

September 1, 2004

Mr. Wayne Norton
President
Connecticut Yankee Atomic Power Company
362 Injun Hollow Road
East Hampton, Connecticut 06424-3099

SUBJECT: HADDAM NECK PLANT - RELEASE OF EAST SITE GROUNDS FROM PART
50 LICENSE

Dear Mr. Norton:

This letter is in response to your letter of April 29, 2004¹, as supplemented on August 18, 2004², in which you requested approval from the U.S. Nuclear Regulatory Commission (NRC) to release the East Site Grounds (survey area 9532 in the Haddam Neck License Termination Plan (LTP, approved in November 2002)) from the Haddam Neck 10 CFR Part 50 license (DPR-061)). Your letter indicated that Connecticut Yankee Atomic Power Company (CYAPCO) has reviewed and assessed the subject land area in accordance with NRC requirements and Section 1.4.2 of the LTP.

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. 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."³

Chapter 1 of the LTP describes the process for phased site releases. For unimpacted areas, section 1.4.2 of the LTP and NRC's Safety Evaluation Report⁴ both require CYAPCO to provide the basis for the unimpacted classification and review and assess the impacts on the following documents in preparation for releasing a portion of the site from the license:

- Updated Final Safety Analysis Report (UFSAR) and Technical Specifications
- Environmental Monitoring Program

¹CY-04-069, ADAMS Accession No. ML041320556

²CY-04-171

³ 69 Fed. Reg. 19711(April 22, 2003).

⁴Safety Evaluation related to Amendment 197 to License DPR-61, dated 11/25/2002, ADAMS Accession No. ML022670388

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- Offsite Dose Calculations Manual
- Defueled Emergency Plan
- Security Plan
- Post-Shutdown Decommissioning Activities Report
- License Termination Plan
- Ground Water Monitoring Program
- 10 CFR 100 Siting Criteria, and
- Environmental Report

For the unimpacted area of the site designated survey unit 9532 in the LTP, the results were provided for NRC staff approval. Your letter provides the basis for the unimpacted determination and provides an assessment of the impacts to each of the documents listed above, and identifies the following changes to implement the phased release:

1. Section 2.1.1, 2.1.2 and Figure 2.1.5 of the UFSAR will be modified to describe the reduced site area and boundary lines resulting from release of survey area 9532 from license DPR-61.
2. The Off-Site Dose Calculation Model will be revised consistent with the site boundary change.
3. The LTP will be revised to describe the reduced site area.
4. The exclusion area for Haddam Neck Plant (HNP) extends into survey area 9532. However, CYAPCO commits to maintain authority, in accordance with 10 CFR 100.3, over all activities conducted within 1740 feet of the Reactor Containment.

NRC Findings:

NRC inspectors and survey contractors performed an independent survey of survey area 9532, which included six soil samples and surface scans of over 1% of the survey unit. Samples were tested for cobalt-60, cesium-137, and other gamma-emitting and hard-to-detect radionuclides associated with the Haddam Neck Plant. A Final Report⁵, issued in July 2004, found nothing to indicate the unimpacted area was improperly classified.

By this letter, NRC approves releasing survey area 9532 from the license, as specified in your April request and subject to the following comments:

1. The CYAPCO exclusion area assurance procedure will be subject to inspection during site decommissioning by NRC Region 1.
2. Following removal from the license, in the unlikely event survey area 9532 were to become radiologically contaminated as a result of later decommissioning activities at the Haddam Neck Plant, the contamination would be considered an off-site release, and subject to 10 CFR Part 20.

⁵ORISE Revised Final Report, Confirmatory Survey of the Open Land Area Survey Units at the Connecticut Yankee Haddam Neck Plan, July 2004, ADAMS Accession No. ML042170277.

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3. NRC staff suggests that for future phased release submittals, the licensee consider the use of Appendix L Worksheet in NUREG-1757, Volume 2⁶, to assist in the evaluation process.

If you have any questions, you may contact me at (301) 415-6721.

Sincerely,

/RA/

Theodore Smith, Project Manager
Decommissioning Directorate
Division of Waste Management
and Environmental Protection
Office of Nuclear Material Safety
and Safeguards

Docket No.: 50-213
License No.: DPR-61

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⁶NUREG-1757, Vol. 2, Consolidated NMSS Decommissioning Guidance: Characterization, Survey and Determination of Radiological Criteria, <http://www.nrc.gov/materials/decommissioning/ml003682132.pdf>.

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ADAMS Accession Numbers: ML042510091

Incoming: ML041320556

Response: C:\MyFiles\Copies\revised HNP unimpacted release.wpd

*See previous concurrence

OFFICE	DWMEP/DD	DWMEP/DD	DWMEP/DD	OGC	DWMEP/DD
NAME	TSmith*	DSchmidt*	CCraig*	STreby*	DGillen
DATE	8/18/2004	8/20/2004	8/24/2004	8/31/2004	9/01/2004

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⁷NUREG-1757, Vol. 2, Consolidated NMSS Decommissioning Guidance: Characterization, Survey and Determination of Radiological Criteria, <http://www.nrc.gov/materials/decommissioning/ml003682132.pdf>.