



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

March 8, 2024

Michelle P. Catts, Senior Vice President
GEHA Regulatory Affairs
3901 Castle Hayne Road
P.O. Box 780
Wilmington, NC 28402

SUBJECT: INFORMATION REGARDING TITLE 10 OF THE *CODE OF FEDERAL REGULATIONS* SECTION 50.82(A)(6) REVIEW PROCESS REGARDING HISTORIC PROPERTIES

Dear Michelle Catts:

On December 11, 2023, the U.S. Nuclear Regulatory Commission (NRC) staff met with NorthStar Group Services, Inc. and General Electric (GE) Hitachi Nuclear Energy (GEH) to discuss the transfer of their license and decommissioning activities at the Vallecitos Nuclear Center (VNC). This letter is a follow-up to that conversation.

The Commission's regulations at Title 10 of the *Code of Federal Regulations* (10 CFR) Section 50.82(a)(6) state that power reactor licensees in decommissioning shall not perform any decommissioning activities that, among other things, result in significant environmental impacts not previously reviewed. Adverse impacts, such as some alterations or demolition to structures eligible for listing on the National Register of Historic Places (NRHP) could be considered an unreviewed significant environmental impact pursuant to 10 CFR 50.82(a)(6).

If a licensee plans to conduct an activity at a decommissioning power reactor that would cause significant environmental impacts not previously reviewed, as described under 10 CFR 50.82(a)(6), then prior to undertaking that activity (e.g., alterations or demolition of NRHP eligible or historically significant structures), the licensee must either submit a licensing action, such as a request for an amendment, that would request review of major decommissioning activities that would diminish the historic integrity (e.g., physical demolition) of buildings previously deemed eligible for the NRHP; decide not to perform the proposed activity; or modify the proposed activity so that the unreviewed significant environmental impact does not occur.

If the licensee chooses to submit a licensing action that would allow for decommissioning activities resulting in significant environmental impacts not previously reviewed, then the request would trigger NRC responsibilities under environmental statutes, including a new determination of whether consultation is necessary under the National Historic Preservation Act (NHPA). An environmental review of the activity, including any necessary consultation under the NHPA, would then be initiated, and once finalized, the activity would be in compliance with 10 CFR 50.82(a)(6). Should consultation under the NHPA be warranted, the NRC would work with the State Historic Preservation Office, the licensee, and other consulting parties to develop

strategies to minimize, mitigate, or avoid the potential environmental impacts from decommissioning activities.

For additional information related to environmental reviews and the NHPA, please contact Michelle Rome, Branch Chief, Environmental Technical Review Branch 1 at Michelle.Rome@nrc.gov.

Sincerely,



Signed by Regan, Christopher
on 03/08/24

Christopher M. Regan
Federal Preservation Officer, Division Director
Division of Rulemaking, Environmental
and Financial Support
Office of Nuclear Material Safety
and Safeguards

cc: Gregory G. DiCarlo
gdicarlo@NorthStar.com

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Dated: March 8, 2024

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