

OFFICE OF THE SECRETARY
CORRESPONDENCE CONTROL TICKET

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ACTION OFFICE: EDO

To: Strosnider, NMSS
Ref. G20060039

AUTHOR: John Nau

AFFILIATION: DC

ADDRESSEE: Nils Diaz

SUBJECT: Private Fuel Storage

Cyfs:
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ACTION: Appropriate

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LETTER DATE: 03/06/2006

ACKNOWLEDGED No

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NOTES:

FILE LOCATION: ADAMS

DATE DUE:

DATE SIGNED:

John L. Nau, III
Chairman

Bernadette Castro
Vice Chairman

John M. Fowler
Executive Director



Preserving America's Heritage

March 6, 2006

The Honorable Nils J. Diaz
Chairman
U.S. Nuclear Regulatory Commission
One White Flint North Building
11555 Rockville Pike,
Rockville, MD 20852

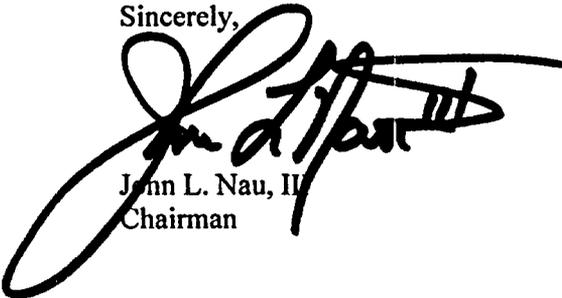
Dear Chairman Diaz:

I want to thank you for your reply dated February 10, 2006, to the comments of the Advisory Council on Historic Preservation (ACHP) regarding the effects on historic properties of the Private Fuel Storage (PFS) Independent Spent Fuel Storage Installation proposed on the Reservation of the Skull Valley Band of Goshute Indians, located in Tooele County, Utah. Formal ACHP comments on the undertaking were provided to NRC on January 9, 2006, pursuant to 36 CFR 800.7(c) regulations implementing Section 106 of the National Historic Preservation Act (NHPA).

I appreciate the NRC's thoughtful and detailed response to the ACHP's comments. I further appreciate NRC's decision to include a condition on the PFS license requiring the implementation of seven specific requirements for the treatment of historic properties based on the Memorandum of Agreement that was negotiated. Those conditions require PFS to carry out the requirements of the draft treatment plan for historic properties if the proposed rail line is approved for construction, and to take certain specified actions with regard to any unrecorded artifacts or cultural resources identified during construction of the facility or the proposed access. We understand that NRC issued a license for the project on February 21, 2006, and that the license includes the agreed upon conditions for cultural resources.

We believe that through these actions for this license issuance, NRC has fully met its responsibilities under Section 106 of the NHPA to take into account effects to historic properties and to afford the ACHP a reasonable opportunity to comment.

Sincerely,


John L. Nau, III
Chairman