



OFFICE OF THE
SECRETARY

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

RELEASED TO THE PDR

5/20/92
date

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initials

May 19, 1992

MEMORANDUM FOR THE RECORD

FROM:

18/26/92
Samuel J. Chilk, Secretary

SUBJECT:

SECY-92-156 - SEABROOK STATION - STATUS OF
ACQUISITION BY NORTHEAST UTILITIES

This paper was been superseded by SECY-92-156A on May 15, 1992
and is being closed without further action.

- cc: The Chairman
- Commissioner Rogers
- Commissioner Curtiss
- Commissioner Remick
- Commissioner de Planque
- EDO
- OGC
- OCAA
- OIG

SECY NOTE: THIS SRM, SECY-92-156, AND THE VOTE SHEETS OF
COMMISSIONER CURTISS WILL BE MADE PUBLICLY
AVAILABLE 10 WORKING DAYS FROM THE DATE OF THIS
SRM



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NUCLEAR REGULATORY COMMISSION
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May 19, 1992

MEMORANDUM FOR: James M. Taylor
Executive Director for Operations
FROM: *A. Baker* Samuel J. Chilk, Secretary
SUBJECT: SECY-92-156A - SEABROOK STATION - STATUS OF ACQUISITION BY NORTHEAST UTILITIES

The Commission (with all Commissioners agreeing) has authorized the staff to approve the transfer of Seabrook management and partial ownership to the new subsidiaries of Northeast Utilities (NU) with the modified license conditions described in enclosure 3 of SECY-92-156A, as modified in the attachment. The Commission also approved dispatch of the EDO letters to members of the NU Board of Trustees (enclosure 2 of SECY-92-156). The staff should dispatch the letter indicating the Commission's approval of the transfer to Mr. Ellis (enclosure 4 of SECY-92-156A). Commissioner Curtiss agrees fully with the approach that is proposed in the staff's letter in enclosure 4 of SECY-92-156A, but was he was unavailable to review that letter when it was provided as part of SECY-92-156A.

Attachment:
As stated

cc: The Chairman
Commissioner Rogers
Commissioner Curtiss
Commissioner Remick
Commissioner de Planque
OGC
OCAA
OIG

SECY NOTE: THIS SRM, SECY-92-156A, AND THE VOTE SHEETS OF ALL COMMISSIONERS WILL BE MADE PUBLICLY AVAILABLE 10 WORKING DAYS FROM THE DATE OF THIS SRM

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(REVISED)

MODIFIED SEABROOK LICENSE CONDITIONS

A. For a period of three years from the date of issuance of the NRC license amendment approving the transfer of management authority to NAESCO, the licensee shall inform the Director, NRR, at least 60 days in advance, of any change in the senior site official for the Seabrook facility, or in the principal duties of such official, unless such change is due to unforeseen circumstances. In such circumstances, the licensee shall inform the Director, NRR, of such change as soon as it can reasonably do so.

substantive programmatic or procedural

B. For a period of three years from the date of issuance of the NRC license amendment approving the transfer of management authority to NAESCO, the Joint Owners ~~Executive Committee~~ shall provide to the Director, NRR, promptly any report of the Oversight Committee or any report of the Operator or of any contractor or consultant which has been provided to the Joint Owners relating to: any indication or discussion of plant design, equipment or personnel performance or plant operations that could have potentially adverse effects on facility safety; any changes to the employee concerns program that could have adverse effects on facility safety; employee harassment, or intimidation or discrimination; any indication or discussion of any aspect of changes to any compensation incentive program that which could have potentially adverse effects on facility safety; and any changes to the annual operations and maintenance and capital expenditure budgets. These reporting requirements are in addition to other requirements of NRC regulations.

any allegation of

C. The oversight reports in B. shall be followed promptly by a report to the Director, NRR, by the Operator, reflecting the Operator's assessment of such report and proposed corrective action, if any. Submission of the Operator's assessment and proposed corrective action shall not delay submission of the report called for by license condition B. A review and assessment of the Operator's report by the ~~Executive Committee~~ Joint Owners shall be provided to the Director, NRR, together with ~~its~~ any corrective actions and disposition of the Operator's report.

D. For a period of three years from the date of issuance of the NRC license amendment approving the transfer of management authority to NAESCO, the licensee shall inform the Director, NRR, of any changes to certain sections of the Joint Ownership Agreement and the Managing Agent Operating Agreement. These sections are: Sections 3.c, 7.a, 7.e, 8, 10, 11 and 16.b, as described in Appendix 1 of the ~~July 19, 1990 settlement agreement between NU~~ Settlement Agreement Dated as of July 19, 1990 Between Northeast Utilities Service Company and New England Power Company.

Enclosure 3

May 19, 1992

Docket No. 50-395

DISTRIBUTION
See attached page

Mr. John L. Skolds
Vice President, Nuclear Operations
South Carolina Electric & Gas Company
Virgil C. Summer Nuclear Station
P.O. Box 88
Jenkinsville, South Carolina 29065

Dear Mr. Skolds:

SUBJECT: APPLICATION FOR APPROVAL TO INCINERATE CONTAMINATED OIL -
VIRGIL C. SUMMER NUCLEAR STATION, UNIT NO. 1 (TAC NO. M83019)

By letter dated March 9, 1992, you requested approval to incinerate oil contaminated with very low levels of licensed radioactive materials. Your letter indicated that this request was made in accordance with the requirements of 10 CFR 20.302(a) and 10 CFR 20.305.

On November 3, 1986, IE Information Notice No. 86-90 was issued. This information notice stated in part that "...in a recent legal opinion regarding regulatory jurisdiction, the NRC's Executive Legal Director made it clear that in Agreement States NRC approval is not necessary for disposal within or outside of the exclusion area of low-level radioactive waste from a reactor facility."

A State that has signed an agreement with the Commission allowing the State to regulate the use of radioactive material within its borders is an Agreement State. South Carolina became an Agreement State on September 15, 1969. Since South Carolina is an Agreement State, and since your request concerns the disposal of low-level radioactive waste, your request should be addressed to the appropriate State official. This completes the staff's action on TAC No. M83019.

Sincerely,

Original signed by:

George F. Wunder, Project Manager
Project Directorate II-1
Division of Reactor Project - I/II
Office of Nuclear Reactor Regulation

cc: See next page

LA:PD21:DRPE	PM:PD21:DRPE	PRPB	D:PD21:DRPE	ORR
PAnderson	GWunder:dt	L. Cunningham	EAdensam	<i>no legal direction R. J. Jannel</i>
5/8/92	5/08/92	5/11/92	5/18/92	5/15/92

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