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UNITED STATES OF AMERICA
NUCLEAR REGULATORY COMMISSION

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COMMISSIONERS:

Shirley Ann Jackson, Chairman
Kenneth C. Rogers
Greta J. Dicus
Nils J. Diaz
Edward McGaffigan, Jr.

OFFICE OF THE SECRETARY
DOCKET

SERVED OCT -9 1996

In the Matter of)
)
YANKEE ATOMIC ELECTRIC COMPANY)
)
(Yankee Nuclear Power Station))

Docket No. 50-029-DCOM
Decommissioning Plan

ORDER

In a letter dated September 30, 1996, the Yankee Atomic Electric Company (YAEC) provided a "fourteen day notification" to the NRC staff of YAEC's intent to implement "additional minor decommissioning activities" at its Yankee Rowe facility. The Citizens Awareness Network and the New England Coalition on Nuclear Pollution have filed with the Commission a "request for immediate injunction" against YAEC's proposed activities. The Commission hereby orders YAEC not to undertake those activities, pending further order of the Commission.

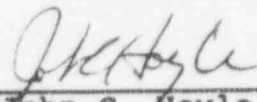
In CLI-96-6, 43 NRC 123 (1996), the Commission issued a sua sponte decision declining to disturb NRC staff decisions under 10 C.F.R § 2.206 finding permissible previous "minor" decommissioning activities. The Commission indicated, however, that it understood YAEC to contemplate no further minor activities. 43 NRC at 132. The Commission also stated that it

"stands ready to call a halt to such activities" if necessary, because "an accumulation of 'minor' activities could so eviscerate the SAFSTOR option" that the ongoing Commission adjudication on Yankee Rowe's decommissioning might be rendered meaningless. Id., at 131-32.

The Yankee adjudication is not yet over. Last week (on October 2, 1996) the Commission issued a temporary housekeeping stay, pending its consideration of an expedited petition for review and its consideration of a motion for a full stay pending Commission review of the Licensing Board's recent decision (LBP-96-18, September 27, 1996) terminating the proceeding. The Commission intends to issue its decision on those matters as promptly as possible. In the meantime, we direct YAEC not to undertake the activities described in its September 30 letter,¹ pending further order of the Commission.

It is so ORDERED.

For the Commission,



John C. Hoyle
Secretary of the Commission

Dated at Rockville, Maryland
this 2nd day of October, 1996

¹ As described in YAEC's September 30 letter, these activities are: removal of motor control center, removal of asbestos insulation in the RCA, removal of miscellaneous PAB components, removal of miscellaneous waste disposal building components, removal of waste hold-up and test tanks, and decontamination of the safety injection building concrete surfaces.

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In the Matter of

YANKEE ATOMIC ELECTRIC COMPANY

(Yankee Nuclear Power Station)

Docket No.(s) 50-029-DCOM

CERTIFICATE OF SERVICE

I hereby certify that copies of the foregoing COMM ORDER RE YAEC 9/30 LTR... have been served upon the following persons by U.S. mail, first class, except as otherwise noted and in accordance with the requirements of 10 CFR Sec. 2.712.

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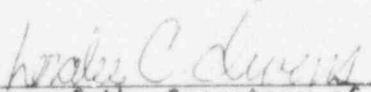
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COMM ORDER RE YAEC 9/30 LTR...

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Dated at Rockville, Md. this
9 day of October 1996


Office of the Secretary of the Commission