

NORTHEAST UTILITIES



THE CONNECTICUT LIGHT AND POWER COMPANY
WESTERN MASSACHUSETTS ELECTRIC COMPANY
HOLYoke WATER POWER COMPANY
NORTHEAST UTILITIES SERVICE COMPANY
NORTHEAST NUCLEAR ENERGY COMPANY

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April 28, 1992

Docket No. 50-423

B14078

Re: 10CFR50.90

U.S. Nuclear Regulatory Commission
Attention: Document Control Desk
Washington, DC 20555

Gentlemen:

Millstone Nuclear Power Station, Unit No. 3 Deletion of License Conditions from the Operating License

The NRC imposed 14 license conditions in the Millstone Unit No. 3 full power license issued January 31, 1986. Since then, Northeast Nuclear Energy Company (NNECO) has satisfied most of the license conditions. In a letter dated December 18, 1989,⁽¹⁾ the NRC issued a license amendment to the Millstone Unit No. 3 Operating License by deleting the following license conditions:

1. 2.C(3) - Containment Average Temp.
2. 2.C(4) - N-1 Loop Operation
3. 2.C(6) - Instrumentation for Monitoring Post-Accident Conditions
4. 2.c(8) - Moisture in Air Start System
5. 2.C(9) - Operating Staff Experience Requirements
6. 2.C(11) - Revised Small Break LOCA
7. 2.C(12) - SPDS
8. 2.C(13) - Detailed CRDR

In addition, NNECO satisfied two additional license conditions and therefore, their existence is no longer necessary in the Operating License. Therefore, pursuant to 10CFR50.90, NNECO hereby proposes to amend its Facility Operating License, NPF-49, by removing these two license conditions from the Operating License. Specifically, the license conditions to be deleted are as follows:

(1) D. H. Jaffe letter to E. J. Mroczka, "Millstone Unit 3--Issuance of Amendment (TAC No. 74555)," dated December 18, 1989.

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1. 2.C(5) - Inservice Inspection Program
2. 2.C(10) - Initial Test Program

NNECO will also request to delete License Condition 2.C(14), Salem ATWS Events Generic Letter 83-28, at a later date when the NRC Staff review has been completed for this license condition. License Conditions 2.C(7), Fire Protection, 2.C(1), Maximum Power Level and 2.C(2), Technical Specifications will not be deleted and are expected to remain for the duration of the Operating License. The above remaining license conditions are renumbered to reflect the deleted license conditions. This change does not reduce the effectiveness of the Operating License.

Discussion

1. License Condition 2.C(5)--Inservice Inspection Program

License Condition 2.C(5) in the Millstone Unit No. 3 Operating License requires that "Prior to May 25, 1986, NNECO shall submit the inservice inspection program which conforms to the ASME Code in effect on November 25, 1984 in accordance with 50.55(a)(g)(4), for NRC Staff review and approval." By letter dated May 22, 1986,⁽²⁾ NNECO submitted to the NRC the Millstone Unit No. 3 Inservice Inspection Program Plan. The Program Plan was submitted for review and evaluation of its compliance with the requirements of Section XI of the ASME Boiler and Pressure Vessel Code, regulations, and plant Technical Specifications. In a letter dated February 8, 1991,⁽³⁾ the Staff concluded that License Condition 2.C(5) had been met; therefore, removal of License Condition 2.C(5) is appropriate and safe.

2. License Condition 2.C(10)--Initial Test Program

License Condition 2.C(10) in the Millstone Unit No. 3 Operating License requires that "Any changes to the Initial Test Program described in Section 14 of the FSAR made in accordance with the provisions of 10CFR50.59 shall be reported in accordance with 50.59(b) within one month of such change." NNECO made a series of submittals in accordance with

(2) J. F. Opeka letter to U.S. Nuclear Regulatory Commission, "First Ten-Year Program Plan," dated May 22, 1986.

(3) J. F. Stolz letter to E. J. Mrocza, "First Ten-Year Program Plan and Inservice Inspection Relief Request, Millstone Unit 3 (TAC No. 60385)," dated February 8, 1991.

License Condition 2.C(10). In a letter dated May 10, 1989, (4) the NRC concluded that the changes to the Initial Test Program are acceptable and License Condition 2.C(10) had been met; therefore, removal of License Condition 2.C(10) is appropriate and safe.

