

June 28, 2012 (2:50 pm)



YANKEE ATOMIC ELECTRIC COMPANY
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**OFFICE OF SECRETARY
RULEMAKINGS AND
ADJUDICATIONS STAFF**

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June 18, 2012
BYR 2012-024

Secretary
U.S. Nuclear Regulatory Commission
Washington, D.C. 20555-0001

Attention: Rulemakings and Adjudications Staff

Subject: YAEC Comments on NRC's Advance Notice of Proposed Rulemaking (ANPR)
– Onsite Emergency Response Capabilities: 10 CFR Parts 50 and 52

References:

- (a) Advance Notice of Proposed Rulemaking (ANPR) – Onsite Emergency Response Capabilities: 10 CFR Parts 50 and 52 (Docket ID NRC-2012-0031)
- (b) License No. DPR-3 (Docket No, 50-029, 72-31) (Yankee Atomic)
- (c) Decommissioning Plant Coalition letter to the US NRC Regarding NRC's Advance Notice of Proposed Rulemaking (ANPR) – Onsite Emergency Response Capabilities (June 18, 2012)

Yankee Atomic Electric Company (YAEC) appreciates the opportunity to provide comments regarding the NRC's Advance Notice of Proposed Rulemaking: "Onsite Emergency Response Capabilities" (Reference (a)) whereby the NRC is proposing to amend its regulations to strengthen and integrate onsite emergency response capabilities.

YAEC supports the position stated in the Decommissioning Plant Coalition comment letter (reference (c)) that this ANPR and subsequent rulemaking is not applicable to 10 CFR Part 50 Licensees that only operate an Independent Spent Fuel Storage Installation (ISFSI) at the former reactor site. Since the YAEC ISFSI facility does not have an operating reactor and the power plant has been completely decommissioned, this proposed rulemaking would not apply this 10 CFR Part 50 licensee and the associated facility.

Accordingly, YAEC urges the Commission to include a specific statement in the future development of this rulemaking that clearly delineates that this rulemaking does not apply to holders of an operating license under 10 CFR Part 50 that have permanently ceased operation, certified that fuel has been permanently removed from the reactor vessel under 10 CFR Part 50.82, and have completed decommissioning of the power plant and only operate an ISFSI.

Sincerely,

Robert Mitchell
YAEC ISFSI Manager

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