



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

February 26, 2018

Mr. Daniel G. Stoddard
Senior Vice President and Chief
Nuclear Officer
Dominion Nuclear
Innsbrook Technical Center
5000 Dominion Boulevard
Glen Allen, VA 23060-6711

**SUBJECT: MILLSTONE POWER STATION, UNIT NOS. 1, 2, AND 3 – ISSUANCE OF
AMENDMENT NOS. 118, 334, AND 271 TO REVISE LICENSEE'S NAME
(CAC NOS. MF9844, MF9845, AND MF9848; EPID L-2017-LLA-0245 AND
EPID L-2017-LLA-0346)**

Dear Mr. Stoddard:

The U.S. Nuclear Regulatory Commission (NRC or the Commission) has issued the enclosed Amendment No. 118 to Facility Operating License No. DPR-21, Amendment No. 334 to Renewed Facility Operating License No. DPR-65, and Amendment No. 271 to Renewed Facility Operating License No. NPF-49 for the Millstone Power Station, Unit Nos. 1, 2, and 3 (Millstone 1, 2, and 3), respectively, in response to your application dated June 15, 2017 (Agencywide Documents Access and Management System Accession No. ML17171A232).

The amendments revise the facility operating licenses by replacing all references to the former company name, "Dominion Nuclear Connecticut, Inc." (or DNC), with "Dominion Energy Nuclear Connecticut, Inc." (or DENC), including the cover of the Environmental Protection Plan in Appendix B for Millstone 3 and the Design Features page for Millstone 1, 2, and 3. Additionally, references to DNC's former ultimate parent company, "Dominion Resources, Inc.," are replaced with the new name "Dominion Energy, Inc."

Enclosure 5 to this letter contains three signed originals of Amendment No. 23 to Indemnity Agreement No. B-39, which is required in connection with the license amendments. Please sign one original and return it to the NRC's Document Control Desk as proof of acceptance. Please sign the other two originals and keep them for your records.

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 'R. Guzman', with a long horizontal flourish extending to the right.

Richard V. Guzman, Senior Project Manager
Plant Licensing Branch I
Division of Operating Reactor Licensing
Office of Nuclear Reactor Regulation

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

Enclosures:

1. Amendment No. 118 to DPR-21
2. Amendment No. 334 to DPR-65
3. Amendment No. 271 to NPF-49
4. Safety Evaluation
5. Amendment No. 23 to Indemnity Agreement No. B-39

cc: Listserv



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

DOMINION ENERGY NUCLEAR CONNECTICUT, INC.

DOCKET NO. 50-245

MILLSTONE POWER STATION, UNIT NO. 1

AMENDMENT TO FACILITY OPERATING LICENSE

Amendment No. 118
License No. DPR-21

1. The U.S. Nuclear Regulatory Commission (the Commission) has found that:
 - A. The application for amendment by Dominion Energy Nuclear Connecticut, Inc. (the licensee) dated June 15, 2017, 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. DPR-21 is hereby amended to read as follows:

(2) Technical Specifications

The Technical Specifications contained in Appendix A, as revised through Amendment No. 118, are hereby incorporated in the license. The licensee shall operate the facility in accordance with the Technical Specifications.

3. This license amendment is effective as of the date of its issuance and shall be implemented within 30 days of issuance.

FOR THE NUCLEAR REGULATORY COMMISSION



Bruce A. Watson, Chief
Reactor Decommissioning Branch
Division of Decommissioning, Uranium Recovery
and Waste Programs
Office of Nuclear Material Safety and Safeguards

Attachment:
Changes to the License
and Technical Specifications

Date of Issuance: February 26, 2018

ATTACHMENT TO LICENSE AMENDMENT NO. 118

MILLSTONE POWER STATION, UNIT NO. 1

FACILITY OPERATING LICENSE NO. DPR-21

DOCKET NO. 50-245

Replace the following pages of the Facility Operating License with the attached revised pages. The revised pages are identified by amendment number and contain marginal lines indicating the areas of change.

Remove

1
2
3
4

Insert

1
2
3
4

Replace the following page of the Appendix A Technical Specifications with the attached revised page. The revised page is identified by amendment number and contains marginal lines indicating the areas of change.

Remove

4.0-1

Insert

4.0-1



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

DOMINION ENERGY 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 1, 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 Energy 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 Energy 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.

* On May 12, 2017, the name "Dominion Nuclear Connecticut, Inc." changed to "Dominion Energy Nuclear Connecticut, Inc."

(2) Technical Specifications

The Technical Specifications contained in Appendix A, as revised through Amendment No. 118, 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.

* On May 12, 2017, the name "Dominion Nuclear Connecticut, Inc." changed to "Dominion Energy Nuclear Connecticut, Inc."

