



**CONNECTICUT YANKEE ATOMIC POWER COMPANY**

**HADDAM NECK PLANT**

**362 INJUN HOLLOW ROAD • EAST HAMPTON, CT 06424-3099**

**DEC 19 2005**

**CY-05-245**

**Docket No. 50-213**

**RE: 10 CFR 20.2002**

**U. S. Nuclear Regulatory Commission  
Attn: Document Control Desk  
Washington, D C 20555**

**Haddam Neck Plant  
Supplemental Information  
Request for Approval of Proposed Procedures  
in accordance with 10 CFR 20.2002**

In accordance with the provisions of 10 CFR 20.2002, in a letter dated January 4, 2005,<sup>1</sup> Connecticut Yankee Atomic Power Company (CYAPCO) requested NRC approval of proposed procedures for disposal of certain of its solid wastes from decommissioning of the Haddam Neck Plant (HNP) facilities to the Waste Control Specialists, LLC (WCS) Facility, located in Andrews County, Texas. The purpose of this letter is to provide supplemental information requested by the NRC Project Manager in a conference call conducted on November 15, 2005. Specifically, this letter addresses two issues raised by the Texas Commission on Environmental Quality (TCEQ) letter to the NRC dated September 30, 2005<sup>2</sup> commenting on the NRC's draft Environmental Assessment and Finding of No Significant Impact.

The first issue is that under current Texas regulations only radioactive materials exempted by the Texas Department of State Health Services (DSHS) are authorized to be disposed in Resource Conservation and Recovery Act (RCRA) permitted landfills in the State of Texas. DSHS regulations do not recognize NRC exemptions. To remedy this situation, and to enhance compatibility

<sup>1</sup> G. H. Bouchard (CYAPCO) letter to US NRC, "Haddam Neck Plant, Request for Approval of Proposed Procedures in accordance with 10 CFR 20.2002", dated January 4, 2005.

<sup>2</sup> Susan Jablonsky (TCEQ) letter to T. Smith (NRC), dated September 30, 2005.

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between the Texas and NRC regulatory programs, on October 19, 2005,<sup>3</sup> WCS filed a request for proposed rulemaking. The requested change to DSHS regulations would allow materials exempted by the NRC to be disposed at the WCS permitted facility and also would conform Texas regulations to the 1963 Agreement State agreement between the State and the NRC's predecessor agency, the Atomic Energy Commission.

The second issue is possible cumulative effects of disposing exempted radioactive materials at the WCS permitted RCRA landfill. WCS has pending applications to license both 11e (2) and low-level radioactive waste disposal facilities. In support of its low-level radioactive waste application, a comprehensive analysis was performed to assess the potential cumulative impact of disposing radioactive materials in both the 11e (2) and low-level radioactive waste disposal facilities, as well as disposal of exempt radioactive material in the currently permitted RCRA landfill. The analysis used very conservative assumptions to establish an upper bound to the potential impacts. The assessment considered past as well as future disposal volumes. Given the extremely low activity concentrations of exempt radioactive materials, it was expected that the impacts would be negligible. Indeed, results of the analysis show that the cumulative impacts of disposing exempt radioactive materials in the WCS RCRA landfill are orders of magnitude below Federal and /or State regulatory limits and confirm that there would be no significant impacts to human health or the environment.

There are no regulatory commitments contained in this submittal.

If you should have any questions regarding this submittal, please contact Mr. G. P. van Noordennen at (860) 267-3938.

Sincerely,

  
J. F. Bourassa      12/19/05  
Date  
Director, Nuclear Safety/Regulatory Affairs

cc: S. J. Collins, Region I Administrator  
M. T. Miller, Branch Chief, Decommissioning Branch, Region I  
T. B. Smith, Project Manager, Haddam Neck Plant  
E. L. Wilds, Jr., Director, CT DEP Monitoring and Radiation Division

<sup>3</sup> D. Kunihiro (WCS) letter to A. Hawkins (DSHS), "Petition for the Adoption of a Rule", dated October 19, 2005.