



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

December 13, 1985

Docket No.: 50-213/245

Mr. John F. Opeka, Senior Vice President  
Nuclear Engineering and Operations  
Connecticut Yankee Atomic Power Company  
Northeast Nuclear Energy Company  
Post Office Box 270  
Hartford, Connecticut 06141

Dear Mr. Opeka:

SUBJECT: ATWS RULE SCHEDULE REQUIRED BY 10 CFR 50.62

Re: Haddam Neck Plant & Millstone Unit 1

In your letters of September 9 and October 11, 1985, you provided information regarding your plans to achieve compliance with the Commission's rule on Anticipated Transients Without Scram (ATWS), 10 CFR 50.62. More specifically, you indicated that for the Haddam Neck Plant and Millstone Unit 1 facilities, you intend to evaluate compliance with this rule as part of the Integrated Safety Assessment Program (ISAP).

Our letter of July 31, 1985, does approve inclusion of ATWS in the ISAP program. As with equipment qualification, however, we must make clear that this approval does not carry with it an automatic exemption from regulatory requirements. 10 CFR 50.62(d) requires that each licensee submit a schedule for compliance with applicable sections of the rule. This schedule, unlike 10 CFR 50.49(g), is subject to negotiation between the licensee and the staff, but must be justified by the licensee if it extends beyond the second refueling outage after July 26, 1984.

Your response for Haddam Neck and Millstone 1 does not meet 10 CFR 50.62(d) in that it does not provide a clear basis for an ATWS schedule, nor does it indicate when a proposed schedule will be provided. Therefore, within 30 days of receipt of this letter, you should provide one of the following for the Haddam Neck Plant and Millstone Unit 1:

1. A date by which ATWS modifications will be accomplished;
2. A request for exemption from the scheduler requirements of 10 CFR 50.62(d); or
3. A date by which a permanent exemption will be requested from some or all of applicable 50.62 requirements, based on your current knowledge and plans with respect to ISAP and recognizing that such a schedule is dependent on timely staff review.

Mr. John F. Opeka  
Northeast Nuclear Energy Company

Millstone Nuclear Power Station  
Unit No. 1

cc:  
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Haddam Neck Plant

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December 13, 1985

Mr. John F. Opeka

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In regard to any request for a scheduler exemption we express no view at this time whether such an exemption can be granted solely based on ISAP considerations. We would most likely seek Commission guidance on whether closure of the ATWS issue can await outcome of the ISAP review.

Original signed by  
Frank J. Miraglia

Frank J. Miraglia, Director  
Division of PWR Licensing - B  
Office of Nuclear Reactor Regulation

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