- (b) With respect to the decommissioning trust fund, investments in the securities or other obligations of Dominion Energy, 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 Millstone, Unit No. 1, must provide that no disbursements 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 agreement 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.
 - (e) The appropriate section of the decommissioning trust agreement shall state that the trustee, investment advisor, or anyone else directing the investments made in the trusts shall adhere to a "prudent investor" standard, as specified in 18 CFR 35.32(a)(3) of the Federal Energy Regulatory Commission's regulations.
- (7) Dominion Energy Nuclear Connecticut, Inc. shall take all necessary steps to ensure that the decommissioning trust is maintained in accordance with the application for approval of the transfer of the Millstone, Unit No. 1, license and the requirements of the Order approving the transfer, and consistent with the safety evaluation supporting the Order.
3. On July 21, 1998, Northeast Nuclear Energy Company (NNECO) certified that operations at Millstone Unit No. 1 would permanently cease and that the fuel had been permanently removed from the reactor vessel in accordance with 10 CFR 50.82(a)(1)(i) and 10 CFR 50.82(a)(1)(ii). As a result, the 10 CFR 50 license no longer authorizes operation of the reactor, or the emplacement or retention of fuel in the reactor vessel.

This license is effective as of the date of issuance and authorizes ownership and possession of Millstone Unit No. 1 until the Commission notifies the licensee in writing that the license is terminated. The licensee shall:

- C. Take actions necessary to decommission the plant and continue to maintain the facility, including, where applicable, the storage, control and maintenance of the spent fuel, in a safe condition; and

4.0 DESIGN FEATURES

4.1 Site Location The Unit 1 Reactor Building is located on the site at Millstone Point in Waterford, Connecticut. The nearest site boundary on land is 2063 feet northeast of the reactor building (1627 feet northeast of the elevated stack), which is the minimum distance to the boundary of the exclusion area as described in 10 CFR 100.3. No part of the site that is closer to the reactor building than 2063 feet shall be sold or leased except to Dominion Energy Nuclear Connecticut, Inc. or its corporate affiliates for use in conjunction with normal utility operations. |

4.2 Fuel Storage

4.2.1 DELETED

4.2.2 The K_{eff} of the spent fuel storage pool shall be less than or equal to 0.95. This K_{eff} value is satisfied with fuel assemblies having a maximum k-infinity of 1.24 in the normal reactor configuration at cold conditions, and an average U-235 enrichment of 3.8 weight percent or less, and with no fuel allowed in the storage locations shown in Figure 4.1.

4.2.3 The number of fuel assemblies stored in the spent fuel storage pool shall not exceed 2959 bundles.



UNITED STATES
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DOMINION ENERGY NUCLEAR CONNECTICUT, INC.

DOCKET NO. 50-336

MILLSTONE POWER STATION, UNIT NO. 2

AMENDMENT TO RENEWED FACILITY OPERATING LICENSE

Amendment No. 334
Renewed License No. DPR-65

1. The U.S. Nuclear Regulatory Commission (the Commission) has found that:
 - A. The application for amendment by Dominion Energy Nuclear Connecticut, Inc. (the licensee) dated June 15, 2017, 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. DPR-65 is hereby amended to read as follows:

(2) Technical Specifications

The Technical Specifications contained in Appendix A, as revised through Amendment No. 334, are hereby incorporated in the renewed license. The licensee shall operate the facility in accordance with the Technical Specifications.

3. This license amendment is effective as of the date of its issuance, and shall be implemented within 30 days of issuance.

FOR THE NUCLEAR REGULATORY COMMISSION



James G. Danna, Chief
Plant Licensing Branch I
Division of Operating Reactor Licensing
Office of Nuclear Reactor Regulation

Attachment:
Changes to the License
and Technical Specifications

Date of Issuance: February 26, 2018

ATTACHMENT TO LICENSE AMENDMENT NO. 334

MILLSTONE POWER STATION, UNIT NO. 2

RENEWED FACILITY OPERATING LICENSE NO. DPR-65

DOCKET NO. 50-336

Replace the following pages of the Renewed Facility Operating License with the attached revised pages. The revised pages are identified by amendment number and contain marginal lines indicating the areas of change.

| <u>Remove</u> | <u>Insert</u> |
|---------------|---------------|
| 1 | 1 |
| 2 | 2 |
| 3 | 3 |
| 5 | 5 |
| 6 | 6 |

Replace the following page of the Appendix A Technical Specifications with the attached revised page. The revised page is identified by amendment number and contains marginal lines indicating the areas of change.

| <u>Remove</u> | <u>Insert</u> |
|---------------|---------------|
| 5-1 | 5-1 |



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

DOMINION ENERGY NUCLEAR CONNECTICUT, INC.

