



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



Ms. Lillian C. Marcoux
380 East Avenue
Lewiston, Maine 04240

Dear Ms. Marcoux:

This is in reply to your letter of March 1, 1981, to Dr. Joseph Hendrie regarding the storage of spent fuel at the Maine Yankee Atomic Power Station.

The Maine Yankee Atomic Power Company submitted letters to the Nuclear Regulatory Commission on September 18, 1979, and September 29, 1980, proposing modifications in the storage of spent fuel in order to increase storage capacity. Enclosed is a notice that appeared in the Federal Register on January 28, 1981, regarding the proposed issuance of an amendment to the facility operating license to permit expansion of the storage capacity from 953 to 1,545 spent fuel assemblies.

The staff of the Nuclear Regulatory Commission will prepare an environmental impact appraisal to consider the environmental aspects of this proposal and a safety evaluation report to consider the safety aspects. An Atomic Safety and Licensing Board was established to preside over the proceeding, and any person whose interest may be affected has been given an opportunity to participate in the proceeding.

We appreciate your interest in this matter and assure you that it is being handled in accordance with normal procedures.

Sincerely,

Gary G. Zech, Chief
Technical Support Branch
Planning & Program Analysis Staff
Office of Nuclear Reactor Regulation

Enclosure:
As stated

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THIS DOCUMENT CONTAINS
POOR QUALITY PAGES

accomplished by replacement of the existing spent fuel racks in which spent fuel assemblies are stored on 12-inch centers with new racks in which spent fuel assemblies and/or spent fuel pin storage containers are stored on 10.5-inch centers. As a result of the proposal to use the new spent fuel storage racks, the Licensee has requested modification of the Technical Specifications to increase the K effective from equal to or less than 0.90 to equal to or less than 0.95.

Pursuant to an order issued by the Board in this proceeding on January 6, 1981 the Nuclear Regulatory Commission (Commission) is hereby issuing a Supplemental Notice of Proposed Issuance of Amendment to Facility Operating License for the facility. By this Supplemental Notice the Commission is affording any person whose interest may be affected by the additional proposed modifications (the utilization of the new spent fuel storage racks to increase spent fuel storage capacity and the utilization of the fuel cask laydown area for additional temporary storage) the opportunity to participate in this proceeding.

By February 27, 1981 any person whose interest may be affected by these additional modifications and who wishes to participate as a party in the proceeding must file a written petition for leave to intervene in accordance with the provisions of 10 CFR 2.714. Those who have previously filed in response to the October 24, 1979 Notice of Proposed Issuance of Amendment need not refile unless they wish to do so. If they do not refile, their rights to participate will be considered on the basis of their previous filings.

As required by 10 CFR 2.714, a petition for leave to intervene shall set forth with particularity the interest of the petitioner in the proceeding, and how that interest may be affected by the results of the proceeding. The petition should specifically explain the reasons why intervention should be permitted with particular reference to the following factors: (1) the nature of the petitioner's right under the Atomic Energy Act to be made a party to the proceeding; (2) the nature and extent of the petitioner's property, financial, or other interest in the proceeding; and (3) the possible effect of any order which may be entered in the proceeding on the petitioner's interest. The petition should also identify the specific aspect(s) of the subject matter of the proceeding as to which petitioner wishes to intervene. Any person who pursuant to this notice has either filed a petition for leave to intervene or been admitted as a party

may amend his petition, without requesting leave of the Board up to fifteen (15) days prior to the first prehearing conference scheduled in the proceeding, but such an amended petition must satisfy the specificity requirements described above.

Not later than fifteen (15) days prior to the first prehearing conference scheduled in the proceeding, the petitioner shall file a supplement to the petition to intervene which must include a list of the contentions which are sought to be litigated with regard to the additional proposed modifications, and the bases for each contention set forth with reasonable specificity. A petitioner who fails to file such a supplement which satisfies these requirements with respect to at least one contention will not be permitted to participate as a party.

Those permitted to intervene become parties to the proceeding, subject to any limitations in the order granting leave to intervene, and have the opportunity to participate fully in the conduct of the hearing, including the opportunity to present evidence and cross-examine witnesses.

