neither does it contain design information significant to safety not otherwise

addressed. The NRC staff has determined, therefore, that the relocation of this TS to the TRM is acceptable.

3.2 TS 3/4.9.6, "Refueling Machine"

TS 3/4.9.6 specifies weight limits for the refueling machine and auxiliary hoist as well as specifying an overload cutoff setting and a requirement for using a load indicator. The associated SRs provide the periodicity for demonstrating OPERABILITY.

This specification ensures that the lifting devices on the refueling machine and auxiliary hoist have adequate capacity to lift the weight required of them. This TS also ensures that the automatic load limiting device on the refueling machine and the load indicator on the auxiliary hoist are available to prevent damage to the core internals and reactor vessel in the event they are inadvertently engaged during lifting operations. The equipment covered by this TS is not assumed to function to mitigate the consequences of a DBA; in addition there is no accident analysis based on either the minimum capacity or the overload cutoff limits of the cranes.

The refueling machine TS does not cover installed instrumentation that is used to detect, and indicate in the control room, a significant degradation of the RCPB. This TS, therefore, does not meet Criterion 1, as described above.

The refueling machine TS does not cover a process variable, design feature, or operating restriction that is an initial condition of a DBA or transient analysis that either assumes the failure of, or presents a challenge to, the integrity of a fission product barrier. This TS, therefore, does not meet Criterion 2, as described above.

Neither the automatic load limiting device nor the load indicator are assumed to function to mitigate the consequences of a DBA. The refueling machine TS does not cover an SSC that is part of the primary success path which functions or actuates to mitigate a DBA or transient that either assumes the failure of, or presents a challenge to, the integrity of a fission product barrier. This TS, therefore, does not meet Criterion 3, as described above.

Operating experience has not shown that the requirement to ensure the lifting devices on the refueling machine and auxiliary hoist have adequate capacity to be risk significant to public health and safety; furthermore, the licensee has stated that probabilistic risk assessment has not shown the requirement to be risk significant to public health and safety. This TS, therefore, does not meet Criterion 4, as described above.

Current TS 3/4.9.6 does not meet any of the criteria of 10 CFR 50.36 for inclusion as an LCO in the TSs, neither does it contain design information significant to safety not otherwise addressed. The NRC staff has determined, therefore, that the relocation of this TS to the TRM is acceptable.

3.3 TS 3/4.9.7 "Crane Travel-Spent Fuel Storage Areas"

TS 3/4.9.7 prohibits loads in excess of 2200 pounds from being moved over fuel assemblies in the spent fuel storage racks. This TS ensures that, in the event this load is dropped, the activity released will be limited to the damage and consequences incurred by the drop of one fuel assembly, consistent with the DBA analyses for a fuel handling accident (FHA). The load-drop

event is not a DBA and is not discussed in the Final Safety Analysis Report (FSAR). Crane interlocks and physical stops that prevent crane travel with loads in excess of 2200 pounds are not assumed to function to mitigate the consequences of any DBA.

This TS does not cover installed instrumentation that is used to detect, and indicate in the control room, a significant degradation of the RCPB. This TS, therefore, does not meet Criterion 1, as described above.

The initial condition of the design-basis FHA is the dropping of a single fuel assembly. TS 3/4.9.7 ensures that loads in excess of 2200 pounds will not be moved over fuel assemblies stored in the spent fuel storage racks thereby ensuring that, in the event of a load-drop event, the activity released would be limited to that contained in the design-basis FHA analysis. Restrictions on heavy load moves over irradiated fuel in the spent fuel pool also prevent a postulated load drop from causing deformation of fuel assemblies that could result in criticality. The crane interlocks, physical stops, and load limit are in place to prevent exceeding the initial condition for a DBA; however, it is not itself an initial condition. This TS does not cover a process variable, design feature, or operating restriction that is an initial condition of a DBA or transient analysis that either assumes the failure of, or presents a challenge to, the integrity of a fission product barrier. This TS, therefore, does not meet Criterion 2, as described above.

TS 3/4.9.7 ensures that loads in excess of 2200 pounds are prohibited from travel over fuel assemblies in the storage pool. This TS does not cover an SSC that is part of the primary success path which functions or actuates to mitigate a DBA or transient that either assumes the failure of, or presents a challenge to, the integrity of a fission product barrier. This TS, therefore, does not meet Criterion 3, as described above.

The requirement to ensure that loads in excess of 2200 pounds are prohibited from travel over fuel assemblies in the storage pool has not been shown to be risk-significant to public health and safety by operating experience. The licensee has stated that this requirement has not been shown to be risk significant to public health and safety by probabilistic safety assessment. This TS, therefore, does not meet Criterion 4, as described above.

Current TS 3/4.9.7 does not meet any of the criteria of 10 CFR 50.36 for inclusion as an LCO in the TSs, neither does it contain design information significant to safety not otherwise addressed. The staff has determined, therefore, that the relocation of this TS to the TRM is acceptable.

3.4 Index Pages and Bases

The modification of the Index and the Bases pages are consistent with the relocation of the TSs to the TRM. The Bases will be relocated to the TRM where changes will be controlled under 10 CFR 50.59. These changes are administrative and otherwise consistent with the proposed amendment. The NRC staff finds these changes 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 concurred with the staff's assessment.

5.0 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 SRs. 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 (70 FR 29788). 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.

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.

Principal Contributor: G. Wunder

Date: August 11, 2005