DOCKET NO. 50-336

(MILLSTONE POWER STATION, UNIT NO. 2)

RENEWED FACILITY OPERATING LICENSE

Renewed License No. DPR-65

1. The U.S. Nuclear Regulatory Commission (the Commission) having previously made the findings set forth in License No. DPR-65 issued on September 26, 1975 has now found that:
 - A. The application to renew License DPR-65 filed by Dominion Energy Nuclear Connecticut, Inc. (DENC), 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 Part 54 Chapter 1, 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. 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 to require review under 10 CFR 54.21(a)(1), and (2) time-limited aging analyses that have been identified to require review under 10 CFR 54.21(c), such that there is reasonable assurance that the activities authorized by the renewed license will continue to be conducted in accordance with the current licensing basis, as defined in 10 CFR 54.3, for the facility, and that any changes made to the facility's current licensing basis in order to comply with 10 CFR 54.29(a) are in accord with the Act and the Commission's regulations;
 - D. The facility will operate in conformity with the application, as amended, the provisions of the Act, and the rules and regulations of the Commission;
 - E. There is reasonable assurance: (i) that the activities authorized by this renewed 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;

- F. The licensee is technically and financially qualified to engage in the activities authorized by this renewed operating license in accordance with the rules and regulations of the Commission;
 - G. The licensee has satisfied the applicable provisions of 10 CFR Part 140, "Financial Protection Requirements and Indemnity Agreements," of the Commission's regulations;
 - H. The issuance of this renewed operating license will not be inimical to the common defense and security or to the health and safety of the public;
 - I. After weighing the environmental, economic, technical, and other benefits of the facility against environmental and other costs and considering available alternatives, the issuance of this Renewed 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 51 (formerly Appendix D to Part 50), of the Commission's regulations and all applicable requirements have been satisfied; and
 - J. The receipt, possession, and use of source, byproduct, and special nuclear material as authorized by this renewed 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. On the basis of the foregoing findings regarding this facility, Facility Operating License No. DPR-65, issued on September 26, 1975, is superseded by Renewed Facility Operating License No. DPR-65, which is hereby issued to Dominion Energy Nuclear Connecticut, Inc. to read as follows:
- A. This renewed operating license applies to the Millstone Power Station (MPS), Unit No. 2, a pressurized water nuclear reactor and associated equipment (the facility), owned by DENC. 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 Energy Nuclear Connecticut, Inc.:
 - (1) Pursuant to Section 104b of the Act and 10 CFR Part 50, "Domestic 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 renewed operating license;

- (2) 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;
- (3) Pursuant to the Act and 10 CFR Parts 30, 40, and 70, to receive, possess and use at any time any byproduct, source and special nuclear material as sealed neutron sources for reactor startup, sealed sources for reactor instrumentation and radiation monitoring equipment calibration, and as fission detectors in amounts as required;
- (4) Pursuant to the Act and 10 CFR Parts 30, 40, and 70, to receive, possess and use in amounts as required any byproduct, source or special nuclear material without restriction to chemical or physical form for sample analysis or instrument and equipment calibration or associated with radioactive apparatus or components;
- (5) Pursuant to the Act and 10 CFR Parts 30 and 70, to possess, but not separate, such byproduct and special nuclear materials as may be produced by the operation of the facility.

C. This renewed operating license shall be deemed to contain and is subject to the conditions specified in the following Commission regulations in 10 CFR Chapter 1: 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 to the rules, regulations, and orders of the Commission now or hereafter in effect; and is subject to the additional conditions specified or incorporated below:

(1) Maximum Power Level

The licensee is authorized to operate the facility at steady-state reactor core power levels not in excess of 2700 megawatts thermal.

(2) Technical Specifications

The Technical Specifications contained in Appendix A, as revised through Amendment No. 334, are hereby incorporated in the renewed license. The licensee shall operate the facility in accordance with the Technical Specifications.

- (6) DENC shall not take any action that would cause Dominion Energy, Inc. or its parent companies to void, cancel, or diminish DENC'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. 2.
- (7) Immediately after the transfer of MPS Unit No. 2 to DNC*, the amount in the decommissioning trust for MPS Unit No. 2 must, with respect to the interest in MPS Unit No. 2 that DNC* would then hold, be at a level no less than the formula amount under 10 CFR 50.75.
- (8) The decommissioning trust agreement for MPS Unit No. 2 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 Energy, 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. 2 must provide that no disbursements 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 agreement 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.
 - (e) The appropriate section of the decommissioning trust agreement shall state that the trustee, investment advisor, or anyone else directing the investments made in the trusts shall adhere to a "prudent investor" standard, as specified in 18 CFR 35.32(a)(3) of the Federal Energy Regulatory Commission's regulations.

* On May 12, 2017, the name "Dominion Nuclear Connecticut, Inc." changed to "Dominion Energy Nuclear Connecticut, Inc."

