

December 19, 2012

Mr. Edward D. Halpin  
Senior Vice President and  
Chief Nuclear Officer  
Pacific Gas and Electric Company  
P. O. Box 56  
Mail Code 104/6  
Avila Beach, CA 93424

SUBJECT: HUMBOLDT BAY POWER PLANT UNIT 3 – REQUEST FOR 10 CFR 20.2002  
ALTERNATE DISPOSAL APPROVAL AND 10 CFR 30.11 EXEMPTION FOR  
PLANT WASTE DISPOSAL AT US ECOLOGY IDAHO (TAC NO. J00369)

By letter dated May 2, 2012, as supplemented by email dated July 16, 2012, Pacific Gas and Electric Company (PG&E, the licensee) submitted to the U.S. Nuclear Regulatory Commission (NRC), a request for alternate disposal of approximately 100,000 ft<sup>3</sup> of hazardous waste, soil, and debris and 50,000 ft<sup>3</sup> of water containing low-activity radioactive material generated during the demolition of structures and remediation activities at Humboldt Bay Unit 3. PG&E plans to dispose of this material at the U.S. Ecology Idaho (USEI) Resource Conservation and Recovery Act (RCRA) Subtitle C hazardous disposal facility located near Grand View, Idaho. USEI is not an NRC-licensed facility. PG&E made this request under the alternate disposal provision contained in 10 CFR 20.2002, which permits a licensee to request NRC approval for alternate disposal procedures. Additionally, PG&E requested exemptions on behalf of USEI pursuant to 10 CFR 30.11 and 10 CFR 70.17 to allow USEI to receive and possess radioactive materials without an NRC license. USEI endorsed this request by electronic correspondence to the NRC on October 31, 2012. These exemptions are addressed in a separate correspondence to USEI.

To obtain approval for 20.2002 alternate disposal, the NRC requires that the licensee demonstrate that doses will be maintained as low as reasonably achievable (ALARA). The NRC has determined that this limit requires a licensee to demonstrate that the dose to a member of the public (including all exposure groups) is no more than “a few millirem per year” The NRC has evaluated the potential doses associated with transportation, waste handling, and disposal as a part of its review of PG&E’s 20.2002 request. The NRC determined that the projected doses to individual transportation and USEI workers have been appropriately estimated and are demonstrated to meet the NRC’s alternate disposal dose requirement of not more than “a few millirem per year.” Independent review of the post-closure and intruder scenarios at USEI confirmed that the maximum projected dose over a period of 1,000 years is also within “a few millirem per year.” Therefore, the potential cumulative dose from the waste in this disposal request plus the dose from the waste in the previous disposal requests is also within a “few millirem per year.”

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The enclosed Safety Evaluation documents the basis for the acceptability of the alternate disposal request. The staff also evaluated the environmental impacts of the approval and exemption and determined that granting them would not result in any significant impacts. For this action, an Environmental Assessment and Finding of No Significant Impact was prepared and published in the *Federal Register*. Accordingly, pursuant to 10 CFR 20.2002, the approval to use alternative disposal is granted and effective immediately.

A copy of our related Safety Evaluation is enclosed. In accordance with 10 CFR 2.390, a copy of this letter will be available for public inspection in the NRC Public Document Room or from the Publicly Available Records component of NRC's Agencywide Documents Access and Management System (ADAMS). ADAMS is accessible from the NRC Web site at <http://www.nrc.gov/reading-rm/adams.html>.

Sincerely,

**/RA/**

Larry W. Camper, Director  
Division of Waste Management  
and Environmental Protection  
Office of Federal and State Materials and  
Environmental Management Programs

Docket No. 50-133

Enclosure: Safety Evaluation

cc w/enclosure: Humboldt Bay Service List

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Sincerely,

**/RA/**

Larry W. Camper, Director  
Division of Waste Management  
and Environmental Protection  
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OFFICE	DWMEP	DWMEP	DWMEP	DWMEP	OGC	DWMEP	DWMEP
NAME	JHickman	CHolston	BWatson	CMcKenney	TCampbell	APersinko	LCamper
DATE	9/6/2012	9/6/2012	9/6/2012	9/6/2012	10/31/2012	12/12/2012	12/19 /12

**OFFICIAL RECORD COPY**

Humboldt Bay Power Plant, Unit 3 Service  
List

cc:

Mr. Edward D. Halpin  
Senior Vice President and  
Chief Nuclear Officer  
Pacific Gas and Electric Company  
P. O. Box 56  
Mail Code 104/6  
Avila Beach, CA 93424

James Becker  
Vice President - Diablo Canyon Operations  
and Station Director  
Diablo Canyon Power Plant  
PO Box 56  
Avila Beach, CA 93424

Paul J. Roller  
Director and Plant Manager  
Humboldt Bay Nuclear  
Pacific Gas & Electric Company  
1000 King Salmon Avenue  
Eureka, CA 95503

Jennifer K. Post  
Law Department  
Pacific Gas and Electric Company  
77 Beale Street, B30A  
San Francisco, CA

Chairman, Humboldt County Board  
of Supervisors  
County Courthouse  
825 Fifth Street  
Eureka, CA 95501

Regional Administrator, Region IV  
U.S. Nuclear Regulatory Commission  
611 Ryan Plaza Drive, Suite 400  
Arlington, TX 76011-8064

California Public Utilities Commission  
505 Van Ness, Room 4102  
San Francisco, CA 94102

Redwood Alliance  
P.O. Box 293  
Arcata, CA 95521

Dr. Rich Ferguson, Energy Chair  
Sierra Club California  
1100 11<sup>th</sup> Street, Suite 311  
Sacramento, CA 94814

Mr. Gary Butner, Acting Radiation Program  
Director  
Radiologic Health Branch  
Dept. of Health Services, MS-7610  
PO Box 997414  
Sacramento, CA 95899-7414

Stephen Hsu, M.S., Senior Health Physicist  
Radiological Assessment Unit  
Radioactive Material Licensing Section  
Radiologic Health Branch  
Dept. of Health Services, MS-7610  
PO Box 997414  
Sacramento, CA 95899-7414

Commissioner  
California Energy Commission  
1516 Ninth Street  
Sacramento, CA 95814

Deputy Attorney General  
State of California  
110 West A Street, Suite 700  
San Diego, CA 92101