



UNITED STATES
NUCLEAR REGULATORY COMMISSION

WASHINGTON, D.C. 20555-0001

50-29

December 14, 1993

Mr. Robert Bates
Chairperson
Don't Waste NY
218-A Oak Hill Road
Arkport, New York 14807

Dear Mr. Bates:

Reference is made to your letter of November 9, 1993, to the Chairman. Your letter has been referred to me for a response.

Your letter urges the NRC to "...immediately order a halt to the illegal decommissioning of the Rowe atomic plant that is now in progress." Your letter further expresses support for the charges made in a complaint to the NRC Inspector General on October 5, 1993, by the Nuclear Information and Resource Service and the Citizens Awareness Network. Also, your letter specifically asks that "...the early Component Removal Project of the Yankee Atomic Electric Corporation (YAEC) be halted immediately, the YAEC submit a Decommissioning Plan before any more 'decontamination' work is undertaken or radioactive wastes are removed from the site, and the NRC hold the required hearings on the Decommissioning Plan."

The Commission has issued staff guidance in regard to the activities you are concerned about for plants, such as Yankee Rowe, that have permanently ceased operation but not yet filed a decommissioning plan. The staff has determined that Yankee Rowe has complied with all of the Commission guidance and has informed the licensee that we have no objection to the removal of the four steam generators, reactor vessel internals and pressurizer from the plant and site. The staff completed a review of the transportation of these components and found that the shipments complied with all applicable NRC regulations.

NRC and the Department of Transportation (DOT) share regulatory responsibility for the safe transport of radioactive materials. In general, NRC is responsible for packaging standards for large quantities of radioactive materials and for fissile materials. DOT has regulatory responsibility for all other considerations related to safety of carriage of radioactive materials, including rail carriage, which is predominantly being used here.

Regarding packaging of radioactive materials for transport, a licensee must comply with the requirements of 10 CFR Part 71, as well as applicable DOT regulations. These regulations have been developed to provide a high degree of safety in transport, and have been used domestically and internationally for many years. The regulations consider both normal conditions of transport and the possibility of severe transportation accidents. Safety under accident conditions is assured by either limiting the quantity of radioactivity which may be transported in a non-accident resistant package, or by ensuring that the package will retain the radioactive contents, even under accident conditions.

210012

9312290064 931214
PDR ADDCK 05000029
P PDR

NRC FILE CENTER COPY

D03

As you know, the licensee is transporting the Yankee Rowe steam generators, pressurizer, and reactor vessel internals to Barnwell, South Carolina for disposal. The quantity and concentration of radioactive material in the pressurizer is below the levels which require NRC-approved packaging. The pressurizer is to be transported in accordance with DOT regulations. The steam generators have been equipped with welded closure plates and filled with concrete prior to shipment. The steam generators, as prepared for transport, have been approved by NRC as their own transportation packages. Additionally, health physics personnel will accompany each steam generator shipment. The reactor vessel internals will be sectioned and transported in NRC-approved casks.

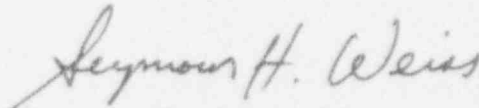
The staff has also performed inspections of the component removal program and has found that the licensee is in compliance with NRC regulations in regard to all other safety and environmental considerations.

We are enclosing a November 18, 1993, NRC letter (with enclosures) to the Citizens Awareness Network, a group of concerned citizens living near the plant, which provides additional details related to matters raised in your letter.

Since the licensee has planned and performed the component removal program under the regulations and policies of the NRC, and since your request did not contain any new information that would cause us to halt the operations or stop the shipments, you have not provided a basis on which to grant your request.

The charges made to the Inspector General by the two groups, which you support, are being handled separately by the Inspector General.

Sincerely,



Seymour H. Weiss, Director
Non-Power Reactors and Decommissioning
Project Directorate
Division of Operating Reactor Support
Office of Nuclear Reactor Regulation

Enclosure:

Letter to Mr. Fred Katz, Citizens' Awareness Network from Samuel J. Chilk, Secretary of the Commission, dated November 18, 1993, with two enclosures

cc:

Ms. Anne Rabe, Citizens' Env. Coalition
Mr. Thomas Ellis, Citizens' Env. Coalition

December 14, 1993

As you know, the licensee is transporting the Yankee Rowe steam generators, pressurizer, and reactor vessel internals to Barnwell, South Carolina for disposal. The quantity and concentration of radioactive material in the pressurizer is below the levels which require NRC-approved packaging. The pressurizer is to be transported in accordance with DOT regulations. The steam generators have been equipped with welded closure plates and filled with concrete prior to shipment. The steam generators, as prepared for transport, have been approved by NRC as their own transportation packages. Additionally, health physics personnel will accompany each steam generator shipment. The reactor vessel internals will be sectioned and transported in NRC-approved casks.

The staff has also performed inspections of the component removal program and has found that the licensee is in compliance with NRC regulations in regard to all other safety and environmental considerations.

We are enclosing a November 18, 1993, NRC letter (with enclosures) to the Citizens Awareness Network, a group of concerned citizens living near the plant, which provides additional details related to matters raised in your letter.

Since the licensee has planned and performed the component removal program under the regulations and policies of the NRC, and since your request did not contain any new information that would cause us to halt the operations or stop the shipments, you have not provided a basis on which to grant your request.

The charges made by the two groups, earlier mentioned, to the NRC Inspector General, which you support, are being handled by the Inspector General.

Sincerely,
Original signed by:
Seymour H. Weiss, Director
Non-Power Reactors and Decommissioning
Project Directorate
Division of Operating Reactor Support
Office of Nuclear Reactor Regulation

Enclosure:
Letter to Mr. Fred Katz, Citizens' Awareness Network from Samuel J. Chilk, Secretary of the Commission, dated November 18, 1993, with two enclosures

cc w/enclosure:
Ms. Anne Rabe, Citizens' Env. Coalition
Mr. Mr. Thomas Ellis, Citizens' Evn. Coalition

DISTRIBUTION:[MYLTRS.MBF] (Fairtile-1b)
Ross Chappell, NMSS MFairtile Sweiss RDudley
David William, IG OGC BGrimes CHaughney
ONDD R/F EHylton Docket Files (50-29) PDRs

IDENTICAL LTR ADDRESSED TO MS. ANNE RABE AND MR. THOMAS ELLIS

ONDD: LA ONDD: PM ONDD: SC ONDD: (A)D NMSS: IMTB: C
EHylton MFairtile: lb RDudley Sweiss CHaughney
12/14/93 12/14/93 12/14/93 12/14/93 12/14/93
BGRS: D OGC S H LEWIS
BGrimes 12/14/93
12/17/93