



UNITED STATES  
NUCLEAR REGULATORY COMMISSION

WASHINGTON, D.C. 20555-0001

March 20, 2002

Francis P. McManamon, Ph.D.  
Departmental Consulting Archeologist  
U.S. Department of the Interior  
National Park Service  
1849 C Street, NW  
Washington, DC 20240

Dear Mr. McManamon:

This responds to your letter of October 23, 2001, requesting completion of the questionnaire on Fiscal Year 2001 activities by March 31, 2002, concerning the Federal archeology program. Following the guidelines as set forth in the instructions for the questionnaire, we have reviewed only sections A through H. We have no data to report with regard to "Listing of Outlaw Treachery" records. Enclosed you will find the U.S. Nuclear Regulatory Commission's (NRC) completed questionnaire and supplemental narrative responses.

The NRC does not have Federal land management responsibilities and, therefore, does not directly engage in maintaining or restoring archeological or historic properties that may be identified during the environmental review process for issuing permits or licenses. However, NRC licensees are required to take the mitigative measures necessary to protect such properties. As a regulatory agency, NRC does not incur any direct costs associated with the protection or enhancement of archeological and historic resources.

Should you have any questions, please do not hesitate to contact me or Mr. Osiris Siurano of my staff at (301) 415-2307 or e-mail: [OSP@NRC.GOV](mailto:OSP@NRC.GOV).

Sincerely,

  
Paul H. Lohaus, Director  
Office of State and Tribal Programs

Enclosures:  
As stated

cc: Dr. Barbara Little  
U.S. Department of the Interior

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Sincerely,

/RA by Dennis M. Sollenberger for/

Paul H. Lohaus, Director  
Office of State and Tribal Programs

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PDR (YES✓)

\*See previous concurrence

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*[Handwritten signature]*  
3/20

THE SECRETARY OF THE INTERIOR'S REPORT TO CONGRESS

ON FEDERAL ARCHEOLOGICAL ACTIVITIES

GSA Control Number: 0236-DOI-AN

Agency US Nuclear Regulatory Commission

Office State and Tribal Programs

Contact Mr. Osiris Siurano

Phone 301-415-2307

Email OSP@NRC.GOV

ANSWER SHEET: Questionnaire on Fiscal Year 2001 Activities

<i>Quantitative Data</i>	F1 <u>0</u>	J4 _____	L10 _____
B1 <u>N/A</u>	F2 <u>N/A</u>	J5 _____	L11 _____
B2 \$ <u>N/A</u>	G1 <u>No Change</u>	K1 _____	L12 _____
B3 <u>N/A</u>	H1 <u>N/A</u>	K2 _____	L13 _____
B4 \$ <u>N/A</u>	H2 <u>N/A %</u>	K3 _____	L14 \$ _____
C1 <u>N/A</u>	H3 <u>N/A</u>	L1 _____	L15 \$ _____
D1 <u>1</u>	H4 <u>N/A</u>	L2 _____	L16 \$ _____
D2 <u>1</u>	H5 <u>N/A</u>	L3 _____	L17 \$ _____
D3 <u>0</u>	I1 \$ <u>0</u>	L4 _____	L18 \$ _____
D4 <u>0</u>	I2 \$ <u>0</u>	L5 _____	L19 \$ _____
D5 <u>8</u>	Land-managing agencies only, Sections J-L	L6 _____	
D6 <u>0</u>	J1 _____	L7 _____	
E1 <u>0</u>	J2 _____	L8 _____	
E2 <u>0</u>	J3 _____	L9 _____	

***Attached Material***

**Narrative Responses**  
(check if present):

- A1 \_\_\_\_\_
- B5 \_\_\_\_\_
- B6 \_\_\_\_\_
- D7  \_\_\_\_\_
- E3 \_\_\_\_\_
- F3 \_\_\_\_\_
- H6 \_\_\_\_\_
- H7 \_\_\_\_\_
- H8 \_\_\_\_\_
- I3 \_\_\_\_\_
- J6 \_\_\_\_\_
- K4 \_\_\_\_\_
- L20 \_\_\_\_\_
- L21 \_\_\_\_\_

LOOT form(s)  
included: N/A #   

Computer  
disk accompanying:

  1  

Photographs  
accompanying:   0  

Other materials  
accompanying:   0

## **D.7: Narrative Responses to the Secretary of Interior's 2001 report to Congress**

The NRC is currently reviewing an application to construct and operate an independent spent fuel storage installation (ISFSI). The applicant, Private Fuel Storage, LLC (PFS), proposes to construct the ISFSI on the reservation of the Skull Valley Band of Goshute Indians, which is bordered on all sides by Tooele County, Utah. To transport the spent nuclear fuel to the PFS facility, the project would require construction of either an intermodal transfer facility or the construction of a 32-mile rail line, both on land managed by the U.S. Department of Interior's Bureau of Land Management (BLM).

The NRC is the lead agency in the preparation of the Environmental Impact Statement (EIS) for the proposed PFS project and the lead agency in the Section 106 consultation required by the National Historic Preservation Act. The Bureau of Indian Affairs, the Surface Transportation Board, and the BLM are all cooperating agencies on the EIS and in the Section 106 consultation process. The cooperating Federal agencies have offered Federally recognized Indian tribes and other organizations that may be concerned with the possible effects of the project on historic properties an opportunity to participate in the consultation process. A draft EIS was issued in June 2000.

In May and June of 1999 and in June 2000, a PFS contractor, P-III Associates, performed a Class III cultural resources inventory in Skull Valley, Utah. In October 2000, the cooperating Federal agencies reviewed the cultural resources inventory report and concurred with the eligibility determinations. Furthermore, the cooperating Federal agencies requested the consulting parties' concurrence on these eligibility determinations. Also, the cooperating Federal agencies met with representatives of the consulting parties to discuss the eligibility recommendations included in the report and potential mitigation measures for anticipated adverse impacts to the cultural resources within the Area of Potential Effect. Based on these meetings, a consensus determination of eligibility on eight historic properties has been reached. The Final EIS (NUREG-1714), published in December 2001, states that cooperating Federal agencies determined that the new rail line would have adverse effects on some historic properties. The potential impacts along the rail corridor are expected to be moderate, but could be mitigated prior to construction. As part of the consultation process related to the National Historic Preservation Act, a draft Agreement has been prepared between the signatory and consulting parties that outlines agreed-upon measures that PFS will take to avoid, minimize, or mitigate these adverse effects. A stipulation of the Agreement is for the development of a Treatment Plan and a Discovery Plan. The Treatment Plan will identify (1) all National Register eligible properties in the Area of Potential Effect, (2) the nature of the effects to which each property will be subjected, and (3) the mitigation measures agreed to by the consulting parties. The draft Agreement, Treatment Plan and Discovery Plan have not been finalized yet.

In addition, there were 3 license renewal projects (ANO-2, Hatch and Turkey Point) that were substantially completed in FY 2001. All of these involved discussions with the appropriate State Historic Preservation Office but the applicants did not identify major refurbishment activities or land disturbances that would be affected by the license renewal actions.