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'99 APR 20 P 4:11

April 13, 1999

The Hon. Charles Bechhoefer
Administrative Judge
ASLB Panel
U.S. Nuclear Regulatory Commission
Washington, DC 20555

The Hon. Dr. Thomas S. Elleman
Administrative Judge
704 Davidson Street
Raleigh, NC 27609

The Hon. Thomas D. Murphy
Administrative Judge
ASLB Panel
U.S. Nuclear Regulatory Commission
Washington, DC 20555

Re: Yankee Atomic Electric Company
(Yankee Nuclear Power Station),
Dkt. No. 50-029-LA

Dear Administrative Judges:

The item intended to be attached to yesterday's filing ("Motion for Leave to Reply (Reconsideration of a Portion of Prehearing Conference Order)") was inadvertently overlooked during the reproduction and filing process and is now attached hereto.

Very truly yours,

R. K. Gad III

RKG/ajp:2197575.01
Enclosure

cc: Office of the Secretary
Service List

SECY-041

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SECTION 4
FINAL RADIATION SURVEY PLAN

4.1 FINAL RELEASE CRITERIA

4.1.1 Site Release Criteria

The release of the site, facilities, and materials remaining on site will be based on application of criteria for surface contamination, soil/water concentration, and exposure rate. The NRC is in the process of developing a rule for decommissioned site release criteria. A final rule is not expected before the end of 1994.

The NRC provided YAEC with release criteria that will be applied to sites encompassed by the Site Decommissioning Management Plan (Reference 4.1-1). Yankee has reviewed these criteria and compared them with YAEC comments presented as a participant in the rulemaking on radiological criteria for decommissioning NRC-licensed facilities. Yankee participated as a member of the NUMARC Ad Hoc Advisory Committee on Residual Radioactivity and as a panelist at the NRC Workshop held in Boston on March 12, 1993.

Based on the review of the Site Decommissioning Management Plan release criteria and the development of a position for the participatory rulemaking (Reference 4.1-2), YAEC will use the following release criteria for the decommissioning of YNPS:

- Surface contamination must not exceed the values presented in Table 1 of Regulatory Guide 1.86 (Reference 4.1-3) for average, maximum, and removable contamination. Table 4.1-1 presents the limits from the regulatory guide.
- Direct exposure from gamma emitting radionuclides (e.g. cobalt-60, cesium-137, europium-152), created as a result of reactor operation and located in concrete, components, and structures, must not exceed 5 μ R/hr above natural background measured 1 meter from the surface.
- Total effective dose equivalent to the critical population group from residual contamination in the components, structures, soil, and water must be maintained below 30 mrem/yr. The dose determination is based on the methods described in NUREG/CR-5512 (Reference 4.1-4).
- Migration of contamination into the groundwater and potential airborne contamination of streams must not exceed the Environmental Protection Agency regulation 40 CFR Part 141, National Primary Drinking Water Standards.

The selection of the surface contamination, direct exposure, and water quality limits is consistent with those presented by the NRC in Reference 4.1-1. The total effective dose equivalent is based on the ICRP and NCRP recommendation of 100 mrem/yr dose to members of the public from all sources of man made radiation with the exception of radon and medical exposure. A conservative value of 30 mrem/yr was chosen to ensure that the total dose from residual site radioactivity and other man made sources would not exceed the ICRP and NCRP value.

A total effective dose equivalent of less than 30 mrem/yr is consistent with the variability of background gamma radiation levels in New England (30 - 40 mrem/yr from site to site). No health effects have ever been observed at this level of background variability.

An optimization process, based on ALARA, will be used to reduce the levels of radioactivity on the site commensurate with the minimization of total risk. Based on the NRC Issues Paper supporting the rulemaking, the ALARA analysis will take into account the following:

- Radiation doses and environmental impacts from the decommissioning process and from the residual radiation remaining on the site after completion of decommissioning
- All of the costs and other risks associated with decontamination and decommissioning the site

An additional screening level of 10 mrem/yr will be established below which further optimization analyses are not necessary. This level is well below background variability, and below the level where expenditure of additional efforts will likely result in a net reduction in risk.

It is unlikely that YNPS decommissioning and final survey activities will be completed prior to completion of the scheduled rulemaking. Yankee will continue to monitor and participate in the rulemaking activities. Changes will be made to the final release criteria, if appropriate, after the final rule is issued. However, until such time, the final release criteria above will be used as the basis for detailed decommissioning planning.

4.1.2 Material Release Criteria

All materials leaving the Radiation Control Area and the YNPS site will be surveyed to ensure that radioactive materials are not inadvertently discharged from the facility. Plant Procedure AP-0052, "Radiation Protection Release of Equipment, Materials, and Vehicles," will be used to ensure that all potentially radioactive or contaminated items removed from the Radiation Control Area or the YNPS site are surveyed. This

United States of America
before the
Nuclear Regulatory Commission

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OFFICE OF THE SECRETARY
REGULATORY AND SAFETY
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In the Matter of :
: :
YANKEE ATOMIC ELECTRIC COMPANY :
: :
(Yankee Nuclear Power Station) :

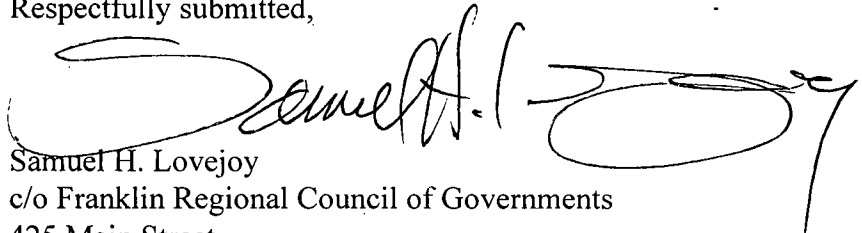
Docket # 50-029-LA-R

Opposition to Appeal From A Prehearing Conference Order
of the Atomic Safety and Licensing Board,
Filed by Yankee Atomic Electric Company,
Issued March 17, 1999 (LBP-99-14)

The Franklin Regional Council of Governments (FRCOG) has reviewed the Brief filed by the Licensee and finds that all of their arguments are without merit and that the Atomic Safety and Licensing Board (ASLB) acted properly within its discretion and within the bounds of regulation and case law in issuing its prehearing conference order.

The FRCOG requests the Commission deny this Appeal, uphold LBP-99-14 and that the proceeding before the ASLB should proceed expeditiously.

Respectfully submitted,



Samuel H. Lovejoy
c/o Franklin Regional Council of Governments
425 Main Street
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413-367-0071

Dated: April 15, 1999

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CERTIFICATE OF SERVICE

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I, Samuel H. Lovejoy, hereby certify that on April 16, 1999, I made service of the within document in conformity with the Commission's Regulations upon:

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Hon. Charles Bechhoefer
Administrative Judge
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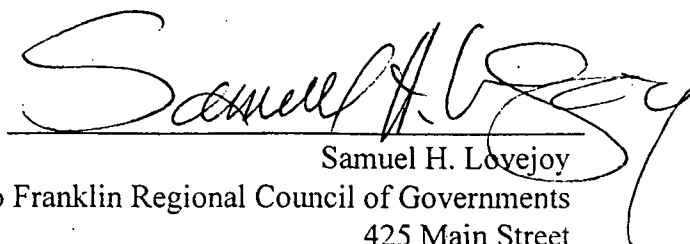
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