



UNITED STATES
NUCLEAR REGULATORY COMMISSION

WASHINGTON, D.C. 20555-0001

December 28, 1994

Mr. James A. Kay
Principal Licensing Engineer
Yankee Atomic Electric Company
580 Main Street
Bolton, Massachusetts 01740-1398

SUBJECT: DISCUSSION OF DECOMMISSIONING ORDER CONDITIONS BETWEEN THE
NUCLEAR REGULATORY COMMISSION (NRC) AND YANKEE ATOMIC STAFF ON
DECEMBER 14, 1994

Dear Mr. Kay:

On December 14, 1994, I transmitted a facsimile copy of the enclosed material to the Yankee Atomic staff. This material represents a range of possible conditions that the NRC was considering for inclusion in the Order we are currently preparing in regard to the Yankee Nuclear Power Station (YNPS) Decommissioning Plan. The NRC staff sent you this material so that we could subsequently discuss its specific applicability to YNPS.

Although the transmittal of the draft document to you is allowed under our internal controls involving such communications, these internal controls also require that the enclosed material be distributed to all the parties on the Yankee Atomic service list. This letter serves that purpose.

Sincerely,

Morton B. Fairtile

Morton B. Fairtile, Senior Project Manager
Non-Power Reactors and Decommissioning
Project Directorate
Division of Project Support
Office of Nuclear Reactor Regulation

Docket No. 50-029

Enclosure:
As stated

cc: See next page

Mr. James A. Kay

Yankee Rowe
Docket No. 50-029

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and Chief Executive Officer
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authorized subject to the following conditions:

- (A)(1) The approved decommissioning plan supplements the Final Safety Analysis Report (FSAR), currently entitled "Defueled Safety Analysis Report" or DSAR by the Rancho Seco licensee; the licensee shall update both the decommissioning plan and the FSAR in accordance with the methodology and frequency specified in 10 CFR 50.71(e). The licensee may (i) make changes in the facility or procedures as described in the FSAR and/or decommissioning plan and (ii) conduct tests or experiments not described in the FSAR and/or decommissioning plan, without prior Commission approval, unless the proposed changes, tests, or experiments involve (a) a change in the Technical Specifications (TS) incorporated in the license, (b) an unreviewed safety question, or (c) activities with regard to the facility which would or could:
- (i) foreclose the release of the site for possible unrestricted use, or
 - (ii) significantly increase decommissioning costs, or
 - (iii) cause any significant environmental impact not previously reviewed, or
 - (iv) violate the terms of the existing possession only license.

- (2) A proposed change, test, or experiment shall be deemed to involve an unreviewed safety question (i) if the probability of occurrence or the consequences of an accident or malfunction of equipment important to safety previously evaluated in the FSAR and/or decommissioning plan may be increased, or (ii) if a possibility for an accident or malfunction of a different type than evaluated previously in the FSAR and/or decommissioning plan may be created, or (iii) if the margin of safety as defined in the basis for any TS is reduced.
- (B)(1) The licensee shall maintain records of changes in the facility and of changes in procedures made pursuant to this section, to the extent that these changes constitute changes in the facility or procedures as described in the FSAR and/or decommissioning plan. The licensee shall also maintain records of tests and experiments carried out pursuant to paragraph (a) of this section. These records must include a written safety evaluation which provides the basis for the determination that the changes, tests, or experiments do not involve an unreviewed safety question.
- (2) The licensee shall submit, as specified in 10 CFR 50.4, a report containing a brief description of any changes, tests, and experiments, including a summary of the safety evaluation of each. The report may be submitted annually or along with the FSAR updates as specified by 10 CFR 50.71(e).
- (3) The records of changes in the facility shall be maintained until the date of termination of the license, and records of changes in procedures and records of tests and experiments shall be maintained for a period of three years.
- (C) If the licensee desires (i) a change in the TS or (ii) to make a change in the facility or procedures described in the FSAR and/or decommissioning plan or to conduct tests or experiments not described in the FSAR and/or decommissioning plan, which involve an unreviewed safety question or a change in the TS or which would result in any of the four conditions described in (A)(1)(c) above, it shall submit an application for amendment of its license pursuant to 10 CFR 50.90 or request approval of a revision to the decommissioning plan.
- (D) Not later than 60 days after the date of issuance of this order, the licensee shall submit to the NRC an updated version of Table 5.1 originally provided by the SMUD submittal of April 7, 1993. The updated table shall indicate the current status and schedules for all decommissioning activities and tasks. Additionally, the table shall indicate which activities involve isolation and/or removal from service of fluid-filled systems the failure of which could result in flooding of contaminated areas and potential spreading of contamination.

- (E) The licensee shall maintain a fire protection program. The objectives of the fire protection program are to: (1) reasonably prevent fires from occurring; (2) rapidly detect, control, and extinguish those fires which do occur; and (3) ensure that the risk due to fire to the public, environment, and plant personnel is minimized. The fire protection program shall include the following elements: (1) fire prevention; (2) fire detection, control, and suppression; and (3) risk management. The fire protection program shall adequately address all criteria contained in the Attachment. Compliance with these criteria (as applicable) shall be achieved within 180 days after issuance of this Order. A performance-based approach may be implemented to achieve these objectives. The fire protection program shall be re-evaluated by the licensee on a regular basis and revised as appropriate throughout the various stages of facility decommissioning.
- (F) If deemed necessary, the conditions and requirements of this Order may be modified at the discretion of the Director of the Office of Nuclear Reactor Regulation or the Director of the Office of Nuclear Material Safety and Safeguards, as appropriate.

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Original signed by

Morton B. Fairtile, Senior Project Manager
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Project Directorate
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