

November 21, 2005

Wayne Norton
President
Yankee Atomic Electric Company
49 Yankee Road
Rowe, MA 01367

SUBJECT: YANKEE NUCLEAR POWER STATION - RELEASE OF NON-IMPACTED SITE
AREA FROM PART 50 LICENSE

Dear Mr. Norton:

This letter is in response to your letters of January 3, 2005 (BYR 2005-001) and October 13, 2005 (BYR 2005-88), in which you requested approval from the U.S. Nuclear Regulatory Commission (NRC) to release approximately 2170 acres of the non-impacted area from your 10 CFR Part 50 licensed area. The portion of the site to be released borders the impacted area and the 300 meter Owner Controlled Area (OCA) which surrounds the Independent Spent Fuel Storage Installation (ISFSI). As described in your October 13, 2005, letter, you will be retaining an area outside the industrial area for use as a waste container temporary storage area. This area will now be considered impacted and has been identified as survey area OOL-18 for final status survey purposes.

The portion of the site to be released is located outside the industrial area and is open land consisting of approximately 2170 acres. The non-impacted land surrounds the industrial area and all other routinely utilized areas. The non-impacted area was not involved in plant operations and consists mostly of rugged terrain which is forested and undisturbed.

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 [License Termination Plan]. 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."¹ The Yankee LTP was approved by the NRC on July 28, 2005. Your letter indicated that Yankee Atomic Electric Company (YAEC) has reviewed and assessed the subject land area in accordance with Section 1.5 of the LTP.

As required in Section 1.5 of the LTP, YAEC provided a description of the following aspects of the partial site release:

- Statement of Dismantling Activities
- Potential for Cross-Contamination from Subsequent Activities

¹ 69 Fed. Reg. 19711 (April 22, 2003).

Additionally, YAEC provided an assessment of the impact of the release of the area on the following site programs and plans:

- Technical Specifications
- Final Safety Analysis Report (FSAR) and Environmental Report
- Defueled Emergency Plan
- ISFSI Security Plan
- Off-site Dose Calculation Manual (ODCM)
- Environmental Monitoring Program
- Ground Water Monitoring Program
- Fire Protection Program
- Training Program
- Post Shutdown Decommissioning Activities Report (PSDAR)
- License Termination Plan (LTP)

The NRC staff has reviewed YAEC's submittal and finds that YAEC has addressed all the required areas.

The area to be released has been determined by YAEC to be non-impacted. Non-impacted is defined by the Multi-Agency Radiation Survey and Site Investigation Manual (MARSSIM) as an area that has no reasonable potential for residual contamination. YAEC evaluated the classification of the site areas as part of the LTP development process. The Historical Site Assessment (HSA), that was part of the site classification process, provided the basis for determining that the area to be released was non-impacted. The HSA used information from decommissioning records, historical records, plant and radiological incident files, operational survey records, and annual environmental reports to the NRC. Based on both the HSA and additional characterization surveys, a large portion of the site located outside the industrial area was determined to be non-impacted. The classification of the area as non-impacted is based upon historical photographs, results of Radiological Environmental Monitoring Program (REMP) surveys, particulate gaseous effluent deposition modeling, and a statistical analysis of Cs-137 soil concentrations relative to a set of background reference areas.

As previously documented in the staff's approval of the LTP, the staff finds the site characterization program to be acceptable. Based on this review, the staff agrees with YAEC's designation of the area to be released as non-impacted.

Consistent with the LTP, no radiological surveys are required to be performed for non-impacted areas prior to release.

W. Norton

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The NRC staff has reviewed your proposed release of the non-impacted area from the license, as specified in your January 3, 2005, letter as modified on October 13, 2005, and finds the proposed release to be acceptable subject to the following comment:

Following removal from the license, in the unlikely event the release area were to become radiologically contaminated as a result of later decommissioning activities at the Yankee Nuclear Power Station, the contamination would be considered an off-site release, and subject to 10 CFR Part 20.

If you have any questions, you may contact me at (301) 415-3017.

Sincerely,

/RA/

John B. Hickman, Project Manager
Decommissioning Directorate
Division of Waste Management
and Environmental Protection
Office of Nuclear Material Safety
and Safeguards

Docket No. 50-29
License No. DPR-3

W. Norton

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John B. Hickman, Project Manager
Decommissioning Directorate
Division of Waste Management
and Environmental Protection
Office of Nuclear Material Safety
and Safeguards

Docket No.: 50-29
License No.: DPR-3

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