March 19, 2007

Mr. Robert L. Brooks, State Archeologist
Oklahoma Archeological Society
111 E. Chesapeake, # 102
Norman, OK 73019-5111

SUBJECT: REVISED DETERMINATION OF NO ADVERSE AFFECT ON PREHISTORIC RESOURCES FROM PROPOSED RECLAMATION OF SEQUOYAH FUELS CORPORATION’S SITE IN GORE, OKLAHOMA

Dear Mr. Brooks:

By letter to your attention dated November 27, 2006, the U.S. Nuclear Regulatory Commission (NRC) staff re-initiated consultation under Section 106 of the National Historic Preservation Act of 1966, as amended, for the proposed reclamation of Sequoyah Fuels Corporation’s (SFC’s) site in Gore, Oklahoma. The NRC staff is preparing an Environmental Impact Statement (EIS) to document its evaluation of the potential environmental impacts from SFC’s proposed site reclamation plan and reasonable alternatives to that plan.

In its November 2006 letter, the NRC staff identified the present undertaking as SFC’s proposed reclamation of wastes produced by its past site operations and the construction of an onsite disposal cell to contain these wastes and impacted soils. Based on SFC’s proposed reclamation activities, the NRC staff determined the “area of potential effect” (APE) to be defined by the boundaries of the SFC site.

The NRC staff also enclosed in its November 2006 letter copies of previous correspondence from you, the Deputy State Historic Preservation Officer, and the Cherokee Nation regarding that proposed project. Based on that correspondence, which stated that there were no historic properties that would be affected by the proposed site reclamation, the NRC staff determined that SFC’s proposed reclamation of its Gore, OK site do not adversely affect any historical or cultural properties. The NRC staff requested your concurrence with that determination by that November 2006 letter; however, we are still awaiting your reply.

As part of its EIS process, the NRC staff has identified a reasonable alternative to SFC’s proposed reclamation plan. This alternative would involve the shipment offsite of all of the contaminated wastes and soils reclaimed by SFC. Such offsite shipment would necessitate the construction of a three-mile rail spur from the SFC site to the nearest main rail line. Enclosed is a figure showing the approximate route of this potential rail spur.

Based on this alternative, the NRC staff is revising its APE to include the potential route of the rail spur. However, given the correspondence noted above, the NRC staff has determined that there are no historic or cultural resources within the expanded APE that would be adversely affected. Therefore, the NRC staff requests your concurrence with this determination.
If you have any questions, please contact Mr. James Park of my staff. Mr. Park can be reached at 301-415-6935 or by email to jrp@nrc.gov.

Sincerely,

/RA/

Gregory F. Suber, Acting Chief
Environmental Review Branch
Division of Waste Management
and Environmental Protection
Office of Federal and State Materials
and Environmental Management Programs

Docket No.: 40-8027
License No.: SUB-1010

Enclosure:
Map of Potential Rail Spur Route

cc:
Craig Harlin, SFC
Melvena Heisch, OK State Historic Preservation Office
Jeannine Hale, Esq., Cherokee Nation
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Jeannine Hale, Esq., Cherokee Nation

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Enclosure
Map of Potential Rail Spur Route
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