



# United States Department of the Interior

## FISH AND WILDLIFE SERVICE

3817 Luker Road  
Cortland, NY 13045



July 8, 2016

Steve Ruffin, Acting Chief  
U.S. Nuclear Regulatory Commission  
Document Control Desk  
Mail Stop TWFN 4E-04  
Washington, DC 20555

**RE: James Fitzpatrick Nuclear Power Plant Facility (Docket No: 72-12; CAC No.: L24828)  
Preliminary Determination of No Effects/Independent Spent Fuel Storage  
Installation Decommissioning Funding Plan**

Dear Mr. Ruffin:

The U.S. Fish and Wildlife Service (Service) has reviewed the May 20, 2016, *Preliminary Determination of No Effects Regarding the James Fitzpatrick Independent Spent Fuel Storage Installation Decommissioning Funding Plan* (DFP). The project, which is located on Lake Ontario in the City of Oswego, Oswego County, New York, is owned by Entergy Nuclear Operations.

The DFP is a process to ensure that the project owner maintains sufficient funds to decommission the project's Independent Spent Fuel Storage Installation (ISFSI). The DFP does not authorize or change licensed operations or maintenance activities, nor does it alter the types, characteristics, or quantities of radiological or non-radiological effluents released into the environment from the ISFSI. The Nuclear Regulatory Commission (NRC) has determined that the proposed action will not affect listed species or critical habitat and that formal consultation under Section 7 is not required.

Since the DFP is a procedural and administrative action that will not affect the environment, the Service concurs with the NRC's determination. If you have any questions or desire additional information, please contact Steve Patch at 607-753-9334.

Sincerely,

*Patricia Cole*  
for David A. Stilwell  
Field Supervisor

NM5526

*Designate as Original  
Richard Baum 8/4/2016*