



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

January 09, 2019

Ms. Sara Dutschke Setchwaelo
Chairperson
Ione Band of Miwok Indians
P.O. Box 699
Plymouth, CA 95669

SUBJECT: U.S. NUCLEAR REGULATORY COMMISSION'S DETERMINATION OF NO EFFECTS REGARDING THE SECTION 106 REVIEW OF THE NATIONAL HISTORIC PRESERVATION ACT FOR THE PROPOSED LICENSE RENEWAL AMENDMENT FOR THE RANCHO SECO INDEPENDENT SPENT FUEL STORAGE INSTALLATION, SACRAMENTO COUNTY (DOCKET NUMBER: 72-11)

Dear Chairperson Setchwaelo:

By letter dated March 19, 2018, the U.S. Nuclear Regulatory Commission (NRC) received a license renewal request from the Sacramento Municipal Utility District (SMUD) for Materials License Number SNM-2510 for the Rancho Seco Nuclear Generating Station (Rancho Seco) specifically licensed Independent Spent Fuel Storage Installation (ISFSI) (Agencywide Documents Access and Management System [ADAMS] Accession Number ML18101A020). The Rancho Seco ISFSI is located within the Rancho Seco site boundary, in Sacramento County, California, approximately 42 km (26 mi) north-northeast of Stockton and 40 km (25 mi) southeast of Sacramento (figure enclosed). On June 30, 2000, the NRC issued SMUD a 20-year license to receive, possess, store, and transfer Rancho Seco spent fuel to sealed storage canisters at the ISFSI. The current license expires on June 30, 2020. If this renewal is approved, SMUD will be allowed to continue interim storage of spent fuel at the specifically licensed ISFSI for a 40-year period, through June 2060.

The NRC staff is preparing an environmental assessment (EA) for the proposed action in accordance with the NRC regulations in Title 10 of the *Code of Federal Regulations* (10 CFR) Part 51 "Environmental Protection Regulations for Domestic Licensing and Regulatory Functions," which implement the National Environmental Policy Act of 1969, as amended (NEPA). In addition, consistent 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 (NHPA) with its NEPA review process. The EA will include an analysis of potential impacts to historic and cultural resources as well as other resource areas, for instance land use, endangered species, socioeconomics, and environmental justice.

In their license renewal application, SMUD indicated that they do not anticipate the expansion of the existing Rancho Seco ISFSI as part of this renewal and thus, does not anticipate new construction or ground breaking activities related to the ISFSI. The Rancho Seco ISFSI is made of reinforced concrete and is approximately 69 meters (225 feet) by 52 meters (170 feet). It is contained within an approximately 14 acre licensed area in the northwest portion of the Rancho Seco site. With respect to the original issuance of the Rancho Seco 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 August 1994 (ADAMS ML123480187). In this EA, the NRC determined that the construction and operation of the ISFSI would not result in an impact to any historic, archaeological, or cultural resources.

Therefore, the NRC staff has determined that the proposed license renewal does not have the potential to cause effects to historic or cultural resources. This determination is also based on the following information. Renewal of the Rancho Seco ISFSI license would be a continuation of existing conditions. SMUD anticipates no new construction at the existing ISFSI and no impact to cultural resources. Further, the NRC staff contacted the California Native American Heritage Commission (NAHC) to request a Sacred Lands File search. The NAHC has indicated that its search of the Sacred Lands File was completed for this project with negative results. In accordance with the definition in 36 CFR 800.3(a)(1) of *no potential to cause effects*, "if the undertaking is a type of activity that does not have the potential to cause effects on historic properties, assuming such historic properties were present, the agency official has no further obligations under Section 106 or this part." Although the NRC has no further obligations under Section 106 of the NHPA, we respectfully request your input or concurrence with this determination.

In accordance with 10 CFR Section 2.390 of the NRC's "Agency Rules and Practice and Procedure," a copy of this letter will be available electronically for public inspection in the NRC Public Document Room or from the Publicly Available Records component of the NRC's ADAMS. ADAMS is accessible from the NRC Website at <http://www.nrc.gov/reading-rm/adams.html>.

Please submit comments and information regarding the NRC staff's preliminary determination of no effects on historic properties or other environmental review resource areas within 30 days of the receipt of this letter to the U.S. Nuclear Regulatory Commission, ATTN: Ms. Cinthya I. Román, Chief, 11555 Rockville Pike, Mail Stop T-4B16, Rockville, Maryland 20852. If you have any questions, please contact the NRC Project Manager, Ms. Jean Trefethen by telephone at 301-415-0867 or via e-mail at Jean.Trefethen@nrc.gov.

Sincerely,

/RA/

Andrew J. Pretzello, Deputy Director
Division of Fuel Cycle Safety, Safeguards
and Environmental Review
Office of Nuclear Material Safety
and Safeguards

Docket No. 72-11
License No. SNM-2510

Enclosure:
Rancho Seco Site Layout

SUBJECT: DETERMINATION UNDER SECTION 106 OF THE NATIONAL HISTORIC PRESERVATION ACT FOR THE PROPOSED RANCHO SECO INDEPENDENT SPENT FUEL STORAGE INSTALLATION LICENSE RENEWAL (DOCKET NUMBER: 72-11)

DATED: January 09, 2019

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***via email**

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