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DEPARTMENT OF STATE
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October 29, 2001

Chief, Rules and Directives Branch
Division of Administrative Services
Office of Administration
Mailstop T-6 D 59
U.S. Nuclear Regulatory Commission
Washington, DC 20555-0001

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Rules and Directives Branch

Dear Sir or Madam:

This letter addresses the license renewal application submitted to the Nuclear Regulatory Commission by the PECO Energy Company (PECO Energy) for the Peach Bottom Atomic Power Station, Units 2 and 3. Part of this application also includes consideration of the continued use and maintenance of an associated transmission line to PECO Energy's Keeney Substation, located on Pleasant Valley Road, New Castle County, Delaware. The issuance of the original license and its subsequent reissuance, should be considered as "undertakings" subject to review and consultation under the Advisory Council on Historic Preservation's (Council) regulations (36 CFR Part 800), entitled "Protection of Historic Properties," promulgated for compliance with Section 106 of the National Historic Preservation Act of 1966, as amended.

There is an historic property within the project's "Area of Potential Effect." Located along the west side of Pleasant Valley Road is the 19th century Chesapeake and Delaware Feeder Canal (Feeder Canal). This canal was built in ca. 1805 to connect New Castle County towns to the trans-peninsula Chesapeake and Delaware Canal. The design and construction of this Feeder Canal have been attributed to two noteworthy early 19th century engineers/builders: Benjamin Latrobe and William Strickland. Despite the fact this Feeder Canal was never completed; thus, never performing its intended function, we have preliminarily evaluated this historic property against the Criteria for listing in the National Register of Historic Places (36 CFR Part 63) and find it has significance as a good example of early 19th century construction technology (Criterion C) and is an example of and represents the early canal building industry in the state (Criterion A). This Feeder Canal is believed to be the only surviving example from this period of canal building in the state that retains its integrity. The trans-peninsula Chesapeake and Delaware Canal has been evaluated as not meeting the Criteria for listing in the National Register of Historic Places

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Add = D. Wheeler (dxw)

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of Historic Places due to changes in its final alignment and subsequent alterations to its dimensions (width and depth) having diminished its historic integrity.

The Keeney Transmission line, when originally constructed, bisected a portion of the Feeder Canal; thus, adversely affecting this historic property (36 CFR 800.5(b)(2)(i) by causing the "...physical destruction of ...part of the property." Subsequent and continued use of this transmission line Right-of-Way has not maintained the key features of this canal, which are the general configuration (dimensions) of the canal, the toe path and back borrow area. This lack of maintenance of these features of the Feeder Canal within the Right-of-Way should also be considered as an adverse under 800.5(b)(vi) which is "...neglect of a property which causes its deterioration...."

The initial licensing, authorizing the construction and maintenance of the Peach Bottom Atomic Power Station - Units 2 and 3 and its associated transmission line to PECO Energy's Keeney Substation, was never submitted to this Office for Section 106 review and consultation under the Council's regulations. It is our opinion the relicensing of this facility, without some mitigation measures being employed to preserve and protect this historic property, will result in the continued deterioration of the portion of the Feeder Canal which was bisected by the transmission line (36 CFR 800.5(b)(vi)). We suggest these mitigation measures should include: 1) the restoration of the depth and width of the Feeder Canal across the transmission line; 2) the construction of a simple bridge to permit vehicular access across the Feeder Canal for routine transmission line Right-of-Way maintenance; and, 3) monitoring of the transmission line Right-of-Way to prevent uncontrolled crossing of the Feeder Canal by dirt bikes and ATVs and the repair of damage resulting from such uncontrolled crossings, if they do occur.

If you have any questions, please do not hesitate to contact Faye Stocum at the address noted above. We are most happy to assist you in this matter. Thank you.

Sincerely,



Daniel R. Griffith
State Historic Preservation Officer

cc: Duke Wheeler, NRC
Faye Stocum, DE SHPO
Stephanie Bruning, NCCo. Preservation Planner
Thomas McCulloch, ACHP