



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

August 3, 2022

Mr. Durell Cooper, Chairman
Apache Tribe of Oklahoma
P.O. Box 1330
Anadarko, OK 73005

SUBJECT: REQUEST TO INITIATE CONSULTATION UNDER SECTION 106 OF THE NATIONAL HISTORIC PRESERVATION ACT REGARDING THE LICENSE TERMINATION PLAN FOR FORT CALHOUN STATION UNIT 1 IN WASHINGTON COUNTY, NEBRASKA (DOCKET NUMBER: 50-285)

Dear Chairman Cooper:

The U.S. Nuclear Regulatory Commission (NRC) is sending you this letter to solicit your input under section 106 of the National Historic Preservation Act of 1966, as amended (NHPA), regarding historic resources, specifically those of religious and cultural significance to your tribe that could be affected by decommissioning activities under the License Termination Plan (LTP) for the Fort (Ft.) Calhoun Station nuclear power plant. If your tribe determines there are historic and cultural properties within the Ft. Calhoun Station site boundary that it wants to bring to the attention of the NRC, please submit any comments or information that you may wish to offer in writing or by phone within 30 days of receipt of this letter.

On August 3, 2021, the NRC staff received an application from Omaha Public Power District (OPPD) for a license amendment requesting approval of an LTP for the Ft. Calhoun Station, Unit 1. Approval of the LTP would result in the release of a majority of the Ft. Calhoun Station site for unrestricted use; only a small site for the dry storage of spent nuclear fuel would remain under restricted use and NRC license. The NRC staff is currently reviewing the application.

The Ft. Calhoun Station is located in Washington County, Nebraska, on the southwest bank of the Missouri River approximately 19 miles north of Omaha. The Ft. Calhoun Station stopped operating in 2016 and began undergoing decommissioning in 2019. In May 2020, all spent nuclear fuel was transferred to onsite dry cask storage (also known as an independent spent fuel storage installation (ISFSI)), which is expected to remain after decommissioning. Enclosure 1 contains a map with the location of the Ft. Calhoun Station. Enclosure 2 contains an aerial view of the Ft. Calhoun Station Owner-Controlled Areas.

NRC Review Process for LTPs

In accordance with title 10 of the *Code of Federal Regulations* (10 CFR) section 50.82(a)(9)(ii), licensees must submit an LTP prior to license termination. The NRC staff will refer to the review guidance in NUREG-1700, "Standard Review Plan for Evaluating Nuclear Power Reactor License Termination Plans," and will consider the following: (a) the adequacy of the licensee's decommissioning funding plan to assure that sufficient funding is available to complete the remaining radiological remediation activities; (b) the radiation-release criteria for license termination; and (c) the adequacy of the design of the final status survey to verify that the radiological release criteria have been met. The final status survey is the radiological survey performed after an area has been fully characterized, remediation has been completed, and the

area is ready to be released. In accordance with 10 CFR 50.82(a)(11), the NRC shall terminate the OPPD's Ft. Calhoun Station, Unit 1 reactor operating license (except for the ISFSI) upon the licensee's demonstration that the remaining dismantlement has been performed in accordance with the LTP and that it has met the radiological release criteria for unrestricted use under 10 CFR 20.1402. The portion of the site associated with the ISFSI will remain under NRC license and restricted use.

In accordance with the National Environmental Policy Act of 1969, as amended (NEPA), and the agency's regulations in 10 CFR part 51 "Environmental Protection Regulations for Domestic Licensing and Related Regulatory Functions," the NRC staff is preparing an environmental assessment to assess the potential environmental impacts that could result from license termination activities such as soil surveys as well as remaining decommissioning and dismantling activities.

NHPA Section 106 Consultation

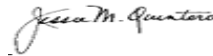
In accordance with title 36 *Code of Federal Regulations* (36 CFR) section 800.8, "Coordination with the National Environmental Policy Act", the NRC staff is using the NEPA process to comply with its obligations under section 106 of the NHPA. The Ft. Calhoun Station site is approximately 540 acres of owner-controlled area. There were two approved partial site releases of the areas shown in hatched lines in Enclosure 2. The NRC staff considers the direct Area of Potential Effects (APE) to be the approximately 119-acre deconstruction area shown in Enclosure 2. The indirect APE will be the remaining area within the 540-acre site boundary.

