



# STATE OF CONNECTICUT

DEPARTMENT OF BUSINESS REGULATION

POWER FACILITY EVALUATION COUNCIL

STATE OFFICE BUILDING • HARTFORD, CONNECTICUT 06115

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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

RAEANN 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  
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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  
Chairperson

GDP:CSW:kls

cc: Harold Denton  
✓ Ralph Caruso

enclosure