Significant Hazards Consideration

In accordance with 10CFR50.92, NNECO has reviewed the proposed license amendment and concluded it does not involve a significant hazards consideration. The basis for this conclusion is that the three criteria of 10CFR50.92(c) are not compromised. The proposed amendment does not involve a significant hazards consideration because it would not:

1. Involve a significant increase in the probability or consequences of an accident previously analyzed. Individual license conditions discussed above were one-time commitments that have been met. Their existence is no longer warranted; therefore, removal of license conditions is appropriate and safe. As a result of the proposed amendment, there are no physical changes to the facility and all operating procedures, limiting conditions for operation (LCO), limiting safety system settings, and safety limits specified in the Technical Specifications will remain unchanged.
2. Create the possibility of a new or different kind of accident from any previously evaluated. Since there are no changes in the way the plant is operated, the potential for an unanalyzed accident is not created. No new failure modes are introduced.
3. Involve a significant reduction in a margin of safety. Plant safety margins are established through LCOs limiting safety system settings, and safety limits specified in the Technical Specifications. As a result of the proposed amendment, there will be no changes to either the physical design of the plant or to any of these settings and limits; therefore, there will be no changes to any of the margins of safety.

Moreover, the Commission has provided guidance concerning the application of standards set forth in 10CFR50.92 by providing certain examples (March 6, 1986, 51FR7751) of amendments that are considered not likely to involve a significant hazards consideration; however, the proposed amendment is not enveloped by a specific example. The individual license condition discussed above were one-time commitments which have been met. As such, removal of these license conditions from the Millstone Unit No. 3 Operating License is appropriate and safe. As noted above, this action does not involve a

(4) D. H. Jaffe letter to E. J. Mroczka, "Millstone Unit 3 Initial Test Program (TAC No. 60380)," dated May 10, 1989.

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significant increase in the probability or consequences of an accident previously analyzed.

NNECO has reviewed the proposed license amendment against the criteria of 10CFR51.22 for environmental considerations. The proposed change does not involve a significant hazards consideration, nor increase the types and amounts of effluents that may be released offsite, nor significantly increase individual or cumulative occupational radiation exposures. Based on the foregoing, NNECO concludes that the proposed change meets the criteria delineated in 10CFR51.22(c)(9) for a categorical exclusion from the requirements for an environmental impact statement.

The Millstone Unit No. 3 Nuclear Review Board has reviewed and approved the proposed change and has concurred with the above determination.

The retype of the proposed change to the Operating License in Attachment 1 reflects the currently issued version of the Operating License. Operating License changes issued subsequent to this submittal or pending Operating License changes are not reflected in the enclosed retype. The enclosed retype should be checked for continuity with the Operating License prior to issuance.

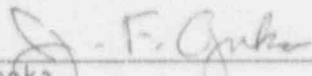
Revision bars are provided in the right hand margin to indicate a revision to the text. No revision bars are utilized when the page is changed solely to accommodate the shifting of text due to additions or deletions.

In accordance with 10CFR50.91(b), we are providing the State of Connecticut with a copy of this proposed amendment.

Regarding our proposed schedule for this amendment, we request issuance at your earliest convenience with the amendment effective as of the date of issuance to be implemented within 30 days of issuance.

Very truly yours,

NORTHEAST NUCLEAR ENERGY COMPANY



J. F. Opaka
Executive Vice President

cc: see page 5

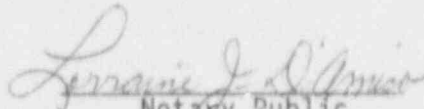
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cc: T. T. Martin, Region I Administrator
V. L. Rooney, NRC Project Manager, Millstone Unit No. 3
W. J. Raymond, Senior Resident Inspector, Millstone Unit Nos. 1, 2,
and 3

Mr. Kevin McCarthy
Director, Radiation Control Unit
Department of Environmental Protection
Hartford, CT 06116

STATE OF CONNECTICUT)
) ss. Berlin
COUNTY OF HARTFORD)

Then personally appeared before me, J. F. Opeka, who being duly sworn, did state that he is Executive Vice President of Northeast Nuclear Energy Company, a licensee herein, that he is authorized to execute and file the foregoing information in the name and on behalf of the Licensee herein, and that the statements contained in said information are true and correct to the best of his knowledge and belief.


Notary Public

My Commission Expires March 31, 1993