

July 24, 2015

Ms. Jennifer Opila, Manager  
Radiation Program  
Colorado Department of Public Health  
and Environment  
HMWMD-B2  
4300 Cherry Creek Drive South  
Denver, CO 80246-1530

SUBJECT: U.S. NUCLEAR REGULATORY COMMISSION REQUEST FOR  
CONCURRENCE ON DETERMINATION OF NO EFFECTS REGARDING THE  
FORT ST. VRAIN INDEPENDENT SPENT FUEL STORAGE INSTALLATION  
LICENSE AMENDMENT REQUEST REGARDING CHANGES TO TECHNICAL  
SPECIFICATION 3.3.1 (DOCKET NO.: 72-00009)

Dear Ms. Opilia:

The U.S. Nuclear Regulatory Commission (NRC) has received an application from the U.S. Department of Energy (DOE) to amend Materials License Number SNM-2504 for the Fort St. Vrain (FSV) Independent Spent Fuel Storage Installation (ISFSI) located in Platteville, Colorado. The FSV ISFSI site consists of approximately 20 acres located approximately 3.5 miles northwest of the town of Platteville, Colorado and 35 miles north of the city of Denver. DOE is requesting that its license be amended to incorporate a change to their technical specification (TS) 3.3.1, "Seal Leak Rate," immediately upon approval of this amendment. The amendment would lengthen the time allowed for the transfer of a cask with a faulty (leaking) seal to the Standby Storage Well (SSW) from 7 days to 21 days. The amendment would also modify the 30 day requirement to test two additional casks to 45 days. Procedures and equipment are currently available to replace a faulty seal and test additional casks. These changes will undergo both an environmental review and a safety review by the NRC staff before final approval of the requested modification.

The NRC regulations in Title 10 of the *Code of Federal Regulations*, (10 CFR) Part 72, "Licensing Requirements for the Independent Storage of Spent Nuclear Fuel, High-Level Radioactive Waste, and Reactor-Related Greater than Class C Waste," govern the storage of spent nuclear fuel (spent fuel) generated at commercial nuclear power reactors licensed by the NRC. Spent fuel that has been removed from the reactor's spent fuel pool is typically stored at an ISFSI.

As established in 10 CFR Part 51, "Environmental Protection Regulations for Domestic Licensing and Related Regulatory Functions," the NRC regulation that implements the National Environmental Policy Act of 1969, as amended, the NRC staff is preparing an environmental assessment (EA) for the proposed action. The EA will include an analysis of potential impacts to the local environmental resource areas. Given the reasons set forth below, the NRC has determined that the approval of DOE's license amendment request is not likely to adversely

affect these resource areas. In support of the environmental review, the NRC respectfully requests concurrence from the Colorado Department of Public Health and Environment on NRC's preliminary determination that the proposed amendment to the TS 3.3.1 will not affect local environmental resource areas. This determination is based on the following information.

The NRC approval of DOE's license amendment request will not authorize or result in changes to routine operations. DOE anticipates no construction activities at the existing FSV ISFSI facility as a result of this license amendment request. Therefore, no land disturbances are expected if NRC approves the amendment request. In addition, during the NRC's review for the issuance of the FSV 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, February 1991 (Agencywide Documents Access and Management System (ADAMS) Accession No.: ML062710252). The NRC staff also prepared an EA in support of the 2011 20-year license renewal (ADAMS Accession No.: ML111110339). For both of these EA's the NRC staff determined that the proposed license renewal would not have a significant impact to human health or the environment.

The FSV ISFSI license amendment application is publicly available in the NRC Public Document Room located at One White Flint North, 11555 Rockville Pike, Rockville, Maryland 20852, or from the NRC's ADAMS. The ADAMS Public Electronic Reading Room is accessible at: <http://www.nrc.gov/reading-rm/adams.html>. The ADAMS Accession Number for the license amendment request is ML15068A009.

Please provide your concurrence, or any comments or information that you may have regarding the NRC's determination for this matter to the NRC with ATTN: Ms. Lydia W. Chang, Mail Stop: T-4B16, Washington, DC 20555. If you have any questions, please contact Ms. Jean Trefethen of my staff by telephone at 301-415-0867 or via email at: [Jean.Trefethen@nrc.gov](mailto:Jean.Trefethen@nrc.gov). Thank you for your assistance.

Sincerely,

**/RA/**

Lydia W. Chang, Chief  
Environmental Review Branch  
Division of Fuel Cycle Safety, Safeguards,  
and Environmental Review  
Office of Nuclear Material Safety  
and Safeguards

Docket No.: 72-16  
License No.: SNM-2507

Enclosure: Figure E2-1  
Fort St. Vrain General  
Location of the ISFSI

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Sincerely,

Lydia W. Chang, Chief  
Environmental Review Branch  
Division of Fuel Cycle Safety, Safeguards,  
and Environmental Review  
Office of Nuclear Material Safety  
and Safeguards

Docket No.: 72-16  
License No.: SNM-2507

Enclosure: Figure E2-1  
Fort St. Vrain General  
Location of the ISFSI

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OFFICE	FCSE/ERB	FCSE/ERB	FCSE/ERB	FCSE/ERB
NAME	JTrefethen	DDiaz-Toro	AWalker-Smith	LChang
DATE	07/21/15	07/ 22/15	07/24/15	07/24/15

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