- (9) DENC shall take all necessary steps to ensure that the decommissioning trust is maintained in accordance with the application for approval of the transfer of the MPS Unit No. 2 license and the requirements of the Order approving the transfer, and consistent with the safety evaluation supporting the Order.
- (10) The Final Safety Analysis Report (FSAR) supplement, as revised, submitted pursuant to 10 CFR 54.21(d), shall be included in the next scheduled update to the FSAR required by 10 CFR 50.71(e)(4) following the issuance of this renewed operating license. Until that update is complete, DENC may make changes to the programs and activities described in the supplement without prior Commission approval, provided that DENC evaluates such changes pursuant to the criteria set forth in 10 CFR 50.59 and otherwise complies with the requirements in that section.
- (11) The FSAR supplement, as revised, describes certain future activities to be completed prior to the period of extended operation. DENC shall complete these activities no later than July 31, 2015, and shall notify the NRC in writing when implementation of these activities is complete and can be verified by NRC inspection.
- (12) All capsules in the reactor vessel that are removed and tested must meet the test procedures and reporting requirements of American Society for Testing and Materials (ASTM) E 185-82 to the extent practicable for the configuration of the specimens in the capsule. Any changes to the capsule withdrawal schedule, including spare capsules, must be approved by the NRC prior to implementation. All capsules placed in storage must be maintained for future insertion. Any changes to storage requirements must be approved by the NRC, as required by 10 CFR Part 50, Appendix H.
- (13) Mitigation Strategy License Condition

The licensee shall develop and maintain strategies for addressing large fires and explosions and that include the following key areas:

 - (a) Fire fighting response strategy with the following elements:
 - 1. Pre-defined coordinated fire response strategy and guidance
 - 2. Assessment of mutual aid fire fighting assets
 - 3. Designated staging areas for equipment and materials
 - 4. Command and control
 - 5. Training of response personnel

5.0 DESIGN FEATURES

5.1 SITE LOCATION

The Unit 2 Containment Building is located on the site at Millstone Point in Waterford, Connecticut. The nearest SITE BOUNDARY on land is 2034 feet northeast of the containment building wall (1627 feet northeast of the elevated stack), which is the minimum distance to the boundary of the exclusion area as described in 10 CFR 100.3. No part of the site that is closer than these distances shall be sold or leased except to Dominion Energy Nuclear Connecticut, Inc. or its corporate affiliates for use in conjunction with normal utility operations. |

5.2 DELETED



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

DOMINION ENERGY NUCLEAR CONNECTICUT, INC., ET AL

DOCKET NO. 50-423

MILLSTONE POWER STATION, UNIT NO. 3

AMENDMENT TO RENEWED FACILITY OPERATING LICENSE

Amendment No. 271
Renewed License No. NPF-49

1. The U.S. Nuclear Regulatory Commission (the Commission) has found that:
 - A. The application for amendment by Dominion Energy Nuclear Connecticut, Inc. (the licensee) dated June 15, 2017, 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, revised through Amendment No. 271 and the Environmental Protection Plan contained in Appendix B, both of which are attached hereto are hereby incorporated into the license. DENC 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 its issuance, and shall be implemented within 30 days of issuance.

FOR THE NUCLEAR REGULATORY COMMISSION



James G. Danna, Chief
Plant Licensing Branch I
Division of Operating Reactor Licensing
Office of Nuclear Reactor Regulation

Attachment:
Changes to the License
and Technical Specifications

Date of Issuance: February 26, 2018

ATTACHMENT TO LICENSE AMENDMENT NO. 271

MILLSTONE POWER STATION, UNIT NO. 3

RENEWED FACILITY OPERATING LICENSE NO. NPF-49

DOCKET NO. 50-423

Replace the following pages of the Renewed Facility Operating License with the attached revised pages. The revised pages are identified by amendment number and contain marginal lines indicating the areas of change.

| <u>Remove</u> | <u>Insert</u> |
|---------------|---------------|
| 1 | 1 |
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| 7 | 7 |

Replace the following page of the Appendix A, Technical Specifications, and the Appendix B, Environmental Protection Plan, with the attached revised page. The revised page is identified by amendment number and contains marginal lines indicating the areas of change.

Appendix A, Technical Specifications

| <u>Remove</u> | <u>Insert</u> |
|---------------|---------------|
| 5-1 | 5-1 |

Appendix B, Environmental Protection Plan

| <u>Remove</u> | <u>Insert</u> |
|---------------|---------------|
| Cover page | Cover page |



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

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

DOCKET NO. 50-423

(MILLSTONE POWER STATION, UNIT NO. 3)

RENEWED FACILITY OPERATING LICENSE

RENEWED LICENSE NO. NPF-49

1. The U.S. Nuclear Regulatory Commission (the Commission) having previously made the findings set forth in License No. NPF-49 issued on January 31, 1986 has now found that:
 - A. The application to renew License NPF-49 filed by Dominion Energy Nuclear Connecticut, Inc. (DENC), 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 1, 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. 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 to require review under 10 CFR 54.21(a)(1), and (2) time-limited aging analyses that have been identified to require review under 10 CFR 54.21(c), such that there is reasonable assurance that the activities authorized by the renewed license will continue to be conducted in accordance with the current licensing basis, as defined in 10 CFR 54.3, for the facility, and that any changes made to the facility's current licensing basis in order to comply with 10 CFR 54.29(a) are in accordance with the Act and the Commission's regulations;

