

February 09, 2017

Ms. Laura Trieschmann
State Historic Preservation Officer
Department of Housing and
Community Development
Division of Historic Preservation

SUBJECT: SECTION 106 OF THE NATIONAL HISTORIC PRESERVATION ACT "NO EFFECTS" DETERMINATION FOR VERMONT YANKEE NUCLEAR POWER STATION INDEPENDENT SPENT FUEL STORAGE INSTALLATION EXEMPTION REQUEST (DOCKET NOS.: 72-1014, 72-59, 50-271)

Dear Ms. Trieschmann:

The U.S. Nuclear Regulatory Commission (NRC) received, by letter dated November 9, 2016, a request for an exemption, from Entergy Nuclear Operations, Inc. (Entergy) in accordance with Title 10 of the Code of Federal Regulations (10 CFR) 72.7, from the requirements of 10 CFR 72.212(a)(2), 72.212(b)(3), 72.212(b)(5)(i), 72.214, and the portion of 72.212(b)(11) that requires compliance with the terms, conditions, and specifications of the Certificate of Compliance (CoC) No. 72-1014 for spent nuclear fuel storage at the Vermont Yankee Nuclear Power Station (VYNPS) independent spent fuel storage installation (or ISFSI). The CoC is the NRC-approved design for each dry storage cask system used for spent fuel storage. This exemption would allow certain low enriched channeled fuel classified as undamaged, per the CoC No. 72-1014, to be loaded with higher enriched fuel in the same HI-STORM 100 multi-purpose canister (MPC) at the VYNPS site.

As established in Title 10 *Code of Federal Regulations* Part 51, the NRC regulation that implements the National Environmental Policy Act of 1969, as amended, the NRC is preparing an environmental assessment (EA) for the proposed action. The purpose of the EA is to assess potential environmental impacts that may significantly affect the human environment. The EA will include an analysis of potential impacts to historic and cultural resources.

The NRC staff consulted in 2006 with the Vermont State Historic Preservation Office (SHPO) during the NRC's environmental review for VYNPS' license renewal, which involved the potential impacts from continued operation of VYNPS. The VYNPS license renewal Supplemental Environmental Impact Statement (SEIS) stated (p. 4-38):

A search of the Vermont SHPO files for the region around the VYNPS shows that the region is highly sensitive for archaeological remains. While no prehistoric archaeological sites have been identified on the VYNPS property, the Governor Hunt House is a historically significant property owned and managed by the plant operator. The area around the house has the potential to contain buried remains associated with the Governor Hunt House. Additionally, the VYNPS property is located on the floodplain of the Connecticut River, which has the potential to contain deeply buried archaeological deposits.

The VYNPS license renewal SEIS can be found online at: <https://www.nrc.gov/reading-rm/doc-collections/nuregs/staff/sr1437/supplement30/>.

The requested exemption request, if granted, would not alter how the spent nuclear fuel loading activities are conducted or where. Fuel loading occurs within an existing building, which would not be altered as a result of this exemption request. The exemption would not authorize new construction or land-disturbing activities. Therefore, there is no direct nexus to the natural environment that could affect historic or cultural resources, including the Governor Hunt House. The NRC staff, therefore, concludes that the proposed exemption request would have no effect on historic and cultural properties. Federal agencies have no further obligation under Section 106 if the undertaking does not have the potential to cause effects on historic properties, however, the NRC is sending this letter to inform the Vermont SHPO of our “no effects” determination.

The exemption request is publicly available from the NRC’s Agencywide Documents Access and Management System (ADAMS), accessible at: <http://www.nrc.gov/reading-rm/adams.html>. The ADAMS Accession Number for the exemption request is ML16319A102.

If you have any questions, please contact me at Jessie.Muir-Quintero@nrc.gov, or by telephone at 301-415-7476.

Sincerely,
Jessie Muir Quintero, Project Manager
Environmental Review Branch
Division of Fuel Cycle Safety, Safeguards
and Environmental Review
Office of Nuclear Material Safety
and Safeguards

CONCUR
Vermont Division for Historic Preservation

State Historic Preservation Office