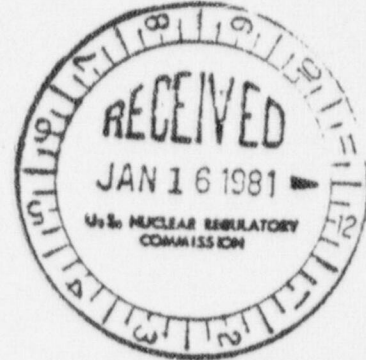


REGULATORY PROGRAM FILE COPY

Docket No. 50-309

JAN 14 1981



The Honorable George J. Mitchell  
United States Senate  
Washington, DC 20510

Dear Senator Mitchell:

This is in response to your letter of December 1, 1980 to Chairman Ahearne regarding the letter to you of November 10, 1980 from your constituents Eleanor and Reynolds Miller. In your letter you requested full briefing materials including those cited in your constituents' letter. Please note that the October 2, 1980 letter to NRC mentioned by your constituents is the September 29, 1980 letter discussed below. In response to your request, I am happy to provide you with the information discussed below.

Maine Yankee Atomic Power Company (MYAPC) submitted a letter to the NRC, dated September 18, 1979 proposing modified spent fuel storage (Enclosure 1) "...because it appeared inevitable that availability of commercial fuel reprocessing would be significantly delayed...". MYAPC later submitted a letter to the NRC, dated September 29, 1980, that proposed a supplement to their September 1979 letter (Enclosure 2). MYAPC proposed to replace existing spent fuel storage racks with racks of greater strength to meet currently approved design criteria and to provide closer storage spacing of fuel i.e., increased storage capacity.

Pursuant to the National Environmental Policy Act of 1969 and the Atomic Energy Act of 1954 the NRC staff will prepare an environmental impact appraisal to consider the environmental aspects of MYAPC's proposals and a safety evaluation report to consider the safety aspects of MYAPC's proposals. These documents will be forwarded to you upon their completion.

With regard to your constituents' concerns of increasing the risk of radiation accidents due to increased spent fuel storage, I have enclosed NUREG-0575, Vols. 1-3; "Final Generic Environmental Impact Statement on Handling and Storage of Spent Light Water Power Reactor Fuel" (Enclosure 3). NUREG-0575 Volume 1, pg ES-7, Section 4.1; Impacts On The Public Health And Safety And The Common Defense And Security, contains statements pertinent to your constituents' concerns. The findings contained in section 8.0, pgs ES-11, 12 and 13 are also pertinent to your constituents' concerns. Environmental impact statements, safety and accident considerations as well as alternatives to spent fuel storage are contained in the remainder of Volume 1. Volume 2 of NUREG-0575 contains appendices considering aspects of spent fuel storage in detail. Volume 3 of NUREG-0575 contains comments on the draft environmental impact statements together with the NRC staff responses to the comments.

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Senator Mitchell

- 2 -

With regard to your constituents' concern about evacuation, the NRC and Federal Emergency Management Agency (FEMA) are engaged in an active program of upgrading the state of emergency preparedness at and around operating nuclear power plants and have published jointly NUREG-0654 "Criteria for Preparation and Evaluation of Radiological Emergency Response Plans and Preparedness in Support of Nuclear Power Plants" (Enclosure 4). In addition, on August 19, 1980, the NRC published in the Federal Register new regulations concerning emergency preparedness (45 FR 55402) (Enclosure 5).

By direction of President Carter on December 7, 1979, FEMA has been given lead responsibility for review of emergency plans of State and local authorities in the environs of nuclear power plants. The NRC and FEMA developed a memorandum of understanding (MOU) to clarify the two agencies' roles in this regard. According to the MOU, FEMA will review State and local emergency preparedness. Upon completion of its review, FEMA will provide its findings on the adequacy of offsite emergency plans to NRC, and NRC will then make the licensing decisions based on the NRC regulations on emergency preparedness. As part of this process, the NRC will start conducting compliance reviews of all the sites this summer.