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

Renewed License No. NPF-49
Amendment No. 254, 271

- D. 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);
 - E. There is reasonable assurance: (i) that the activities authorized by this renewed 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 Commission's regulations set forth in 10 CFR Chapter 1, (except as exempted from compliance, see Section 2.D below);
 - F. DENC is technically qualified to engage in the activities authorized by this renewed license in accordance with the Commission's regulations set forth in 10 CFR Chapter 1;
 - G. The licensees have satisfied the applicable provisions of 10 CFR Part 140 "Financial Protection Requirements and Indemnity Agreements" of the Commission's regulations;
 - H. The issuance of this renewed license will not be inimical to the common defense and security or to the health and safety of the public;
 - I. After weighing the environmental, economic, technical and other benefits of the facility against environmental and other costs and considering available alternatives, the issuance of Renewed 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
 - J. The receipt, possession, and use of source, byproduct and special nuclear material as authorized by this renewed license will be in accordance with the Commission's regulations in 10 CFR Parts 30, 40, and 70.
2. On the basis of the foregoing findings regarding this facility, Facility Operating License No. NPF-49, issued on January 31, 1986, is superseded by Renewed Facility Operating License No. NPF-49, which is hereby issued to Dominion Energy Nuclear Connecticut, Inc. to read as follows:
- A. This renewed operating license applies to the Millstone Power Station (MPS), Unit No. 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) DENC, 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; Green Mountain Power 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 renewed operating license;
 - (2) DENC, 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;
 - (3) DENC, pursuant to the Act and 10 CFR Parts 30, 40, and 70 to receive, possess, and use at any time any byproduct, source, and special nuclear material as sealed neutron sources for reactor startup, sealed sources for reactor instrumentation and radiation monitoring equipment calibration, and as fission detectors in amounts as required;
 - (4) DENC, pursuant to the Act and 10 CFR Parts 30, 40, and 70 to receive, possess, and use in amounts as required any byproduct, source, or special nuclear material without restriction to chemical or physical form for sample analysis or instrument calibration or associated with radioactive apparatus or components; and
 - (5) DENC, pursuant to the Act and 10 CFR Parts 30, 40, and 70 to possess, but not separate, such byproducts and special nuclear materials as may be produced by the operations of the facility.
- C. This renewed operating license shall be deemed to contain and is subject to the conditions specified in the Commission's regulations set forth in 10 CFR Chapter 1 and is subject to all applicable provisions of the Act and to the rules, regulations, and orders of the Commission now or hereafter in effect; and is subject to the additional conditions specified or incorporated below:
- (1) Maximum Power Level
DENC is authorized to operate the facility at reactor core power levels not in excess of 3650 megawatts thermal (100 percent rated power) in accordance with the conditions specified herein.

(2) Technical Specifications

The Technical Specifications contained in Appendix A, revised through Amendment No. 271 and the Environmental Protection Plan contained in Appendix B, both of which are attached hereto are hereby incorporated into the license. DENC shall operate the facility in accordance with the Technical Specifications and the Environmental Protection Plan.

- (3) DENC shall not take any action that would cause Dominion Energy, Inc. or its parent companies to void, cancel, or diminish DENC'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 CFR50.75.
- (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 Energy, 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 disbursements 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 agreement must provide that the agreement cannot be amended in any material respect without 30 days prior written notification to the Director of the Office of Nuclear Reactor Regulation.

* On May 12, 2017, the name "Dominion Nuclear Connecticut, Inc." changed to "Dominion Energy Nuclear Connecticut, Inc."

- (e) The appropriate section of the decommissioning trust agreement shall state that the trustee, investment advisor, or anyone else directing the investments made in the trusts shall adhere to a "prudent investor" standard, as specified in 18 CFR 35.32(a)(3) of the Federal Energy Regulatory Commission's regulations.
- (6) DENC shall take all necessary steps to ensure that the decommissioning trust is maintained in accordance with the application for approval of the transfer of the MPS Unit No. 3 license and the requirements of the Order approving the transfer, and consistent with the safety evaluation supporting the Order.
- (7) The Final Safety Analysis Report (FSAR) supplement, as revised, submitted pursuant to 10 CFR 54.21(d), shall be included in the next scheduled update to the FSAR required by 10 CFR 50.71(e)(4) following the issuance of this renewed operating license. Until that update is complete, DENC may make changes to the programs and activities described in the supplement without prior Commission approval, provided that DENC evaluates such changes pursuant to the criteria set forth in 10 CFR 50.59 and otherwise complies with the requirements in that section.
- (8) The FSAR supplement, as revised, describes certain future activities to be completed prior to the period of extended operation. DENC shall complete these activities no later than November 25, 2025, and shall notify the NRC in writing when implementation of these activities is complete and can be verified by NRC inspection.
- (9) All capsules in the reactor vessel that are removed and tested must meet the test procedures and reporting requirements of American Society for Testing and Materials (ASTM) E 185-82 to the extent practicable for the configuration of the specimens in the capsule. Any changes to the capsule withdrawal schedule, including spare capsules, must be approved by the NRC prior to implementation. All capsules placed in storage must be maintained for future insertion. Any changes to storage requirements must be approved by the NRC, as required by 10 CFR Part 50, Appendix H.

