



DUKE COGEMA
STONE & WEBSTER

Information transmitted herein is protected from
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U.S. Nuclear Regulatory Commission
Washington, DC 20555

26 October 2001
DCS-NRC-000066

Subject: Docket Number 070-03098
Duke Cogema Stone & Webster
Mixed Oxide Fuel Fabrication Facility
Response to Request for Clarification

Reference: C. E. Abrams to R. H. Ihde, *Clarification Request – Responses to Request for Additional Information on the Duke Cogema Stone & Webster Mixed Oxide Fuel Fabrication Facility Environmental Report*, 24 September 2001

Question 18 of the referenced letter requested that Duke Cogema Stone & Webster (DCS) identify information regarding the locations of archaeological sites that may be indirectly affected by the MOX Fuel Fabrication Facility (MFFF). In response, please find enclosed a map of the archeological sites in the vicinity of the MFFF on the Savannah River Site.

DCS requests that the enclosed map be withheld from public disclosure pursuant to 10 CFR §2.790(a)(3). Section 2.790(a)(3) exempts from disclosure documents that are “specifically exempted from disclosure by statute.” The relevant statute in this case is the Archaeological Resources Protection Act of 1979, which specifically provides:

[i]nformation concerning the nature and location of any archaeological resources for which the excavation or removal requires a permit or other permission under this [Act]...may not be made available to the public under [FOIA] or any other provision of law unless the Federal land manager concerned determines that such disclosure would (1) further the purposes of...the Act..., and (2) not create a risk of harm to such resources or to the site at which such resources are located.
[16 USC § 470hh(a)]

The enclosed map provides information regarding the location of archeological resources in the vicinity of the MFFF. As a result, the DOE has requested, pursuant to their agreement with the State of South Carolina, that this information be protected from public disclosure.

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If you have any questions, please call me at (704) 373-7820 or Mary Birch at (704) 382-1401.

Sincerely,



Peter S. Hastings, P.E.
Licensing Manager

Enclosures: as stated

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