

**From:** [Tilda Liu](#)  
**To:** [jack.priest@state.ma.us](mailto:jack.priest@state.ma.us)  
**Cc:** [Tilda Liu](#); [Stan Day](#)  
**Subject:** FYI/Review Request: Draft environmental assessment related to Yankee Rowe exemption request  
**Date:** Friday, February 16, 2024 2:53:43 PM

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To: Jack Priest, Director  
Massachusetts Department of Public Health  
Radiation Control Program  
Bureau of Environmental Health  
Schrafft Center, Suite 1M2A  
529 Main Street  
Charlestown, MA 02129  
[jack.priest@state.ma.us](mailto:jack.priest@state.ma.us)

**NOTE: This email will be entered into NRC ADAMS as a publicly available document.**

Dear Mr. Priest,

By letter dated May 4, 2023 (Agencywide Documents Access and Management System [ADAMS] Accession No. ML23157A101), Yankee Atomic Electric Company (YAEC or the licensee) submitted a request to the U.S. Nuclear Regulatory Commission (NRC) for an exemption from Title 10 of the *Code of Federal Regulations* (10 CFR) 50.82(a)(8)(i)(A) and 10 CFR 50.75(h)(2) for the Yankee Nuclear Power Station (Yankee Rowe) Independent Spent Fuel Storage Installation (ISFSI).

YAEC has established a separate (segregated) account within its over-arching Nuclear Decommissioning Trust (NDT), entitled "ISFSI Radiological Decom," that identifies the funds for radiological decommissioning of the ISFSI apart from the larger balance of funds in the NDT allocated for ongoing management of spent nuclear fuel and greater than Class C (GTCC) waste and for non-radiological site restoration activities. Although 10 CFR 50.82 applies to the segregated account, it does not apply to the overall NDT.

If granted, the exemptions from 10 CFR 50.82(a)(8)(i)(A) and 50.75(h)(2) would permit Yankee Rowe to make withdrawals from the segregated account, on an annual basis, for spent fuel and GTCC waste management and non-radiological site restoration without prior notification to the NRC. More specifically, with this exemption, Yankee Rowe would be able to annually transfer funds exceeding 110 percent of the inflation-adjusted Decommissioning Cost Estimate, described in 10 CFR 50.75, from the segregated account to its overarching NDT and use those funds for spent fuel and GTCC waste management and non-radiological site restoration.

The exemption request is publicly available from the NRC's ADAMS, accessible at: <http://www.nrc.gov/reading-rm/adams.html>. The NRC ADAMS Accession Number for the exemption request is ML23157A101.

As established in 10 CFR Part 51, the NRC regulation that implements the National Environmental Policy Act of 1969, as amended, the NRC staff is preparing an environmental assessment (EA) for the proposed action. The purpose of the EA is to assess potential environmental impacts that may significantly affect the human environment. Based on the review to date, the NRC staff considers that there will be no significant change in the types or amounts of any effluent released, no significant increase

in individual or cumulative radiation exposures, and no significant increase in the potential for or consequences of radiological accidents as a result of exemption issuance. For these reasons, the NRC concludes in the draft EA that the approval of the exemption request will not significantly affect the quality of the human environment.

The NRC is providing your office with the opportunity to review the draft EA (**via separate email**), and comment on environmental issues prior to public issuance of the EA. We request that the distribution and use of the draft EA be limited only to those of your staff involved in the review and comment process. Please advise any comments to the NRC staff no later than March 15, 2024, and feel free to provide your comments via email if that is convenient for you. We will consider your timely comments and will revise the EA, as appropriate, before final issuance.

In advance, we thank you for your time and review. If you have any questions, please reach out to me via email at [Tilda.Liu@nrc.gov](mailto:Tilda.Liu@nrc.gov) or via telephone at 404-997-4730.

Sincerely,  
Tilda Liu, Senior Project Manager  
Storage and Transportation Licensing Branch  
Division of Fuel Management  
Office of Nuclear Material Safety and Safeguards  
U.S. Nuclear Regulatory Commission