

# YANKEE ATOMIC ELECTRIC COMPANY

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580 Main Street, Bolton, Massachusetts 01740-1398

November 20, 1989  
BYR 89-166

United States Nuclear Regulatory Commission  
Document Control Desk  
Washington, DC 20555

References: (a) License No. DPR-3 (Docket No. 50-29)  
(b) USNRC Letter to Yankee, dated September 27, 1989

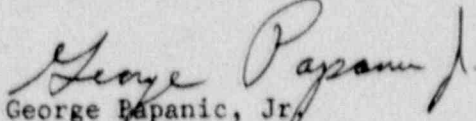
Subject: Amendment 14 to Indemnity Agreement P-17

Dear Sir:

Enclosed is an executed copy indicating our acceptance of the changes forwarded to us in Reference (b). We have executed this on the basis that the changes set forth in 49FR11149 applying to Section 140.92 are applicable to our Indemnification Agreement, and as such, the modification to Article VIII applies to those changes. If you feel it is necessary to document this inclusion any further, we are prepared to execute an acceptance of those specific provisions; otherwise, we assume this matter is taken care of by this letter.

Very truly yours,

YANKEE ATOMIC ELECTRIC COMPANY

  
George Papanic, Jr.  
Senior Project Engineer-Licensing

GP/tlp/0626v

Enclosure

cc: USNRC Region I  
USNRC Resident Inspector, YNPS  
Ira Dinitz, Senior Insurance/Indemnity Specialist  
USNRC, Mail Stop 12E-4, Washington, DC 20555

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UNITED STATES  
NUCLEAR REGULATORY COMMISSION  
WASHINGTON, D. C. 20555

Docket No. 50-29

Amendment to Indemnity Agreement No. B-17  
Amendment No. 14

Effective July 1, 1989, Indemnity Agreement No. B-17, between Yankee Atomic Electric Company, and the Atomic Energy Commission, dated February 14, 1962, as amended, is hereby further amended as follows:

The amount "\$160,000,000" is deleted wherever it appears and the amount "\$200,000,000" is substituted therefor.

The amount "\$124,000,000" is deleted wherever it appears and the amount "\$155,000,000" is substituted therefor.

The amount "\$36,000,000" is deleted wherever it appears and the amount "\$45,000,000" is substituted therefor.

Paragraph 1, Article I is modified to read as follows:

1. "Nuclear reactor," "byproduct material," "person," "source material," "special nuclear material," and "precautionary evacuation" shall have the meanings given them in the Atomic Energy Act of 1954, as amended, and the regulations issued by the Commission.

The definition of "public liability" in paragraph 7, Article I is deleted, and the following is substituted therefor:

"Public liability" means any legal liability arising out of or resulting from a nuclear incident or precautionary evacuation (including all reasonable additional costs incurred by a State or a political subdivision of a State, in the course or responding to a nuclear incident or precautionary evacuation), except (1) claims under State or Federal Workmen's Compensation Acts of employees of persons indemnified who are employed (a) at the location or, if the nuclear incident occurs in the course of transportation of the radioactive material, on the transporting vehicle, and (b) in connection with the licensee's possession, use or transfer of the radioactive material; (2) claims arising out of an act of war; and (3) claims for loss of, or damage to, or loss of use of (a) property which is located at the location and used in connection with the licensee's possession, use, or transfer of the radioactive material, and (b) if the nuclear incident occurs in the course of transportation of the radioactive material, the transporting vehicle, containers used in such transportation, and the radioactive material.

Paragraph 4(c), Article II is revised to read as follows:

- (c) Any issue or defense based on any statute of limitations if suit is instituted within three years from the date on which the claimant first knew, or reasonably could have known, of his injury or damage and the cause thereof.

In paragraph 1, Article VIII, the amount "\$5,000,000" is deleted and the amount "\$63,000,000" is substituted therefor.

Item 2a of the Attachment to the indemnity agreement is deleted in its entirety and the following substituted therefor:

Item 2 - Amount of financial protection

|                |   |
|----------------|---|
| a. \$1,000,000 | (From 12:01 a.m., May 7, 1960, to 12 midnight, July 8, 1960, inclusive)           |
| \$60,000,000   | (From 12:01 a.m., July 9, 1960, to 12 midnight, December 31, 1965, inclusive)     |
| \$74,000,000   | (From 12:01 a.m., January 1, 1966, to 12 midnight, January 31, 1969, inclusive)   |
| \$82,000,000   | (From 12:01 a.m., February 1, 1969, to 12 midnight, February 29, 1972, inclusive) |
| \$95,000,000   | (From 12:01 a.m., March 1, 1972, to 12 midnight, February 28, 1974, inclusive)    |
| \$110,000,000  | (From 12:01 a.m., March 1, 1974, to 12 midnight, March 20, 1975, inclusive)       |
| \$125,000,000  | (From 12:01 a.m., March 21, 1975, to 12 midnight, April 30, 1977 inclusive)       |
| \$140,000,000* | (From 12:01 a.m., May 1, 1977, to 12 midnight, April 30, 1979 inclusive)          |
| \$160,000,000* | (From 12:01 a.m., May 1, 1979, to 12 midnight, June 30, 1989 inclusive)           |
| \$200,000,000* | (From 12:01 a.m., July 1, 1989 )  |

\*and, as of August 1, 1977, the amount available as secondary financial protection.

FOR THE UNITED STATES NUCLEAR REGULATORY COMMISSION

*Cecil O. Thomas*

Cecil O. Thomas, Chief  
Policy Development and Technical Support Branch  
Program Management, Policy Development  
and Analysis Staff  
Office of Nuclear Reactor Regulation

Accepted 11/20/89, 1989

By *M. T. [Signature]*  
Yankee Atomic Electric Company