



UNITED STATES
NUCLEAR REGULATORY COMMISSION
WASHINGTON, D.C. 20555-0001

July 27, 2011

Mr. David A. Heacock
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: REQUEST TO RELOCATE TECHNICAL SPECIFICATION 3/4.7.14, AREA
TEMPERATURE MONITORING (TAC NO. ME4377)

Dear Mr. Heacock:

The Commission has issued the enclosed Amendment No. 250 to Renewed Facility Operating License No. NPF-49 for the Millstone Power Station, Unit No. 3, in response to your application dated July 21, 2010 (Agencywide Documents Access and Management System Accession No. ML102240063).

The amendment consists of relocating the Area Temperature Monitoring Technical Specification (TS) requirements from the TSs to the 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,

A handwritten signature in black ink, appearing to read "Carleen J. Sanders".

Carleen J. Sanders, Project Manager
Plant Licensing Branch I-2
Division of Operating Reactor Licensing
Office of Nuclear Reactor Regulation

Docket No. 50-423

Enclosures:

1. Amendment No.250 to NPF-49
2. Safety Evaluation

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UNITED STATES
NUCLEAR REGULATORY COMMISSION
WASHINGTON, D.C. 20555-0001

DOMINION NUCLEAR CONNECTICUT, INC., ET AL.

DOCKET NO. 50-423

MILLSTONE POWER STATION, UNIT NO. 3

AMENDMENT TO RENEWED FACILITY OPERATING LICENSE

Amendment No. 250
Renewed License No. NPF-49


1. The Nuclear Regulatory Commission (the Commission) has found that:
 - A. The application for amendment by the applicant dated July 21, 2010, 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 Renewed 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. 250 , and the Environmental Protection Plan contained in Appendix B, both of which are attached hereto are hereby incorporated into the license. DNC 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. Implementation of this amendment shall include relocation of all area temperature monitoring technical specification requirements to the Millstone Power Station, Unit No. 3 Technical Requirements Manual, as described in the licensee's application dated July 21, 2010. Additionally, as part of implementation of this amendment, the Millstone Power Station, Unit No. 3 Updated Final Safety Analysis Report shall be revised to incorporate by reference all of these relocated technical specification requirements.

FOR THE NUCLEAR REGULATORY COMMISSION



Harold K. Chernoff, Chief
Plant Licensing Branch I-2
Division of Operating Reactor Licensing
Office of Nuclear Reactor Regulation

Attachment: Changes to the License
and Technical Specifications

Date of Issuance: July 27, 2011

ATTACHMENT TO LICENSE AMENDMENT NO. 250

RENEWED FACILITY OPERATING LICENSE NO. NPF-49

DOCKET NO. 50-423

Replace the following page of the Renewed Facility Operating License with the attached revised page. The revised page is identified by amendment number and contains marginal lines indicating the areas of change.

Remove
4

Insert
4

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
x
xv
3/4 7-32
3/4 7-33
3/4 7-34
3/4 7-35

Insert
x
xv
3/4 7-32
3/4 7-33
3/4 7-34
3/4 7-35

(2) Technical Specifications

The Technical Specifications contained in Appendix A, revised through Amendment No. 250 and the Environmental Protection Plan contained in Appendix B, both of which are attached hereto are hereby incorporated into the license. DNC shall operate the facility in accordance with the Technical Specifications and the Environmental Protection Plan.

- (3) DNC shall not take any action that would cause Dominion Resources, Inc. (DRI) or its parent companies to void, cancel, or diminish DNC's commitment to have sufficient funds available to fund an extended plant shutdown as represented in the application for approval of the transfer of the licenses for MPS Unit No. 3.
- (4) Immediately after the transfer of interests in MPS Unit No. 3 to DNC, the amount in the decommissioning trust fund for MPS Unit No. 3 must, with respect to the interest in MPS Unit No. 3, that DNC would then hold, be at a level no less than the formula amount under 10 CFR 50.75.
- (5) The decommissioning trust agreement for MPS Unit No. 3 at the time the transfer of the unit to DNC is effected and thereafter is subject to the following:
- (a) The decommissioning trust agreement must be in a form acceptable to the NRC.
 - (b) With respect to the decommissioning trust fund, investments in the securities or other obligations of Dominion Resources, Inc. or its affiliates or subsidiaries, successors, or assigns are prohibited. Except for investments tied to market indexes or other non-nuclear-sector mutual funds, investments in any entity owning one or more nuclear power plants are prohibited.
 - (c) The decommissioning trust agreement for MPS Unit No. 3 must provide that no disbursement or payments from the trust, other than for ordinary administrative expenses, shall be made by the trustee until the trustee has first given the Director of the Office of Nuclear Reactor Regulation 30 days prior written notice of payment. The decommissioning trust agreement shall further contain a provision that no disbursements or payments from the trust shall be made if the trustee receives prior written notice of objection from the NRC.
 - (d) The decommissioning trust agreements must provide that the agreement can not be amended in any material respect without 30 days prior written notification to the Director of the Office of Nuclear Reactor Regulation.

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UNITED STATES
NUCLEAR REGULATORY COMMISSION
WASHINGTON, D.C. 20555-0001

SAFETY EVALUATION BY THE OFFICE OF NUCLEAR REACTOR REGULATION

RELATED TO AMENDMENT NO. 250

TO RENEWED 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 July 21, 2010, (Agencywide Documents Access and Management System (ADAMS) Accession No. ML102240063), Dominion Nuclear Connecticut, Inc. (DNC or the licensee) submitted a license amendment request regarding the Millstone Power Station, Unit No. 3 (MPS3) Facility Operating License. The proposed amendment would relocate the Area Temperature Monitoring Technical Specification (TS) requirements from the TSs to the Technical Requirements Manual (TRM).