(10) Mitigation Strategy License Condition

The licensee shall develop and maintain strategies for addressing large fires and explosions and that include the following key areas:

- (a) Fire fighting response strategy with the following elements:
 - 1. Pre-defined coordinated fire response strategy and guidance
 - 2. Assessment of mutual aid fire fighting assets
 - 3. Designated staging areas for equipment and materials
 - 4. Command and control
 - 5. Training of response personnel

- E. The licensee shall fully implement and maintain in effect all provisions of the Commission-approved physical security, 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 combined set of plans, submitted by letter dated October 15, 2004, as supplemented by letter dated May 15, 2006, is entitled: "Millstone, North Anna and Surry Power Stations' Security Plan, Training and Qualification Plan, Safeguards Contingency Plan, and Independent Spent Fuel Storage Installation Security Program, Revision 0" The set contains Safeguards Information protected under 10 CFR 73.21.

The licensee shall fully implement and maintain in effect all provisions of the Commission-approved Kewaunee, Millstone, North Anna, and Surry Power Stations Cyber Security Plan (CSP), including changes made pursuant to the authority of 10 CFR 50.90 and 10 CFR 50.54(p). The CSP was approved by License Amendment No. 251, as supplemented by a change approved by License Amendment No. 265.

- F. Deleted.
- G. The licensee 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, SSER 4, SSER5)

DENC 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 1985 and Supplements Nos. 2, 4, and 5 issued September 1985, November 1985, and January 1986, respectively, subject to the following provision:

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.

- I. This renewed operating license is effective as of its date of issuance and shall expire at midnight on November 25, 2045.

FOR THE NUCLEAR REGULATORY COMMISSION

/ RA /

J. E. Dyer, Director

Attachments: Office of Nuclear Reactor Regulation

1. Appendix A - Technical Specifications
2. Appendix B - Environmental Protection Plan

Date of Issuance: November 28, 2005

Renewed License No. NPF-49
Amendment No. 243, 251, 265, 271

5.0 DESIGN FEATURES

5.1 SITE LOCATION

The Unit 3 Containment Building is located on the site at Millstone Point in Waterford, Connecticut. The nearest SITE BOUNDARY on land is 1719 feet northeast of the containment building wall (1627 feet northeast of the elevated stack), which is the minimum distance to the boundary of the exclusion area as described in 10 CFR 100.3. No part of the site that is closer than these distances shall be sold or leased except to Dominion Energy Nuclear Connecticut, Inc. or its corporate affiliates for use in conjunction with normal utility operations. |

5.2 DELETED

APPENDIX B
TO FACILITY OPERATING LICENSE NO. NPF-49
MILLSTONE POWER STATION, UNIT 3
DOMINION ENERGY NUCLEAR CONNECTICUT, INC.
DOCKET NO. 50-423
ENVIRONMENTAL PROTECTION PLAN
(NONRADIOLOGICAL)



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

SAFETY EVALUATION BY THE OFFICE OF NUCLEAR REACTOR REGULATION
RELATED TO AMENDMENT NO. 118 TO FACILITY OPERATING LICENSE NO. DPR-21
AMENDMENT NO. 334 TO RENEWED FACILITY OPERATING LICENSE NO. DPR-65
AMENDMENT NO. 271 TO RENEWED FACILITY OPERATING LICENSE NO. NPF-49
DOMINION ENERGY NUCLEAR CONNECTICUT, INC.
MILLSTONE POWER STATION, UNIT NOS. 1, 2, AND 3
DOCKET NOS. 50-245, 50-336, AND 50-423

1.0 INTRODUCTION

By letter dated June 15, 2017 (Agencywide Documents Access and Management System (ADAMS) Accession No. ML17171A232), Dominion Nuclear Connecticut, Inc. (DNC, the licensee) submitted a license amendment request (LAR) for changes to Facility Operating License No. DPR-21, Renewed Facility Operating License No. DPR-65, and Renewed Facility Operating License No. NPF-49 for the Millstone Power Station, Unit Nos. 1, 2, and 3, respectively (together, Millstone). The proposed changes would revise the facility operating licenses by replacing all references to the former company name, "Dominion Nuclear Connecticut, Inc." (or DNC), with "Dominion Energy Nuclear Connecticut, Inc." (or DENC), including the cover of the Environmental Protection Plan in Appendix B for Millstone 3 and the Design Features page for Millstone, 1, 2, and 3. Additionally, references to the licensee's former ultimate parent company, "Dominion Resources, Inc.," would be replaced with the new name "Dominion Energy, Inc." The licensee requested the changes due to a company-wide rebranding effort by Dominion Energy, Inc. to conform to the "Dominion Energy" brand.

