

March 11, 2014

Ms. Cynthia Gomez, Executive Director  
California Native American Heritage Corporation  
915 Capitol Mall, Room 364  
Sacramento, CA 95814

SUBJECT: SECTION 106 CONSULTATION OF THE NATIONAL HISTORIC PRESERVATION  
ACT REGARDING THE PROPOSED AMENDMENT TO LICENSE NO. DPR-7 FOR  
THE HUMBOLDT BAY POWER PLANT UNIT 3 LICENSE TERMINATION PLAN

Dear Ms. Gomez:

The U.S. Nuclear Regulatory Commission (NRC) staff is reviewing a proposed license Amendment to approve the Humboldt Bay Power Plant (HBPP) Unit 3 License Termination Plan (LTP) submitted by Pacific Gas & Electric Company (PG&E) on May 3, 2013, (Agencywide Documents Access and Management System (ADAMS) Accession No. ML13130A009). PG&E is requesting an amendment to its License No. DPR-7, which, if approved would allow PG&E to terminate activities at HBPP Unit 3 and decommission remaining facilities on the site.

The HBPP Unit 3 is located on Buhne Point, a small peninsula on the eastern shore of Humboldt Bay, in Humboldt County, California. Unit 3 is located approximately 500 feet from the shore of Humboldt Bay.

The primary objective of the LTP is to restore the land at HBPP Unit 3 to an unrestricted release to its formerly occupied condition (prior to initial construction). The clean-up of residual radiological contamination associated with the historical power production is the plan's objective. The actual termination of the license is expected in 2019, as there are still a number of major activities that need to be completed. These include the removal of the following significant features: spent fuel pool, caisson, waste buildings and vaults, as well as dredging and remediating the intake and discharge canals.

Pursuant to 10 CFR Part 51, the NRC's regulations that implement the National Environmental Policy Act of 1969 (NEPA), as amended, NRC staff is preparing an Environmental Assessment (EA) for the proposed action (i.e., amendment to License No. DPR-7 to allow PG&E to terminate its license for the HBPP Unit 3). The purpose of the EA is assess potential environmental impacts that could result from the decommissioning and dismantling of the remaining facilities on the site. In addition, the EA will also include an assessment of potential impacts to historic and cultural properties, in accordance with 36 CFR Part 800.8 (coordination with NEPA). The NRC staff uses the NEPA process to comply with its obligation under Section 106 of the National Historic Preservation Act of 1966 (NHPA), as amended, in lieu of the procedures set forth in 36 CFR Part 800.3 through 800.6. In order to identify issues relating to the proposed undertaking's potential effects on historic properties, including those that may be of religious and cultural significance to Native American tribes. The NRC is requesting your input on its preliminary determination that the LTP will not adversely affect any historic sites and cultural resources.

Previous Consultation (for issuance of the Independent Spent Fuel Storage Facility License)

With respect to the issuance of the HBPP Unit 3 Independent Spent Fuel Storage Facility (ISFSI) in 2005, the NRC staff analyzed the potential environmental impacts associated with construction, operation and decommissioning of the ISFSI. The staff's assessment was documented in an EA, dated October 2005 (ADAMS No. ML 052430106). The NRC staff consulted with the following Native American groups during the review: California Native, American Heritage Commission, Blue Lake Rancheria, Bear River Band of Rohnerville Rancheria, and Wiyot Tribe. Representatives from these groups expressed concerns over the potential for cultural resources to be affected. In Section 2.9.3 of the Environmental Report (PG&E 2005) (ADAMS No. ML 033640453), PG&E committed to stopping all work, and taking appropriate actions if there are any inadvertent discoveries, so that historic sites and cultural resources would be appropriately handled and treated. PG&E has committed (EA, NRC 2005) to employ best management practices to protect local waters and nearby wetlands from site runoff, spillage and leaks, and to employ erosion controls and revegetation on disturbed areas.

Current Proposed Action and Consideration of License Termination Plan Amendment

The current proposed action is a license amendment to authorize a plan to terminate License No. DPR-7 for the HBPP Unit 3. The plan includes decommissioning and dismantling of remaining on-site facilities, and to restore the site to its unrestricted former use. The proposed action involves various construction activities, land disturbance, excavation and other physical changes to the site's environment. The HBPP Unit 3 LTP is publically available in the NRC Public Document Room located at:

One White Flint North  
11555 Rockville Pike  
Rockville, MD 20852

The ADAMS Public Electronic Reading Room is accessible at <http://www.nrc.gov/reading-rm/adams.html>. The ADAMS Accession Numbers for the HBPP Unit 3 license amendment application are found under Docket No. 50-133.

Please submit any written comments and information that you may wish to offer regarding this matter within 30 days of receipt of this letter to the NRC, Attention:

Document Control Desk  
Mr. Andrew Persinko, Deputy Director  
Division of Waste Management and Environmental Protection  
Office of Federal and State Materials and Environmental Programs  
U.S. Nuclear Regulatory Commission  
Washington, DC 20555-0001

C. Gomez

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Please reference Docket No. 50-133 in your response. If you have any questions or need additional information regarding the environmental review process for the proposed action, please contact Mr. Alan Bjornsen of my staff by telephone at (301) 415-1195, or by e-mail at [Alan.Bjornsen@nrc.gov](mailto:Alan.Bjornsen@nrc.gov).

Thank you for your assistance.

Sincerely,

**/RA/**

Andrew Persinko, Deputy Director  
Decommissioning and Uranium Recovery  
Licensing Directorate  
Division of Waste Management  
and Environmental Protection  
Office of Federal and State Materials  
and Environmental Management Programs

Docket No. 50-133  
License No. DPR-7

cc: Humboldt Bay Service List  
Native American Tribes List  
Historic Preservation and Heritage Agencies

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Thank you for your assistance.

Sincerely,

**/RA/**

Andrew Persinko, Deputy Director  
Decommissioning and Uranium Recovery  
Licensing Directorate  
Division of Waste Management  
and Environmental Protection  
Office of Federal and State Materials  
and Environmental Management Programs

Docket No. 50-133  
License No. DPR-7

cc: Humboldt Bay Service List  
Native American Tribes List  
Historic Preservation and Heritage Agencies

**ML14038A226**

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**OFFICIAL RECORD COPY**

Humboldt Bay Service List

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Native American Tribes List

cc:

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Wiyot Tribe  
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Loleta, CA 95551

Ms. Claudia Brundin, Chairperson  
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Preservation and Heritage Agencies

cc:

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