

March 19, 2001

Ms. Natalie Gochnour
Utah State Planning Coordinator
Room 116 State Capitol
Salt Lake City, UT 84114

SUBJECT: REQUEST FOR CONCURRENCE ON ELIGIBILITY DETERMINATION FOR
THE ROCK ALIGNMENT AND CAIRN IDENTIFIED FOR THE PROPOSED
PRIVATE FUEL STORAGE FACILITY

Dear Ms. Gochnour:

In May and June of 1999 and in June 2000, a Private Fuel Storage, L.L.C. (PFS) contractor, P-III Associates, Inc., performed a Class III cultural resources inventory to identify historic properties in Skull Valley, Utah. PFS submitted this information to the U.S. Nuclear Regulatory Commission (NRC) staff in October 2000. For each site within the Area of Potential Effects, the report included eligibility recommendations for inclusion in the National Register of Historic Places (*National Register*). One site, 42TO1187, (rock alignment and cairn) was not evaluated for eligibility. By letter dated November 7, 2000, the NRC staff, in cooperation with the U.S. Department of Interior's Bureau of Indian Affairs (BIA) and Bureau of Land Management (BLM), and the Surface Transportation Board (STB) requested additional information about site 42TO1187, which is needed by the NRC staff and the cooperating agencies to complete the final review of the cultural resources in Skull Valley.

By letter dated January 25, 2001, PFS responded to the request for additional information. Attached to the letter was the result of an evaluation of the site performed by P-III Associates, Inc., and a map showing distances between the rock alignment and proposed rail centerline, right-of-way boundary, and construction easement boundary. PFS has concluded that site 42TO1187 is not eligible for listing on the *National Register*. Furthermore, PFS has realigned the rail line to avoid any direct or indirect effect on this site. The evaluation performed by P-III Associates is attached to this letter for your review.

The NRC staff and the cooperating agencies have reviewed the attached report and concur with the eligibility recommendation for site 42TO1187. The NRC staff and the cooperating agencies request your concurrence, within 30 days, on the eligibility recommendation in the report. If you do not respond within 30 days, we will assume you concur with the eligibility determination.

N. Gochnour

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If you have any questions, please contact Scott Flanders (NRC) at (301) 415-1172, Laird Naylor (BLM) at (801) 977-4357, Garry Cantley (BIA) at (602) 379-6750, or Phillis Johnson-Ball (STB) at (202) 565-1530.

Sincerely,
/RA/ original signed by /s/
Mark S. Delligatti, Senior Project Manager
Licensing Section
Licensing and Inspection Directorate
Spent Fuel Project Office
Office of Nuclear Material Safety
and Safeguards

Docket No. 72-22

Enclosure: 01/25/01 ltr from PFS

cc: PFS Service Lists

N. Gochnour

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Dec. 1, 2000

Enclosure

01/25/01 Itr from PFS