

NRC- PSC Meeting Agenda  
March 2, 2005

Proposed Partial Site Release  
Ginna Nuclear Power Plant  
Ontario, New York

1) Purchase and Sale Contract –

- a) Between Nicholas D'Angelo and RG&E
- b) Dated 9-10-02, as amended 12-4-02, 10-9-03 and 11-10-03
- c) Property – westernmost 15 acres of 426 acre Ginna site, over 2/3 mile from the Protected Area
- d) Land previously used as apple orchard
- e) Land to be used to expand residential development
- f) Contract assigned by RG&E to Constellation entity in connection with the sale of the nuclear plant on June 10, 2004

2) NRC Regulation 10 CFR 50.83 re Partial Site Releases –

- a) Effective 5-22-03
- b) 10 CFR 50.83 requires:
  - i) Dose to members of public may not exceed 10 CFR Part 20, Subpart D limits and standards (reviewed in conjunction with up-rate – no impact)
  - ii) No reduction in effectiveness of emergency planning or physical security (reviewed – no impact) (additional siren will be installed, if required)
  - iii) Effluent releases must remain within license conditions (no impact)
  - iv) Environmental monitoring program and offsite dose calculation manual must be revised to account for the changes (minor wording changes may be necessary)
  - v) Siting criteria of 10 CFR Part 100 must continue to be met (reviewed in connection with control room modification - no impact)
  - vi) All other statutory and regulatory requirements must continue to be met (no impact)
- c) Application for release of non-impacted area must include:
  - i) Results of b i and ii evaluations
  - ii) Description of property to be released

- iii) Schedule for release
- iv) Results of 50.59 evaluations
- v) Discussion showing conformance with previously issued environmental impact statement (EIS)

d) NRC

- i) Invites public comments (could include PSC Staff)
- ii) Holds public meeting
- iii) Evaluates application *NRC*
- iv) Requires applicant to pay for ~~PSC~~ staff time

A) NRC Staff estimates up to 500 hours?

B) Rate may increase from \$157 to \$207 per hour

3) NYPSC Public Service Law Section 70 re Transfer of Assets

- a) 90 Day Notice of Transfer filed by RG&E on 12-10-02 – Case No. 02-M-1596
- b) Notice of Transfer was suspended at request of PSC Staff on 3-6-03, pending NRC approval of the Partial Site Release
- c) PSC Staff is requesting that a full Section 70 application be filed
- d) PSC Staff is suggesting that the buyer co-file the application
- e) Section 70 requires applicant to show that transfer is in the public interest
- f) PSC Staff review could take from 3-12 months
- g) If Staff determines that there is significant environmental impact, applicant will be required to prepare environmental impact statement