

June 2, 2005

Mr. John Harja, Executive Director
Resource Development Coordinating Committee
State of Utah
State Office Building, Room 5110
Salt Lake City, UT 84114

SUBJECT: FINAL MEMORANDUM OF AGREEMENT FOR THE PROPOSED
PRIVATE FUEL STORAGE FACILITY

Dear Mr. Harja:

By letters dated December 1, 2000, and June 19, 2001, the staff of the U.S. Nuclear Regulatory Commission (NRC), 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), (collectively, the cooperating Federal agencies), requested comments regarding a draft Memorandum of Agreement (Agreement) that outlines agreed-upon measures that Private Fuel Storage, L.L.C., will take to avoid, minimize, or mitigate adverse effects of the proposed project. Based on the comments received from the consulting parties, the Agreement was revised.

By letter dated January 24, 2003, the State of Utah's State Historical Preservation Officer's (SHPO) signature was requested on the copy of the final Agreement. As discussed in our telephone conversation on April 6, 2005, I have enclosed for your signature, a revised final Agreement which extends the termination date in Section IX, Termination, of the final Agreement to January 1, 2010. This change in the Agreement is marked with a sidebar. As the State of Utah's SHPO for the proposed Private Fuel Storage Facility, we would appreciate your signature, within 10 days from the date of this letter, on the final Agreement. Should I not hear from you within 10 days, I will assume that the State of Utah has withdrawn from the Section 106 consultation process for the Private Fuel Storage proposal. Please note that any site location information contained in the draft Treatment Plan may not be released to the general public under Federal law, and it is essential that this information be protected.

If you have any questions, please contact Melanie Wong (NRC) at (301) 415-6262, 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/

Stewart W. Brown, Senior Project Manager
Licensing and Inspection Directorate
Spent Fuel Project Office
Office of Nuclear Material Safety
and Safeguards

Docket No. 72-22

Enclosure: Final Memorandum of Agreement

cc: Wilson G. Martin, Dept of Community and Economic Development
James L. Dykmann, Cultural Resource Coordinator
PFS Service Lists (w/o appendix 2)