The NRC previously issued a final Environmental Impact Statement (FEIS) in August 2003 addressing the potential historic and archaeological impacts from renewal of the Ft Calhoun Station operating license. The NRC staff's NHPA section 106 conclusion was that continued operation would not adversely affect historic and archeological resources.

For additional information regarding the proposed action, the license amendment application is publicly available in NRC's Agencywide Documents Access and Management System (ADAMS) at <http://www.nrc.gov/reading-rm/adams.html>, at Accession Number ML21271A144. The NRC's 2003 FEIS is available at ML032230075.

If you have any questions or if your tribe would like to provide information regarding the potential historic or cultural properties at the Ft. Calhoun Station, please contact Jill Caverly of my staff via e-mail at Jill.Caverly@nrc.gov or via phone at (301) 415-7674.

Sincerely,



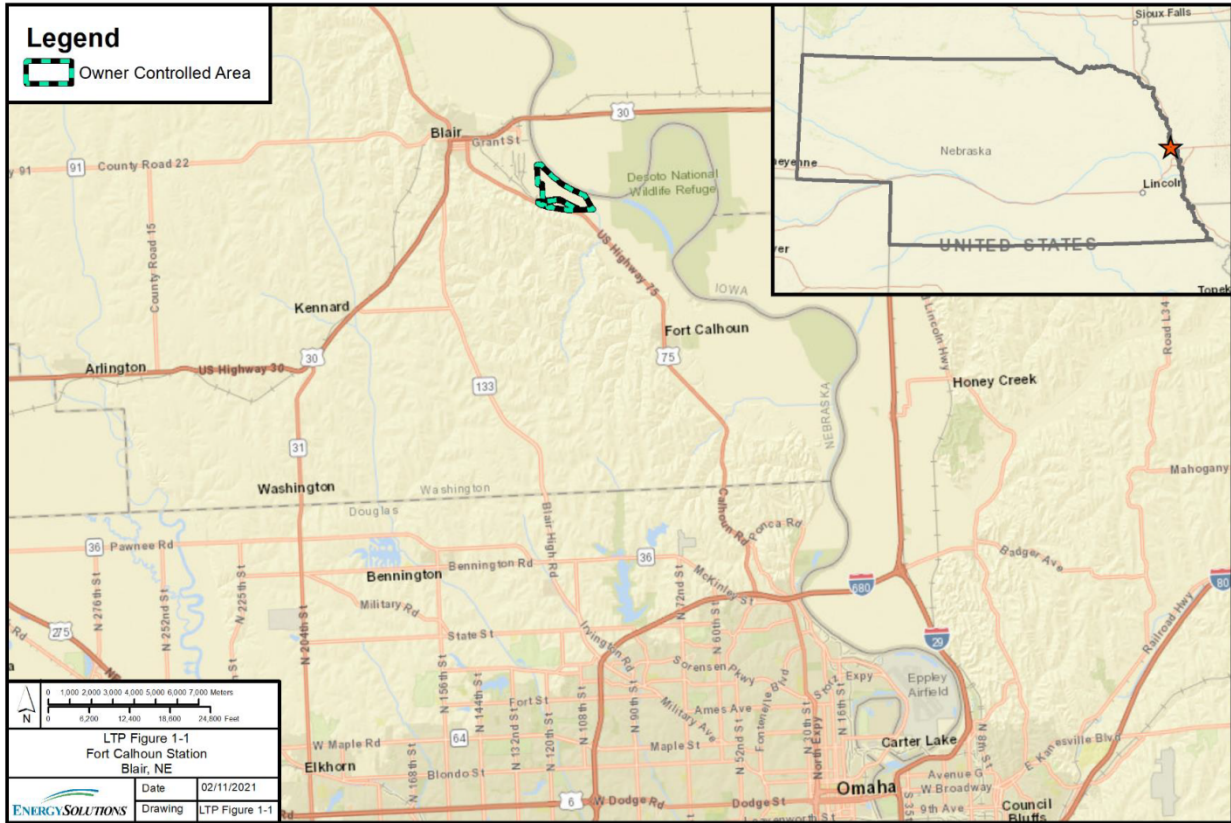
Signed by Quintero, Jessie
on 08/03/22

Jessie M. Quintero, Chief
Environmental Review Materials Branch
Division of Rulemaking, Environmental
and Financial Support
Office of Nuclear Material Safety
and Safeguards

