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UNITED STATES OF AMERICA  
NUCLEAR REGULATORY COMMISSION

'92 OCT -2 P12:55

ATOMIC SAFETY AND LICENSING BOARD

Before Administrative Judges:

Ivan W. Smith, Chairman  
Dr. Charles N. Kelber  
Dr. Jerry R. Kline

SECRETARY  
SERVICE  
ANCH

SERVED OCT -2 1992

In the Matter of  
  
NORTHEAST NUCLEAR ENERGY  
COMPANY  
  
(Millstone Nuclear Power  
Station, Unit No. 2)

Docket Nos. 50-336-OLA  
FOL No. DPR-65  
(ASLBP No. 92-665-02-OLA)  
(Spent Fuel Pool Design)

October 1, 1992

NOTICE OF HEARING AND PREHEARING CONFERENCE

On April 28, 1992, the Nuclear Regulatory Commission published in the Federal Register a notice that the Commission was considering issuance of an amendment to the operating license issued to Northeast Nuclear Energy Company for the operation of Millstone Nuclear Power Station, Unit No. 2, located in New London County, Connecticut. 57 Fed. Reg. 17934.

The amendment would modify the spent fuel pool design of Millstone Unit 2 by changing the design from a two-region to a three-region configuration. The notice stated that the Commission Staff proposed to make a determination that the amendment request involves a "no significant hazards

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consideration" consistent with the provisions of 10 C.F.R. § 50.91. The public was invited to comment on the proposed determination. Further, the notice provided that any person whose interest may be affected by the amendment proceeding and who wishes to become a party to the proceeding may file a request for a hearing and petition for leave to intervene by May 28, 1992.

An Atomic Safety and Licensing Board (Licensing Board) was established to rule on requests for hearing and petitions for leave to intervene and to preside over any resulting hearing. Seven persons or organizations located in the vicinity of Millstone Nuclear Power Station submitted requests for hearing and petitions for leave to intervene. By Order of September 30, 1992, the Licensing Board found that one petitioner, Co-Operative Citizen's Monitoring Network (CCMN), had standing to intervene in the proceeding and that CCMN had submitted a contention appropriate for hearing. The Order admitted CCMN as a party to the proceeding and accepted the contention for hearing. The contention pertains to whether the criticality analysis for the redesign of the spent fuel pool was complete and accurate. Other parties to the proceeding are the Staff of the Nuclear Regulatory Commission and Northeast Nuclear Energy Company, the Licensee herein.



The public shall please take notice that a public hearing shall take place among the named parties on CCMN's contention at a time and place to be later announced.

To prepare for the hearing, the Licensing Board directs the parties or their representatives to appear at a prehearing conference in accordance with the provisions of 10 C.F.R. §§ 2.751a and 2.752. The conference shall be held on November 5, 1992 in New Haven, Connecticut at a time and place to be announced. The prehearing conference is open to the public, but only the parties and their representatives may participate.

Matters to be discussed at the prehearing conference shall include:

1. Further identification, simplification and clarification of the issues in the proceeding.
2. The possibility of settlement, stipulations of fact and admissions of fact.
3. Determine the need for any discovery under the NRC discovery rules, 10 C.F.R. §§ 2.740 - 2.744.
4. Establish a schedule for motions for summary disposition, exchange of evidence, and any evidentiary hearing.



5. Questions by the Board to the parties concerning technical matters relevant to the contention, and;
6. Any other matter properly before the Licensing Board.

The parties are requested to have their technical advisors present to aid the Licensing Board and the parties in the discussion of issues. The Licensing Board shall serve its questions upon the parties in advance of the prehearing conference.

FOR THE ATOMIC SAFETY  
AND LICENSING BOARD



Ivan W. Smith, Chairman  
ADMINISTRATIVE JUDGE

Bethesda, Maryland

October 1, 1992





UNITED STATES OF AMERICA  
NUCLEAR REGULATORY COMMISSION

In the Matter of

NORTHEAST NUCLEAR ENERGY COMPANY

(Millstone Nuclear Power Station,  
Unit No. 2)

Docket No.(s) 50-336-OLA

CERTIFICATE OF SERVICE

I hereby certify that copies of the foregoing LE NOTICE OF HEARING & PREH...  
have been served upon the following persons by U.S. mail, first class, except  
as otherwise noted and in accordance with the requirements of 10 CFR Sec. 2.712.

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U.S. Nuclear Regulatory Commission  
Washington, DC 20555

Administrative Judge  
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Atomic Safety and Licensing Board  
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Administrative Judge  
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Dated at Rockville, Md. this  
2 day of October 1992

  
Office of the Secretary of the Commission