

June 23, 2015

Mr. Edward Nichols  
State Historic Preservation Officer  
Colorado Historical Society  
1200 Broadway  
Denver, CO 80202

SUBJECT: SECTION 106 CONSULTATION OF THE NATIONAL HISTORIC PRESERVATION ACT FOR THE FORT ST. VRAIN INDEPENDENT SPENT FUEL STORAGE INSTALLATION LICENSE AMENDMENT REQUEST REGARDING CHANGES TO TECHNICAL SPECIFICATION 3.3.1 (DOCKET NO.: 72-00009)

Dear Mr. Nichols:

The U.S. Nuclear Regulatory Commission (NRC) has received an application from the U.S. Department of Energy (DOE) to amend Materials License Number SNM-2504 for the Fort St. Vrain (FSV) Independent Spent Fuel Storage Installation (ISFSI) located in Platteville, Colorado. The FSV ISFSI site consists of approximately 20 acres located in Weld County, Colorado, approximately 3.5 miles northwest of the town of Platteville and 35 miles north of the city of Denver.

The NRC regulations at Title 10 of the *Code of Federal Regulations* (10 CFR) Part 72, "Licensing Requirements for the Independent Storage of Spent Nuclear Fuel, High-Level Radioactive Waste, and Reactor-Related Greater than Class C Waste," govern the storage of spent nuclear fuel (spent fuel) generated at commercial nuclear power reactors licensed by the NRC. Spent fuel that has been removed from the reactor's spent fuel pool is typically stored at a nuclear power plant's ISFSI.

In 1991, the NRC issued a 20-year license to the Public Service Company of Colorado to receive, possess, store, and transfer FSV spent fuel in the ISFSI. In 1999, this license was transferred to DOE, and in 2011 the license was renewed for an additional 20 years. DOE is requesting that its license be amended to incorporate a change to technical specification (TS) 3.3.1, immediately upon approval of this amendment. Approval of the license amendment request would lengthen the time allowed to transfer a cask with a faulty (leaking) seal to the Standby Storage Well (SSW) from 7 days to 21 days. The amendment would also modify the 30 day requirement to test two additional casks to 45 days. Procedures and equipment are currently available to transfer the cask to the SSW, replace a faulty seal, and test additional casks.

As established in 10 CFR Part 51, the NRC regulation that implements the National Environmental Policy Act of 1969, as amended (NEPA), the NRC is preparing an environmental assessment (EA) for the proposed action. The purpose of the EA is to assess potential environmental impacts that may significantly affect the human environment. In accordance with 36 CFR 800.8 (Coordination with the National Environmental Policy Act), the NRC staff is coordinating compliance with the Section 106 process of the National Historic Preservation Act of 1966, as amended, with its NEPA review process. The EA will also include analyses of impacts to historic properties. The NRC staff is also conducting a safety evaluation of the proposed amendment. Approval of the requested amendment will only be made after both the environmental review and safety review are completed.

In support of the environmental review, the NRC staff is requesting your concurrence on our determination that the proposed license amendment does not have the potential to cause effects to historic properties, assuming those were present. This determination is based on the following information.

The NRC approval of DOE's license amendment request will not authorize or result in changes to routine operations. No new construction activities or land disturbances would be expected. In addition, during the NRC's review for the issuance of the FSV ISFSI license, the NRC staff analyzed the potential environmental impacts associated with construction and operation of the ISFSI. The NRC staff's assessment was documented in an EA dated February 1991 (Agencywide Documents Access and Management System (ADAMS) Accession No. ML062710252). In that EA, the NRC staff determined that the construction and operation of the ISFSI would not result in an impact to any historic, archaeological or cultural resources because, at the time of the NRC's review, no significant resources were found in the immediate site area. The NRC staff also prepared an EA in support of the 2011 20-year license renewal (ADAMS Accession No. ML111110339). In that EA, the NRC staff determined that the proposed license renewal would not have a significant impact on historic, archaeological, or cultural resources.

The FSV ISFSI license amendment application is publicly available in the NRC Public Document Room located at One White Flint North, 11555 Rockville Pike, Rockville, Maryland 20852, or from the NRC's Agencywide Documents Access and Management System (ADAMS). The ADAMS Public Electronic Reading Room is accessible at <http://www.nrc.gov/reading-rm/adams.html>. The ADAMS Accession Number for the application package is ML15068A009.

The NRC is respectfully requesting your concurrence with our determination that the proposed amendment does not have the potential to cause effects to historic properties, assuming those were present. Please provide your concurrence, or any comments or information that you may have regarding the NRC's determination for this matter within 30 days of the receipt of this letter to the NRC with ATTN: Ms. Lydia W. Chang, Mail Stop: T-4B16, Washington, DC 20555.

E. Nichols

3

If you have any questions, please contact Ms. Jean Trefethen of my staff by telephone at 301-415-0867 or via email at [Jean.Trefethen@nrc.gov](mailto:Jean.Trefethen@nrc.gov). Thank you for your assistance.

Sincerely,

**/RA/**

Lydia W. Chang, Chief  
Environmental Review Branch  
Division of Fuel Cycle Safety, Safeguards  
and Environmental Review  
Office of Nuclear Material Safety  
and Safeguards

Docket No.: 72-09  
License No.: SNM-2504

Enclosure:  
Figure E2-1  
Fort St. Vrain General  
Location of the ISFSI

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3

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Fort St. Vrain General  
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DISTRIBUTION:  
William (Chris) Allen, NRC

**ML15168A203**

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DATE	06/18/2015	06/19/2015	06/18/2015	06/23/2015

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