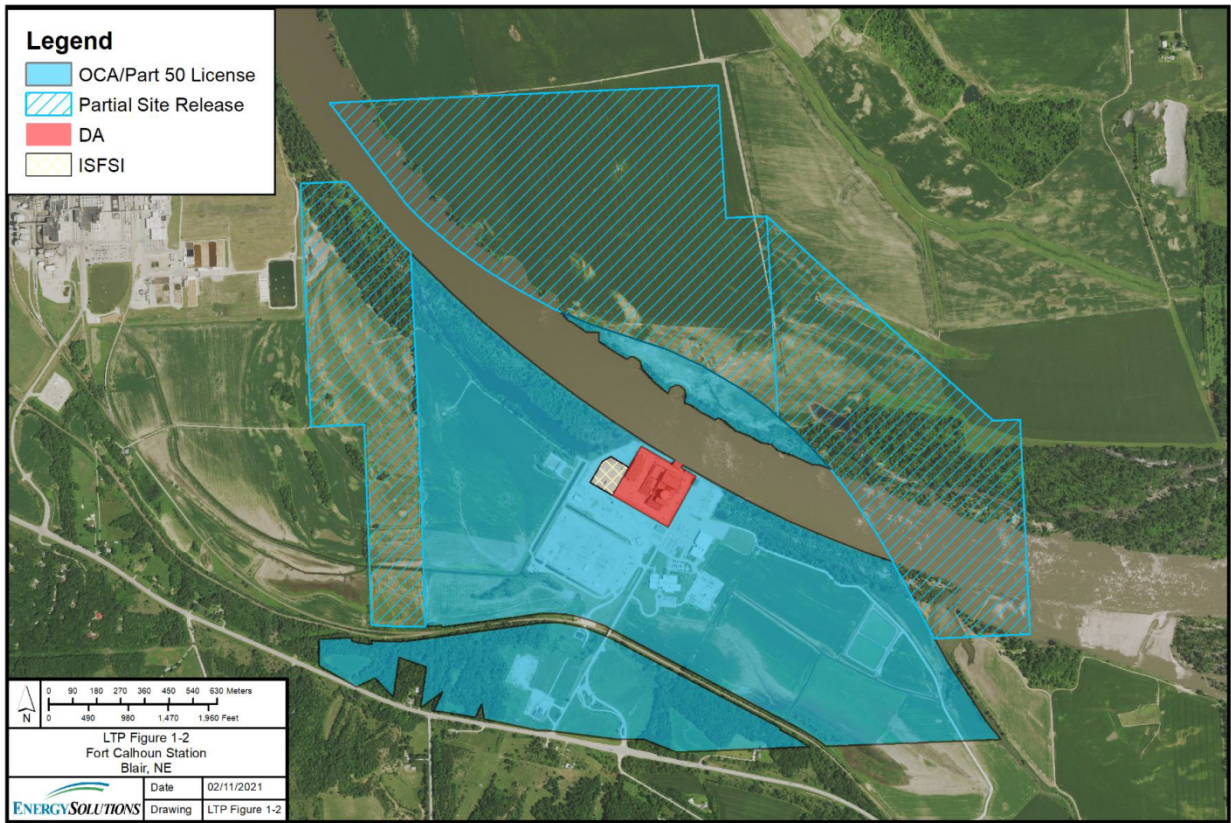
Docket No. 50-285

Enclosures:

1. Site location map
2. Owner Controlled Areas



Ft. Calhoun Station Unit 1 Site Location (from OPD application)



Ft. Calhoun Station Unit 1 Owner Controlled Areas (from OPPD application)

Ft Calhoun Tribal letters DATE August 4, 2022

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