

# 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 1, 1990

Docket No. 50-423  
B13494

RE: Technical  
Specification 3.7.12

Mr. T. T. Martin  
Region 1 Administrator  
U.S. Nuclear Regulatory Commission  
475 Allendale Road  
King of Prussia, PA 19406

Dear Mr. Martin:

Millstone Nuclear Power Station, Unit No. 3  
Temporary Waiver of Compliance from  
Technical Specification Limiting Condition for Operation

Northeast Nuclear Energy Company (NNECO) hereby requests a temporary waiver of compliance from Technical Specification Section 3.0.4 to the limiting condition for operation (LCO) of Specification 3.7.12.1 until the emergency license amendment is issued by the NRC Staff. Technical Specification 3.0.4 precludes ascending in modes if an LCO is not met even though ACTION statement 'c' of Specification 3.7.12.1 would permit continued operation of Millstone Unit No. 3 for an unlimited period of time.

On March 15, 1990, a leak in the Millstone Unit No. 3 yard fire water supply header was detected when the run time frequency of the site fire header system pressure maintenance pump increased with no additional load demands being implemented. To make a repair, it was determined that an underground section of the northeast fire water header needed to be isolated. On March 19, 1990, bypass jumper 390-16 was approved by the plant operations review committee (PORC) which established compensatory measures to be taken during the isolation and repair of the northeast fire header. This allowed the northeast section of the yard fire water supply header to be isolated and removed from service for excavation, location and repair of the leak. Additional lengths of fire hose were supplied to hydrant hose No. 4. A continuous fire patrol was established at the reserve station service transformer and alternate sources of fire protection water were supplied to the fuel and engineered safety features buildings to ensure compliance with the limiting condition of operation of Technical Specifications 3.7.12.5, 3.7.12.2 and 3.7.12.1. On March 29, 1990, the leak source was located. A repair will require redesigning of the affected section of the header. It is estimated that a minimum of 7 days will be required to complete the replacement of the affected piping. Millstone Unit No. 3 was in Mode 1 at that time and, as allowed by ACTION Statement 'c' of Technical Specification 3.7.12.1, continued operation

until the unit was manually tripped on March 30, 1990, in anticipation of low condenser vacuum. The decreasing condenser vacuum was caused by automatic tripping of two circulating water pumps in the intake structure due to high differential pressure across the traveling screens.

Millstone Unit No. 3 Technical Specification Section 3.0.4 states that entry into an operational mode or other specified condition shall not be made unless the LCO is met without reliance on the provisions of the ACTION statements. The intent is to ensure that a higher mode of operation is not entered when equipment is inoperable. This precludes a plant start-up if an LCO is not met, even if the ACTION statements would permit continued operation of the plant for an unlimited period of time. Generally, the individual specifications that have ACTION statements which allow continued indefinite operation note that Specification 3.0.4 does not apply (e.g., ACTION 'a' and 'b' of Specification 3.7.12.1).

However, exceptions to Specification 3.0.4 have not been consistently applied. This is true in the case of Specification 3.7.12.1 where Millstone Unit No. 3 Technical Specifications are based on Westinghouse Standard Technical Specifications (STS). Exceptions to Specification 3.0.4 have not been applied to the STS Section 3.7.12.1 ACTION 'c'. Generically, the NRC has recognized this inconsistent application of exceptions to Specification 3.0.4. To alleviate this problem, on June 4, 1987, the NRC issued Generic Letter 87-09, "Sections 3.0 and 4.0 of the Standard Technical Specifications (STS) on the Applicability of Limiting Condition for Operation and Surveillance Requirement." In that Generic Letter, the Staff addressed three specific problems and provided alternatives to the STS to resolve these problems. One of those problems concerns LCOs applicable to entry into an operational mode which are more restrictive than ACTION statements applicable to the operational mode itself. As an example of this condition, the Generic Letter describes the situation where ACTION Statements would permit operation for an unlimited period of time under conditions for which an LCO would prohibit start-up. (See Generic Letter 87-09, Enclosure 1, Problem 1, pp. 1-3). The present situation is similar to that presented in the Generic Letter.

In accordance with recent discussions between NNECO and the NRC Staff, NNECO hereby requests a temporary waiver of compliance from Technical Specification Section 3.0.4 to the LCO of Specification 3.7.12.1 which precludes ascending in Modes if an LCO is not met, even though ACTION Statement 'c' of Technical Specification 3.7.12.1 would permit continued operation of Millstone Unit No. 3 for an unlimited period of time. Millstone Unit No. 3 has been in Mode 3 since the plant tripped on March 30, 1990, and this request for a temporary waiver of compliance from Technical Specification 3.0.4 to LCO 3.7.12.1 is required to permit timely resumption of operation (i.e., criticality) which is currently scheduled for April 2, 1990. On March 19, 1990, compensatory measures were established to ensure compliance with the LCO of Technical Specifications 3.7.12.5, 3.7.12.2, and 3.7.12.1. Since then, NNECO has been working to restore the inoperable portion of the fire suppression water system. NNECO could not have reasonably anticipated the

reactor trip which occurred on March 30, 1990. This relief is requested to permit the plant to return to power operation (Mode 1) from the current Hot Standby (Mode 3) condition. NNECO has determined that entering into a higher mode will not place the plant in an unsafe condition. In addition, NNECO has concluded that it does not involve a significant hazards consideration. The basis for this conclusion is:

