

October 16, 2002

~~SAFEGUARDS INFORMATION~~

Mr. Michael J. Meisner  
Chief Nuclear Officer  
Maine Yankee Atomic Power Company  
321 Old Ferry Road  
Wiscasset, ME 04578-4922

SUBJECT: ISSUANCE OF ORDER FOR INTERIM SAFEGUARDS AND SECURITY  
COMPENSATORY MEASURES FOR MAINE YANKEE ATOMIC POWER  
STATION

Dear Mr. Meisner:

The U.S. Nuclear Regulatory Commission (NRC or the Commission) has issued the enclosed Order that modifies the general license for your independent spent fuel storage installation (ISFSI) to require compliance with the specified interim safeguards and security compensatory measures. The Order applies to all Addressees listed in Attachment 1 to the enclosed Order. The interim compensatory measures are listed in Attachment 2 (contains Safeguards Information) to the enclosed Order. The Commission recognizes that you have voluntarily and responsibly implemented additional security measures following the events of September 11, 2001. However, in light of the current threat environment, the Commission concludes that the security measures should be embodied in an Order, consistent with the established regulatory framework. The Commission has determined that the current threat environment requires that the enclosed Order be effective immediately.

These actions are interim and the basis for the Order is the need to take prudent actions to address security requirements in the current threat environment. This Order does not obviate the need for licensees to continue to meet and maintain the effectiveness of existing security measures taken in response to the events of September 11, 2001. The requirements will remain in effect pending notification from the Commission that a significant change in the threat environment has occurred, or the Commission determines that other changes are needed.

The enclosed Order calls for responses and actions within specified time frames.

**NOTICE: Attachment 2 to the Order (Interim Compensatory Measures) and Enclosure 4 to this letter contain "Safeguards Information." Upon separation of Attachment 2 to the Order and Enclosure 4 to this letter, this letter, the enclosed Order, and Attachment 1 to the Order (Address List) are "DECONTROLLED."**

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With respect to the notices and submission required by Sections III.B and III.C of the Order, for any requirement of Attachment 2 that requires an analysis or is contingent upon completion of another requirement of Attachment 2, it will be a sufficient response if the licensee states in its twenty-day submission: (1) that completion of the requirement is dependent upon completion of an analysis or other requirement; (2) the expected date of completion of the analysis or other requirement; and (3) that upon such completion, the licensee will promptly submit the results of such analysis or inform the NRC of the completion of the other requirement and the actions thereafter proposed with respect to the requirement at issue, as well as the projected date of completion. No extension of time from the twenty-day requirement is necessary for such responses submitted within twenty days.

As a separate matter, if the licensee wishes to preserve its right to request a hearing on any requirement contingent upon completion of an analysis or other requirement, a request for an extension of time to request a hearing must be filed within twenty days of the date of this Order in accordance with Section IV of the Order. Such a request may seek a reasonable period of time to request a hearing beyond the date that the staff informs the licensee whether the actions proposed and completion date for the requirement(s) contingent upon an analysis or other requirement are satisfactory.

Please contact the following individuals, Francis Young, of the Office of Nuclear Security and Incident Response, at 301-415-3207, or Robert Temps, of my staff, at 301-415-2552, to facilitate resolution of any issues related to compliance with the requirements in the enclosed Order, or if you have any other questions. The enclosed Order has been forwarded to the Office of the Federal Register for publication.

Sincerely,

***/RA by M. Federline for/***

Martin J. Virgilio, Director  
Office of Nuclear Material Safety  
and Safeguards

Docket No. 72-30

- Enclosures:
1. Order
  2. Order Attachment 1 - Address List
  3. Order Attachment 2 - Interim Compensatory Measures for Dry Independent Spent Fuel Storage Installations (Safeguards Information)
  4. Regulatory Issue Summary 2002-12D (Safeguards Information)

cc w/encls: See next page

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 Martin J. Virgilio, Director  
 Office of Nuclear Material Safety  
 and Safeguards

Docket No. 72-30

Enclosures: 1. Order  
 2. Order Attachment 1 - Address List  
 3. Order Attachment 2 - Interim Compensatory Measures for  
 Dry Independent Spent Fuel Storage Installations  
 (Safeguards Information)  
 4. Regulatory Issue Summary 2002-12D  
 (Safeguards Information)

cc w/encls: See next page

DISTRIBUTION: See attached list

Accession No. ML022870027 (Package)

Accession No. ML022870030 (Cover Letter)

Accession No. ML022870008

\* See previous concurrences

Order; without Attachment 2 to Order which is Safeguards Information Order,  
 Attachment 1 - Address List, & Regulatory Issue Summary 2002-12D (w/o Attachment  
 which is Safeguards Information)

OFFICE	SFPO*	SFPO*	SFPO*	NSIR*	OE*
NAME	MJRoss-Lee	JMonninger	EZiegler	SStein for VOrdaz	JLuehman for FCongel
DATE	10/09/02	10/09/02	10/09/02	10/09/02	10/09/02
OFFICE	OGC*, nlo	NSIR*	SFPO*	NMSS	
NAME	JGoldberg for LChandler	CHaney for GTracy	WHodges for EWBrach	MFederline for MVirgilio	
DATE	10/10/02	10/11/02	10/15/02	10/15/02	

Maine Yankee Atomic Power Company

cc w/encls 1 and 2:

Mr. Charles B. Brinkman  
Manager - Washington Nuclear  
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ABB Combustion Engineering  
12300 Twinbrook Parkway, Suite 330  
Rockville, MD 20852

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Shaw Pittman  
2300 North Street, NW  
Washington, DC 20037

Ms. Paula Craighead, Esquire  
State Nuclear Safety Advisor  
State Planning Office  
State House Station #38  
Augusta, ME 04333

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

First Selectman of Wiscasset  
Municipal Building  
U.S. Route 1  
Wiscasset, ME 04578

Joseph Fay, Esquire  
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321 Old Ferry Road  
Wiscasset, ME 04578-4922

Friends of the Coast  
P.O. Box 98  
Edgecomb, ME 04556

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Mr. Thomas L. Williamson, Director  
Nuclear Safety and Regulatory Affairs  
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Mr. Jonathan M. Block  
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Mr. Patrick J. Dostie  
State of Maine Nuclear Safety  
Inspector  
Maine Yankee Atomic Power Company  
321 Old Ferry Road  
Wiscasset, ME 04578-4922

Mr. Wayne Norton, President  
Maine Yankee Atomic Power Company  
321 Old Ferry Road  
Wiscasset, ME 04578-4922

Randall L. Speck, Esq.  
Kaye, Scholer, Fierman, Hays & Handler, LLP  
McPherson Building  
901 Fifteenth Street, N.W., Suite 1100  
Washington, DC 20005-2327

cc w/encls 1, 2, 3, and 4:

Mr. Michael J. Meisner  
Vice President-Chief Nuclear Officer  
Maine Yankee Atomic Power Company  
321 Old Ferry Road  
Wiscasset, Maine 04578-4922

DISTRIBUTION:

Dated: October 16, 2002

Hard Copy:

PD R/F

NMSS R/F

MJRoss-Lee (NMSS)

MWebb

E-Mail:

MVirgilio/MFederline

OGC

ACRS

SECY

FYoung

JMonninger

DJohnson

RGramm

WRuland

ABlough

HNieh

HMiller