



UNITED STATES
NUCLEAR REGULATORY COMMISSION

WASHINGTON, D.C. 20555-0001

November 3, 1999

50-423

Mr. R. P. Necci - Vice President
Nuclear Oversight and Regulatory Affairs
c/o Mr. David A. Smith
Northeast Nuclear Energy Company
P. O. Box 128
Waterford, CT 06385-0128

SUBJECT: MILLSTONE NUCLEAR POWER STATION, UNIT NO. 3 - REQUEST FOR
RELIEF FROM THE REQUIREMENTS OF THE ASME CODE (TAC NO. MA6526)

Dear Mr. Necci:

By letter dated September 17, 1999, Northeast Nuclear Energy Company (NNECO) requested relief, pursuant to 10 CFR 50.55a(g), from the requirements of the American Society of Mechanical Engineers Boiler and Pressure Vessel Code (ASME Code), Section XI for Millstone Unit 3. Specifically, NNECO requested relief pursuant to 10 CFR 50.55a(g)(5)(iii), from performing the visual examination of the reactor pressure vessel supports to the extent required by Code for Class 1 supports, other than piping, subject to visual examination (Request for Relief IR-28). The request applies to the inaccessible portions of the supports that are encased in permanent insulation. NNECO requested that the relief be applied to both the first inspection interval that expires on October 22, 1999, as well as the second interval for which a program description was submitted on April 27, 1999 (B17752).

The NRC staff concludes that NNECO has demonstrated that performing the visual examination to the extent required by the Code of the reactor pressure vessel supports is impractical. Therefore, pursuant to 10 CFR 50.55a(g)(6)(i) the NRC staff concludes that Request for Relief IR-28 is granted for the first 10-year inspection interval. The NRC staff's conclusions regarding the application of IR-28 to the second 10-year inspection interval will be included in its safety evaluation for the second 10-year interval. The relief is authorized by law, will not endanger life or property, or the common defense and security, and is otherwise in the public interest giving due consideration to the burden upon the licensee that could result if the requirements were imposed on the facility.

You requested that review of this relief request be completed before October 23, 1999, in part, because your first 10-year interval expires on October 22, 1999. 10 CFR 50.55a(g)(5)(iv) requires that you demonstrate to the NRC the basis for your determination that compliance with a Code requirement is impractical no later than 12 months after the end of the respective 10-year interval. You submitted your relief request before the end of the first 10-year interval and the NRC has found your determination that this examination is impractical acceptable. However, you should have been aware of the need for this relief request shortly after the end of the last refueling outage that ended June 29, 1999, and provided it to the staff for review as soon as practical. In support of the short turnaround you requested for the NRC's review of your relief request, the NRC shifted resources from other planned activities of equal or higher priority. You should ensure that future relief requests are submitted with sufficient forethought to allow the NRC staff to manage its resources efficiently.

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PDR A DOCK

R. Necci

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The staff's evaluation and conclusions are contained in the enclosed Safety Evaluation. Should you have questions regarding this relief request, please contact Mr. John A. Nakoski, of my staff at (301) 415-1278.

Sincerely,

Original signed by:
James W. Clifford, Chief, Section 2
Project Directorate I
Division of Licensing Project Management
Office of Nuclear Reactor Regulation

Docket No. 50-423

Enclosure: Safety Evaluation

cc w/encl: See next page

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R. Necci

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James W. Clifford, Chief, Section 2
Project Directorate I
Division of Licensing Project Management
Office of Nuclear Reactor Regulation

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Enclosure: Safety Evaluation

cc w/encl: See next page

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