

Dominion Energy Kewaunee, Inc.
N490 Hwy 42, Kewaunee, WI 54216
Web Address: www.dom.com



SEP 30 2009

MISC-2009-0057

Mr. Sherman Banker
Wisconsin Historical Society
816 State Street
Madison, Wisconsin 53706-1482

**Re: Dominion Kewaunee Power Station
Cultural Resources Protection Plan**

Dear Mr. Banker:

At the suggestion of Jennifer Davis, the Cultural Resources contact at the U.S. Nuclear Regulatory Commission, the Site Cultural Resources Protection Plan is being forwarded to you for your information. The Kewaunee Power Station Environmental Compliance Coordinator, Ted Maloney, is the individual primarily responsible for this Plan.

If you have any questions or comments regarding this Plan, Ted Maloney can be contacted at 920-388-8863, or:

Mr. Ted Maloney
Kewaunee Power Station
N490 Hwy 42
Kewaunee, WI 54216-9511

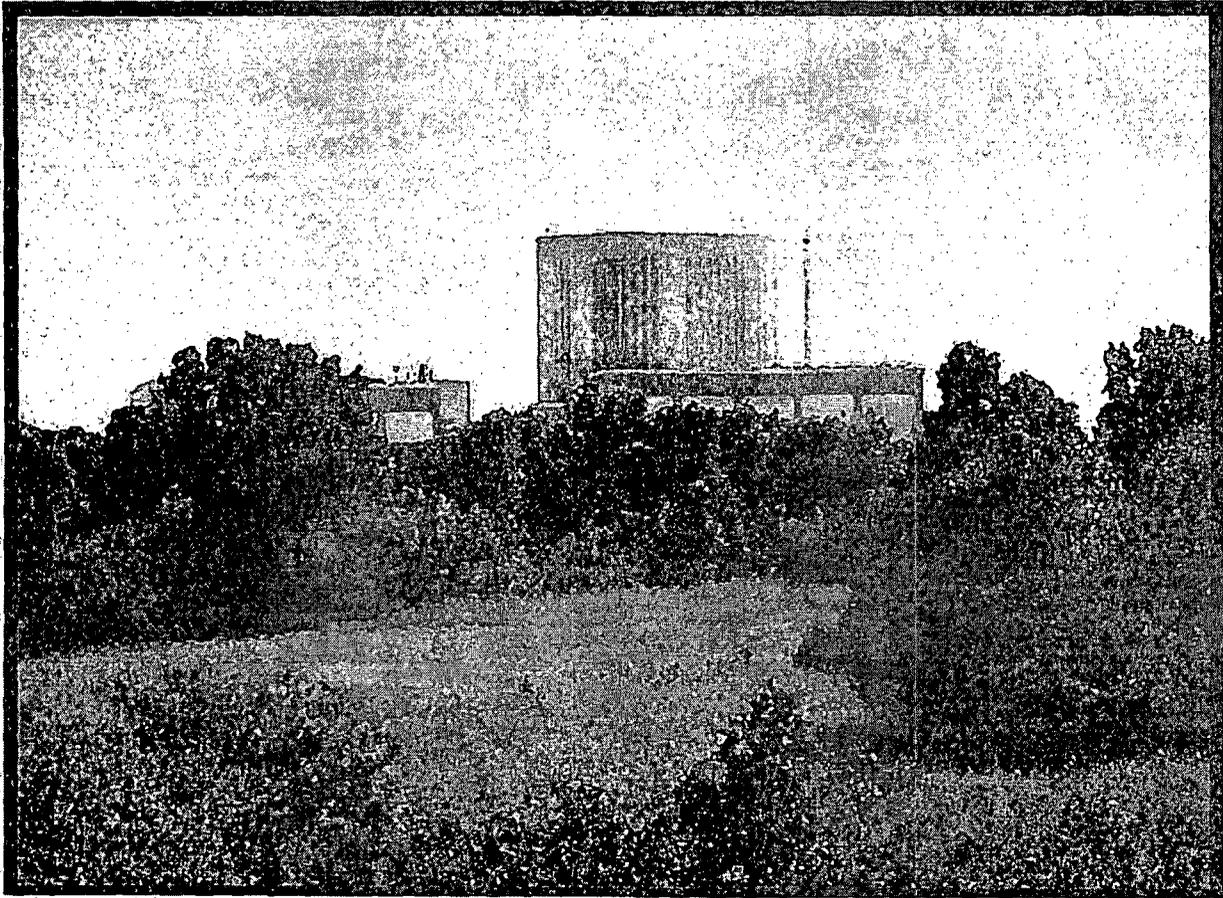
Sincerely,

A handwritten signature in black ink, appearing to read "m. j. wilson".

Michael J. Wilson
Director Safety and Licensing
Kewaunee Power Station

Attachment: Kewaunee Power Station Cultural Resources Protection Plan

Kewaunee Power Station



Cultural Resources Protection Plan



TABLE OF CONTENTS

1.0 INTRODUCTION.....3
 Purpose3
 Discussion4
2.0 PHASE I SITE ARCHAEOLOGICAL SURVEY.....4
3.0 RESPONSIBILITIES4
 3.1 DEK4
 3.2 Equipment Operator.....5
 3.3 Environmental Compliance Coordinator (ECC).....5
 3.4 Inclusion of Cultural Resources in Pre-Job Brief.....5
4.0 DISCOVERY REQUIREMENTS.....6
 4.1 Cultural Resources.....6
 4.2 Human Remains6
5.0 MONITORING AND REPORTING REQUIREMENTS 7
 5.1 Monitoring7
 5.2 Reporting.....7
6.0 Definitions8
7.0 References9
Figure 1—Site Aerial Photo10
Attachment 111
Attachment 2.....13

1.0 INTRODUCTION

This Cultural Resources Protection Plan (plan) describes protective measures to be taken by Dominion Energy Kewaunee, Inc. (DEK) and its contractors (Contractor) to avoid or minimize adverse impacts to cultural resources during construction and other land disturbing activities. Measures identified in this plan apply to work on the KPS site property. DEK and Contractor personnel are to be familiar with this plan and its contents prior to initiating construction or excavation.

