



Nuclear Regulatory Commission
Exhibit # - NRC000162-MA-BD01
Docket # - 07007015
Identified: 07/12/2011

Admitted: 07/12/2011
Rejected:

Withdrawn:
Stricken:

NRC000162

March 30, 2011

Ms. Susan Pengilly
Deputy State Historic Preservation Officer
Idaho State Historic Preservation Office
210 Main Street
Boise, ID 83702-7264

SUBJECT: NATIONAL HISTORIC PRESERVATION ACT SECTION 106 DRAFT
MEMORANDUM OF AGREEMENT FOR THE PROPOSED EAGLE ROCK
ENRICHMENT FACILITY IN BONNEVILLE COUNTY, IDAHO

Dear Ms. Pengilly:

The U.S. Nuclear Regulatory Commission (NRC) prepared a draft Memorandum of Agreement (MOA) to facilitate discussion regarding a historic property at the AREVA Enrichment Services LLC (AES) proposed Eagle Rock Enrichment Facility (EREF) project in Bonneville County, Idaho. (Enclosure) The draft MOA addresses mitigation of adverse impacts to site MW004 (John Leopard Homestead), which the NRC and Idaho State Historic Preservation Officer (Idaho SHPO) determined to be eligible for inclusion in the *National Register of Historic Places* during NRC's implementation of the *National Historic Preservation Act of 1966, as amended* (NHPA, 16 U.S.C. §470) Section 106 process.

The draft MOA reflects that AES has completed the mitigation of site MW004 and X-ray fluorescence analysis of obsidian artifacts from the site. The draft MOA also contains proposals to address archaeological monitoring and procedures to be followed in the event of unanticipated archaeological discoveries during construction and operation of the proposed project, and additional archaeological surveys to be conducted in any previously un-surveyed areas that may be identified. The draft MOA lists the NRC, the Idaho SHPO and AES as signatories and the Shoshone-Bannock Tribes of Fort Hall, Idaho, as a concurring party.

The NRC requests that the Idaho SHPO review and provide comments on the draft MOA. The NRC plans to hold a webinar or teleconference with all the parties to discuss and resolve any comments on this draft MOA before preparing a final MOA for signature. This conference is tentatively planned for May 3, 2011; however, the final date and time will be determined based on the availability of the parties. The NRC further requests that all parties submit their comments on the draft MOA, in writing, to the NRC, at least three (3) business days prior to the date of the conference. To facilitate the discussion, the NRC will distribute these written comments to all of the parties in advance of the call.

S. Pengilly

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If you have any questions, please contact Mr. Stephen Lemont at (301) 415-5163, or by email at Stephen.Lemont@nrc.gov. Thank you for your assistance in this matter.

Sincerely,

/RA/

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

Docket No.: 70-7015

Enclosure:
Draft Memorandum of Agreement

S. Pengilly

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If you have any questions, please contact Mr. Stephen Lemont at (301) 415-5163, or by email at Stephen.Lemont@nrc.gov. Thank you for your assistance in this matter.

Sincerely,

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

Docket No.: 70-7015

Enclosure:
Draft Memorandum of Agreement

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