



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

REGION 1
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June 30, 2004

Mr. John B. Hickman, Project Manager
U.S. Nuclear Regulatory Agency (Mail Stop T-7-F27)
Decommissioning Directorate
Division of Waste Management and Environmental Protection
Office of Nuclear Material Safety and Safeguards
Washington, DC 20555-0001

Re: Docket Number: 50-029
License Termination Plan for Yankee Rowe Nuclear Power Station

Dear Mr. Hickman:

Thank you for the opportunity to comment on the License Termination Plan (LTP) for the Decommissioning of the Yankee Rowe Nuclear Power Plant. In general, EPA finds the document well organized and written. We commend the decision to withdraw the previous LTP, and thus produce a much stronger and more thorough LTP. However, we are still obliged to point out some areas of concern.

1. Radiation in Ground Water:

We are pleased that Yankee Atomic has verbally committed to meet the EPA MCLs, although not an NRC requirement per se. As you know, recent sampling has indicated an on-site plume of tritium with maximum concentrations more than twice the MCL. We understand that NRC has issued Requests for Additional Information (RAIs) on this subject. Yankee Atomic readily acknowledges that they have not completed the characterization of the extent of this problem, nor developed a final remediation plan should one be necessary, nor discussed, should it be necessary, institutional controls that may be required by the State of Massachusetts to meet their obligations under the Safe Drinking Water Act.

We understand that meeting the EPA MCLs is not an NRC requirement for release of the site, and that an MOU exists between EPA and NRC for consultation at sites with contamination in ground water or soil above certain trigger levels. We also understand that Yankee Atomic has been very open about their on-going investigation of this issue, and has committed verbally to not only meet the EPA MCLs but continue the dialogue on ground water characterization and remediation with the Yankee Rowe stakeholders, including the State Department of

Environmental Protection (DEP) and Department of Public Health (DOH). Since this issue was not well documented in the LTP, EPA is concerned that there is no current mechanism to document these commitments, including demonstration of attaining the MCLs. We think this is critical to gaining public support, and therefore suggest that Yankee Atomic amend the LTP to put these verbal commitments in writing.

2. Potential Burial of Concrete and Other Debris (Rubble)

The LTP commits Yankee Atomic to sending all "rubble" off-site and out-of-state as Low Level Radioactive Waste. Yankee Atomic has verbally informed us that because of recent traffic accidents involving such shipments, they are reconsidering this plan. This development is not only contrary to the LTP, it is not yet documented what rubble will be buried, what will be sent where, and how much radiation will be contained in these waste streams, and how these may impact exposure calculations and clean-up plans. As you know, EPA has advised NRC in the past to not allow the burial of rubble on-site.

3. Meeting State Standards:

It is our understanding that the State has a total exposure standard of 10 mrem versus the NRC standard of 25 mrem, plus a state requirement to meet EPA MCLs, and a total cumulative (radiological plus chemical) excess cancer risk standard of 10^{-5} . Again, EPA understands that NRC does not require the LTP to demonstrate meeting these standards nor any chemical contamination clean-up standards, the latter being regulated by the State DEP and EPA. Nonetheless, it would make it much easier for the public, if the LTP at least addressed the State radiological standards. Again, Yankee Atomic has committed verbally to meet these standards, but has not yet documented that they, in fact, will meet these standards. We suggest that Yankee Atomic and NRC consider amending the LTP to address the state radiological standards.

4. I attended the NRC LTP Public Meeting on June 24, 2004 in Shelburne Falls, MA.

It was obvious that the public is confused and concerned about the multiple regulatory processes and complexities of meeting NRC, State and in some cases (such as PCBs) EPA standards. The issues above are not fully addressed in the LTP, and although some of them are not required to be addressed (e.g. State standards), we suggest some of them must be (tritium, rubble). If it is the intent of Yankee Atomic and NRC to address the tritium in ground water contamination and/or burial of debris in future LTP amendments, there should be full disclosure of these LTP amendments and another Public Meeting to take comment on them before the NRC makes its final decision on the LTP.

Finally, we have urged the NRC and Licensees at other decommissioning plants, to work with the States, EPA and other public stakeholders on more holistic and integrated outreaches to foster better public understanding of all the regulatory processes that are occurring simultaneously. While we understand that NRC is not required to do this, EPA Region 1 would be pleased to assist the NRC in such an endeavor.

If you wish to discuss these issues, including potential options for joint outreach to the public, please don't hesitate to call me at 617-918-1631.

Sincerely,



Marv Rosenstein, Chief
Chemicals Management Branch
Office of Ecosystems Protection, EPA Region 1

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