In a letter dated May 10, 2017 (ADAMS Accession No. ML17135A334), Dominion Nuclear Connecticut, Inc.; Virginia Electric and Power Company; and Dominion Energy Kewaunee, Inc. notified the U.S. Nuclear Regulatory Commission (NRC or the Commission) of changes to the names of certain parent companies of licensees within their fleet, including the licensee's name change of DNC to DENC, which was made effective on May 12, 2017.

2.0 REGULATORY EVALUATION

Title 10 of the *Code of Federal Regulations* (10 CFR) 50.80, "Transfer of licenses," states, in part:

- (a) No license for a production or utilization facility (including, but not limited to, permits under this part and part 52 of this chapter, and licenses under

parts 50 and 52 of this chapter), or any right thereunder, shall be transferred, assigned, or in any manner disposed of, either voluntarily or involuntarily, directly or indirectly, through transfer of control of the license to any person, unless the Commission gives its consent in writing.

NUREG-1577, Revision 1, "Standard Review Plan on Power Reactor Licensee Financial Qualifications and Decommissioning Funding Assurance" (ADAMS Accession No. ML013330264), states, in part:

The reviewer should treat applications involving changes of ownership, mergers, formation of holding companies, and other restructuring proposals that go beyond corporate name changes or internal reorganizations as potential transfers of licenses, directly or indirectly, through transfer of control of the license, as subject to section 50.80 review, and not merely subject to a section 50.90 license amendment review.... (A name change of a licensee that does not involve license transfer considerations under section 50.80 will be effected by a license amendment issued administratively under section 50.90.)

Section 140.20, "Indemnity agreements and liens," of 10 CFR states that the Commission will execute and issue agreements of indemnity pursuant to the regulations in 10 CFR Part 140, or such other regulations as may be issued by the Commission.

3.0 TECHNICAL EVALUATION

On May 12, 2017, the name "Dominion Nuclear Connecticut, Inc." was changed to "Dominion Energy Nuclear Connecticut, Inc." Additionally, on May 10, 2017, the name "Dominion Resources, Inc." was changed to "Dominion Energy, Inc." Subsequently, on June 15, 2017, the licensee submitted an LAR to request amendments to the licenses for Millstone to reflect these name changes.

Under 10 CFR 50.80, no license or control of a license for a utilization facility may be transferred, directly or indirectly, to any entity unless the NRC consents in writing. However, administrative changes, such as licensee name changes, do not necessarily constitute license transfers. In support of the requested license amendments, the licensee stated, in part, in its LAR that:

The name change does not involve any change to DNC's ownership, management (including officers and directors), organization, operation, obligations; nor is there any change in the functions of DNC, or the way it does business. Therefore, the amendments are purely administrative, and the name change does not constitute any transfer of the licenses that would require NRC consent under 10 CFR 50.80.

As stated above, the proposed amendments to the facility operating licenses for Millstone are for a name change only. The licensee's proposed name change does not involve the transfer of any control over the Millstone licenses to any other entity. The corporate existence continues uninterrupted and all legal characteristics remain the same. Further support for the administrative nature of the licensee's name change can be found in NUREG-1577, Revision 1, which states, in part:

A name change of a licensee that does not involve license transfer considerations under section 50.80 will be effected by a license amendment issued administratively under section 50.90.

The NRC staff has determined that there is no transfer of a license or of an interest in a license within the meaning of 10 CFR 50.80. This determination is consistent with prior precedence where the NRC staff found that a change in name, where there has not been a dissolution of the corporation or a transfer of ownership under state law, is allowable and does not require a license transfer review.¹

The name change does not impact the company's ability or responsibility to comply with any of its obligations under the facility operating licenses. The proposed changes do not alter any technical content of the licenses or involve any change in the qualifications of the licensee. The name change will have no impact on the design, function, or operation of any plant structures, systems, or components, nor the technical specifications. The current design basis and licensing basis will remain the same.

As part of the LAR, and pursuant to the requirements of the Price-Anderson Act (Section 170 of the Atomic Energy Act of 1954, as amended) and the NRC's implementing regulations at 10 CFR Part 140, the indemnity agreement for Millstone will need to be amended to account for the name change from Dominion Nuclear Connecticut, Inc. to Dominion Energy Nuclear Connecticut, Inc. The indemnity agreement amendment is provided hereto as an additional enclosure.

In summary, the NRC staff concludes that the proposed changes are administrative in nature and that no substantive changes to the licensee's arrangements or ability to own, operate, or decommission Millstone will result from them. Additionally, since name changes are subject to the laws of the state of incorporation (in this instance, Delaware), and Delaware does not require dissolution of the current corporation or the creation of a new business entity, the NRC staff concludes that the conversion from Dominion Nuclear Connecticut, Inc. to Dominion Energy Nuclear Connecticut, Inc. did not involve any direct or indirect transfer of control of any license that would warrant NRC approval pursuant to 10 CFR 50.80. Based on the foregoing, the NRC staff further concludes that the proposed changes are acceptable and that an indemnity agreement amendment will need to be executed in conjunction with the LAR to reflect the licensee's name change.