A request for a hearing or a petition for leave to intervene shall be filed with the Secretary of the Commission, United States Nuclear Regulatory Commission, Washington, DC 20555, Attention: Docketing and Service Branch or may be delivered to the Commission's Public Document Room, 1717 H Street, N.W., Washington, DC by the above date. Where petitions are filed during the last ten (10) days of the notice period, it is requested that the petitioner or representative for the petitioner promptly so inform the Commission by a toll-free telephone call to Western Union at (800) 324-6000 (in Missouri (800) 342-8700). The Western Union operator should be given Datagram Identification Number 3737 and the following message addressed to Robert A. Clerk: (petitioner's name and telephone number); (date petition was mailed); (plant name); and (publication date and page number of this Federal Register notice). A copy of the petition should also be sent to the Executive Legal Director, U.S. Nuclear Regulatory Commission, Washington, DC 20555, and to Thomas G. Dignan, Jr., Esq., and R. K. Gad III, Esq., Ropes & Gray, 225 Franklin Street, Boston, Massachusetts 02110, attorney for the Licensee.

Nontimely filings of petitions for leave to intervene, amended petitions, supplemental petitions and/or request for hearing will not be entertained absent a determination by the presiding officer of the Board that the petitioner has made a substantial showing of good

cause for the granting of a late petition and/or request. That determination will be based upon a balancing of the factors specified in 10 CFR 2.714(a)(1)(i)-(v) and 2.714(d).

For further details with respect to this action, see (1) the application for amendment dated September 18, 1979, and (2) the supplemental application dated September 29, 1980, which are available for public inspection at the Commission's Public Document Room, 1717 H Street, N.W., Washington, DC and at the local Public Document Room at the Wiscasset Public Library Association, High Street, Wiscasset, Maine.

A copy of items (1) and (2) may be obtained upon request addressed to the U.S. Nuclear Regulatory Commission, Washington, D.C. 20555, Attention: Director, Division of Operating Reactors.

Dated at Bethesda, Maryland, this 15th day of January, 1981.

For the Nuclear Regulatory Commission.

Robert A. Clerk,
Chief, Operating Reactors Branch No. 3,
Division of Licensing.

(FR Doc. 81-2773 Filed 1-27-81; 2:45 am)

BILLING CODE 7590-01-81

[Docket Nos. 50-275 OL and 50-323 OL]

Pacific Gas and Electric Co. (Diablo Canyon Nuclear Power Plant, Units 1 and 2) (Low Power Test Proceeding)

(Scheduling a Conference of Counsel)
January 21, 1981.

In a conference call on January 21, 1981 (which was finally convened after extended difficulty) it was agreed that there would be a conference with the Board and counsel for the Parties in the 5th floor hearing room at East-West Towers, 4350 East West Highway, Bethesda, Maryland. The conference will begin at 9:00 a.m. (local time) on January 28, 1981 and will continue the following day, if necessary. Matters to be considered were discussed in the conference call.

The public is invited but there will not be limited appearance statements received nor will this conference be an evidentiary hearing. Those matters will be considered for a later date near the site of the facility.

It is so ordered.

For the Atomic Safety and Licensing Board,
Elizabeth S. Bowers,
Administrative Judge.

(FR Doc. 81-2773 Filed 1-27-81; 2:40 am)

BILLING CODE 7590-01-81

modifications, if any, needed to conform to the generic acceptance criteria by July 31, 1982 should be confirmed and formalized by Order.

IV

The Commission hereby extends the exemption from General Design Criterion 50 of Appendix A to 10 CFR Part 50 granted to the licensee on February 28, 1978, only for the time necessary to complete the actions required by Section V or VI of this Order. Substantial improvements have already been made in the margins of safety of the containment systems and will continue to be improved during this period whenever practicable, and, in any event, all needed improvements, if any, must be completed in accordance with the provisions of Section V or VI of this Order.

