

September 30, 2005

Mr. John Niles, ISFSI Manager
Maine Yankee Atomic Power Company
321 Old Ferry Road
Wiscasset, Maine 04578-4922

SUBJECT: ISSUANCE OF AMENDMENT NO. 172, TO FACILITY OPERATING LICENSE
NO. DPR-36 - MAINE YANKEE ATOMIC POWER STATION (TAC NO. M8000)

Dear Mr. Niles:

The Commission has issued the enclosed Amendment No. 172 to Facility Operating License No. DPR-36 for the Maine Yankee Atomic Power Station (Maine Yankee). In accordance with your application dated March 15, 2004, as supplemented on September 2, 2004, and May 16, 2005, the amendment consists of the unrestricted release of the remaining land under License No. DPR-36 with the exception of the land where the Independent Spent Fuel Storage Installation (ISFSI) is located and a 3.17 acre parcel of land adjacent to the ISFSI.

Maine Yankee is required to maintain \$100 million in nuclear liability insurance coverage, as described in Indemnity Agreement B-51, "until all the radioactive material has been removed from the location and transportation of the radioactive material from the location has ended as defined in subparagraph 5(b), Article 1, or until the Commission authorizes the termination or modification of such financial protection." Approval of this license amendment request has no impact on the terms of the indemnity agreement. In particular, it should be noted that the site location described in Item 4 of Amendment No. 3 to the indemnity agreement means the "original" 10 CFR Part 50 license site boundaries. The liability insurance coverage level shall not be reduced below the minimum \$100 million amount without prior NRC approval.

A copy of the related Safety Evaluation Report is also enclosed. The Notice of Issuance will be included in the Commission's next *Federal Register* notice.

Sincerely,

/RA/

Daniel M. Gillen, Deputy Director
Decommissioning Directorate
Division of Waste Management
and Environmental Protection
Office of Nuclear Material Safety
and Safeguards

Docket No. 50-309

Enclosures:

1. Amendment No. 172 to DPR-36
2. Safety Evaluation Report

cc w/encls: Maine Yankee distribution list

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NAME	JBuckley	CBurkhalter	BWatson	CCraig	DGillen
DATE	8/25/05	8/30/05	8/25/05	8/30/05	9/30/05

OFFICIAL RECORD COPY

Maine Yankee Atomic Power Plant Service List

cc:

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