

**From:** Scott Burnell  
**To:** Diane D'Arrigo  
**Date:** 12/21/04 2:53PM  
**Subject:** RE: CT Yankee 20.2002 request

Diane;

A1 -- The staff is expecting the additional information within a day or so. The final decision could come any time after that, but in any case no later than mid-January.

A2 -- The OGC analysis is not releaseable to the public. The 20.2002 process is not a license amendment for reactor licensees, and has never been treated as such. There will be no hearing on the Connecticut Yankee 20.2002 request.

For the document requests, the PDR is indeed the place to start. If they aren't able to provide the information, a FOIA request is the other alternative.

Scott

>>> "Diane D'Arrigo" <dianed@nirs.org> 12/16/04 04:19PM >>>  
December 16, 2004

Scott Burnell  
NRC Public Affairs  
Washington DC 20055

Dear Scott:

We have concerns about the Connecticut Yankee 20.2002 request to dispose of decommissioning waste at US Ecology's hazardous waste site in Idaho, would like complete information on it and the opportunity for involvement and possible intervention.

Thank you for the information you provided, below. To follow up, I have a few more questions.

RE Q 1 below :

What is the current expected timeline for the Connecticut Yankee 20.2002 request?  
Presumably, since more information has yet to be submitted, a decision cannot be made until that is in and evaluated. What is the earliest that a final decision could be made?

RE Q 2 below:

On the OGC decision. It appears from what you say here that OGC has decided that the 20.2002 process itself does not require a hearing. What is OGC's full analysis of the 20.2002 process? It is my understanding that it is essentially a license amendment, thus open to public notice and intervention. Has that changed? If so how?

Does the decision that that there is to be no hearing requirement on 20.2002 requests in general mean that this is the case for the Connecticut Yankee 20.2002 request specifically?

RE other questions:

From your previous information you stated that we are to address requests for a hearing to Annette Vieta Cook. For your information we are doing this.

You also indicated that we are to request more information from you. We would like information on all

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previous and current 20.2002 requests including

--> all correspondence on the Connecticut Yankee 20.2202 request. This includes correspondence or discussions involving US Ecology, NRC and CT Yankee or any combination thereof;

--> the full docket on the Big Rock Point 20.2002 requests;

--> and a compilation of all requests and status.

For your information, I did try to access the Big Rock Point documents from the NRC Public Document Room but they are being held up due the NRC's security reviews.

Thank you,

Diane D'Arrigo

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From: Scott Burnell [<mailto:SRB3@nrc.gov>]  
Sent: Tue 12/14/2004 11:56 AM  
To: Diane D'Arrigo  
Cc: Sue Gagner  
Subject: Re: CT Yankee 20.2002 request

Diane;

This e-mail is a response to your e-mail and the several follow-up calls to you made to NRC staff members in OGC and NMSS. I'd like to again request that you use myself or another OPA member as your point of contact for questions such as these. Having a single point of contact will save both you and the NRC staff time in answering your questions, and will ensure you receive the information you seek. As for your Connecticut Yankee questions:

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

NRC staff are seeking a clearer definition of the material to be covered by the request. We expect the information within the next couple of weeks.

Q 2) When will the Office of General Council make its decision [on public involvement in alternative disposal method requests]? Will the decision by the staff proceed regardless or will there be coordination with public notice, opportunity for public comment, hearing and potential intervention?

OGC was reviewing the 20.2002 process in general, not the Conn. Yankee request specifically, and the decision was that there is no opportunity for a hearing on these matters. The staff's review of the Conn. Yankee request will continue. Of course, any member of the public can provide unsolicited comments on

licensee requests for regulatory action.

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

First, to clarify answers you have already received on other alternative waste disposal requests:

Big Rock Point received two approvals, one to send waste to a landfill and one to bury waste onsite; Big Rock Point left the second approval unused.

The NRC does expect a similar request from Yankee Rowe, but nothing has been received.

There are two current cases of materials licensees making alternative disposal requests, but they are being handled through regional offices:

The Air Force has a request in to Region IV to dispose of obsolete tanks used as gunnery targets;

Merck has a request in to Region I to dispose of tritium-bearing soil.

Compiling a list of past alternative waste disposal method requests will require additional staff resources.

Again, please feel free to contact OPA for additional information.

Scott Burnell  
Public Affairs Officer  
Nuclear Regulatory Commission