The Commission has determined that good cause exists for the extension of this exemption, that such exemption is authorized by law, will not endanger life or property or the common defense and security, and is in the public interest. The Commission has determined that the granting of this exemption will not result in any significant environmental impact and that, pursuant to 10 CFR 51.5(d)(4), an environmental impact statement or negative declaration and environmental impact appraisal need not be prepared in connection with this action.

V

Accordingly, pursuant to the Atomic Energy Act of 1954, as amended, and the Commission's regulations in 10 CFR Parts 2 and 50, IT IS HEREBY ORDERED THAT the license be amended to include the following conditions:

1. the licensee shall promptly assess the suppression pool hydrodynamic loads in accordance with NEDO-21888 and NEDO-24583-1 and the Acceptance Criteria contained in Appendix A to NUREG-0661.
2. any plant modifications needed to assure that the facility conforms to the Acceptance Criteria contained in Appendix A to NUREG-0661 shall be designed and its installation shall be completed not later than October 31, 1981 or, if the plant is shut down on that date, before the resumption of power thereafter.

VI

The licensee or any person whose interest may be affected by the Order set forth in Section V hereof may request a hearing within thirty days of the date of publication of this Order in the Federal Register. Any request for a hearing shall be addressed to the

Director, Office of Nuclear Reactor Regulation, U.S. Nuclear Regulatory Commission, Washington, DC 20555, and to Isham, Lincoln & Beale, Counselors at Law, One First National Plaza, 42nd Floor, Chicago, Illinois 60603, attorneys for the licensee.

If a hearing is held concerning such Order, the issues to be considered at the hearing shall be:

1. Whether the licensee should be required to promptly assess the suppression pool hydrodynamic loads in accordance with the requirements of Section V of this Order; and
2. Whether the licensee should be required, as set forth in Section V of this Order, to complete the design and installation of plant modifications, if any, needed to assure that the facility conforms to the Acceptance Criteria contained in Appendix A to NUREG-0661.

The Order set forth in Section V hereof will become effective on expiration of the period during which the licensee may request a hearing or, in the event a hearing is held, on the date specified in an order issued following further proceedings on this Order.

VII

For further details concerning this action, refer to the following documents which are available for inspection at the Commission's Public Document Room at 1717 H Street, NW, Washington, DC 20555 or through the Commission's local public document room at the Moline Public Library, 504-17th Street, Moline, Illinois.

1. "Mark I Containment Program Load Definition Report," General Electric Topical Report, NEDO-21888, December 1978.
2. "Mark I Containment Program Structural Acceptance Criteria Plant Unique Analysis Applications Guide," General Electric Topical Report, NEDO-24583-1, October 1979.
3. "Mark I Containment Long Term Program Safety Evaluation Report," NUREG-0661, July 1980.
4. Letter from C. Reed, CECO, to D. G. Eisenhower, NRC, dated May 11, 1979.
5. Letter from C. Reed, CECO, to D. G. Eisenhower, NRC, dated July 2, 1980.
6. Letter to licensee dated January 13, 1981.

Dated: January 13, 1981.

For the Nuclear Regulatory Commission,
Darrell G. Eisenhower,
Director, Division of Licensing, Office of
Nuclear Reactor Regulation.

(PR Doc. 81-3240 Filed 1-27-81; 8:48 am)
BILLING CODE 7590-01-81

[Docket No. 50-309]

Maine Yankee Atomic Power Co. Supplemental Notice of Proposed Issuance of Amendment to Facility Operating License

A notice of Proposed Issuance of Amendment to Facility Operating License was published in the Federal Register on October 24, 1979 (44 FR 61273) with respect to the application of Maine Yankee Atomic Power Co. (Licensee) for an amendment dated September 18, 1979, which would revise the provisions in the Technical Specifications to permit expansion of the spent fuel storage capacity from 953 to 1545 spent fuel assemblies at the Maine Yankee Atomic Power Station (the facility) located in Lincoln County, Maine. As indicated in this Federal Register notice, this increase in storage capacity was to be accomplished through a modified spent fuel pin storage concept involving the disassembly of spent fuel assemblies and reassembly into consolidated fuel bundles designed to provide a more compact fuel pin array within the existing spent fuel racks. The notice added that the amendment would not involve an increase in storage locations. On November 23, 1979, pursuant to the notice a petition for leave to intervene was filed by Sensible Maine Power. Also, on November 28, 1979, the State of Maine, by its Attorney General, notified the Commission of its intention to participate as an Interested State pursuant to 10 CFR 2.715(c). Thereafter, on December 3, 1979, an Atomic Safety and Licensing Board (Board) was established to preside in this proceeding (44 FR 71490, December 11, 1979).