4.0 STATE CONSULTATION

In accordance with the Commission's regulations, the Connecticut State official was notified on December 22, 2017, of the proposed issuance of the amendments. The State official had no comments.

5.0 ENVIRONMENTAL CONSIDERATION

The amendments relate to changes in recordkeeping, reporting, or administrative procedures or requirements, or changes in the licensee's or permit holder's name, phone number, business or e-mail address, or changes in the format of the license or permit, or otherwise make editorial, corrective, or other minor revisions. Accordingly, these amendments meet the eligibility criteria for categorical exclusion set forth in 10 CFR 51.22(c)(10). Pursuant to 10 CFR 51.22(b), no

¹ See, e.g., NRC letter dated June 29, 2015 (ADAMS Accession No. ML15176A270).

environmental impact statement or environmental assessment need be prepared in connection with the issuance of the amendments.

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) there is reasonable assurance that such activities will be conducted in compliance with the Commission's regulations, and (3) the issuance of the amendments will not be inimical to the common defense and security or to the health and safety of the public.

Principal Contributors: M. Henderson
S. Harwell

Date: February 26, 2018

ENCLOSURE 5

AMENDMENT NO. 23 TO

INDEMNITY AGREEMENT NO. B-39



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

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

AMENDMENT TO INDEMNITY AGREEMENT NO. B-39
AMENDMENT NO. 23

Effective February 26, 2018, Indemnity Agreement No. B-39, between Dominion Nuclear Connecticut, Inc.; Massachusetts Municipal Wholesale Electric Company; Green Mountain Power Corporation; and the Atomic Energy Commission, dated May 9, 1969, as amended, is hereby further amended as follows:

The name "Dominion Nuclear Connecticut, Inc." is deleted wherever it appears in the agreement and is replaced by "Dominion Energy Nuclear Connecticut, Inc." (ML17171A232)

The name "Atomic Energy Commission" is deleted wherever it appears in the agreement and is replaced by "United States Nuclear Regulatory Commission."

FOR THE UNITED STATES NUCLEAR REGULATORY COMMISSION

A handwritten signature in black ink, appearing to read "Anthony Bowers", written over a horizontal line.

Anthony Bowers, Chief
Financial Projects Branch
Division of Licensing Projects
Office of Nuclear Reactor Regulation

Accepted _____, 2018

By _____
Dominion Energy Nuclear Connecticut, Inc.

Accepted _____, 2018

By _____
Massachusetts Municipal Wholesale Electric Company

Accepted _____, 2018

By _____
Green Mountain Power Corporation



UNITED STATES
NUCLEAR REGULATORY COMMISSION
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Division of Licensing Projects
Office of Nuclear Reactor Regulation

Accepted _____, 2018

By _____
Dominion Energy Nuclear Connecticut, Inc.

Accepted _____, 2018

By _____
Massachusetts Municipal Wholesale Electric Company

Accepted _____, 2018

By _____
Green Mountain Power Corporation



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Anthony Bowers, Chief
Financial Projects Branch
Division of Licensing Projects
Office of Nuclear Reactor Regulation

Accepted _____, 2018

By _____
Dominion Energy Nuclear Connecticut, Inc.

Accepted _____, 2018

By _____
Massachusetts Municipal Wholesale Electric Company

Accepted _____, 2018

By _____
Green Mountain Power Corporation

SUBJECT: MILLSTONE POWER STATION, UNIT NOS. 1, 2, AND 3 – ISSUANCE OF AMENDMENT NOS. 118, 334, AND 271 TO REVISE LICENSEE'S NAME (CAC NOS. MF9844, MF9845, AND MF9848; EPID L-2017-LLA-0245 AND EPID L-2017-LLA-0346) DATED FEBRUARY 26, 2018

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TCarter, NMSS

SHarwell, NRR

MHenderson, NRR

ADAMS Accession No.: ML18038B200

*by memorandum

**by e-mail

| | | | |
|--------|------------------|--------------------------------------|------------------|
| OFFICE | NRR/DORL/LPL1/PM | NRR/DORL/LPL1/LA | NRR/DLP/PFPB/BC* |
| NAME | RGuzman | LRonewicz | ABowers |
| DATE | 02/12/2018 | 02/12/2018 | 12/12/2017 |
| OFFICE | NMSS/DUWP/RDB/BC | OGC – NLO subject to e-mail comments | NRR/DORL/LPL1/BC |
| NAME | BWatson | JWachutka | JDanna |
| DATE | 02/13/2018 | 02/20/2018 | 02/26/2018 |
| OFFICE | NRR/DORL/LPL1/PM | | |
| NAME | RGuzman | | |
| DATE | 02/26/2018 | | |

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