

April 21, 2003

Ms. Kendra Womack
Fish and Wildlife Service
U.S. Department of the Interior
1387 South Vinnell Way, Room 368
Boise, Idaho 83709

**SUBJECT: REQUEST FOR CONCURRENCE ON THE DETERMINATION OF EFFECT ON
FEDERALLY LISTED SPECIES AND THEIR CRITICAL HABITATS FOR THE
PROPOSED IDAHO SPENT FUEL STORAGE FACILITY**

Dear Ms. Womack:

The Nuclear Regulatory Commission (NRC) is in the process of developing an Environmental Impact Statement (EIS) for the proposed Idaho Spent Fuel Facility to be located at the U.S. Department of Energy's (DOE's) Idaho National Engineering and Environmental Laboratory (INEEL), located near Idaho Falls. The proposed facility will receive spent nuclear fuel (SNF) from locations on the INEEL, repackage the SNF into NRC licensed canisters, and place these canisters into interim dry storage pending its final removal from the state of Idaho. This proposed facility, as well as all associated construction activities and impacts, will be within the boundaries of INEEL. The forthcoming EIS will evaluate the actions and impacts associated with the construction and operation of the facility.

An ecological resources report for the proposed Idaho Spent Fuel Facility at the INEEL was prepared for the DOE (May 2001) and is enclosed. This report describes the areas that will be affected by the construction of the proposed facility and the ecological resources that are in or near these areas. The proposed location of the Idaho Spent Fuel Facility would be on previously disturbed land adjacent to the Idaho Nuclear Technology and Engineering Center (INTEC) in the south-central portion of the INEEL. The area includes a small complex of existing office buildings, warehouses, and trailers immediately to the east of the INTEC perimeter fence and north of a coal-fired power plant. There are two areas of potential effect for the proposed project. The first is the facility construction site which is an 8-acre parcel located near a large ash pit associated with INTEC's coal-fired power plant. The second area is a 9-acre construction laydown area, which would be used to facilitate construction activities. This area is located a short distance to the northeast of the proposed facility location. Ground disturbance associated with construction of the facility and other temporary support facilities will be localized, but extensive in both areas. Both areas of potential effect have been investigated for ecological resources. Intensive ecological surveys from the 1980s, subsequent plant and wetland surveys by various research personnel, and previous consultation with your office have all been combined to identify ecological resources. Based on this report and the NRC's preliminary analysis in support of the draft EIS, the NRC has determined that the proposed action is not likely to adversely affect any listed species or critical habitat. The most recent species list, 1-4-02-SP-921, provided by your office in September 2002 was used in making this determination.

Ms. K. Womack

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Please provide your concurrence regarding NRC's determination that the proposed action is not likely to adversely affect any listed species or critical habitat. If you have any questions or comments or need any additional information, please contact Matthew Blevins at 301-415-7684. Thank you for your assistance.

Sincerely,

Lawrence E. Kokajko, Acting Chief */RA/*
Environmental and Performance
Assessment Branch
Division of Waste Management
Office of Nuclear Material Safety
and Safeguards

Enclosure: As stated

cc: Attached List

Ms. K. Womack

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