



*Preserving America's Heritage*

May 24, 2006

Rani Franovich  
Division of License Renewal  
Office of Nuclear Reactor Regulation  
Nuclear Regulatory Commission  
Washington, D.C. 20555-0001

**Re: License Renewal Application - Pilgrim Nuclear Power Station  
Town of Plymouth, Massachusetts**

Dear Ms. Franovich:

On May 8, 2006, we received your notice that, in accordance with 10 CFR Part 54, an application for renewal of the Pilgrim Nuclear Power Station operating license has been filed with the Nuclear Regulatory Commission (NRC). In this notice, you refer to 36 CFR §800.8 of the regulation (36 CFR Part 800) implementing Section 106 of the National Historic Preservation Act. This section of the ACHP's regulation contains two parts that serve two different purposes. The first part, 36 CFR §800.8(a), establishes general principles for improving the coordination between the ACHP's regulation and the requirements of the National Environmental Policy Act (NEPA). The second part of this section, 36 CFR §800.8(c), establishes the standards that must be met when a Federal agency decides to use the documentation and requirements of NEPA to comply with Section 106.

It is unclear whether your reference to 36 CFR §800.8 means that NRC intends to adhere to the general principles for better coordination between Section 106 and NEPA, or to substitute the requirements of NEPA for §§ 800.3 through 800.6 of the ACHP's regulation. In accordance with 36 CFR §800.8(c), if NRC intends to use the substitution provision, then you must notify not only the ACHP, but also the State Historic Preservation Officer (SHPO) and/or Tribal Historic Preservation Officer (THPO) that you intend to do so. We note that the SHPO/THPO does not appear to have been included among the recipients of this notice.

We request that NRC clarify this matter and provide us with a copy of any notice that you may send to the SHPO/THPO pursuant to 36 CFR §800.8(c). It is particularly important that you do so because of the advisory role of the ACHP under in resolving consulting parties' objections submitted pursuant to 36 CFR §800.8(c)(2) and (3).

ADVISORY COUNCIL ON HISTORIC PRESERVATION

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Should you have any questions, please contact us at 202-606-8503.

Sincerely,

A handwritten signature in black ink that reads "Laura Henley Dean". The signature is written in a cursive style with a large initial "L" and a long, sweeping underline.

**Laura Henley Dean, PhD**  
**Program Analyst**  
**Office of Federal Agency Programs**