

# Maine Yankee

321 OLD FERRY RD • WISCASSET, ME 04578-4922

January 3, 2013

OMY-13-001

10 CFR 50.4 and 10 CFR 50.90

ATTN: Document Control Desk  
U.S. Nuclear Regulatory Commission  
Washington, DC 20555 - 0001

Maine Yankee Atomic Power Company  
Maine Yankee Independent Spent Fuel Storage Installation  
NRC License No. DPR-36 (NRC Docket Nos. 50-309 and 72-30)

Subject: License Amendment Request – Change to License Condition 2.B(6)(d)

In accordance with 10 CFR 50.90, Maine Yankee Atomic Power Company submits this request to change the Maine Yankee Atomic Power Company (Maine Yankee Atomic Power Station) Facility Operating License (DPR-36). The proposed change reflects the preferred title to the Maine Yankee Independent Spent Fuel Storage Installation Physical Security Plan.

The proposed change of the Maine Yankee Atomic Power Station Facility Operating License (DPR-36) is provided in Attachment 1. A description and evaluation of the proposed change is provided in Attachment 2.

There are no regulatory commitments contained within this letter.

If you have any questions regarding this submittal, please contact me at (207) 882-1303 or [jconnell@3yankees.com](mailto:jconnell@3yankees.com).

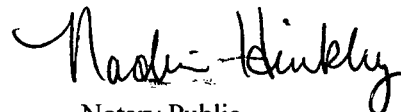
Sincerely,



James Connell  
Vice President

## STATE OF MAINE

Then personally appeared before me, James M. Connell, who being duly sworn did state that he is Vice President of Maine Yankee Atomic Power Company, that he is duly authorized to execute and file the foregoing certification in the name and on behalf of Maine Yankee Atomic Power Company, and that the statements therein are true to the best of his knowledge and belief.



Notary Public  
My Commission Expires On  
August 13, 2017

KM5501  
NM5526

Attachments:

1. Proposed Change to the Maine Yankee Atomic Power Station Facility Operating License (DPR-36)
2. Description and Evaluation of the Proposed Change to the Maine Yankee Atomic Power Station Facility Operating License (DPR-36)

C: W. M. Dean, NRC Region I Administrator  
M. S. Ferdas, Chief, Decommissioning Branch, NRC, Region I  
J. Goshen, NRC Project Manager  
P. Dostie, Maine State Nuclear Safety Inspector  
G. Poulin – Maine Yankee  
W. Norton – Maine Yankee  
T. Smith – Maine Yankee  
J. Fay – Maine Yankee  
B. Capstick – Maine Yankee  
S. Day – Maine Yankee  
E. Howes – Maine Yankee

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Attachment 1

Proposed Change to the Maine Yankee Atomic Power Station Facility Operating License (DPR-36)

January 2013

(d) Physical Protection

The licensee shall fully implement and maintain in effect all provisions of the Commission-approved physical security, guard training and qualification, and safeguards contingency plans including amendments made pursuant to provisions of the Miscellaneous Amendments and Search Requirements revisions to 10 CFR 73.55 (51 FR 27817 and 27822) as modified by NRC approved exemptions and to the authority of 10 CFR 50.90 and 10 CFR 50.54(p). ~~The plans, which contain Safeguards Information protected under 10 CFR 73.24, are entitled: "Maine Yankee Nuclear Power Station Physical Security Plan," with revisions submitted through March 12, 2001; Maine Yankee Nuclear Atomic Power Station Guard Training and Qualification Plan," with revisions submitted through March 12, 2001; and Maine Yankee Nuclear Power Station Safeguards Contingency Plan," with revisions submitted through March 12, 2001.~~ Changes made in accordance with 10 CFR 73.55 shall be implemented in accordance with the schedule set forth therein.

(e) Deleted.

(f) Deleted.

(g) Deleted

The plan, which contains Safeguards Information protected under 10 CFR 73.21, is the Maine Yankee Independent Spent Fuel Storage Installation Physical Security Plan.

ISSUED DATE: July 25, 2001

Amendment No. 156, 164 165

OMY-13-001

Attachment 2

Description and Evaluation of the Proposed Change to the  
Maine Yankee Atomic Power Station Facility Operating License (DPR-36)

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**Attachment 2 to OMY-13-001**  
**Description and Evaluation of the Proposed Change to the**  
**Maine Yankee Atomic Power Station Facility Operating License (DPR-36)**

Description of the Change

Pursuant, to 10 CFR 50.90, Maine Yankee Atomic Power Company proposes to amend its Operating License, DPR-36, by revising License Condition 2.B.(6)(d), "Physical Protection." Currently, License Condition 2.B.(6)(d) states:

“...The plans, which contain Safeguards Information protected under 10 CFR 73.21, are entitled: “Maine Yankee Nuclear Power Station Physical Security Plan,” with revisions submitted through March 12, 2001; Maine Yankee Nuclear Power Station Guard Training and Qualification Plan,” with revisions submitted through March 12, 2001; and Maine Yankee Nuclear Power Station Safeguards Contingency Plan,” with revisions submitted through March 2001.”

