September 24, 2001

Ms. Virginia Montoya
Pee Dee Indian Association
101 E. Tatum Avenue
McColl, SC 29570-0557

Dear Ms. Montoya:

The U.S. Nuclear Regulatory Commission (NRC) is evaluating the potential impacts associated with the construction, operation, and deactivation of a proposed Mixed Oxide (MOX) Fuel Fabrication Facility (Facility) to be constructed at the Department of Energy's (DOE) Savannah River Site (SRS) in South Carolina. The NRC has regulatory responsibility for approving and licensing the construction and operation of the proposed MOX facility.

On March 7, 2001, pursuant to the National Environmental Policy Act, the NRC issued a Notice of Intent to prepare an Environmental Impact Statement (EIS) for its action (66 FR 13794). The EIS will address the potential environmental effects of manufacturing MOX fuel from surplus weapons plutonium. Public scoping meetings for the MOX Facility EIS were held on April 17 and 18, 2001, in North Augusta, SC and Savannah, GA, respectively, and on May 8, 2001, in Charlotte, NC.

Two maps are enclosed. The first map shows the general location of the proposed MOX Facility and the locations of two potential recipients of the MOX fuel assemblies, the Catawba Nuclear Station and the William B. McGuire Nuclear Station. Transportation corridors between SRS and the two reactor stations have not yet been identified. The second map shows the proposed location of the MOX Facility at SRS.

Argonne National Laboratory (ANL) is assisting the NRC in preparing the MOX Facility EIS and will be evaluating potential impacts to cultural resources as part of their analysis. An archaeologist from ANL is in the process of researching available documents from SRS on archaeological surveys, historic building inventories, and resources of interest to Native Americans.

The proposed project area has been surveyed for archaeological sites. These surveys have identified five archaeological sites (38AK155, 38AK330, 38AK548, 38AK546/547, and 38AK757) in the project vicinity. Only Site 38AK546/547 will likely be affected by the construction of the MOX Facility. This site has been determined to be eligible for listing on the National Register of Historic Places (NRHP), and a data recovery plan is being implemented to mitigate impacts to this site. The possibility of indirect effects to other nearby sites from activities associated with the construction or operation of the facility will be analyzed during preparation of the EIS. Sites 38AK155 and 38AK757 have also been determined eligible for the NRHP and can be avoided during construction and operation of the MOX Facility to mitigate the potential for adverse impacts to these sites. The remaining two sites were determined not

eligible. No traditional cultural properties have been identified in the project area to date. Through previous consultations with Native Americans, some interest has been expressed in traditional plant resources that could exist at SRS. However, none of these plant resources is currently known to exist at the MOX Facility construction site.

The NRC is also initiating consultations regarding the proposed project with points of contact (Tribal Historic Preservation Officers or designated representatives) from the following Native American Tribes, Bands, and Nations, as well as with the South Carolina Department of Archives and History.

Catawba Indian Nation
Ma Chis Lower Alabama Creek Indian Tribe
Muscogee Creek Nation
National Council of the Muscogee Creek
Yuchi Tribal Organization, Inc.
United Keetowah Band of Cherokee Indians

We would appreciate receiving information on concerns or issues you may have regarding the proposed project. We are especially interested in your assistance in identifying properties of known religious or cultural significance that may be affected by the construction and operation of the proposed facility. Sensitive information will remain confidential as stipulated under 36 CFR Part 800.11. Please submit comments to me within 30 days. Your time and consideration are greatly appreciated.

In the meantime, if you have any questions or require further clarification regarding the project please call me at (301) 415-7293, or Jennifer Davis at (301) 415-5874.

Sincerely,

/RA by Phyllis Sobel for/

Charlotte E. Abrams, Section Chief
Environmental and LLW Section
Environmental and Performance
Assessment Branch
Division of Waste Management
Office of Nuclear Material Safety
and Safeguards

Docket: 70-3098
Enclosures: Location maps

cc: See attached list

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Enclosures: Location maps
cc: See attached list
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Letter dated September 24, 2001

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