



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

November 18, 2021

Mr. James M. Welsch
Senior Vice President
Generation and Chief Nuclear Officer
P.O. Box 56
Mail Code 104/6
Avila Beach, CA 93424

SUBJECT: TERMINATION OF HUMBOLDT BAY POWER PLANT, UNIT 3 FACILITY
OPERATING LICENSE NO. DPR-7

Dear Mr. Welsch:

On October 21, 2021, Pacific Gas and Electric Company (PG&E) submitted a request for termination of the Humboldt Bay Power Plant Facility, Unit 3 (HBPP, Unit 3) Facility Operating License, License No. DPR-7 (Agencywide Document Access and Management System (ADAMS) Accession No. ML21294A421). The request states that PG&E has completed the remaining radiological decommissioning and final status surveys (FSSs) of the HBPP, Unit 3 in accordance with the Nuclear Regulatory Commission (NRC)-approved license termination plan (LTP), and that the surveys demonstrate that the HBPP, Unit 3 meets the criteria for decommissioning and release of the site for unrestricted use in accordance with Title 10 of the *Code of Federal Regulations* (10 CFR), Part 20, Subpart E.

In its request, PG&E stated that it had satisfied the relevant requirements in 10 CFR 50.82(a)(11). The NRC agrees that PG&E satisfied the requirements for termination of the HBPP, Unit 3, excluding the Independent Spent Fuel Storage Installation (ISFSI), as stated in 10 CFR 50.82(a)(11). As indicated in the enclosed NRC safety evaluation report (Enclosure 1), the Commission has concluded that: (i) the remaining dismantlement has been performed in accordance with the approved LTP; (ii) the FSSs and associated documentation, including an assessment of dose contributions associated with parts released for use before approval of the LTP, demonstrate that the entire site, excluding the ISFSI, have met the criteria for decommissioning in 10 CFR Part 20, Subpart E; and (iii) PG&E has met the 10 CFR Parts 30, 40, and 70 requirements for forwarding of specific records to NRC prior to license termination. Therefore, effective November 18, 2021, License No. DPR-7 has been terminated. Notice of this action will be sent to the *Federal Register* for publication.

Although the NRC is terminating License No. DPR-7, PG&E is required to maintain \$53.3 million in nuclear liability insurance coverage, as described in Indemnity Agreement No. B-21, Article II, "... until all the radioactive material has been removed from the location and transportation of the radioactive material from the location has ended as defined in paragraph 5(b), Article I of this section, or until the Commission authorizes the termination or modification of such financial protection." Termination of the HBPP, Unit 3 10 CFR Part 50 license, License No. DPR-7, has

no impact on the terms of the indemnity agreement. Further, it should be noted that the site location described in Item 4 of the attachment to the indemnity agreement means the "original" 10 CFR Part 50 license site boundaries, including additional details for the ISFSI. Therefore, the NRC staff has revised Indemnity Agreement No. B-21 to identify Materials License No. SNM-2514 and the boundaries, due to termination of License No. DPR-7.

Please complete, sign and return the enclosed revised indemnity agreement (Enclosure 2) to Amy M. Snyder, NRC, M.S. T5 A-10, 11545 Rockville Pike, Rockville, MD 20852.

In accordance with 10 CFR 2.390 of the NRC's "Agency Rules of Practice and Procedure," a copy of this letter is available for inspection at the Public Document Room Monday-Friday by appointment or electronically from the Publicly Available Records component of ADAMS. ADAMS is accessible from the NRC Web site at <https://www.nrc.gov/reading-rm/adams.html>. To schedule an appointment to visit the Public Document Room, please email PDR.Resource@nrc.gov or call 1-800-397-4209.

If you have any questions, please contact Amy M. Snyder at (301) 415-6822 or by email at amy.snyder@nrc.gov.

Sincerely,



Signed by Marshall, Jane
on 11/18/21

Jane E. Marshall, Division Director
Decommissioning, Uranium Recovery,
and Waste Programs
Office of Nuclear Material Safety
and Safeguards

Enclosures:

1. Safety Evaluation Report
2. Amendment No. 24 to
Indemnity Agreement No. B-21

Docket No. 50-133, License No. DPR-7
Docket No. 72-27, Materials License No. SNM-2514

cc: Humboldt Bay, Unit 3 distribution list
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TERMINATION OF HUMBOLDT BAY POWER PLANT FACILITY OPERATING LICENSE NO. DPF-7
DATE November 18, 2021

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ADAMS Accession No.: ML21295A249; Ltr ML21295A250

* via email

OFFICE	NMSS/DUWP/RDB	NMSS/DUWP/RTAB	NMSS/DUWP/RDB*	NMSS/DFM/STLB
NAME	ASnyder AS	CMcKenney CM	BWatson BW	JMcKirgan JM
DATE	Oct 25, 2021	Oct 27, 2021	Oct 27, 2021	Nov 3, 2021
OFFICE	NMSS/REFS/FAB	NMSS/REFS/FAB	OGC/GCRPS /HLWFCNS/NLO*	NMSS/DUWP
NAME	FMiller FM	MHenderson MH	NMertz NM	JMarshall JM
DATE	Oct 28, 2021	Oct 28, 2021	Nov 18, 2021	Nov 18, 2021

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