Purpose

As a federally licensed facility, Kewaunee Power Station (KPS) is obligated under Section 106 of the National Historic Preservation Act to protect archaeological and historically significant cultural resources, either existing or potentially existing, on KPS property.

Cultural resources include, but are not limited to:

1. Cemeteries, burial sites, funeral monuments, or other sites with human remains.
2. Historic buildings, structures, or building remains.
3. Native American sites containing cultural artifacts (such as pottery, tools, weaponry, and other implements), and features (such as storage pits, hearth, fire pits, structural remains, etc.).
4. Ritual artifacts.
5. Sites with discarded material (e.g., shell middens.)
6. Sites of historical significance to the community, state, or nation such as battlegrounds, encampments, villages, etc.
7. Traditional cultural properties.

The purpose of this plan is to provide for the identification, evaluation, and treatment of cultural resources that may be impacted as a result of construction or other land-disturbing activities. This plan also defines the responsibilities and measures to preserve and protect cultural resources discovered during such activities. This plan was developed as the on-site implementing document for Section 3.5 of Dominion fleet Administrative Procedure SA-AA-106, Drilling, Digging and Cutting.

Discussion

Kewaunee Power Station (KPS) is located in the southeastern corner of the Town of Carlton, Kewaunee County, Wisconsin. The Station's 908-acre site is roughly bisected by Wisconsin State Route 42 (Figure 1). St. John's Lutheran Cemetery, also known as Sandy Bay Cemetery, which occupies 1.13 acres within the site, is owned and maintained by the Town of Carlton.

