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RELATED CORRESPONDENCE



UNITED STATES  
NUCLEAR REGULATORY COMMISSION  
WASHINGTON, D.C. 20555

DOCKETED  
USNRC

December 31, 1992 <sup>92</sup> DEC 31 P2:57

OFFICE OF SECRETARY  
DOCKETING & SERVICE  
SPACE

Ms. Mary Ellen Marucci  
104 Brownell Street  
New Haven, CT 06511

In the Matter of  
NORTHEAST NUCLEAR ENERGY COMPANY  
(Millstone Nuclear Power Station, Unit No. 2)  
Docket Nos. 50-336-OLA  
(ASLBP No. 92-665-02-OLA)  
(Spent Fuel Pool Design)

Dear Ms. Marucci:

In its December 28, 1992 Order, the Licensing Board requested the NRC staff to send to Dr. Kaku, before the January 21, 1993 deadline, any responses to CCMN's discovery requests that could be filed early. You made a similar request during our last conversation. The enclosed documents, which are listed on the attachment hereto, are those which have so far been identified as being responsive to CCMN's discovery requests. Copies of the enclosed documents are being sent to Dr. Kaku and to NNECO's counsel.

Note that copies of documents which are already in your possession, as indicated in the attached document list, are not being produced.

Please contact us should you have any questions.

Sincerely,

A handwritten signature in cursive script, appearing to read "John T. Hull".

John T. Hull  
Counsel for NRC Staff

cc: Service List

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PDR ADDCK 05000336  
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## LIST OF DOCUMENTS PRODUCED

[Note: The paragraph numbers correspond with those of CCMN's discovery requests dated December 5 and 16, 1992. The amendment documents listed refer to amendments of operating license number DPR-65 for the Millstone Nuclear Power Station, Unit No. 2. The amendment applications refer to applications filed by Northeast Nuclear Energy Company (NNECO).]

1. (a) 6/30/77 amendment # 30, with applications dated 11/22/76, 2/4/77, and 5/16/77.  
(b) 5/29/80 amendment # 58, with application dated 5/9/80.  
(c) 2/22/82 amendment # 72, with application dated 12/17/81.  
(d) 1/15/86 amendment # 109, with supporting environmental assessment (EA) dated 12/16/85, and applications dated 7/24/85, 9/16, 10/17, 11/25, and 12/3/85.  
(e) 6/2/87 amendment # 117, with 5/27 EA, and applications dated 5/21/86 and 5/27/87.  
(f) 3/31/88 amendment # 128, with 2/24/88 EA, and applications dated 4/30/87 and 8/11/87.  
(g) 6/13/90 amendment # 146, with application dated 4/10/90.  
(h) 3/13/92 LER-92-003 (previously produced as attachment to staff's letter to Licensing Board dated 7/1/92).  
(i) 3/24/92 NRC Information Notice 92-21.  
(j) 4/22/92 Supplement to Information Notice 92-21.  
(k) 6/4/92 amendment # 158, with applications dated 4/16/92 and 5/7/92 (previously produced as attachments to staff's letter to Licensing Board dated 7/1/92, and attachment to NNECO's letter to Licensing Board dated 7/1/92).  
(l) 6/25/92 updated LER-92-003.  
(m) 8/7/92 NNECO letter to CCMN answering criticality questions, with attached HOLTEC benchmark calculations (previously produced).  
(n) 11/20/92 staff request for additional information (RAI) sent to NNECO regarding criticality analysis (copy mailed to CCMN per RAI's certificate of service).  
(o) 11/24/92 NNECO response to RAI (copy mailed to CCMN per NNECO's certificate of service dated 12/15/92).

2.
  - (a) 8/25/79 Brand Industrial Services, Inc. Technical Report 748-30-1.
  - (b) 8/86 Electric Power Research Institute (EPRI) Report NP-4724.
  - (c) 9/8/87 NRC Information Notice 87-43.
  - (d) 12/88 EPRI Report NP-6159.
  - (e) 8/7/90 NNECO letter to NRC re Millstone 2 Boraflex degradation (copy mailed to CCMN by NNECO letter to CCMN dated 9/10/92).
  - (f) 10/1/90 NNECO letter to NRC re Millstone 2 Boraflex degradation (copy mailed to CCMN by NNECO letter to CCMN dated 9/10/92).
  - (g) 11/15/90 NRC RAI to NNECO re Millstone 2 Boraflex degradation.
  - (h) 1/4/91 NNECO response to RAI re Millstone 2 Boraflex degradation (copy mailed to CCMN by NNECO letter to CCMN dated 9/10/92).
  - (i) 2/7/91 NRC letter to NNECO with attached safety evaluation re Millstone 2 Boraflex degradation.
  - (j) 8/16/91 EPRI letter to NRC re Boraflex shrinkage.
  - (k) 11/21/91 NNECO letter to NRC re Millstone 2 Boraflex degradation.
  - (l) 6/4/92 amendment # 158, with applications dated 4/16/92 and 5/7/92 (previously produced as attachments to staff's letter to Licensing Board dated 7/1/92, and attachment to NNECO's letter to Licensing Board dated 7/1/92).
  - (m) 8/7/92 NNECO letter to CCMN answering CCMN question about Boraflex (previously produced).
  - (n) 9/10/92 NNECO letter to CCMN enclosing submittals to NRC listed above dated 8/7/90, 10/1/90, and 1/4/91 re Millstone 2 Boraflex degradation (previously produced).
3. No documents will be produced in response to this request. See NRC letter dated 12/29/92 filed in this proceeding.
4. See technical specifications for boron concentration in the Millstone 2 spent fuel pool, contained in item 1(k) referenced above.

5. Any Boraflex studies in the NRC Staff's possession are as listed above in Paragraph 2. If there is any information regarding radiation exposure in the listed documents, the NRC staff would object to its use in this proceeding as being outside the scope of the criticality concerns relevant here.
6. Documents responsive to this request are referenced above in items 1(k) and 1(o).
7. Any relevant criticality information in the NRC staff's possession responsive to this request would be in the documents listed above in Paragraph 1.
- 8a. The documents listed above as items 2(a), 2(b), 2(d), and 2(j) are responsive to this request. Any reports that are only "under consideration" are not final reports, and the NRC staff does not necessarily have in its possession or control all EPRI and industry reports that may be relevant. The NRC staff does not agree with CCMN's definition of "high density," and documents cannot be identified on that basis.
- 8b. As stated in the NRC letter dated 12/29/92 filed in this proceeding, what is "not immediately apparent" and what "may cause an otherwise unexpected variance in the exposure of the neutron absorbing materials" are not self-defining and are too vague to provide a basis for discovery. However, it is believed that the documents in response to other discovery requests supply this information.
9. No "programs" of the type described in the request have as yet been identified by the NRC staff. Any such "programs" will be identified in a timely response.
10. The NRC staff will file a timely response to Paragraph 10 of CCMN's December 16, 1992 discovery request.
11. No documents will be produced in response to this request. See NRC letter dated 12/29/92 filed in this proceeding.
12. No documents will be produced in response to this request. See NRC letter dated 12/29/92 filed in this proceeding.
13. No documents will be produced in response to this request. See NRC letter dated 12/29/92 filed in this proceeding.
14. No documents will be produced in response to this request. See NRC letter dated 12/29/92 filed in this proceeding.
15. No documents will be produced in response to this request. See NRC letter dated 12/29/92 filed in this proceeding.
16. The NRC staff will file a timely response to Paragraph 16 of CCMN's December 16, 1992 discovery request.