



# STATE OF CONNECTICUT

DEPARTMENT OF BUSINESS REGULATION

POWER FACILITY EVALUATION COUNCIL

STATE OFFICE BUILDING • HARTFORD, CONNECTICUT 06115

PHONE 566-5612

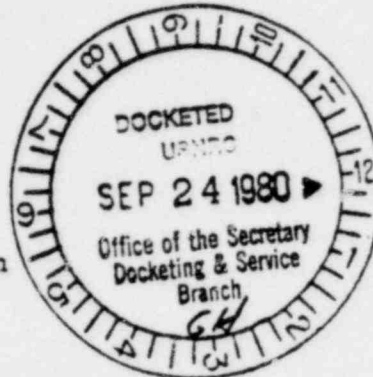
DOCKET NUMBER  
PROD. & UTIL. FAC. 50-21

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September 17, 1980

Mr. John Ahearne  
Chairman  
U.S. Nuclear Regulatory Commission  
Washington, D.C. 20555



CHRISTOPHER S. WOOD  
EXECUTIVE DIRECTOR  
BARANN V. CURTIS  
EXECUTIVE ASSISTANT

Dear Commissioner Ahearne:

The Power Facility Evaluation Council (PFEC) for the State of Connecticut is in receipt of a petition for a declaratory ruling from Northeast Utilities acting as agent for Connecticut Yankee Atomic Power Company, regarding PFEC jurisdiction over a proposed spent resin storage facility at their Haddam Neck, Connecticut nuclear generating facility. A copy of this petition is attached for your reference.

The Council has withheld action pending investigation into the issue of superceding Federal authority. In this regard Mr. Ralph Caruso, the project license manager, has endeavored to respond to the Council's request for NRC input on the extent, if any, of the Commission's jurisdiction in such matters. Our informal discussions with Mr. Caruso have been most helpful and the Council greatly appreciates his extensive efforts on this matter.

To date, however, the NRC has been unable to provide the Council with a definitive statement of Commission authority for such on-site low level waste storage licensing, although the Council is assured by Northeast Utilities that no such licensing is required. We understand the complexity of the issue and appreciate the careful positions taken by NRC staff.

At this time the Council would like to inform the Commission that it intends to proceed with its consideration of this request from Northeast Utilities. If the NRC has any comment, concern, or recommendation over this specific issue, we respectfully request your response by October 22, 1980, after which date the Council will make its ruling.

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Mr. John Ahearne, Chairman  
U.S. Nuclear Regulatory Commission  
page two

Once again, the Council appreciates the information and assistance that Commission staff has provided to date. If there are any specific questions regarding this matter, please contact me immediately.

Yours very truly,

*Gloria Dibble Pond*  
GD

Gloria Dibble Pond  
Chairperson

GDP:CSW:kls

cc: Harold Denton  
Ralph Caruso

enclosure

**NORTHEAST UTILITIES**

THE CONNECTICUT LIGHT AND POWER COMPANY  
THE HARTFORD ELECTRIC LIGHT COMPANY  
WESTERN MASSACHUSETTS ELECTRIC COMPANY  
THE FERRIS WALTER POWER COMPANY  
NORTHEAST UTILITIES SERVICE COMPANY  
NORTHEAST STEEL AND ENERGY COMPANY

P.O. BOX 270  
HARTFORD, CONNECTICUT 06101  
(203) 666-8811

April 2, 1980

Ms. Gloria Dibble Pond, Chairperson  
Power Facility Evaluation Council  
State Office Building  
165 Capitol Avenue  
Hartford, Connecticut 06115

**RECEIVED**

APR 3 1980

DEPT. OF BUSINESS REGULATION  
POWER FACILITY  
EVALUATION COUNCIL

Dear Ms. Pond:

The Connecticut Yankee Atomic Power Company (CY) will shortly need to make certain minor additions to its physical plant in Haddam that we intend to submit for your review on the basis of petitions for declaratory ruling. Each addition is either related to or must be closely coordinated with the major refueling outage scheduled to begin in May. None of the additions will increase the generating capacity of the plant.

Each petition, of which this is the first, will be submitted by the Northeast Utilities Service Company as agent for CY. Because of the somewhat different time schedule for each addition, and the time pressures affecting each one, we expect to describe each project in a separate petition to expedite your review of them. Each project is also being reviewed with Haddam officials under Section 16-50x(d) of the General Statutes.