- (1) The temporary waiver will not involve a significant increase in the probability or consequences of an accident previously evaluated. The fire suppression water system is not credited in any accident analysis nor is a fire an initiator assumed in any accident analysis. As required by ACTION Statement 'c' of Specification 3.7.12.1, a backup fire protection water system has been established. This and other compensatory measures described above provide a level of safety that is comparable to the LCO. Also ACTION Statement 'c' allows plant operation for an unlimited period of time. Changing modes has no impact on the level of safety provided by the compensatory measures. Exception to Specification 3.0.4 will have no impact on the reliability of the safety systems. Therefore, there is no impact on the consequences of any design basis accidents previously evaluated.
- (2) Create the possibility of a new or different kind of accident from any accident previously evaluated. The proposed change will not affect plant response in any way, and there are no new failure modes associated with the change that would create a new accident. Compensatory measures are provided for the inoperable portion of the fire suppression water system so that the likelihood of fire that is not suppressed is not affected. Therefore, there is no impact on the probability of an unmitigated fire such that it should be considered part of the design basis.
- (3) Involve a significant reduction in safety margin. The proposed change only affects the availability of the fire suppression water system and the compensatory measures, such as a backup fire suppression water system, are provided for the inoperable portion of the fire suppression water system. Therefore protective boundaries are not affected. Allowing the plant to start-up in accordance with ACTION Statement 'c' is consistent with the basis of this Technical Specification.

In addition, the fire suppression water system, which is partially inoperable, is not required for accident conditions and is not required during a postaccident situation.

The substance of this proposed change is to allow Millstone Unit No. 3 to return to power operation in a configuration originally recognized as acceptable in the Technical Specifications for an indefinite period.



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Additional basis for this temporary waiver request can be found in Generic Letter 87-09. One important element of the Generic Letter was to recognize that, for some specifications, unnecessary restrictions on mode changes are imposed by Specification 3.0.4. Upon review of the specific circumstances at issue here, NNECO has determined that the intent of changes offered in Generic Letter 87-09 are applicable to Specification 3.7.12.1. As such, this request can be characterized as the initial application of the Generic Letter to Millstone Unit No. 3.

Prompt relief is requested in order to minimize any delay in startup of the plant. NNECO will submit an emergency license amendment request for Technical Specification 3.7.12.1 to remove the inconsistent application of exceptions to Specification 3.0.4 on April 2, 1990. The substance of the forthcoming amendment request is to eliminate the applicability of Specification 3.0.4 to ACTION Statement 'c' of Specification 3.7.12.1. The amendment request will be submitted on April 2, 1990, with the objective of minimizing the duration of time under which NNECO will be operating under the provisions of the subject waiver. The duration of the waiver is requested to remain valid until the NRC Staff has processed the emergency license amendment request.

The Millstone Unit No. 3 PORC has reviewed and approved this request for the temporary waiver and concurs with the above determinations.

Based upon the information contained in this submittal and the environmental assessment for Millstone Unit No. 3, there are no significant radiological or nonradiological impacts associated with the proposed action and that the request for the temporary waiver will not have a significant effect on the quality of the human environment.

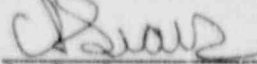
We also wish to emphasize our conclusions that this proposed request for a temporary waiver involves no undue safety risk. We are therefore requesting this action to permit timely resumption of plant operation, an action which is in the best interest of the health and safety of the public, our customers and shareholders.

We believe the above information provides a complete basis for approval of the requested temporary waiver of compliance from Technical Specification 3.0.4 to LCO 3.7.12.1. We will continue to keep you informed on matters relevant to this request.

Very truly yours,

NORTHEAST NUCLEAR ENERGY COMPANY

FOR: E. J. Mroczka  
Senior Vice President

BY:   
C. F. Sears  
Vice President

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cc: D. H. Ja7fe, NRC Project Manager, Millstone Unit No. 3  
W. J. Raymond, Senior Resident Inspector, Millstone Unit Nos. 1, 2, and 3

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

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

STATE OF CONNECTICUT )  
COUNTY OF HARTFORD ) ss. Berlin

Then personally appeared before me, C. F. Sears, who being duly sworn, did state that he is 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.

Kim Zeth  
Notary Public

MY COMMISSION EXPIRES MARCH 31, 1991