

U.S. NUCLEAR REGULATORY COMMISSION
DOCKET NOS. 50-213, 50-245, 50-336, 50-423
NORTHEAST UTILITIES
HADDAM NECK PLANT
MILLSTONE NUCLEAR POWER STATION, UNITS 1, 2, AND 3
RECEIPT OF PETITION FOR DIRECTOR'S DECISION UNDER 10 CFR 2.206

Notice is hereby given that on March 3, 1997, Albert A. Cizek (Petitioner) submitted a Petition pursuant to 10 CFR 2.206 requesting that the licenses of the three Millstone nuclear reactors and the Haddam Neck nuclear reactor held by Northeast Utilities (NU or the licensee) be modified by placing certain conditions on the operating licenses of each of these facilities.

The Petitioner alleges that NU has knowingly, willingly, and recklessly operated Millstone Unit 1, Unit 2, Unit 3, and Haddam Neck in violation of their respective operating licenses, the regulations of the NRC, and their respective updated final safety analysis reports (UFSARs) for a prolonged period of time, which unnecessarily but significantly compromised public health and safety by eroding the required defense-in-depth philosophy; and knowingly, willingly, and intentionally harassed, intimidated, and discriminated against its employees who raise safety concerns in violation of U.S. statutes and NRC regulations for a prolonged period of time, which also unnecessarily but significantly compromised public health and safety by eroding the required defense-in-depth philosophy. The Petitioner further alleges that in the absence of express license conditions, there is no

reasonable assurance that NU will cease and desist from engaging in these activities in the future.

The Petitioner requests a number of actions. The Petitioner seeks to have the following license conditions imposed on the operating licenses of Millstone Units 1, 2, and 3 and Haddam Neck:

1. Within 30 calendar days of receiving a total of three license violations from the U.S. Nuclear Regulatory Commission during any [3-year] period, irrespective of the violation level, the operating license of the facility shall be suspended for a period of not less than 90 days and not more than 180 days.
2. Within 30 calendar days of receiving a total of three violations of 10 C.F.R. Part 50, including all applicable appendices, from the U.S. Nuclear Regulatory Commission during any [3-year] period, irrespective of the violation level, the operating license of the facility shall be suspended for a period of not less than 90 days and not more than 180 days.
3. Within 30 calendar days of receiving a total of three violations of the UFSAR from the U.S. Nuclear Regulatory Commission during any [3-year] period, irrespective of the violation level, the operating license of the facility shall be suspended for a period of not less than 90 days and not more than 180 days.
4. Within 30 calendar days of receiving any harassment, intimidation and discrimination ("HI&D") finding by the U.S. Nuclear Regulatory Commission, the U.S. Department of Labor, or any [S]tate or [F]ederal court of competent jurisdiction, the operating license of the facility shall be suspended for a period of not less than 90 days and not more than 180 days.
5. If, within [5] years of a license suspension based on paragraphs 1 through 4 above, the licensee receives a total of three license violations from the U.S. Nuclear Regulatory Commission, irrespective of the violation level; receives a total of three violations of 10 C.F.R. Part 50, including all applicable appendices, from the U.S. Nuclear Regulatory Commission, irrespective of violation level; receives a total of three violations of the UFSAR from the U.S. Nuclear Regulatory Commission, irrespective of violation level; or receives any HI&D finding by the U.S. Nuclear Regulatory Commission, the U.S. Department of Labor, or any [S]tate or [F]ederal court of competent jurisdiction, the operating license of that facility shall be permanently revoked within 90 calendar days.

6. In the event that the license of a facility is revoked pursuant to paragraph 5, no operation of that facility for the purpose of generating electric power shall be permitted during the pendency of any administrative or judicial processes or appeals related to such revocation.

7. In the event that the license of a facility is suspended or revoked under paragraphs [1] through [5], the U.S. Nuclear Regulatory Commission shall designate an appropriate licensee to maintain the facility in shutdown mode for the duration of the suspension or until such time as a new licensee is found to operate the facility. [Footnote omitted] NU shall be responsible for all expenses related to the operation of the facility during such shutdown. NU shall be required to post a bond in the amount of \$500,000,000 (five hundred million) as reasonable assurance that it can fulfill this requirement.

The Petitioner further requests that these license conditions be imposed on the operating licenses of Millstone Units 1, 2, and 3 before NRC Commission approval to start up any of those plants, and further requests that these license conditions be imposed on the operating license of Haddam Neck before any decommissioning of that plant.

The issues in the Petition are being treated pursuant to 10 CFR 2.206 of the Commission's regulations and have been referred to the Director of the Office of Nuclear Reactor Regulation. As provided by 10 CFR 2.206, appropriate action with regard to these issues will be taken in a reasonable time.

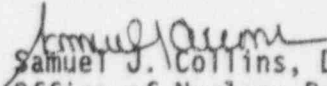
A letter acknowledging receipt of the Petition was sent to the Petitioner on April 8, 1997.

A copy of the Petition is available for inspection at the Commission's Public Document Room, the Gelman Building, 2120 L Street, NW., Washington, DC, and at the local public document room located at the Learning Resources Center, Three Rivers Community-Technical College, 574 New London Turnpike,

Norwich, Connecticut, and at the temporary local public document room located at the Waterford Library, ATTN: Vince Juliano, 49 Rope Ferry Road, Waterford, Connecticut.

Dated at Rockville, Maryland, this 8th day of April 1997.

FOR THE NUCLEAR REGULATORY COMMISSION


Samuel J. Collins, Director
Office of Nuclear Reactor Regulation

ACTION

WDO Principal Correspondence Control

FROM: DUE: 04/01/97 WDO CONTROL: 0970140
DOC DT: 03/03/97
FINAL REPLY:

Ernest C. Hadley

Executive Director

OR SIGNATURE OF :

ERN

WRC NO:

Office Director

ESC:

ROUTING:

REQUEST FOR LICENSING ACTIONS 10 CFR 2.206
NORTHEAST UTILITIES (MILLSTONE UNITS 1, 2, AND 3
AND CONNECTICUT YANKEE) (FILED ON BEHALF OF ALBERT
A. KIZEK)

Callan
Jordan
Thompson
Morris
Blaha
Cyr, OGC
Goldberg, OGC
Kennedy, WRR
Lieberman, DE

DATE: 03/03/97

ASSIGNED TO:

CONTACT:

WRR

Collins

SPECIAL INSTRUCTIONS OR REMARKS:

OR RECEIVED:

MARCH 4, 1997

OR ACTION:

SPD: TRAVERS

OR ROUTING:

COLLINS
MIRAGLIA
HADANT
LIEBERMAN
KIN
KENNEDY

ACTION

DUE TO NRR DIRECTOR'S OFFICE

BY *George H.* 3/11/97

ACTION

EDO Principal Correspondence Control

FROM: [REDACTED] SUBJECT: 04701/97 EDO CONTROL: 0970140
DOC DT: 03/03/97
FINAL REPLY:

Ernest C. Hadley

Executive Director

OR SIGNATURE OF :

EIRN

ERC NO:

Office Director

ESC:

ROUTING:

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ASSIGNED TO:

CONTACT:

NRR

Collins

SPECIAL INSTRUCTIONS OR REMARKS:

RR RECEIVED:

MARCH 4, 1997

RR ACTION:

EPJ: TRAYERS

RR ROUTING:

COLLINS
MIRAGLIA
HADANI
ZIMMERMAN
ARTIN
KENNEDY

ACTION

DUE TO NRR DIRECTOR'S OFFICE

BY *Garrett* 03/04/97