The Rogovin report, "Three Mile Island - A Report To The Commissioners And To The Public", Volume I and Volume II, Parts 1, 2 & 3 (Enclosure 6) was mentioned by your constituents and is also enclosed for your information.

I trust that the enclosures will suffice for you to effectively address your constituents' concerns.

Sincerely,

(Signed) T. A. Rehm

William J. Dircks  
Executive Director for Operations

Enclosures:

1. MYAPC letter to NRC, dated September 18, 1979
2. MYAPC letter to NRC, dated September 29, 1980
3. NUREG-0575, Vols. 1-3
4. NUREG-0654
5. Federal Register (45 FR 55402) dated August 19, 1980
6. Three Mile Island Report, Vols. 1 and 2.

Distribution : w/o enclosures

Docket File

NRC PDR	M. Stine
Local PDR	P. Kreutzer (3)
TERA	R. Requa
NSIC	R. Clark
ORB#3 Reading	SECY (3) 80-2114
EDO Reading	E. Case
OELD	H. Denton
GErtter (EDO-9951)	PPAS
SCavanaugh	R. Vollmer
JLanning	D. Ross
Gray File - ORB#3	S. Hanauer
Green Ticket File -	F. Schroeder
ORB#3	B. Snyder
Martha Torgow	Linda Underwood
	W. Bivins

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~~Docket File~~

NRC PDR

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TERA

NSIC

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ORB#3 Reading

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~~R. Purple~~

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~~G. Laines~~

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Linda Underwood

Martha Torgow

W. Bivins

~~G. Lanning~~

~~J. Lanning~~

Gray File-ORB#3

Green Ticket File-ORB#3

*Tom  
Do you  
file these*

*should get cy.*

*disregard cross-out -  
should get cy*

*Save yourself some work -  
These lists are ridiculous long.*

*JF 1-8*

\* Denotes previous concurrence - See attached

OFFICE	ORB#3:DL*	ORB#3:DL*	AD:OR:DL*	OELD	EDO WOODCHS 1/13/81	OCA 1/4/81
SURNAME	GRequa:PN	RAClark	TMNovak		D:NRB ECase	D:NRB HDenton
DATE	1/1/81	1/1/81	1/1/81	1/1/81	1/1/81	1/12/81

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(2) (28)

Figure 1

54-22

Senator Mitchell

- 2 -

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William J. Dircks  
Executive Director for Operations

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2. MYAPC letter to NRC, dated September 18, 1979
3. NUREG-0575, Vols. 1-3
4. Three Mile Island Report, Vols. 1 and 2

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J. Heltemes	B. Snyder	
OELD	Linda Underwood	
G. Ertter (EDO-09951)	Martha Torgow	
S. Cavanaugh	W. Bivins	

EDO	OCA
WJDireks	
1/ /81	1/ /81

OFFICE>	ORB#3:dl	ORB#3:DL	AD:OR-DL	OELD	D:NRR	DD:NRR	D:NRR
SURNAME>	GR:PA:PN	RAC:Clark	TM:Novak		DEisenhut	ECase	HDenton
DATE>	1/2/81	1/2/81	1/2/81	1/ /81	1/ /81	1/ /81	1/ /81



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\* Denotes previous concurrence- See attached

OCA

12/ /80

DATE	OR	OR	AD	D	DD	D	EDO
12/30/80	ORB#3:DL*	ORB#3:DL	OR:DL	NRR	NRR	NRR	WJDireks
12/ /80	Requard	Clark	TMNovak	Eisenhut	ECase	HDenton	
12/ /80							
12/ /80							
12/ /80							
12/ /80							
12/ /80							

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Senator Mitchell

- 2 -

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EDO  
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OCA  
1/ /81

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Gray File-ORB

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J. Roe

J. Heltemes

OELD

G. Ertter EDO-0995

S. Cavanaugh

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F. Schroeder

B. Snyder

L. Underwood

OFFICE	ORB#3:DL	ORB#3:DL	AD:OR:DL	D:NRR	DD:NRR	D:NRR	EDO
SURNAME	Gregory	RAClark	TMNovak	DEisenhut	ECASE	HDenton	WJDircks
DATE	12/30/80	12/ /80	12/ /80	12/ /80	12/ /80	12/ /80	12/ /80

