

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 7, 1986

Docket No. 50-336
B12031

Office of Nuclear Reactor Regulation
Attn: Mr. Ashok C. Thadani, Director
PWR Project Directorate #8
Division of PWR Licensing - B
U.S. Nuclear Regulatory Commission
Washington, D.C. 20555

Gentlemen:

Millstone Nuclear Power Station, Unit No. 2
Additional Information Regarding Appendix R
Exemption Requests Related to the Revised 10 CFR 50.12

On March 7, 1986, the NRC Staff verbally requested that Northeast Nuclear Energy Company (NNECO) provide additional information related to its pending requests for exemptions from Appendix R to 10 CFR Part 50 for Millstone Unit No. 2.⁽¹⁾ Specifically, the Staff requested information to address the revisions to 10 CFR 50.12 promulgated on December 12, 1985. (50 Fed. Reg. 50764) In response to the Staff's request, NNECO provides the requested information below.

- (1) Pending exemption requests (and related information) were filed in letters to the Staff of March 1 and July 16, 1982; April 15 and May 25, 1983; and January 31 and August 7, 1985. In its letter of February 4, 1986, the Staff provided its "Environmental Assessment and Finding of No Significant Impact."

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Based on the detailed information contained in the exemption requests and related correspondence (see Note 1), NNECO maintains that there are "special circumstances" present for granting the requested exemptions. Specifically, NNECO contends that strict application of Appendix R in the particular circumstances related to the requested exemptions is not necessary to achieve the underlying purpose of the rule. (See 10 CFR 50.12(a)(2)(ii)). As stated in the exemption requests, existing and proposed fire protection features at Millstone Unit No. 2 would accomplish the underlying purpose of the rule, i.e., provide reasonable assurance that a fire will not adversely impact public health and safety. NNECO estimates that at least \$5 million will be spent at Millstone Unit No. 2 to comply with Appendix R. This amount is clearly a financial burden on the company and the ratepayers. Implementing additional modifications to provide more suppression systems, detection systems, and/or fire barriers would require the unwarranted expenditure of resources significantly in excess of those required to meet the underlying purpose of the rule. This position is consistent with the Staff finding in its letter of February 4, 1986 (Attachment at p.1) regarding these exemption requests:

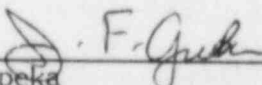
The proposed exemption is needed because the features described in the licensee's requests regarding the existing and proposed fire protection at the plant for these items are the most practical methods for meeting the intent of Appendix R and literal compliance would not significantly enhance the fire protection capability.

In conclusion, NNECO maintains that special circumstances as defined in 10 CFR 50.12 exist for granting the exemptions requested. Further, NNECO submits that the exemptions are authorized by law, will not present an undue risk to the public health and safety, and are consistent with the common defense and security.

We trust that this letter, in conjunction with the submittals previously noted, provide the information necessary for the Staff to evaluate fully the exemption requests. If necessary, we would be happy to meet with you to discuss this issue or answer any questions you may have.

Very truly yours,

NORTHEAST NUCLEAR ENERGY COMPANY



J. F. Opeka
Senior Vice President