On September 29, 1980, the Licensee filed an application for an amendment which supplements the application for an amendment of September 18, 1979. The September 18, 1979 application for amendment as supplemented by the application for amendment which supplements the application for an amendment of September 29, 1980, would permit: (1) the increase of the long-term spent fuel storage capacity of the spent fuel pool from 953 storage locations to 1500 storage locations which can accommodate 1500 spent fuel assemblies in their as discharged form or 2430 spent fuel assemblies consolidated for spent fuel pin storage as described by the application for amendment dated September 18, 1979, and (2) the utilization of a spent fuel rack to occupy the facility's spent fuel cask laydown area for short-term storage, when necessary. The increase in long-term storage capacity would be

LILLIAN C. MARCOUX
380 East Avenue
LEWISTON, MAINE 04240

March 1, 1981

Mr. Joseph Hendrie
Nuclear Regulatory Commission
1717 H Street N. W.
Washington, D. C. 20555

Dear Mr. Hendrie,

Enclosed is a copy of my Letter-to-the-Editor regarding the storage of spent fuel rods at Maine Yankee. Also enclosed is a news clipping copy.

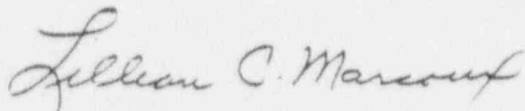
Please be advised that not all of us in Maine support our governor and attorney general in their anti-nuclear views. Most of us are concerned with the long-range planning of the energy mix in our state and country, and we believe that nuclear energy is very much a part of our livelihood.

It is most disturbing to note that so many anti-nukes are on the Maine Energy Committee. Politics and vote getting has much to do with it, and any further granting of funds could well be used adversely. Gordon Weil and his personnel have sufficient funds to accomplish what is necessary. I strongly oppose granting any more funds to them.

I do hope that the spent fuel rod situation at Maine Yankee can be finalized for our long-range benefit. The majority of us voted for progress along with the rest of the United States,, and our wishes should be considered.

Thank you for your time.

Sincerely,



Lillian C. Marcoux

(207) 782-2153

dupe 8103180506

LEWISTON DAILY SUN 2/27/81

NRC Gets Maine Objections to N-Fuel Storage

By MAUREEN DEA

AUGUSTA AP — Attorney General James Tierney on Thursday filed papers with the Nuclear Regulatory Commission stating Maine's objections to Maine Yankee's request to increase its spent fuel storage capacity.

Tierney said Maine Yankee's proposal "involves potential adverse public health, safety and environmental considerations that are of serious concern to the state of Maine."

The Maine Yankee Atomic Power Co. has asked the NRC for permission to change the way it stores used radioactive fuel in a 40-foot pool of water at the Wiscasset plant site.

The company says that restacking the fuel rods closer together in the pool would provide

space for all the spent fuel that Maine Yankee will use until 2004.

Without the change, Maine Yankee will run out of storage space in the mid-1980s and could be forced to close because there is no place in the nation to send the used fuel, plant officials say.

Maine Yankee contends the change would be safe, but Tierney said the state isn't sure of that because the proposed method of restacking the fuel rods hasn't been tried in any other plant in this country.

The state also contends that Maine Yankee "may not have fully explored safer alternatives" to the storage method proposed.

Tierney said potential dangers that could be

caused by store more fuel rods in the pool include increased radiation levels and the risk of accidents.

A Boothbay Harbor area anti-nuclear group, Sensible Maine Power, is the only other intervenor in the case before the NRC.