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FROM: Sen. George J. Mitchell		ACTION CONTROL		DATES		CONTROL NO. 09951	
		COMPL DEADLINE		12/31/80			
		ACKNOWLEDGMENT				DATE OF DOCUMENT	
		INTERIM REPLY				12/1/80	
TO: Chairman Abraham		FINAL REPLY				PREPARE FOR SIGNATURE	
		FILE LOCATION				OF: <input type="checkbox"/> CHAIRMAN <input checked="" type="checkbox"/> EXECUTIVE DIRECTOR	
						OTHER:	
DESCRIPTION <input type="checkbox"/> LETTER <input type="checkbox"/> MEMO <input type="checkbox"/> REPORT <input type="checkbox"/> OTHER Constitutional referral to Eleanor S. and myself C. Miller concerning Helen Yankin's proposal for spent fuel storage on site		SPECIAL INSTRUCTIONS OR REMARKS					
CLASSIFIED DATA							
DOCUMENT/COPY NO.		CLASSIFICATION					
NUMBER OF PAGES		CATEGORY		SECY-80-2114			
POSTAL REGISTRY NO.		<input type="checkbox"/> NSI <input type="checkbox"/> PD <input type="checkbox"/> FRD					
ASSIGNED TO:	DATE	INFORMATION ROUTING		LEGAL REVIEW		<input type="checkbox"/> FINAL <input type="checkbox"/> COPY	
Denton	12/13/80	Lundquist, RPA		ASSIGNED TO:		DATE	
Eisenhut	12/12/80	Case Ross				NO LEGAL OBJECTIONS	
		Denton Schroeder				NOTIFY:	
		PPAS Snyder				<input type="checkbox"/> EDO ADMIN & CORRES BR	
		Hansler Vellner				EXT. _____	
						COMMENTS, NOTIFY:	
						EXT. _____	
				JCAE NOTIFICATION RECOMMENDED: <input type="checkbox"/> YES <input type="checkbox"/> NO			

NRC FORM 232  
(11-75)

EXECUTIVE DIRECTOR FOR OPERATIONS

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PRINCIPAL CORRESPONDENCE CONTROL

No. 80-2114 Logging Date 12/9/80

NRC SECRETARIAT

TO: ☐ Commissioner \_\_\_\_\_ Date \_\_\_\_\_

☒ Exec. Dir./Open. \_\_\_\_\_ ☐ Gen. Counsel \_\_\_\_\_

☐ Cong. Liaison \_\_\_\_\_ ☐ Solicitor \_\_\_\_\_

☐ Public Affairs \_\_\_\_\_ ☐ Secretary \_\_\_\_\_

☐ \_\_\_\_\_ ☐ Inspector & Auditor \_\_\_\_\_

☐ \_\_\_\_\_ ☐ Policy Evaluation \_\_\_\_\_

Incoming: Sen George Mitchell, Constituent Referral

From: W Eleanor Miller

To: Ahearne Date 12/1/80

Subject: concerning Maine Yankee appl with the

NRC for a nuclear waste storage permit in

Wiscasset

- ☐ Prepare reply for signature of:
- ☐ Chairman \_\_\_\_\_
- ☐ Commissioner \_\_\_\_\_
- ☐ BDD, GC, CL, SOL, PA, SECY, IA, PE
- ☒ Signature block omitted
- ☐ \_\_\_\_\_
- ☐ Return original of incoming with response

- ☒ For direct reply. Suspense: Dec 29
- ☐ For appropriate action
- ☐ For information

Rec'd Off. EDO 12/10/80

Date. ....

Time. ....

Remarks: OCA to Ack

\_\_\_\_\_

\_\_\_\_\_

For the Commission: b111e

\*Send three (3) copies of reply to Secy Correspondence and Records Branch

NRC-82

ACTION SLIP