

From: <SargentsPigeon@aol.com>
To: <MLZ@nrc.gov>
Date: Tue, Aug 9, 2005 3:34 PM
Subject: Re: Follow-up on Phone Call

Ms. Zabler,

Thank you for your follow-up letter, but you did not reply to the principal questions.

First, who is contact person for NRC's Section 106 review? Who's in charge? This is an absurdly simple question. I contacted Matt Blevins about it in February, and heard nothing from him for six months, so he seems to not be the person. I contacted the Federal Preservation Officer for NRC, and he was absolutely clueless about the whole endeavor--my call to him resulted in a call back from you. You, however, told me that you are not the official in charge of the process. So who is? Please provide a name, address, e-mail and telephone number.

Second, I did not ask why I was not put on the distribution list, I asked why I have not been made a consulting party and was not sent a letter of consultation. The Commission has itself ruled that I am entitled to standing to intervene in the licensing proceeding on the basis of my ownership and residence interests in a historic property on the boundary of the proposed project. I believe I am the only individual in that category. Lest there be doubt, I do wish to be a consulting party in the Commission's 106 review. I have concerns that I have elaborated to the Commission at great length. Please explain to me why I was not put on the list of consulting parties at the beginning, and whether I am being added to the list of consulting parties now.

Please also forward to me all of the correspondence that has been shared with consulting parties since the beginning of the process.

Now some new questions. I am inferring that Commission staff is having some difficulty figuring out how it should communicate with a consulting party in a 106 review who is also an intervener or potential intervener in the licensing process. Please clarify how the Commission staff views the relationship between the 106 review process and the licensing proceeding.

In reviewing the list of parties to whom consultation letters were sent, there are two categories strikingly absent. No owners of historic homes are included on the list. (In my petition to intervene, I identified three historic homes in close proximity to the plant site--The Barnes Home, The Sargent Home and the Rittenour Home. I also conveyed the wish of Charles Beegle, owner of the Rittenour Home, to be a consulting party in the 106 review, and I included a letter from Mr. Beegle complaining about the lack of NHPA compliance.)

Also, no historic Indian tribes from the local area have been included. These are the principal tribes that have knowledge and interest in the proposed USEC site and in the ACP project. If the reason for their non-inclusion is that they are not federally recognized, I draw your attention to the fact that the Shawnee Tribe in Oklahoma also lacks federal recognition. Thus you included at least one tribe in Oklahoma that lacks recognition, but none of

the tribes in or near Ohio that lack recognition.

For your information, the following area tribes are intensely interested in the proposed project, and would like to be granted consulting party status:

- The Blue Creek Band of the Shawnee in Adams County, Ohio
- The Free Shawnee of Ohio
- The Piqua Sept of the Shawnee
- The Tallige Cherokee Nation in Scioto County, Ohio
- The United Remnant Band of the Shawnee in Ohio

I would happily provide contact information for these tribes, and other interested parties, but see question one--We are now in August and the NRC has yet to provide me with a contact name for its 106 review in the USEC proceeding. I would also like to forward the NRC contact name to the tribes and property owners who wish to be consulting parties.

Let me be clear, Ms. Zabler. You say that the NRC 106 review is nearly complete as part of the draft EIS. On the contrary, the 106 review required for this project has not yet started, because you have neither consulted the parties who have expressed the most concern about the project, nor have you provided those parties with a contact by which we can express our concerns. The 106 process is designed to be consultative, not adversarial. Let's start the consultation.

Thank you,

Geoffrey Sea

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Options

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