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Subject: Next Steps for Addressing the Wisconsin SHPO Comments on the LACBWR LTP
Date: Tuesday, March 05, 2019 11:43:00 AM
Importance: High

Good afternoon Gerry,

Subsequent to our call last week regarding the Wisconsin State Historic Preservation Office's (SHPO) comments on the La Crosse Boiling Water Reactor (LACBWR) License Termination Plan (LTP), I wanted to follow up with you regarding current status and next steps for finalizing both the Environmental Assessment (EA) and the Safety Evaluation (SE) associated with the LACBWR LTP. The NRC sent its determination (no historic properties affected) under Section 106 of the National Historic Preservation Act (NHPA) to the Wisconsin Historical Society for their concurrence in December 2018 (ML18351A216). In February 2019, the Wisconsin Historical Society concurred on the NRC's findings but noted that a Native American mound group may overlap with the area to be decommissioned (ML19043A773). Under Wisconsin's Burial Site Preservation law (Wisconsin Statute §157.70), the mounds are recognized as an "uncatalogued burial site."

The Wisconsin Historical Society indicated that it is the responsibility of the landowner to obtain an authorization under Wisconsin Statute §157.70 to work within an uncategorized burial site. Prior to doing any work in an uncatalogued burial site, the landowner is required to submit a formal "Request to Disturb a Burial Site" and obtain an authorization from the State prior to commencing any work within the boundaries of the uncatalogued burial site; a qualified archeologist (§157.70 and HS 2 [6] [a]) must be present to monitor the work. It is also Wisconsin state law that work must stop if human or burial objects are found during excavation. Thank you for sharing LACBWR Procedure No. LC-SH-PR-005, "LACBWR Site Restoration Project Health and Safety Procedure; Excavation, Trenching, and Shoring," which outlines the requirements for notifications if human or burial objects are found during excavation work activities at the site.

Thank you also for sharing the GIS files for the LACBWR site, that was very helpful. The NRC compared the figures you provided with those from the SHPO and determined that the mound site does overlap with the area of potential effect, primarily in the Class 3 survey area, where no land-disturbing activities are expected. The NRC is therefore concluding that no historic properties are affected, and impacts to this mound site would not be significant. This conclusion is based on that the fact that 27 acres of the site was built on dredged fill and construction of the site would have caused disturbances to any existing sites. Solutions has confirmed that no human or burial artifacts have been discovered during land disturbing activities. The NRC reviewed LC-SH-PR-005, Revision 4, which requires LS to contact the NRC immediately if remains are found during land disturbing activities.

If Solutions has any input on this site or the NRC's findings, please let me know as soon as possible. The NRC is sharing this same determination with several Native American tribes and asking for comments within 30 days of receipt of our letter; once comments are received and/or resolved we will be able to finalize the LACBWR LTP EA and SE. If you have questions or need any additional information regarding this issue in the meantime, please let me know. Thank you in

advance for the assistance and have a great rest of your week.

Cheers,
Marlayna
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Marlayna Vaaler

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