This present petition requests a determination that no certificate of environmental compatibility and public need is required pursuant to the Public Utility Environmental Standards Act for construction of spent resin storage cells adjacent to the northwest corner of the plant, within the plant's protected area. The cells structure will have horizontal dimensions of approximately 22 feet by 29 feet, and it will be approximately 11 feet high (but only 7-1/2 feet above grade) with shield walls projecting another 12 feet in height on two sides.

It is submitted that no certificate is required for this project for one or both of the following reasons:

1. It does not constitute a "modification" of the existing facility as defined in Section 16-50i(d) of the Act and for which a certificate would be required under Section 16-50k(a).
2. Even if the project were deemed a "modification", it will not have a "substantial adverse environmental effect", and a certificate is required under Section 16-50k(a) only when there may be such an effect.

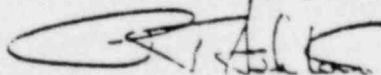
The proposed storage cells will provide for a protected environment where spent resin from plant operation can be temporarily stored in the event that normal procedures of off-site disposal are interrupted. The storage cells have been designed with sufficient shielding to minimize both on-site and off-site radiation levels, and maximum usage of them will not result in detectable changes to natural off-site background radiation. It is not possible to predict the extent to which the cells will be used, but there would be an immediate need for them whenever off-site disposal was delayed or prevented, and prudence necessitates construction of the cells in anticipation of such a circumstance.

The location of the cells and their relation to the plant are indicated on the attached map and sketches. The location is in a paved area behind the plant, not visible from the river or other sensitive points, and the construction will not require the clearing of any vegetation.

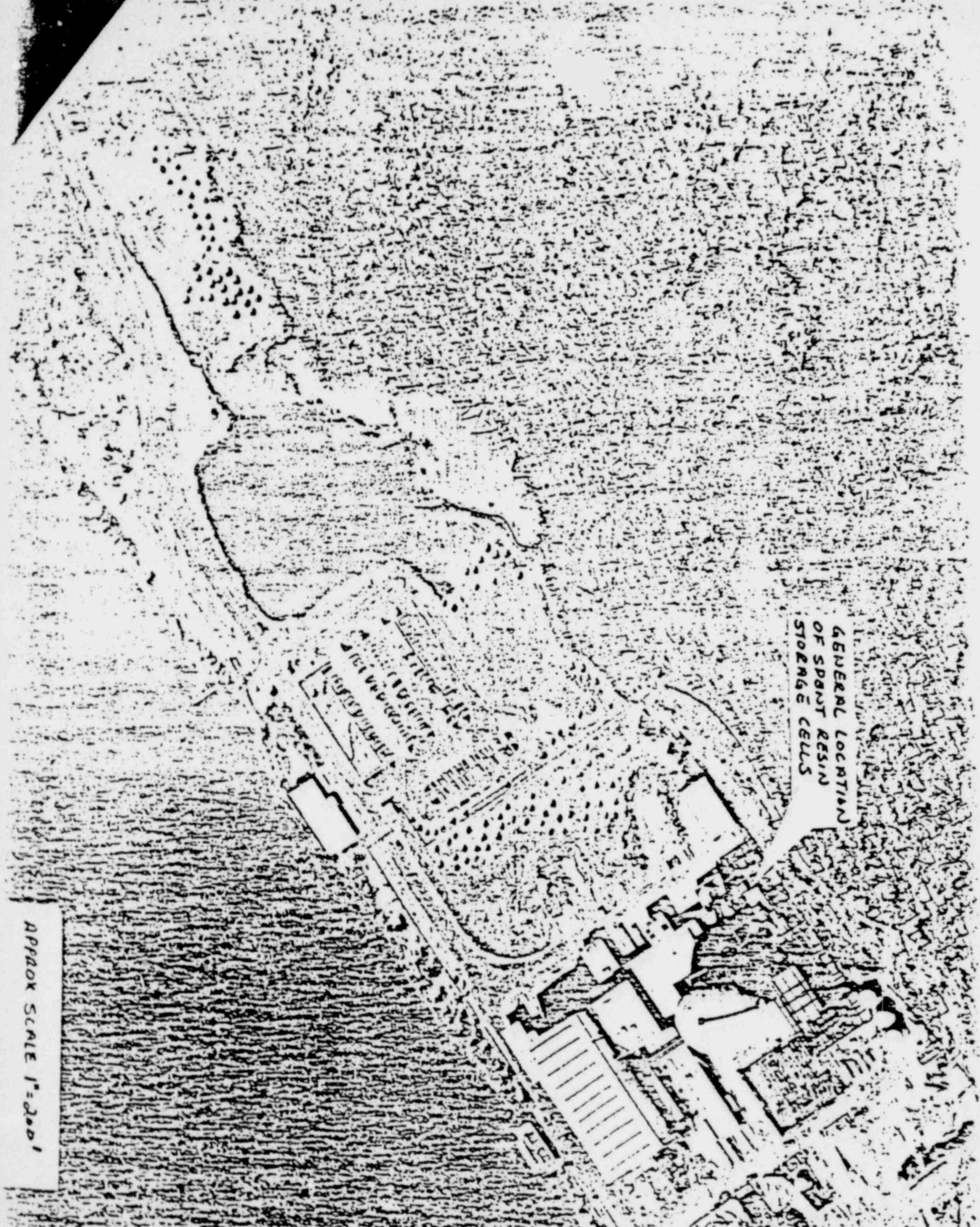
It is for these reasons that we believe that this project does not involve a modification, which the Act defines as "a significant change or alteration in the general physical characteristics of a facility," and that in any case the project will not have a substantial adverse environmental effect. It is respectfully requested that the Council so determine and rule that no certificate is required in this case.

