UNITED STATES
NUCLEAR REGULATORY COMMISSION
WASHINGTON, D.C. 20555-0001

June 19, 2018

Mr. Joseph Wildcat, Sr., President
Lac du Flambeau Band of Lake
Superior Chippewa Indians
418 Little Pines Road
P.O. Box 67
Laz du Flambeau, WI 54538

SUBJECT: SECTION 106 CONSULTATION OF THE NATIONAL HISTORIC PRESERVATION ACT REGARDING THE LICENSE TERMINATION PLAN FOR THE LACROSSE BOILING WATER REACTOR (DOCKET NUMBER: 50-409)

Dear President Wildcat:

The U.S. Nuclear Regulatory Commission (NRC) staff is reviewing a license amendment request, dated June 27, 2016, from LaCrosse Solutions, LLC (Solutions) related to the LaCrosse Boiling Water Reactor (LACBWR). Solutions is requesting the NRC's approval of a License Termination Plan (LTP) for the LACBWR.

The LACBWR is located in Vernon County, Wisconsin, along the eastern shore of the Mississippi River. It lies about 1 mile south of the Village of Genoa and approximately 19 miles south of the city of La Crosse, Wisconsin. Enclosure 1 provides the location of the LACBWR site. The LACBWR has not operated since 1987 and has been undergoing decommissioning since 2007. All spent nuclear fuel was transferred in 2012 to onsite dry cask storage (also known as an independent spent fuel storage installation (ISFSI)), which will remain after decommissioning.

The NRC, when it approves an LTP, is approving the following: (a) the adequacy of the licensee's decommissioning funding plan to assure that sufficient funding is available to complete the remaining radiological remediation activities; (b) the radiation-release criteria for license termination; and (c) the adequacy of the design of the final status survey to verify that the radiological release criteria have been met. The final status survey is the radiological survey performed after an area has been fully characterized, remediation has been completed, and the area is ready to be released. In accordance with Title 10 of the *Code of Federal Regulations* (10 CFR) Section 50.82(a)(11), the NRC shall terminate the LACBWR reactor operating licenses (except for the LACBWR ISFSI) upon Solutions' demonstration, through its final radiation survey, that it has met the radiological release criteria of 10 CFR 20.1402. The portion of the site associated with the ISFSI will remain under restricted use.

In accordance with the National Environmental Policy Act of 1969, as amended, and the agency's regulations in 10 CFR Part 51 "Environmental Protection Regulations for Domestic Licensing and Related Regulatory Functions," the NRC staff is preparing an Environmental Assessment (EA) to assess the potential environmental impacts that could result from license termination activities such as soil surveys as well as remaining decommissioning and dismantling activities. In preparation of the EA, the NRC staff is also evaluating the potential impacts on historic and cultural resources at the site, as required under the National Historic Preservation Act (NHPA).

The NRC previously issued a Final Environment Statement (FES) in April 1980 addressing the impacts from operation of the LACBWR. The FES is available in the NRC's Agencywide Documents Access and Management System (ADAMS), which can be accessed online at http://www.nrc.gov/reading-rm/adams.html, at ADAMS Accession Number ML17038A257. Included in the FES is a letter from the Wisconsin State Historic Preservation Officer that states there were no historic properties present to be affected by the operation of the LACBWR.

In accordance with Section 106 of the NHPA, the NRC staff is soliciting your input as to whether historic resources, specifically those of religious and cultural significance to your Tribe, could be affected by this project. If your Tribe determines there are historic and cultural properties within the LACBWR site boundary that it wants to bring to the attention of the NRC, please submit any comments or information that you may wish to offer in writing or by phone within 30 days of receipt of this letter.

According to NRC policy, correspondence provided to the NRC, including e-mail, may be made publicly available. Therefore, the NRC recommends that the Tribe avoid including any information in its submission that your tribal officials do not want to be publicly disclosed (e.g., personal e-mail addresses or other personal contact information). If your tribal officials do not wish for their personal e-mail addresses to be made public, please use an alternate e-mail address when corresponding with the NRC.

For additional information regarding the proposed action, Solutions' license amendment application is publicly available in ADAMS, which can be accessed online at: http://www.nrc.gov/reading-rm/adams.html. The ADAMS Accession Number for the Solutions' application is ML16200A095. You may also request that a hard copy of the license amendment application be mailed to you.

If you have any questions or if your Tribe would like to provide information regarding the potential historic or cultural properties at LACBWR, please contact Ms. Jessie Muir Quintero of my staff by e-mail at Jessie.Quintero@nrc.gov or by telephone at (301) 415-7476.

Sincerely,

\RA

Craig G. Erlanger, Director
Division of Fuel Cycle Safety, Safeguards,
and Environmental Review
Office of Nuclear Material Safety
and Safeguards

Docket No. 50-409
License No: DPR-45

cc: Ms. Melinda Young, THPO

Enclosure:
LACBWR Regional Location Map

SUBJECT: SECTION 106 CONSULTATION OF THE NATIONAL HISTORIC PRESERVATION ACT REGARDING THE LICENSE TERMINATION PLAN FOR THE LACROSSE BOILING WATER REACTOR (DOCKET NUMBER: 50-409)

DATED: June 19, 2018

ADAMS Accession Package No.: ML18159A312 ***via email**

OFC	FSCE/ERB	FSCE/ERB	OGC	FSCE/ERB	NMSS/FSCE
NAME	JQuintero	AWalker-Smith	ASilvia*	CRomán	CErlanger
DATE	06/19 /2018	06/18/18	06/01/18	06/08/18	06/19/18

OFFICIAL RECORD COPY