



United States Department of the Interior



FISH AND WILDLIFE SERVICE

Oregon Fish and Wildlife Office

2600 SE 98th Avenue, Suite 100

Portland, Oregon 97266

Phone: (503) 231-6179 FAX: (503) 231-6195

Reply To: 01EOFW00-2016-I-0034
File Name: NRC Informal PGE Trojan.doc
TS Number: TS-16-66
TAILS: 01EOFW00-2016-I-0034
Doc Type: final

NOV 1 2015

Michele Sampson
Spent Fuel Licensing Branch
Office of Nuclear Material Safety and Safeguards
U.S. Nuclear Regulatory Commission
Washington, DC 20555-0001

Subject: Informal consultation on NRC's approval of a decommissioning funding plan by Portland General Electric for the Trojan Spent Fuel Storage Installation

Dear Ms. Sampson,

The letter responds to your request, dated June 24, 2015, for informal consultation with the Fish and Wildlife Service (Service) on the U.S. Nuclear Regulatory Commission's (NRC) approval of a decommissioning funding plan (DFP) for Portland General Electric's (PGE) Trojan Independent Spent Fuel Storage Installation in Columbia County, Oregon. Our review and concurrence with NRC's approval of PGE's DFP are provided pursuant to section 7 of the Endangered Species Act of 1973 (16 U.S.C. 1531 *et seq.*), as amended (ESA).

We understand from your letter that a recently published amendment to NRCs decommissioning planning regulations requires each holder of, or applicant for, a license under 10 CFR Part 72 to submit, for NRC review and approval, a DFP. The purpose of the DFP is to demonstrate the licensee's financial assurance that funds will be available for future decommissioning.

The information provided in your letter outlined that the proposed action (review and approval of PGE's DFP) is a procedural and administrative action that will not result in impacts to the environment. Further, the proposed action will not change licensed operations or maintenance activities, it will not change the amount or type of effluents released into the environment, and it will not involve construction, facility modification or land-disturbing activity. We also understand from the information provided that any future site-disturbing remediation activities conducted by PGE associated with any decommissioning or decontamination activities would require separate review under the ESA.

We would like to bring to your attention the fact that the subject line of your letter suggests that NRC made a "no effect" determination on the proposed action, but the narrative portion of your letter requests concurrence with a "not likely to adversely affect" determination for listed species

and critical habitat. We do not object to your suggestion that this administrative action constitutes a "no effect" to listed species and critical habitat. We also concur that this administrative action is not likely to adversely affect listed species or critical habitat for the reasons outlined above.

This concludes informal consultation under section 7(a)(2) and 7(c) of the ESA. If information reveals effects of the action may affect listed species or critical habitat in a manner or to an extent not considered in this consultation; the action is subsequently modified in a manner that causes an effect to listed species or critical habitat that was not considered in this consultation; and/or, a new species is listed or critical habitat is proposed that may be affected by this action, the NRC would need to re-initiate consultation. If you have further questions regarding this consultation, please contact Chris Allen of my office at (503) 231-6179.

Sincerely,



Paul Henson, Ph.D.
State Supervisor

Acting
for

e-copy: Jose R. Cuadrado, Project Manager, U.S. Nuclear Regulatory Commission