Sensible Maine Power contends that the proposed storage method is potentially dangerous and that it would turn the Wiscasset plant site into a long-term nuclear dump.

Until last month, former Maine Congressman Stanley Tupper had been the attorney for the group, but he dropped out partly because the state had decided to oppose Maine Yankee's proposal.

Sun Readers Write

Storing Spent Fuel

To the Editor:

The discussion of the various energy mixes and our means of conservation is top priority with most of us. Every source of energy is most important.

While some individuals are concerned with future vote-getting attitudes and plans, all of us should be greatly concerned, in the name of our unborn descendants, with the legacy they will inherit as a result of our wisdom with the means of energy left for them to survive.

The projection for solar-powered satellites supplying a major source of our energy is four or five decades from now.

Meanwhile we do have nuclear energy which has proven to be a safer and more economical portion of our present energy mix than the fossil fuels being utilized. There are ecological benefits as well.

Reprocessing the spent reactor fuel to remove reusable plutonium and uranium in our nuclear power plants would add centuries of usable energy to the over all program. At Maine Yankee alone the reusable fuel could save thousands of dollars.

Spent fuel assemblies are removed from the reactors and placed in water filled storage pools at the site to allow the temperature and radioactivity to subside. They must remain in the pools for at least six months by regulation. These assemblies pose little or no hazard to the public, because of the manner in which they are stored.

Most pools were designed to have enough space to store three full cores. If the pools fill up before a decision on reprocessing and waste disposal can be provided, operating reactors will either have to build more pool space, rearrange their spent fuel assemblies into a higher density configuration (which can be done without harm to the public), or ship their spent fuel to a centralized

location in order to continue operation.

All other countries that are active in the nuclear power programs are developing their own technologies for reprocessing and waste disposal, and making progress.

France is the clear leader in reprocessing and classification. They are handling 400 tons of spent fuel per year, and they are building another reprocessing plant twice the size of their first which is due for completion this year.

Clearly, it will be to our advantage to allow Maine Yankee to rearrange the spent fuel rods on hand, while we await progress in the technology of safe nuclear waste disposal in the United States.

Lillian C. Marcoux
280 East Ave.
Lewiston

Preparedness

To the Editor:

I don't have a thing to complain about. I would just like to say that I am thankful for the following.

That I have the brains to know that if we cannot donate one hour a day to our military planes for low level flying over our state, then we are donating 24 hours a day to the un-military preparedness of this nation.

For being a war veteran and knowing what it is like to see blood, guts and dead friends lying around because a nation was un-prepared militarily.

That we have a free press so that I may answer some of those who think our boys up there are wrecking our pretty flowers, tourist business, wild-life, tranquility and all the rest, instead of protecting the very same from a world-wide enemy — the Soviet, atheistic government.

That I do not fall for the anti-American double talk, for the purpose of halting this preparedness exercise.

That I am not a 4th class anything, just a first class American who wants to see this country stay strong and subsequently free.

To know that if we do not wake up, put up and shut up, we damned well may be blown up.

C. Paclard
Sumner Road
Leeds

I WROTE CLASSIFICATION,
WHICH IS CORRECT.

Doctors for Future

To the Editor:

Re: "Plenty of Doctors" editorial on 2/11/81.

Is it true? Do we plan to deny our own qualified, competent, motivated young people a chance to pursue medicine and invite doctors and dentists from other states and countries to meet our medical needs?

This seems a shortsighted view of our own resources. Our young people deserve the opportunity to be educated and serve, if they qualify.

Concerned readers and friends should contact representatives and support our young people's opportunity to pursue their calling.

Melva C. Geores
North Leeds

Likes the Change

To the Editor:

I took the time, a few weeks ago, to write you a letter voicing my opinion against the T.V. Format that preceded the one you have now.

Now, I'd like to write you a letter to let you know how much better I think the present T.V. Format is.

It's nice to know, that your paper is concerned about how your readers feel about its contents.

Mrs. Christine Begos
23 East Ave.
Lisbon Falls