

August 6, 2012

Mr. James Connell  
ISFSI Manager  
Maine Yankee Atomic Electric Company  
321 Old Ferry Road  
Wiscasset, ME 04578-4922

SUBJECT: RESPONSE TO REQUEST FOR EXEMPTION FROM SPECIFIC  
REQUIREMENTS OF 10 CFR PART 73 (TAC NO. L24499)

Dear Mr. Connell:

This is in response to your letter dated November 29, 2010 (Agencywide Documents Access and Management System (ADAMS) Accession No. ML103410468), requesting an exemption from specific requirements of 10 CFR 73.55 and 10 CFR 73.57 for the Maine Yankee Independent Spent Fuel Storage Installation (ISFSI), pursuant to 10 CFR 73.5. Section 73.55 of 10 CFR Part 73 identifies the physical protection requirements to prevent radiological sabotage at nuclear power plants. Section 73.57 of 10 CFR Part 73 identifies the requirements for criminal history checks associated with unescorted access at nuclear facilities.

The U.S. Nuclear Regulatory Commission (NRC) staff reviewed the exemption requests for the Maine Yankee ISFSI. Based upon their review, NRC staff determined that one exemption you requested can be granted. The remaining requirements from which you requested exemptions were determined either not to be applicable to your facility or are being met by your current program; therefore, these exemptions were denied. The enclosed NRC staff Safety Evaluation Report articulates the basis for granting or denying your specific exemption requests.

The NRC has determined that this action meets the eligibility criteria for categorical exclusion set forth in 10 CFR 51.22(c)(25)(vi)(F). Therefore, pursuant to 10 CFR 51.22(b), no environmental impact statement or environmental assessment need be prepared in connection with this action. The exemptions are effective upon issuance. The enclosed Exemption, Staff Evaluation, attached as a courtesy, is being forwarded to the Office of the Federal Register for publication.

In accordance with 10 CFR 2.390 of the NRC's "Rules of Practice," a copy of this letter will be available electronically for public inspection in the NRC Public Document Room or from the publicly available records component of the NRC's document system, ADAMS. ADAMS is accessible from the NRC Website at <http://www.nrc.gov/reading-rm/adams.html> (the Public Electronic Reading Room). However, because of the security-related concerns contained in the enclosure, and in accordance with 10 CFR 2.390, a copy of this letter's enclosure will not be available for public inspection.

**NOTICE**

Upon removal of the enclosure from this letter, this document is DECONTROLLED.

J. Connell

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If you have any questions, please contact me at (301) 492-3305, or William Allen of my staff, at (301) 492-3148.

Sincerely,

/RA/

Douglas W. Weaver, Deputy Director  
Division of Spent Fuel Storage and Transportation  
Office of Nuclear Material Safety  
and Safeguards

Docket Nos.: 50-309, 72-30  
TAC No.: L24499

Enclosures:

1. Safety Evaluation Report
2. *Federal Register* Notice

cc w/o Enclosure:

Maine Yankee Atomic Power Station Service List  
Marc Nichol, Nuclear Energy Institute

J. Connell

-2-

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**ML11234A235 – ADAMS Package No. ML12219A127    ADAMS Memo No.: ML12219A128**

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J. Connell  
Maine Yankee Atomic Power Station Service List

-2-

cc:

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