

From: "Diane D'Arrigo" <dianed@nirs.org>
To: <srb3@nrc.gov>
Date: Friday, December 10, 2004 3:51:51 PM
Subject: CT Yankee 20.2002 request

December 10, 2004

TO: Scott Burnell, NRC Public Affairs, 301 415 8204, srb3@nrc.gov

FROM: Diane D'Arrigo, Nuclear Information and Resource Service, 202 328-0002 x 16 dianed@nirs.org

RE: Connecticut Yankee Request for Approval of Proposed Procedures under 10 CFR 20.2002

Dear Scott:

Thank you for your call answering some of my questions re the Connecticut Yankee request to dispose decommissioning waste from Haddam Neck at the Grand View, Idaho facility run by US Ecology. This is to confirm those answers and clarify those remaining.

1) You said that the staff working on this request, who are with NMSS (NRC Office of Nuclear Materials Safety and Safeguards, Division of Waste Management and Environmental Protection), are expecting to complete the review and have an answer to Connecticut Yankee by December 24, 2004 but that date may slide because they need additional information from CY. They have requested the information from CY but not received it yet.

Q.1) What information is NRC requesting of Connecticut Yankee regarding their request for alternative disposal of decommissioning waste under 20.2002??

2) Re a possible hearing--You told me that the staff told you that the NRC Office of General Council is still looking at whether this is an action that requires a hearing...that the general council is looking into whether there could be a hearing and whether there is a possibility for intervention, whether this action requires public notice and comment.

Q 2) When will the Office of General Council make its decision? Will the decision by the staff proceed regardless or will there be coordination with public notice, opportunity for public comment, hearing and potential intervention?

Q 3) To whom do we address further information requests re this?

To you and your colleague at the NRC public affairs office: Scott Burnell 301 415 8204 srb3@nrc.gov or Sue Gagner 301 415 8205.

Q 4) To whom do we address requests for public hearing, for other procedural opportunities, and to intervene in the process?

If requesting a hearing send request to

Anette Vieta Cook/ Secretary US NRC / attn Rulemaking and Adjudications staff / WDC 20555

You recommend we cc: Office of General Council-

Since there has been no notice of opportunity for hearing announced at this point, you were not sure if we could get one, but recommended that we send a letter to Rulemaking and Adjudications requesting notification of decision on opportunity for hearing.

4) I asked whether similar activities have taken place or are under consideration at other sites.

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You reported that staff told you that Consumers Power at Big Rock Point (MI) did request 2 alternative methods to deal with their decommissioning waste, both of which were approved by NRC: one for storage that is burial on site and second for disposal at a landfill--staff allowed burial on site and removal to a landfill. NRC is expecting but has not received a similar request from Yankee Rowe but it has not yet been received. You also mentioned that there have been several similar cases with materials licensees.

Q 5) What are the other sites and what were the alternatives approved?

So basically we are asking what is going on that would send radioactive materials to Grand View from CY Haddam Neck, how to get more information, how to get a public process and public hearing, especially with a decision on the request expected in less than 2 weeks, and if necessary, the process to intervene, to get more information and involve the public in the determination.

Thank you.

Sincerely,

Diane D'Arrigo

Nuclear Information and Resource Service

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