Maine Yankee Atomic Power Company proposes to revise this statement as follows:

“...The plan, which contains Safeguards Information protected under 10 CFR 73.21, is the Maine Yankee Independent Spent Fuel Storage Installation Physical Security Plan.”

This is a title change only, because the Maine Yankee Independent Spent Fuel Storage Installation Physical Security Plan, includes the Physical Security Plan, Safeguards Contingency Plan, and Guard Training and Qualification Plan.

Technical Evaluation

The proposed change is an administrative change to reflect the preferred title of the Maine Yankee Independent Spent Fuel Storage Installation Physical Security Plan. The NRC previously reviewed the Maine Yankee Independent Spent Fuel Storage Installation Physical Security Plan as documented in a letter dated April 30, 2009 (Reference 1). Maine Yankee has maintained the plan in accordance with 10 CFR 50.54(p). The latest revision (Revision 2) of the Maine Yankee ISFSI Physical Security Plan was submitted on December 10, 2010 (Reference 2).

This proposed change does not reduce the commitments in the Maine Yankee Independent Spent Fuel Storage Installation Physical Security Plan or adversely affect the operation of the ISFSI.

Determination of Impact

The proposed amendment of the Maine Yankee Atomic Power Station Facility Operating License (DPR-36) is a title change only. This change does not constitute a reduction in commitments in the Maine Yankee Independent Spent Fuel Storage Installation Physical Security Plan.

Regulatory Evaluation

This proposed change reflects the preferred title of the Maine Yankee Independent Spent Fuel Storage Installation Physical Security Plan. The Yankee Atomic Electric Company requested a

similar change to their Operating License on August 10, 2011 (Reference 3). The NRC approved the change to the Yankee Atomic Electric Company Operating License on January 24, 2012 (Reference 4).

### Significant Hazards Consideration

Maine Yankee Atomic Power Company has evaluated whether or not a significant hazards consideration is involved with the proposed amendment by focusing on the three standards set forth in 10 CFR 50.92, "Issuance of Amendment," as discussed below:

1. Does the proposed amendment involve a significant increase in the probability or consequences of an accident previously evaluated?

Response: No.

The proposed amendment is a title change only. There is no reduction in commitments in the Maine Yankee Independent Spent Fuel Storage Installation Physical Security Plan therefore; the proposed amendment does not involve a significant increase in the probability or consequences of an accident previously evaluated.

2. Does the proposed amendment create the possibility of a new or different kind of accident from any accident previously evaluated?

Response: No.

The proposed amendment is a title change only. There is no reduction in commitments in the Maine Yankee Independent Spent Fuel Storage Installation Physical Security Plan therefore; the proposed amendment does not create the possibility of a new or different kind of accident from any accident previously evaluated.

3. Does the proposed amendment involve a significant reduction in a margin of safety?

Response: No.

The proposed amendment is a title change only. There is no reduction in commitments in the Maine Yankee Independent Spent Fuel Storage Installation Physical Security Plan therefore; the proposed amendment does not involve a significant reduction in a margin of safety.

Based on the above, Maine Yankee Atomic Power Company concludes that the proposed amendment does not involve a significant hazards consideration under the standards set forth in 10 CFR 50.92 (c), and accordingly, a finding of "no significant hazards consideration" is justified.

### Environmental Consideration

Maine Yankee Atomic Power Company has determined that the proposed amendment does not involve: (i) a significant hazards consideration; (ii) a significant change in the types or significant increases in the amounts of any effluent that may be released offsite; or (iii) a significant increase in individual or cumulative occupational radiation exposure. Accordingly, the proposed amendment meets the eligibility criterion for categorical exclusion set forth in 10 CFR 51.22(c)(9). Therefore, pursuant to 10 CFR 51.22 (c)(9), no environmental impact statement or environmental assessment need be prepared in connection with the proposed amendment.

### Conclusion

Based on the results of this evaluation, the changes proposed (1) do not reduce the level of commitment in the Security Plan, (2) will be conducted in compliance with the Commission's regulations and (3) the issuance of the amendment will not be inimical to the common defense and security or to the health and safety of the public.

### References

1. NRC Letter to Maine Yankee Atomic Power Company, "Maine Yankee Independent Spent Fuel Storage Installation Security Plan Changes (TAC NO. L24322)," dated April 30, 2009.
2. Maine Yankee Atomic Power Company Letter to NRC, "Physical Security Plan for Maine Yankee Independent Fuel Storage Installation -Revision 2," dated December 10, 2010.
3. Yankee Atomic Electric Company Letter to NRC, "Yankee Rowe ISFSI, Proposed Change to Technical Specifications, Yankee Atomic Electric Company Operating License (DPR-3)," dated August 10, 2011.
4. NRC Letter to Yankee Atomic Electric Company, "Yankee Atomic Electric Company – Issuance of Amendment to the Operating License No. DPR-3 Regarding the Physical Security Plan (TAC NO. L24561)," dated January 24, 2012.