November 24, 2010

President Mark Chino
Mescalero Apache Tribe
P.O. Box 227
Mescalero, NM 88340

SUBJECT: INITIATION OF SECTION 106 PROCESS FOR ENVIRONMENTAL REVIEW OF FORT ST. VRAIN INDEPENDENT SPENT FUEL STORAGE INSTALLATION PROPOSED LICENSE RENEWAL (DOCKET # 72-9)

Dear President Chino:

The U.S. Nuclear Regulatory Commission (NRC) has received an application from the United States Department of Energy (DOE) to renew Materials License Number SNM-2504 for the Fort St. Vrain (FSV) Independent Spent Fuel Storage Installation (ISFSI) located in Platteville, Colorado. DOE is requesting that its license be renewed for a 20-year period, beginning on November 30, 2011. In 1991, the NRC issued Public Service Company of Colorado a 20-year license to receive, possess, store, and transfer FSV spent fuel in the ISFSI. In 1999, this license was transferred to DOE.

The FSV ISFSI site contains approximately 20 acres located in Weld County, Colorado, approximately 3½ miles northwest of the town of Platteville and 35 miles north of the city of Denver. DOE anticipates no new construction at the existing FSV ISFSI facility. Therefore, no land disturbances are expected during the 20-year renewal period.

As established in Title 10 *Code of Federal Regulations* Part 51 (10 CFR 51), the NRC regulation that implements the National Environmental Policy Act of 1969, as amended, the agency is preparing an Environmental Assessment (EA) for the proposed action. In accordance with Section 106 of the National Historic Preservation Act, the EA will include an analysis of potential impacts to historic and cultural resources. To support the EA, the NRC is requesting any information you may have regarding Tribal historic sites or cultural resources that may be affected by a renewal of the FSV ISFSI license. The NRC is interested in knowing if you have specific knowledge of any sites that you believe have traditional religious and cultural significance. After assessing the information provided by you, the NRC will determine what additional actions are necessary to comply with Section 106 of the National Historic Preservation Act.

The DOE's FSV ISFSI renewal application is publicly available in the NRC Public Document Room located at One White Flint North, 11555 Rockville Pike, Rockville, Maryland 20852, or from the NRC's Agencywide Documents Access and Management System (ADAMS). The ADAMS Public Electronic Reading Room is accessible at http://www.nrc.gov/reading-rm/adams.html. The accession number for the application package is ML093230788.

Please submit any comments/information that you may have regarding this environmental review within 30 days of the receipt of this letter to the NRC Attn: Ms. Diana Diaz-Toro, Mail Stop T-8F05, Washington, DC 20555. If you have any questions, please contact Ms. Jean Trefethen of my staff by telephone at 301-415-5137 or by email at Jean.Trefethen@nrc.gov. Thank you for your assistance.

Sincerely,

/RA/

Larry W. Camper, Director
Division of Waste Management
and Environmental Protection
Office of Federal and State Materials
and Environmental Management Programs

Docket No.: 72-9
License No.: SNM-2504

Enclosure:
Figure E2-1
Fort St. Vrain General
Location of the ISFSI

cc: Ms. Holly Houghten
Tribal Historic Preservation Officer

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Larry W. Camper, Director
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Docket No.: 72-9
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Fort St. Vrain General
Location of the ISFSI

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**ML103140449**

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|---|---|---|---|---|---|---|
| **NAME** | JTrefethen | TMoon | CStaab | DDiaz-Toro | DSkeen | LCamper |
| **DATE** | 11/5/10 | 11/5/10 | 11/5/10 | 11/22/10 | 11/23/10 | 11/24/10 |

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