2.0 REGULATORY EVALUATION

The Nuclear Regulatory Commission's (NRC's) regulatory requirements related to the content of the TSs are set forth in Title 10 of the *Code of Federal Regulations* (10 CFR) Section 50.36, "Technical specifications." This regulation requires that the TSs include items in the following five specific categories: (1) safety limits, limiting safety system settings, and limiting control settings; (2) limiting conditions for operation (LCOs); (3) surveillance requirements (SRs); (4) design features; and (5) administrative controls. The regulation does not specify the particular requirements to be included in a plant's TSs.

On July 22, 1993 (58 FR 39132), the Commission published a "Final Policy Statement on Technical Specifications Improvements for Nuclear Power Reactors" (Final Policy Statement) which discussed the criteria to determine which items are required to be included in the TSs as LCOs. The criteria were subsequently incorporated into the regulations by an amendment to 10 CFR 50.36 (60 FR 36953, July 19, 1995). Specifically, 10 CFR 50.36(c)(2)(ii) requires that a TS LCO be established for each item meeting one or more of the following criteria:

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.

Enclosure

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.

As discussed in the *Federal Register* notice for the final rule dated July 19, 1995 (60 FR 36955):

LCOs that do not meet any of the criteria, and their associated actions and surveillance requirements, may be proposed for relocation from the technical specifications to licensee-controlled documents, such as the FSAR [Final Safety Analysis Report]. The criteria may be applied to either standard or custom technical specifications.

The provisions of 10 CFR 50.59, "Changes, tests, and experiments," provide administrative controls to changes made to the facility as described in the FSAR, as updated. Changes made to the updated FSAR (UFSAR) must be screened in accordance with the requirements of 10 CFR 50.59 and evaluated, where appropriate. If a change does not meet the criteria of 10 CFR 50.59(c)(1), then a license amendment must be obtained pursuant to 10 CFR 50.90, prior to the change being made.

In the letter dated July 21, 2010, the licensee proposed removing TS 3/4.7.14 for the area temperature monitoring requirements from TS and placing the requirements in the TRM, which is a licensee-controlled document. To ensure proper control of the area temperature monitoring requirements, the MPS3 UFSAR shall be updated to incorporate, by reference, all of these relocated technical specification requirements. Once removed from the TS and incorporated by reference into the UFSAR, future changes to these requirements must be made in accordance with the provisions of 10 CFR 50.59.

According to the July 21, 2010, letter "[a]rea temperature limits for MPS3 were established to ensure environmentally qualified equipment would not be exposed to temperatures beyond which they were originally qualified, and will therefore remain operable to perform their intended safety function." The area temperature limits are contained in TS 3/4.7.14. Exceeding the area temperature limits could impact instrument accuracy per the original equipment specifications and contribute to equipment degradation that exceeds the rate assumed by the MPS3 Environmental Qualification (EQ) Program. However, the area temperature monitoring LCO does not meet any of the 4 criteria from 10 CFR 50.36(c)(2)(ii), and changes to the requirements would be adequately controlled under 10 CFR 50.59. Modifying this requirement using 10 CFR 50.59 will not adversely affect plant safety.

3.0 TECHNICAL EVALUATION

The NRC staff reviewed the licensee's request and finds that the requirements for Area Temperature Monitoring in MPS3 TS 3/4.7.14 do not meet any of the four criteria in 10 CFR 50.36(c)(2)(ii) for retention in TS. Specifically, MPS3 TS 3/4.7.14 does not satisfy Criterion 1 because Area Temperature Monitoring is not used to detect or indicate in the control

room degradation of the reactor coolant pressure boundary. MPS3 TS 3/4.7.14 does not satisfy Criterion 2 because Area Temperature Monitoring is not a process variable, design feature, or operating restriction that is an initial condition of a design basis accident or transient analysis described in the MPS3 UFSAR. MPS3 TS 3/4.7.14 does not satisfy Criterion 3 because Area Temperature Monitoring is not used to mitigate a design basis accident or transient. MPS3 TS 3/4.7.14 does not satisfy Criterion 4 because Area Temperature Monitoring has not been shown to be significant to public health and safety through operating experience or probabilistic risk assessment. As outlined in the Probabilistic Risk Assessment summary report for the Westinghouse Owners Group Topical Report WCAP-11618, "Methodically Engineered, Restructures and Improved Technical Specifications, MERITS Program Phase II, Task 5 Criteria Application," the requirements of TS 3/4.7.14 are not risk dominant, and a reasonable amount of instrument error would not compromise the ability of the operator or automatic systems to correctly diagnose any accident and take appropriate action.

The NRC staff finds that incorporating the relocated technical specification requirements by reference to the UFSAR will ensure that future changes to the requirements will be adequately controlled under 10 CFR 50.59. Therefore, the NRC staff finds the proposed relocation of area temperature monitoring requirements from the TS to the TRM 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

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 findings (76 FR 16007). 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 Contributors: M. Hamm

Date: July 27, 2011

July 27, 2011

Mr. David A. Heacock
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: REQUEST TO RELOCATE TECHNICAL SPECIFICATION 3/4.7.14, AREA
TEMPERATURE MONITORING (TAC NO. ME4377)

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Sincerely,

/ra/

Carleen J Sanders, Project Manager
Plant Licensing Branch 1-2
Division of Operating Reactor Licensing
Office of Nuclear Reactor Regulation

Docket No. 50-423

Enclosures:

1. Amendment No. 250 to NPF-49
2. Safety Evaluation

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*By Memo Dated

**via email

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DATE	06/07/11	07/07/11 07/27/11	07/07/11 w/comment 07/26/11	03/23/2011	07/12/2011	07/27/11

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