Prior to construction of the Station, the site was used primarily for farming. Dominion continues to lease approximately half of the site to area farmers, most of it located to the west of Route 42.

The site property includes the Protected Area (PA), which contains the power block and associated support facilities. Access to the PA is restricted. The PA was heavily disturbed during original plant construction. This procedure is applicable to land-disturbing activities on site property, but outside the PA.

2.0 PHASE I SITE ARCHAEOLOGICAL SURVEY

In 2007, a Phase I Archaeological Survey was performed on approximately 735 acres of the 908-acre site. The remaining acres, including the PA and portions of the Owner Controlled Area (OCA), were deemed too disturbed to warrant such a survey (see Figure 1). Note: shallow excavation in previously heavily disturbed areas is considerably less likely to result in an inadvertent discovery.

A limited number of primarily lone artifacts were identified. None were considered by a professional archaeologist to have any historic or prehistoric significance, and none were recommended for listing on the National Register of Historic Places (NRHP). The KPS Environmental Compliance Coordinator (ECC) shall be familiar with the contents of the Phase I Survey.

3.0 RESPONSIBILITIES

3.1 DEK

DEK employs Administrative Procedure SA-AA-106 during construction or other land disturbing activities. SA-AA-106, Attachment 1, Excavation and Trench Pre-job Checklist, includes a step for discussion of potential cultural resources. In addition, DEK will:

- Use Sections 4.0, 5.0, and Attachment 1 of this Plan to deal with the inadvertent exposure of cultural resources during excavation.

- As discussed in Section 3.4, require appropriate Contractor personnel to read and sign Attachment 2 regarding procedures to be followed during unexpected discovery.
- If future activities determine the presence of significant cultural resources, provide cultural monitoring by a professional archaeologist for construction or other land disturbing activities in the vicinity of such resources.

3.2 Equipment Operator

The Equipment Operator will be responsible for following the project procedures and requirements defined in this plan during and after the exposure of cultural resources. The Project Manager or Dominion Point of Contact (DPOC) will be responsible for providing DEK's Environmental Compliance Coordinator with adequate advance notification of excavation activities so that Cultural Monitors (professional archaeologists) can be deployed, as appropriate.

3.3 Environmental Compliance Coordinator (ECC)

DEK's ECC will monitor land disturbing activities, and is responsible for ensuring such activities comply with all applicable mitigation requirements, permit conditions, and environmental specifications relating to cultural resources protection. This includes keeping track of construction activities and ensuring that monitors will be onsite when construction activities are taking place in areas known to contain significant cultural resources, should any be discovered on site.

3.4 Inclusion of Cultural Resources in Pre-Job Brief

The Project Manager or DPOC will inform all crews of requirements relating to cultural resource protection. All construction personnel who operate ground-disturbing equipment will receive "Read and Sign" instruction (Attachment 2) on the types of archaeological remains that may be encountered and the procedures to be followed if they encounter buried archaeological deposits or features. All construction and other employees present will be informed of the ECC's and project manager's authority to halt work. All personnel will be informed that they are not authorized to knowingly disturb historic or prehistoric sites or to collect artifacts.

Figure 1 is an aerial photograph of the site showing:

- Heavily disturbed areas
- Leased agricultural land
- Sandy Bay Cemetery, which is owned and maintained by the Town of Carlton

This figure will be amended, should significant cultural resources be discovered in the future.

4.0 DISCOVERY REQUIREMENTS

4.1 Cultural Resources

If cultural resources (artifacts, hearths, rock art, etc.) are discovered during excavation, the Equipment Operator will immediately stop all work near the discovery. The following steps will be implemented when cultural resources are discovered:

- Cease all earth disturbing activity within 100 feet of the discovery. The area will be secured until notified to proceed by the ECC. Work could resume outside of that 100' buffer, unless additional resources are discovered in this area as well.
- Contact the ECC, and/or Cultural Monitor immediately. At the direction of the ECC, a Cultural Monitor will assess the nature of the discovery and determine the necessary course of action. If necessary, the Cultural Monitor will mark the area and recommend procedures to be implemented to avoid further site damage. DEK will protect the discovery until proper mitigation procedures are completed.
- In accordance with Attachment 1, the ECC will contact the State Historic Preservation Officer (SHPO) for guidance on the discovery.

