



UNITED STATES  
NUCLEAR REGULATORY COMMISSION  
WASHINGTON, D.C. 20555-0001

NYR 2005-040

November 21, 2005

Wayne Norton  
President  
Yankee Atomic Electric Company  
49 Yankee Road  
Rowe, MA 01367

SUBJECT: YANKEE NUCLEAR POWER STATION - RELEASE OF NON-IMPACTED SITE AREA FROM PART 50 LICENSE

Dear Mr. Norton:

This letter is in response to your letters of January 3, 2005 (BYR 2005-001) and October 13, 2005 (BYR 2005-88), in which you requested approval from the U.S. Nuclear Regulatory Commission (NRC) to release approximately 2170 acres of the non-impacted area from your 10 CFR Part 50 licensed area. The portion of the site to be released borders the impacted area and the 300 meter Owner Controlled Area (OCA) which surrounds the Independent Spent Fuel Storage Installation (ISFSI). As described in your October 13, 2005, letter, you will be retaining an area outside the industrial area for use as a waste container temporary storage area. This area will now be considered impacted and has been identified as survey area OOL-18 for final status survey purposes.

The portion of the site to be released is located outside the industrial area and is open land consisting of approximately 2170 acres. The non-impacted land surrounds the industrial area and all other routinely utilized areas. The non-impacted area was not involved in plant operations and consists mostly of rugged terrain which is forested and undisturbed.

The requirements of 10 CFR 50.83, "*Release of part of a power reactor facility or site for unrestricted use*", are not applicable in cases where there is an approved LTP [License Termination Plan]. In the Statements of Consideration for section 50.83, the Commission stated that "[p]artial releases following LTP approval would be governed by the LTP or changes thereto" provided that the "LTP contained a sufficient change process or describes staged releases of the property prior to license termination."<sup>1</sup> The Yankee LTP was approved by the NRC on July 28, 2005. Your letter indicated that Yankee Atomic Electric Company (YAEC) has reviewed and assessed the subject land area in accordance with Section 1.5 of the LTP.

As required in Section 1.5 of the LTP, YAEC provided a description of the following aspects of the partial site release:

- Statement of Dismantling Activities
- Potential for Cross-Contamination from Subsequent Activities

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<sup>1</sup> 69 Fed. Reg. 19711 (April 22, 2003).

Additionally, YAEC provided an assessment of the impact of the release of the area on the following site programs and plans:

- Technical Specifications
- Final Safety Analysis Report (FSAR) and Environmental Report
- Defueled Emergency Plan
- ISFSI Security Plan
- Off-site Dose Calculation Manual (ODCM)
- Environmental Monitoring Program
- Ground Water Monitoring Program
- Fire Protection Program
- Training Program
- Post Shutdown Decommissioning Activities Report (PSDAR)
- License Termination Plan (LTP)

The NRC staff has reviewed YAEC's submittal and finds that YAEC has addressed all the required areas.

The area to be released has been determined by YAEC to be non-impacted. Non-impacted is defined by the Multi-Agency Radiation Survey and Site Investigation Manual (MARSSIM) as an area that has no reasonable potential for residual contamination. YAEC evaluated the classification of the site areas as part of the LTP development process. The Historical Site Assessment (HSA), that was part of the site classification process, provided the basis for determining that the area to be released was non-impacted. The HSA used information from decommissioning records, historical records, plant and radiological incident files, operational survey records, and annual environmental reports to the NRC. Based on both the HSA and additional characterization surveys, a large portion of the site located outside the industrial area was determined to be non-impacted. The classification of the area as non-impacted is based upon historical photographs, results of Radiological Environmental Monitoring Program (REMP) surveys, particulate gaseous effluent deposition modeling, and a statistical analysis of Cs-137 soil concentrations relative to a set of background reference areas.

As previously documented in the staff's approval of the LTP, the staff finds the site characterization program to be acceptable. Based on this review, the staff agrees with YAEC's designation of the area to be released as non-impacted.

Consistent with the LTP, no radiological surveys are required to be performed for non-impacted areas prior to release.

The NRC staff has reviewed your proposed release of the non-impacted area from the license, as specified in your January 3, 2005, letter as modified on October 13, 2005, and finds the proposed release to be acceptable subject to the following comment:

Following removal from the license, in the unlikely event the release area were to become radiologically contaminated as a result of later decommissioning activities at the Yankee Nuclear Power Station, the contamination would be considered an off-site release, and subject to 10 CFR Part 20.

