February 9, 2006

MEMORANDUM TO: Luis A. Reyes
Executive Director for Operations

Karen D. Cyr
General Counsel

FROM: Andrew L. Bates, Acting Secretary **/RA/**

SUBJECT: STAFF REQUIREMENTS - SECY-06-0020 - PRIVATE FUEL STORAGE, L.L.C. - THE ADVISORY COUNCIL ON HISTORIC PRESERVATION'S COMMENT(S) ON TERMINATION OF CONSULTATION PROCESS

The Commission has approved 1) the response to John L. Nau, III, Chairman of the Advisory Council on Historic Preservation (ACHP), subject to the changes noted below; 2) issuance of the license to Private Fuel Storage (PFS) *after* providing the letter to ACHP thereby ensuring compliance with 36 C.F.R. § 800.7(c)(4)(i); and 3) publishing of a *Federal Register* Notice informing the public of approval of the PFS license, conclusion of the National Historic Preservation Act process, and availability of records for public inspection.

Changes to the letter to Chairman Nau

1. Page 1, paragraph 1, revise line 1 to read 'On behalf of the U.S. Nuclear Regulatory Commission (NRC), I am responding to your letter ....' Revise line 2 to read ' ... Strosnider ~~, (U.S. Nuclear Regulatory Commission (~~ NRC ~~)~~ to John ....'

2. Page 2, last paragraph, change the information to indicate Jack Strosnider as the point of contact.

cc: Chairman Diaz
Commissioner McGaffigan
Commissioner Merrifield
Commissioner Jaczko
Commissioner Lyons
CFO
OCA
OPA

SECY NOTE: THE SUBJECT SECY PAPER, COMMISSION VOTING RECORD, AND THIS SRM WILL BE MADE AVAILABLE TO THE PUBLIC UPON PUBLICATION OF THE *FEDERAL REGISTER* NOTICE