The ECC will work with the SHPO to determine whether the materials appear eligible for the NRHP, and if so, appropriate mitigation measures.

4.2 Human Remains

If human remains are discovered during construction, the Equipment Operator will be responsible for immediately stopping all work near the discovery. The following steps will be implemented when human remains are discovered:

- Cease all earth disturbing activity within 100 feet of the discovery. The area will be secured until notified to proceed from the ECC.
- Contact the ECC, along with the relevant county coroner or sheriff, immediately. If the discovery appears to be of a historic or archaeological nature, the ECC will take the steps outlined in Section 4.1.

5.0 MONITORING AND REPORTING REQUIREMENTS

As stated above, no known significant historic or archaeological sites are located on DEK property. If cultural materials are discovered during excavation, cultural resource monitoring will be conducted by Cultural Monitors (professional archaeologists) to ensure that aboriginal and historic cultural materials are preserved and to ascertain whether construction may continue, as deemed appropriate by the ECC.

5.1 Monitoring

When determined to be appropriate by the ECC, a Cultural Monitor will monitor project activity. No further excavation activities (topsoiling, grading, or ditching) will begin within 100 feet of the discovery prior to their arrival. The Project Manager or DPOC is responsible for notifying the ECC at least 72 hours in advance of areas requiring monitoring where identified, so that Cultural Monitors can be deployed where required. The Project Manager or DPOC will be responsible for all construction delays due to insufficient notification.

Cultural monitoring will consist of the examination of all heavy equipment ground disturbances (clearing, grading, and trenching) within 100 feet of a significant site, especially trench walls and the surfaces of graded areas. Cultural monitoring will be conducted in two phases:

- Phase One—The first phase will involve monitoring of the construction zone after vegetation clearing has occurred but prior to grading (including topsoiling) activities. The Cultural Monitor will follow the grading equipment looking for indications of shallowly buried cultural materials.
- Phase Two—The second monitoring phase will occur during digging or trenching. The Cultural Monitor will follow the digging equipment at a cautionary distance, allowing time for construction dust to settle and for visible detection of buried cultural features.

5.2 Reporting

Cultural Monitors will document monitoring activities on SA-AA-106, Attachment 2, Daily Excavation and Trench Log, a copy of which shall be delivered to the ECC on a daily basis.

6.0 Definitions

Cultural Monitors—professional archaeologists who would be deployed in the event of land-disturbing activities in the vicinity of known significant cultural resources.

Cultural Resources - Cultural resources include, but are not limited to:

1. Cemeteries, burial sites, funeral monuments, or other sites with human remains.
2. Historic buildings, structures, or building remains.
3. Native American sites containing cultural artifacts (such as pottery, tools, weaponry, and other implements), and features (such as storage pits, hearth, fire pits, structural remains, etc.).
4. Ritual artifacts.
5. Sites with discarded material (e.g., shell middens).
6. Sites of historical significance to the community, state, or nation such as battlegrounds, encampments, villages, etc.
7. Traditional cultural properties.

Disturbed Land Areas - Surface and/or subsurface land areas that were significantly disturbed during the construction phase of the site or with ongoing activities.

Land-Disturbing Activities - Within the context of the National Historic Preservation Act, these are activities that involve grading, construction of buildings, excavations, reforestation, landscaping, placement of any fill or spoil, or other terrestrial impact.

Undisturbed Land Areas - Surface and/or subsurface land areas that have not been disturbed either during the construction phase of the site or during current operations, or land areas where there is uncertainty regarding the degree of disturbance.