If you have any questions, you may contact me at (301) 415-3017.

Sincerely,



John B. Hickman, Project Manager  
Decommissioning Directorate  
Division of Waste Management  
and Environmental Protection  
Office of Nuclear Material Safety  
and Safeguards

Docket No. 50-29  
License No. DPR-3

Yankee (Rowe) Nuclear Power Station Service List

cc:

Mr. Richard M. Kacich, President  
Yankee Atomic Electric Company  
19 Midstate Drive, Suite 200  
Auburn, MA 01501

Mr. Greg A. Maret, Vice President of  
Decommissioning  
Yankee Atomic Electric Company  
19 Midstate Drive, Suite 200  
Auburn, MA 01501

Jack Rollins, Regulatory Affairs Manager  
Yankee Atomic Electric Company  
49 Yankee Road  
Rowe, MA 01367

Mr. Robert Capstick, Director of  
Government Affairs  
Yankee Atomic Energy Company  
19 Midstate Drive, Suite 200  
Auburn, MA 01501

Mr. Frank Helin, Decommissioning Director  
Yankee Atomic Energy Company  
49 Yankee Rd.  
Rowe, MA 01367

Mr. Frederick Williams, ISFSI Operations  
Manager  
Yankee Atomic Electric Company  
49 Yankee Road  
Rowe, MA 01367

Mr. Greg Babineau, Site Closure  
Implementation Manager  
Yankee Atomic Electric Company  
49 Yankee Rd.  
Rowe, MA 01367

Kelley Smith  
Communication Manager/Yankee Rowe  
Community Advisory Board  
19 Midstate Drive  
Auburn, MA 01501

Alice Carson, RSCS, Inc.  
12312 Milestone Manor Lane  
Germantown, MD 20876

Gerald Garfield, Esq.  
Day, Berry & Howard  
City Place 1  
Hartford, CT 06103

Ms. Leslie Greer  
Assistant Attorney General  
Commonwealth of Massachusetts  
200 Portland Street  
Boston, MA 02114

Robert Walker, Director  
Radiation Control Program  
Massachusetts Department of Public Health  
305 South Street  
Boston, MA 02130

Mr. James B. Muckerheide  
Massachusetts Emergency Management  
Agency  
400 Worcester Road  
Framingham, MA 01702-5399

Edward Flynn, Secretary  
Massachusetts Executive Office of Public  
Safety  
One Ashburton Place  
Room 2133  
Boston, MA 02108

Peggy Sloan, AICP  
Franklin Regional Council of Governments  
425 Main Street, Suite 20  
Greenfield, MA 01301-3313

David O'Brien, Commissioner  
Vermont Department of Public Service  
120 State Street, Drawer 20  
Montpelier, VT 05602

Diane Screnci, Region I  
U.S. Nuclear Regulatory Commission  
475 Allendale Road  
King of Prussia, PA 19406

Mr. Marv Rosenstein, Chief  
Chemicals Management Branch  
Office of Ecosystem Protection  
U.S. Environmental Protection Agency  
One Congress Street, Suite 1100  
Mail Code CPT  
Boston, MA 02114

Mr. Anthony Honnellio  
U.S. Environmental Protection Agency  
Region 1  
One Congress Street, Suite 1100,  
Boston, MA 02114-2023

Mr. Jeff Fowley  
Office of Regional Counsel  
U.S. Environmental Protection Agency  
One Congress Street, Suite 1100  
Mail Code RAA  
Boston, MA 02114

Ms. Bonnie Gitlin  
Radiation Protection Division  
Office of Radiation and Indoor Air  
Office of Air and Radiation  
U.S. Environmental Protection Agency  
Ariel Rios Building Mail Code 66081  
1200 Pennsylvania Ave, NW  
Washington, DC 20460

Mr. Phillip Newkirk  
Radiation Protection Division  
Office of Radiation and Indoor Air  
Office of Air and Radiation  
U.S. Environmental Protection Agency  
Ariel Rios Office Building Mail Code 66081  
1200 Pennsylvania Ave, NW  
Washington, DC 20460

Citizens Awareness Network  
P.O. Box 83  
Shelborne Falls, MA 01370

Jonathan M. Block  
Attorney at Law  
Main Street  
P.O. Box 566  
Putney, VT 05346-0566