

StrataRossLANPEm Resource

From: Richard Currit [richard.currit@wyo.gov]
Sent: Wednesday, August 24, 2011 9:40 AM
To: Bjornsen, Alan
Cc: Mary Hopkins
Subject: Ross ISR

Hi Alan,

It was good to see you Monday. When I got back to the office I also had a letter from your office stating the NRC's intent to use NEPA for Section 106 compliance per 36 CFR Part 800.8, in lieu of 800.3 through 800.6. I would like to talk to you about this as there seems to be a misunderstanding as to how this actually works, or doesn't work.

Here are a couple of issues with this. If you are going to be using NEPA for 106, I will not be reviewing the report that is on my desk. All the information that is contained in that report, will need to be contained in the NEPA document. Including site forms, isolate forms and site locational information, as well as NRC's determinations of eligibility and effect. In other words, everything needed for Section 106 consultation will need to be in the NEPA document. Unfortunately, doing so will put you in violation of Section 304 of the National Historic Preservation Act. It will also need to include any mitigation that may be needed.

To be blunt, NEPA does not work for Section 106 purposes in this situation. In fact, it rarely works anywhere in the West outside of urban centers and situations involving the built environment. Attempting to make it work here will only greatly complicate this project. I strongly encourage you to abandon this direction.

Thanks,

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From: Richard Currit

Created By: richard.currit@wyo.gov

Recipients:
"Mary Hopkins" <mary.hopkins@wyo.gov>
Tracking Status: None
"Bjornsen, Alan" <Alan.Bjornsen@nrc.gov>
Tracking Status: None

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MESSAGE	1519	8/24/2011 9:41:07 AM

Options
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Return Notification: No
Reply Requested: No
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