Mitigation Plan - A plan to avoid or minimize impact to an eligible historical property, or mitigate the adverse effect, prepared in consultation with the NRC and State Historic Preservation Office.

National Historic Preservation Act of 1966—The governing law that requires the protection of cultural resources.

NRHP - National Register of Historic Places.

OCA (Owner Controlled Area) – A delineated area surrounding the KPS Protected Area.

PA (Protected Area) - KPS property located inside the station's fenced security perimeter.

State Historic Preservation Office (SHPO) – An office within the Wisconsin Historical Society with state authority to administer policy on areas of historical or archeological significance.

US Nuclear Regulatory Commission (NRC) - Federal agency ultimately responsible for Section 106 compliance at KPS.

7.0 References

36 CFR Part 800 (Advisory Council on Historic Preservation - Protection of Historic Properties; Section 106 Process).

AVD Archaeological Services, Inc., August 2007—A Phase I Archaeological Survey at the Kewaunee Power Station in Kewaunee County, Wisconsin.

Dominion Administrative Procedure SA-AA-106, Drilling, Digging and Cutting.

Figure 1—Site Aerial Photo



Attachment 1 Environmental Compliance Coordinator

Actions taken in the event of inadvertent discovery of Historic/ Archaeological Resources

In the event of an inadvertent discovery, document the nature of the discovery in the spaces below, and contact the Wisconsin State Historic Preservation Office, which is part of the Wisconsin Historical Society.

Date of Discovery:	Location of Discovery:
Job being performed when discovery was made:	
Description of Discovery:	
Stop Work Order Issued: Yes <input type="checkbox"/> No <input type="checkbox"/>	Pictures Taken of Discovery?: Yes <input type="checkbox"/> No <input type="checkbox"/>
Wisconsin State Historic Preservation Office Contacted (Note: See Page 2 for Contact Names)? Yes <input type="checkbox"/> No <input type="checkbox"/>	Time of SHPO Contact: Name of person contacted:
Summary of Actions Taken in Response to SHPO recommendations:	
Signature	Date

Attachment 1 (Continued)

Contacts at the State Historic Preservation Office

State Historic Preservation Officer (SHPO)

Wisconsin Historical Society

816 State Street

Madison WI 53706

Phone: 608-264-6464

Deputy SHPO

Phone: 608-264-6511

Compliance Archeologist

Phone: 608-264-6507

Attachment 2

Read and Sign Training on Protection of Cultural Resources

The National Historic Preservation Act of 1966, as amended, established a mechanism by which any federal agency with jurisdiction over an undertaking, such as a major project, will ensure that protection of cultural resources is considered during the undertaking. Because Kewaunee Power Station (KPS) is regulated by the U.S. NRC, it has the responsibility to consider cultural resources during execution of a project on the KPS site.

What is a Cultural Resource? - Cultural resources include, but are not limited to:

1. Cemeteries, burial sites, funeral monuments, or other sites with human remains.
2. Historic buildings, structures, or building remains.
3. Native American sites containing cultural artifacts (such as pottery, tools, weaponry, and other implements), and features (such as storage pits, hearth, fire pits, structural remains, etc.).
4. Ritual artifacts.
5. Sites with discarded material (i.e., Indian mounds with shells and animal bones.)
6. Sites of historical significance to the community, state, or nation such as battlegrounds, encampments, villages, etc.
7. Traditional cultural properties.

If any Cultural Resources are inadvertently discovered during excavation or other ground-disturbing activities, **PERFORM** the following:

- a. **STOP** work.
- b. **PLACE** the job in a safe condition.
- c. **NOTIFY** job supervisor.

Job Supervisor:

NOTIFY Director, Nuclear Safety and Licensing.

I the undersigned, have read and understand the need to protect cultural resources during the conduct of work at Kewaunee Power Station.

Print Name

Signature

Date