Please call Mr. Robert Smart, our Chief of Generation Civil Engineering (666-6911, ext. 5362), for whatever further information may be desired in your review of this petition.

Very truly yours,



Philip T. Ashton  
Vice President  
System Transmission  
and Distribution

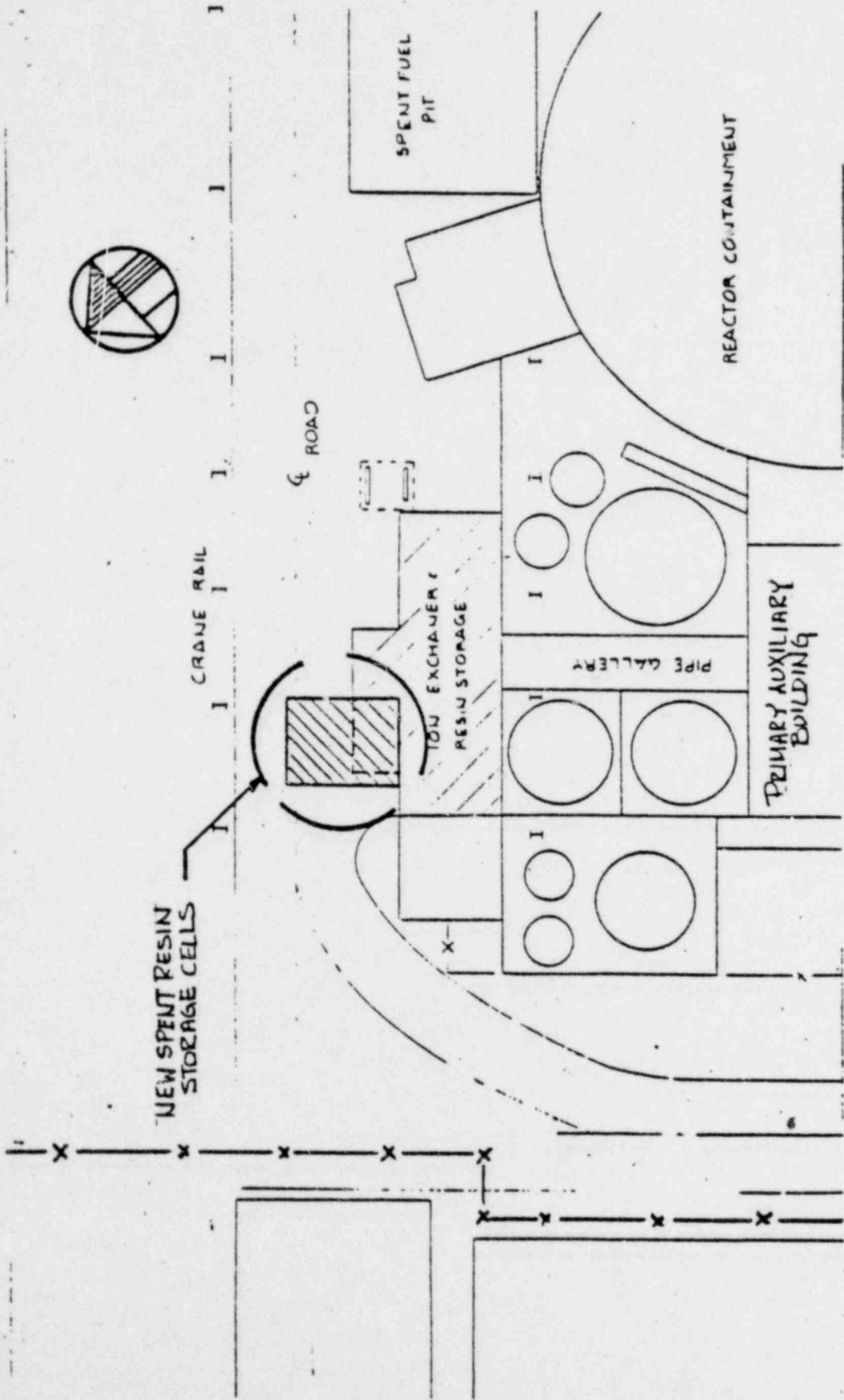


GENERAL LOCATION  
OF SPART RESIN  
STORAGE CELLS

APPROX SCALE 1"=200'

