



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

October 11, 2022

Maureen R. Zawalick
Vice President, Generation Business
and Technical Services
Pacific Gas & Electric Company
Mail code 104/6/608
P.O. Box 56
Avila Beach, CA 93424

**SUBJECT: AMENDMENT NO. 5 TO MATERIALS LICENSE NO. SNM-2514 AND
EXEMPTION FROM 10 CFR 72.44(d)(3) FOR THE HUMBOLDT BAY
INDEPENDENT SPENT FUEL STORAGE INSTALLATION (DOCKET
NUMBER: 72-27, EPID NUMBER L-2021-LLA-0228)**

Dear Ms. Zawalick:

By letter dated December 14, 2021, Pacific Gas and Electric Company (PG&E) submitted License Amendment Request 21-02, which requested an amendment to Special Nuclear Materials (SNM) License No. SNM-2514 for the Humboldt Bay Independent Spent Fuel Storage Installation (ISFSI). In its application, PG&E requested administrative changes to license conditions that reference the Humboldt Bay Power Plant (HBPP), deletion of license conditions that are complete, no longer applicable, or restate U.S. Nuclear Regulatory Commission (NRC) regulations, revision of technical specifications to remove HBPP systems, structures, components, and activities that are no longer applicable, addition of a new administrative technical specification for processing administrative changes to the Humboldt Bay ISFSI Quality Assurance Program.

In its review of the changes requested by PG&E, the staff also considered removal of License Condition 18, which the staff determined is complete. License Condition 18 relates to updating the Humboldt Bay ISFSI final safety analysis report following renewal of Materials License No. SNM-2514. Additionally, the staff determined that an exemption from 10 CFR 72.44(d)(3), issued in accordance with 10 CFR 72.7, "Specific exemptions," is required for the staff to approve PG&E's request to revise Technical Specification 5.1.2(a) related to submittal of an annual report for the facility's radioactive effluent control program.

Based on its review of PG&E's application, the NRC staff has determined that there is reasonable assurance that: (i) the activities authorized by the amended license, including both the changes requested by PG&E as well as the removal of License Condition 18, can be conducted without endangering the health and safety of the public, and (ii) these activities will be conducted in compliance with the applicable regulations.

The NRC staff has further determined that issuance of the amendment will not be inimical to the common defense and security. In addition, the staff determined that issuance of the amendment, Amendment No. 5, meets the criteria for a categorical exclusion in Title 10 of the *Code of Federal Regulations* (10 CFR) 51.22(c)(11). Therefore, pursuant to 10 CFR 51.22(b), the staff will not prepare an environmental assessment or environmental impact statement.


Regarding the exemption from 10 CFR 72.44(d)(3), the staff found that the exemption is authorized by law and will not endanger life or property or the common defense and security and is otherwise in the public interest. Additionally, the staff determined that issuance of the exemption meets the criteria for a categorical exclusion in Title 10 of the *Code of Federal Regulations* (10 CFR) 51.22(c)(11). Therefore, pursuant to 10 CFR 51.22(b), the staff will not prepare an environmental assessment or environmental impact statement.

The NRC is approving and issuing the requested amendment and is issuing the aforementioned exemption. The amended license supersedes Special Nuclear Materials License No. SNM-2514, Amendment No. 4, renewed on June 10, 2020. The revised license and the staff's safety evaluation report are also enclosed. Changes made to the enclosed license pages are indicated by vertical lines in the right margin. In accordance with 10 CFR 72.46, the NRC will publish a Notice of Issuance of the amended license in the *Federal Register*.

In accordance with 10 CFR 2.390 of the NRC's "Rules of Practice," a copy of this letter will be available electronically for public inspection in the NRC Public Document Room or from the publicly available records component of the NRC's Agencywide Documents Access and Management System (ADAMS). ADAMS is accessible from the NRC website at <http://www.nrc.gov/reading-rm/adams.html>

If you have any questions regarding this matter, you may contact me at (301) 415-8064, or Donald Habib of my staff at (301) 415-1035 or Donald.Habib@nrc.gov.

Sincerely,



Signed by Diaz-Sanabria, Yaira
on 10/11/22

Yaira K. Diaz-Sanabria, Chief
Storage and Transportation Licensing Branch
Division of Fuel Management
Office of Nuclear Material Safety
and Safeguards

Docket No.: 72-27
CAC No.: 001028
EPID: L-2022-LLA-0228

Enclosures:

1. Materials License No. SNM-2514
Amendment No. 5
2. Appendix – Humboldt Bay ISFSI
Technical Specifications Changed Pages
3. Safety Evaluation Report

HB ISFSI Amendment 5 Issuance Package DATE October 11, 2022

DISTRIBUTION:

JWoodfield, NMSS/DFM/IOB

MNorris, NSIR/DPR/RLB

JSolis, NMSS/DFM/CTCFB

ADAMS Accession No.: ML22214A115; Ltr ML22214A116

*** via email**

OFFICE	NMSS/DFM/STLB	NMSS/DFM/STLB	NMSS/DFM/CTCFB	OEDO
NAME	DHabib <i>DH</i>	WWheatley <i>WW</i>	JSolis <i>JS</i>	ARivera-Varona <i>AR</i>
DATE	Aug 8, 2022	Aug 10, 2022	Aug 15, 2022	Aug 17, 2022
OFFICE	NMSS/DFM/CTCFB	OGC/GCHA/AGCOR /NLO*	NMSS/DFM/STLB	
NAME	DMarcano <i>DM</i>	JMcManus <i>JM</i>	YDiaz-Sanabria <i>YD</i>	
DATE	Aug 17, 2022	Oct 7, 2022	Oct 11, 2022	

OFFICIAL RECORD COPY