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JAN 26 2005

Docket No. 50-213  
CY-05-018

U. S. Nuclear Regulatory Commission  
Region 1  
475 Allendale Rd.  
King of Prussia, PA 19406

Haddam Neck Plant  
10 CFR 20 Appendix G Investigation

This letter documents the investigation performed regarding twenty four (24) intermodal containers of radioactive waste contained on three (3) rail cars which exceeded the time limit provided in 10 CFR 20 Appendix G. The investigation determined the shipments were being tracked on a daily basis and the location of the shipments were known to the carrier during the period the shipments exceeded the time frame set forth in 10 CFR 20 Appendix G.

10 CFR 20 Appendix G - "Requirements for Transfers of Low-Level Radioactive Waste Intended for Disposal at Licensed Land Disposal Facilities and Manifests"; Section III (9) states a licensee shall for any shipments or any part of a shipment for which acknowledgement of receipt has not been received within the times set forth in this appendix, conduct an investigation in accordance with paragraph E of this appendix.

Paragraph E states any shipment or part of a shipment for which acknowledgement is not received within the times set forth in this section must:

1. Be investigated by the shipper if the shipper has not received notification of receipt within 20 days after transfer; and
2. Be traced and reported. The investigation shall include tracing the shipment and filing a report with the nearest Commission Regional Office listed in Appendix D to this part. Each licensee who conducts a trace investigation shall file a written report with the appropriate NRC Regional Office within 2 weeks of completion of the investigation.

On October 14, 2004<sup>1</sup>, the NRC granted Connecticut Yankee Atomic Power Company (CYAPCO) an exemption from certain requirements of 10 CFR 20, Appendix G, Section III.E, for tracking shipments of low-level radioactive waste that are not acknowledged by the recipient within 20 days after transfer to the shipper. The exemption extends the receipt acknowledgement 20-day time period to 35 days before CYAPCO will have to investigate and report on the status of a low-level radioactive waste shipment.

A total of twenty-four (24) intermodal containers were shipped on October 13, 2004, October 14, 2004, and October 28, 2004 and were originally manifested to be sent to the Envirocare of Utah disposal facility. The intermodal containers were shipped to a rail spur and loaded onto three (3) rail cars. The individual shipment numbers and the respective rail car numbers are listed on Table 1. CYAPCO receives daily tracking reports of all waste shipments shipped by rail for the Haddam Neck Plant site from the transportation vendor utilized for the shipments (MHF Logistical Solutions). The locations of the shipments are verified and the shipments are traced until their receipt. In this case, the rail cars were redirected during transit to the Alaron Corporation facility in Wampum, Pennsylvania in response to issues identified with similar materials shipped during the same period of time. The rail cars were received at the Alaron facility on the dates indicated on Table 1. The containers were inspected and based on the findings, the material was removed from the containers, repackaged, and is being shipped to the Envirocare of Utah disposal site by Alaron Corporation.

Since the shipments were redirected to and received by a licensed radioactive waste processing facility and the original containers have been emptied and their contents repackaged, CYAPCO considers the shipments to be complete. The documentation for the affected shipments has been annotated to indicate the change of shipment destination.

In accordance with site procedures, CYAPCO tracked the progress of the shipments to ensure compliance with the requirements of 10 CFR 20 Appendix G as modified by the approved exemption. When CYAPCO determined the shipments had exceeded the 35 day limit, the carrier, MHF Logistical Solutions, was contacted to verify the shipments were being tracked and their location was known during the time period the shipments exceeded the thirty-five day time frame. At no time were the shipments lost or in an unknown location. This issue was documented in Condition Report CR-04-1632 and discussed with NRC Region I on December 9, 2004 during the weekly conference call.

Attached is a summary of the shipments (Table 1) which exceeded the time provided in 10 CFR 20 Appendix G as modified by the approved exemption. The summary includes the shipment identification numbers, shipment dates, and the dates of receipt at the Alaron Corporation facility.

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<sup>1</sup> T. B. Smith (NRC) to W. Norton (CYAPCO), "Haddam Neck Plant – Exemption from Certain Low-level Waste Shipment Tracking Requirements of 10 CFR Part 20, Appendix G, Section III.E" dated October 14, 2004.

Should you have any questions regarding this submittal, please contact me at  
(860) 267-3938.

Sincerely,

Gerard van Noordennen 1-26-05  
Gerard P. van Noordennen                      Date  
Regulatory Affairs Manager

cc: R. R. Bellamy, Chief, Decommissioning and Laboratory Branch, NRC Region I  
USNRC Document Control Desk

**Table 1**

Shipment Number	Date Shipped	Rail Car Number	Date Rec'd @ Alaron	Total Days Prior to Receipt
2004-646	10/13/2004	GCCX 200008	11/23/2004	41
2004-647	10/13/2004	GCCX 200008	11/23/2004	41
2004-648	10/13/2004	GCCX 200008	11/23/2004	41
2004-649	10/13/2004	GCCX 200008	11/23/2004	41
2004-650	10/13/2004	GCCX 200008	11/23/2004	41
2004-651	10/13/2004	GCCX 200008	11/23/2004	41
2004-652	10/13/2004	GCCX 200008	11/23/2004	41
2004-653	10/13/2004	GCCX 200008	11/23/2004	41

Shipment Number	Date Shipped	Rail Car Number	Date Rec'd @ Alaron	Total Days Prior to Receipt
2004-656	10/14/2004	MHFX 516233	12/21/2004	68
2004-657	10/14/2004	MHFX 516233	12/21/2004	68
2004-658	10/14/2004	MHFX 516233	12/21/2004	68
2004-659	10/14/2004	MHFX 516233	12/21/2004	68
2004-660	10/14/2004	MHFX 516233	12/21/2004	68
2004-661	10/14/2004	MHFX 516233	12/21/2004	68
2004-662	10/14/2004	MHFX 516233	12/21/2004	68
2004-663	10/14/2004	MHFX 516233	12/21/2004	68

**Table 1 (Continued)**

Shipment Number	Date Shipped	Rail Car Number	Date Rec'd @ Alaron	Total Days Prior to Receipt
204-773	10/28/2004	MHFX 516215	12/21/2004	54
204-774	10/28/2004	MHFX 516215	12/21/2004	54
204-775	10/28/2004	MHFX 516215	12/21/2004	54
204-776	10/28/2004	MHFX 516215	12/21/2004	54
204-777	10/28/2004	MHFX 516215	12/21/2004	54
204-778	10/28/2004	MHFX 516215	12/21/2004	54
204-779	10/28/2004	MHFX 516215	12/21/2004	54
204-780	10/28/2004	MHFX 516215	12/21/2004	54