POOR ORIGINAL

POOR ORIGINAL

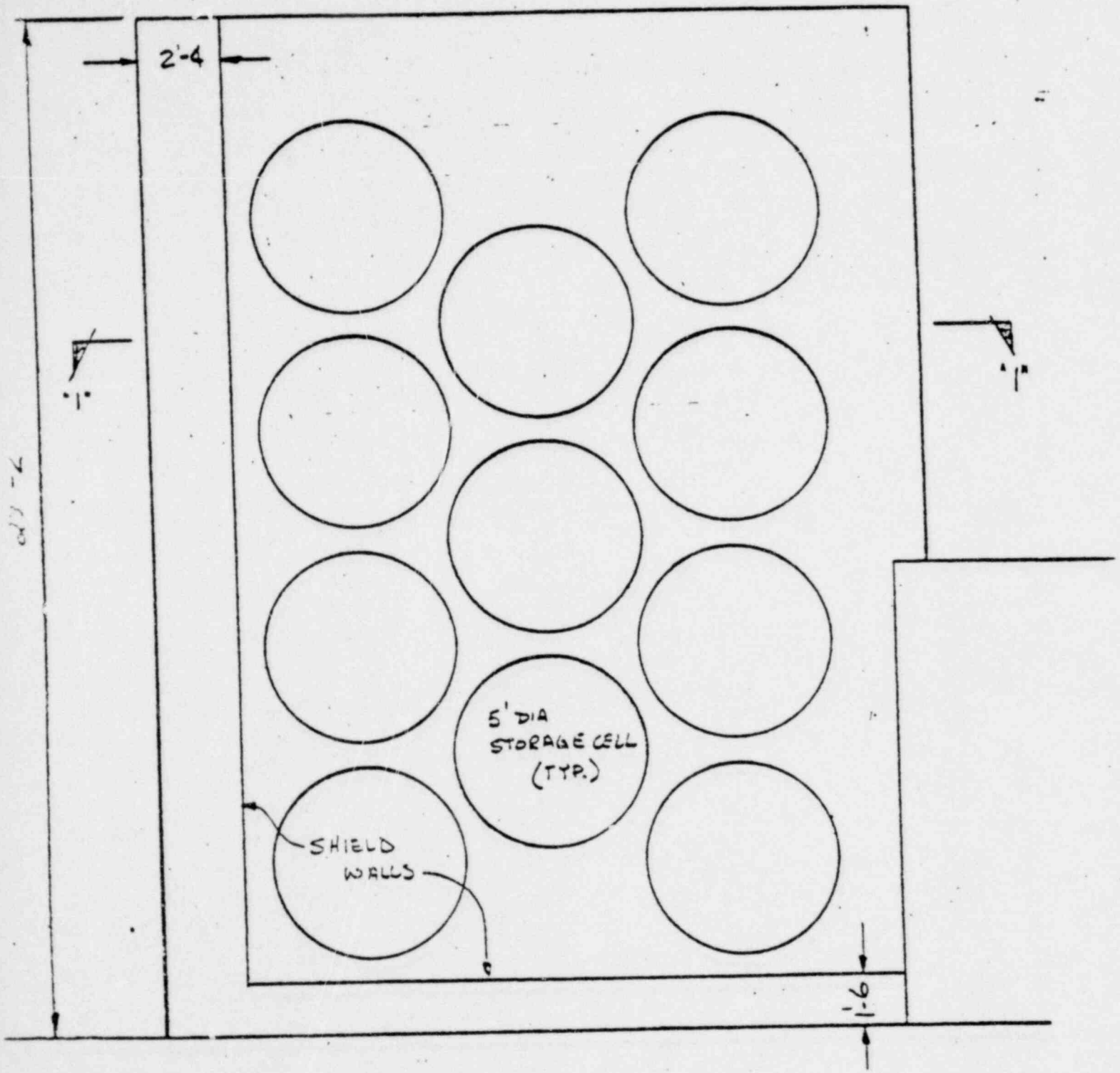


COLUMBIAN ATOMIC

POWER COMPANY

SPENT RESIN STORAGE  
CELLS

FIG. 1



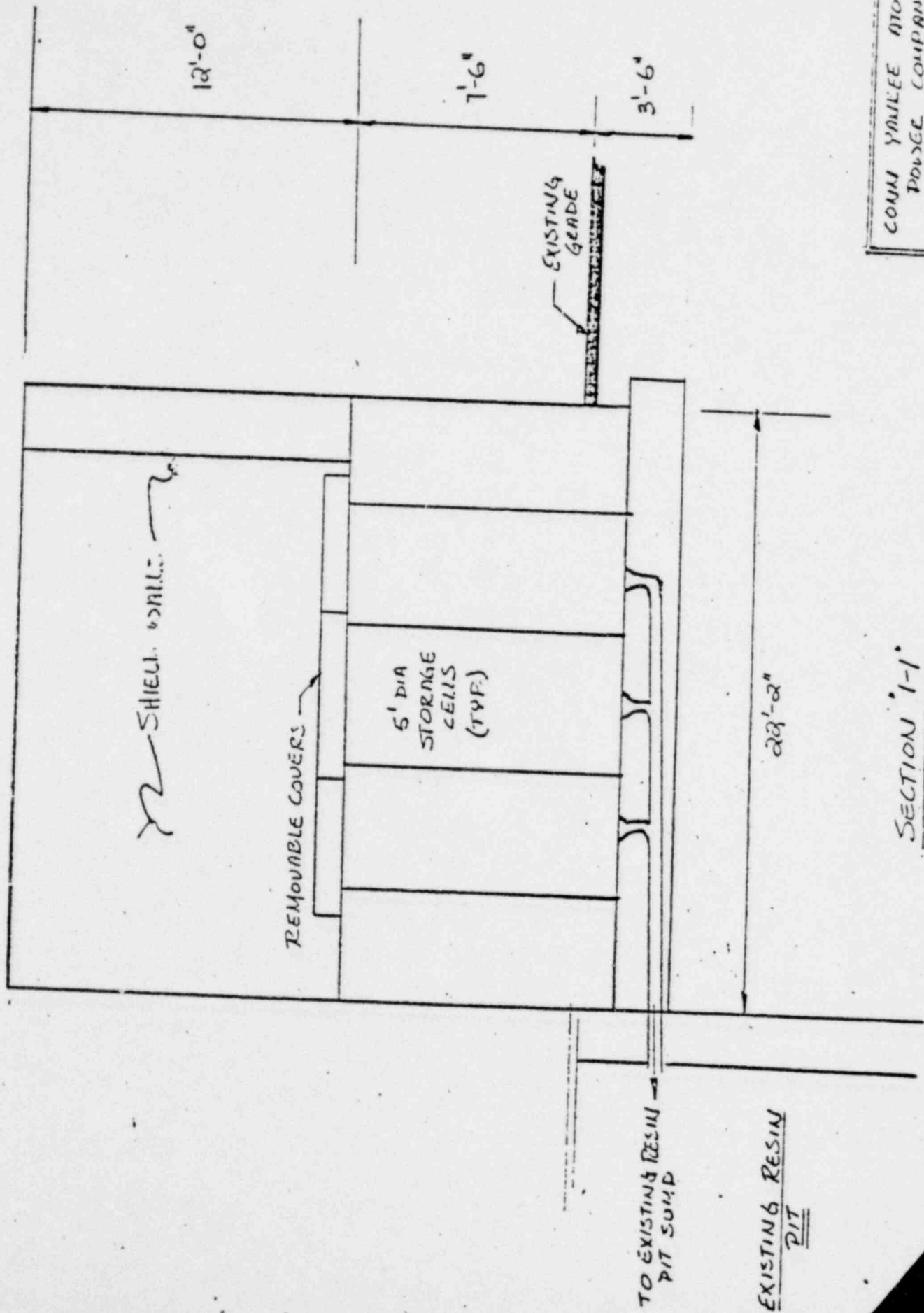
PLAN

CONU YANKEE ATOMIC POWER COMPANY
SPENT RESIN STORAGE CELLS

FIG 2

POOR ORIGINAL

CONN YANILEE ATOMIC  
POWDER COMPANY  
SPENT RESIN STORAGE  
CELLS



SECTION 1-1