

~~OFFICIAL USE ONLY – SECURITY-RELATED INFORMATION~~

August 6, 2012

Mr. James Connell
ISFSI Manager
Maine Yankee Atomic Electric Company
321 Old Ferry Road
Wiscasset, ME 04578-4922

SUBJECT: RESPONSE TO REQUEST FOR EXEMPTION FROM SPECIFIC
REQUIREMENTS OF 10 CFR PART 73 (TAC NO. L24499)

Dear Mr. Connell:

This is in response to your letter dated November 29, 2010 (Agencywide Documents Access and Management System (ADAMS) Accession No. ML103410468), requesting an exemption from specific requirements of 10 CFR 73.55 and 10 CFR 73.57 for the Maine Yankee Independent Spent Fuel Storage Installation (ISFSI), pursuant to 10 CFR 73.5. Section 73.55 of 10 CFR Part 73 identifies the physical protection requirements to prevent radiological sabotage at nuclear power plants. Section 73.57 of 10 CFR Part 73 identifies the requirements for criminal history checks associated with unescorted access at nuclear facilities.

The U.S. Nuclear Regulatory Commission (NRC) staff reviewed the exemption requests for the Maine Yankee ISFSI. Based upon their review, NRC staff determined that one exemption you requested can be granted. The remaining requirements from which you requested exemptions were determined either not to be applicable to your facility or are being met by your current program; therefore, these exemptions were denied. The enclosed NRC staff Safety Evaluation Report articulates the basis for granting or denying your specific exemption requests.

The NRC has determined that this action meets the eligibility criteria for categorical exclusion set forth in 10 CFR 51.22(c)(25)(vi)(F). Therefore, pursuant to 10 CFR 51.22(b), no environmental impact statement or environmental assessment need be prepared in connection with this action. The exemptions are effective upon issuance. The enclosed Exemption, Staff Evaluation, attached as a courtesy, is being forwarded to the Office of the Federal Register for publication.

In accordance with 10 CFR 2.390 of the NRC's "Rules of Practice," a copy of this letter will be available electronically for public inspection in the NRC Public Document Room or from the publicly available records component of the NRC's document system, ADAMS. ADAMS is accessible from the NRC Website at <http://www.nrc.gov/reading-rm/adams.html> (the Public Electronic Reading Room). However, because of the security-related concerns contained in the enclosure, and in accordance with 10 CFR 2.390, a copy of this letter's enclosure will not be available for public inspection.

NOTICE

Upon removal of the enclosure from this letter, this document is DECONTROLLED.

~~OFFICIAL USE ONLY – SECURITY-RELATED INFORMATION~~

J. Connell

-2-

If you have any questions, please contact me at (301) 492-3305, or William Allen of my staff, at (301) 492-3148.

Sincerely,

/RA/

Douglas W. Weaver, Deputy Director
Division of Spent Fuel Storage and Transportation
Office of Nuclear Material Safety
and Safeguards

Docket Nos.: 50-309, 72-30
TAC No.: L24499

Enclosures:

1. Safety Evaluation Report
2. *Federal Register* Notice

cc w/o Enclosure:

Maine Yankee Atomic Power Station Service List
Marc Nichol, Nuclear Energy Institute

J. Connell

-2-

If you have any questions, please contact me at (301) 492-3305, or William Allen of my staff, at (301) 492-3148.

Sincerely,

/RA/

Douglas W. Weaver, Deputy Director
Division of Spent Fuel Storage and Transportation
Office of Nuclear Material Safety
and Safeguards

Docket Nos.: 50-309, 72-30
TAC No.: L24499

Enclosures:

- 1. Safety Evaluation Report
- 2. *Federal Register* Notice

cc w/o Enclosure:

Maine Yankee Atomic Power Station Service List
Marc Nichol, Nuclear Energy Institute

DISTRIBUTION:

Close out TAC# L24499

SFST R/F	BBenny	JGoshen	MFerdas/RI	ABurritt/RI	MYoung/OGC
DWeaver	SWastler	MLombard			

G:\SFST\Allen\Part 72\Maine Yankee\73.55 Exemption\Letter.docx,
\SER (ML11234A235).docx

ML11234A235 – ADAMS Package No. ML12219A127 ADAMS Memo No.: ML12219A128

OFC:	SFST	E	SFST		OGC		SFST		NSIR	
NAME:	WAllen		WWheatley		EBowdenBerry via e-mail		MWaters		SWastler	
DATE:	5/21/12		5/23/12		7/5/12		7/13/12		8/3/12	
OFC:	SFST									
NAME:	DWeaver									
DATE:	8/6/12									

OFFICIAL RECORD COPY

~~OFFICIAL USE ONLY – SECURITY RELATED INFORMATION~~

J. Connell -2-
Maine Yankee Atomic Power Station Service List

cc:

Mr. Wayne Norton
Chief Nuclear Officer
Maine Yankee Atomic Power Company
321 Old Ferry Road
Wiscasset, ME 04578-4922

Senator Charles Pray
State Nuclear Safety Advisor
State Planning Office
State House Station #38
Augusta, ME 04333

First Selectman of Wiscasset
Municipal Building
U.S. Route 1
Wiscasset, ME 04578

Friends of the Coast
P.O. Box 98
Edgecomb, ME 04556

Mr. Jonathan M. Block
Attorney at Law
P.O. Box 566
Putney, VT 05346-0566

Joseph Fay, Esquire
Maine Yankee Atomic Power Company
321 Old Ferry Road
Wiscasset, ME 04578-4922

Mr. Gerald Poulin
Chairman and President
Maine Yankee Atomic Power Company
321 Old Ferry Road
Wiscasset, ME 04578-4922

Director
Division of Health Engineering
Department of Human Services
#10 State House Station
Augusta, ME 04333

Mr. Patrick J. Dostie
State of Maine Nuclear Safety Inspector
Department of Health and Human Services
Maine Public Health
Division of Environmental Health
286 Water St., Key Plaza - 8th Floor
State House Station 11
Augusta, ME 04333

Mr. Jay Hyland
State of Maine
286 Water St., Key Plaza - 8th Floor
State House Station 11
Augusta, ME 04333

Regional Administrator, Region I
U.S. Nuclear Regulatory Commission
2100 Renaissance Boulevard
Renaissance Park
King of Prussia, PA 19406

Decommissioning Branch Chief, Region I
U.S. Nuclear Regulatory Commission
2100 Renaissance Boulevard
Renaissance Park
King of Prussia, PA 19406

David Lewis, Esquire
Shaw Pittman
2300 North Street, NW
Washington, DC 20037

Mr. James Connell
ISFSI Manager
Maine Yankee Atomic Power Company
321 Old Ferry Road
Wiscasset, ME 04578-4922

~~OFFICIAL USE ONLY – SECURITY RELATED INFORMATION~~