

YANKEE ATOMIC ELECTRIC COMPANY

Telephone (413) 424-5261



49 Yankee Road, Rowe, Massachusetts 01367

March 31, 2010
BYR 2010-010

UNITED STATES NUCLEAR REGULATORY COMMISSION
Attention: Document Control Desk
Washington, DC 20555

References: (a) License No. DPR-3 (Docket No. 50-029)

Subject: Request for Exemption from Specific 10 CFR 73 Requirements

Pursuant to 10 CFR 73.5, Yankee Atomic Electric Company (YAEC) requests NRC approval of an exemption from specific requirements of 10 CFR 73.55, "Requirements for Physical Protection of Licensed Activities in Nuclear Power Reactors Against Radiological Sabotage," for the Yankee Atomic Independent Spent Fuel Storage Installation (ISFSI). The requested exemption would extend the date for evaluating and implementing the new rule from March 31, 2010 to December 31, 2010.

The NRC issued a Final Rule for new security requirements in the Federal Register, dated March 27, 2009 (74 FR 13962). Pursuant to the Final Rule, the new security requirements must be implemented by March 31, 2010. Yankee Atomic had been informed by knowledgeable officials in the nuclear industry and NRC that the rule would not apply to stand alone ISFSIs that operate under a Part 50 General License. However, on March 30, 2010 certain officials have informed us that the rule does, or may, apply to Yankee Atomic. Thus, Yankee Atomic is requesting the exemption to allow it adequate time to evaluate the new rule and implement its provisions as applicable.

Yankee Atomic has determined that its current security program will provide continued assurance of public health and safety and common defense and security. Accordingly, the requested exemption is authorized by law and will not endanger life or property or the common defense and security in accordance with 10 CFR 73.5.

Enclosure 1 provides the Environmental Assessment for the exemption request as required by 10 CFR 51.

Yankee Atomic Electric Company requests approval of this exemption by March 31, 2010 with the exemption effective upon issuance.

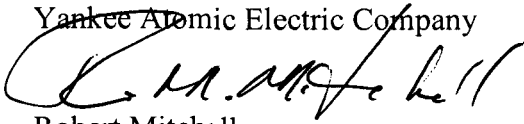
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This submittal contains no new regulatory commitments or revisions to existing commitments.

If you have any questions or require additional information, please contact me at (413) 424-5261 extension 303 or bmitchell@3yankees.com.

Sincerely,

Yankee Atomic Electric Company

A handwritten signature in black ink, appearing to read "R. Mitchell", written over the printed name.

Robert Mitchell
ISFSI Manager

Enclosure

c:

Mr. Samuel Collins, Administrator, Region I
Ms. Judy Joustra, Region I
Mr. Mark Roberts, Region I
Mr. John Goshen, Project Manager, USNRC

ENCLOSURE 1
YANKEE ATOMIC INDEPENDENT SPENT FUEL STORAGE INSTALLATION
REQUEST FOR EXEMPTION FROM REQUIREMENTS FOR PHYSICAL
PROTECTION OF LICENSED ACTIVITIES IN NUCLEAR POWER REACTORS
AGAINST RADIOLOGICAL SABOTAGE

ENVIRONMENTAL ASSESSMENT

1. Describe any change to the types, characteristics, or quantities of Non-radiological effluents discharged to the environment as a result of the proposed exemption.

There are no expected changes in the types, characteristics, or quantities of non-radiological effluents discharged to the environment associated with the proposed exemption. This application is associated with implementation of security changes. These security changes will not result in changes to the design basis requirements for the structures, systems and components (SSCs) at the Yankee Atomic ISFSI, that function to limit the release of non-radiological effluents during and following postulated accidents. The SSCs associated with limiting the release of offsite non-radiological effluents will therefore continue to be able to perform their functions, and as a result; there is no significant non-radiological effluent impact. There are no materials or chemicals introduced into the plant that could affect the characteristics or types of non-radiological effluents. In addition, the method of operation of non-radiological waste systems will not be affected by this change.

2. Describe any changes to liquid radioactive effluents discharged as a result of the proposed exemption.

There are no liquid radioactive effluents from the Yankee Atomic ISFSI and therefore there are no expected changes to the liquid radioactive effluents discharged as a result of this exemption. These security changes will not result in changes to the design basis requirements for the SSCs at the Yankee Atomic ISFSI.

3. Describe any changes to gaseous radioactive effluents discharged as a result of the proposed exemption.

There are no gaseous radioactive effluents from the Yankee Atomic ISFSI and therefore there are no expected changes to the gaseous radioactive effluents discharged as a result of this exemption. These security changes will not result in changes to the design basis requirements for the SSCs at the Yankee Atomic ISFSI that function to limit the release of gaseous radiological effluents during and following postulated accidents.

4. Describe any change in the type or quantity of solid radioactive waste generated as a result of the proposed exemption.

There are no expected changes in the type or quantity of solid radioactive waste generated as a result of the proposed exemption. These security changes will not result in changes to the design basis requirements for the SSCs at the Yankee Atomic ISFSI that function to limit the release of solid waste during and following postulated accidents.

5. What is the expected change in occupational dose as a result of the proposed exemption under normal and design basis accident conditions?

Under normal operation there would be no expected radiological impact on either the workforce or the public. There are no other expected changes in normal occupational operating doses.

6. What is the expected change in the public dose as a result of the proposed change under normal and design basis accidents (DBA) conditions?

Dose to the public will not be changed by the proposed security changes during normal operations.

7. What is the impact to land disturbance for the proposed security changes?

None of the proposed security changes are located in areas that are known to have cultural or historical significance.

Conclusion:

There is no significant radiological environmental impact associated with the proposed security changes at the Yankee Atomic ISFSI. These proposed changes will not affect any historical sites nor will they affect non-radiological plant effluents.