

August 22, 2012

Mr. Mark Wolfe
Texas State Historic Preservation Officer
P.O. Box 12276
Austin, TX 78711

SUBJECT: NOTIFICATION OF THE ISSUANCE OF THE FINAL ENVIRONMENTAL
IMPACT STATEMENT FOR THE PROPOSED FLUORINE EXTRACTION
PROCESS AND DEPLETED URANIUM DECONVERSION PLANT IN LEA
COUNTY, NEW MEXICO

Dear Mr. Wolfe:

International Isotopes Fluorine Products, Inc. (IIFP), a wholly owned subsidiary of International Isotopes, Inc. ("the applicant"), has submitted a license application to the U.S. Nuclear Regulatory Commission (NRC) to construct, operate, and decommission a proposed DUF₆ deconversion facility. Applicant proposes to locate the facility within a 249 hectare (640-acre) section near Hobbs in Lea County, New Mexico (Section 27, in Township 18S, Range 36E). Approximately 16 hectares (40 acres) would be developed for the proposed IIFP facility.

As part of the review of the application, the NRC has prepared the "Final Environmental Impact Statement for the Proposed Fluorine Extraction Process and Depleted Uranium Deconversion Plant in Lea County, New Mexico" (NUREG-2113). This Final Environmental Impact Statement (EIS) includes an analysis of relevant environmental issues, including information on potential impacts to historic and cultural resources, and documents the NRC staff's determination regarding the environmental impacts from the, operation, and decommissioning of the proposed uranium processing facility.

The NRC staff has complied with its obligations under Section 106 of the *National Historic Preservation Act of 1966*, as amended (NHPA), by using the process set forth in Title 36 of the *Code of Federal Regulations* (36 CFR) 800.8(c). Pursuant to 36 CFR 800.8(c), the NRC staff used the preparation of the EIS required by the National Environmental Policy Act of 1969, as amended (NEPA), to comply with its obligations under Section 106 of the NHPA, and that it was using 36 CFR 800.8(c) in lieu of the procedures set forth in 36 CFR 800.3 through 36 CFR 800.6.

The NRC staff has consulted with the New Mexico State Historic Preservation Officer (SHPO).

The applicant's archaeological consultant completed a cultural resources survey in May 2009 on the entire 249-ha (640-acre) parcel and documented the results of that survey in a negative survey report entitled *Cultural Resources Survey of 640 Acres for the Arkansas Junction Site, Lea County, NM (NMCRIS Activity No. 113862)*. The survey resulted in the identification of three isolated artifacts. The isolated occurrences were recorded, and no further work was recommended.

M. Wolfe

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The NRC staff also contacted six Native American Tribes, Nations, or organizations identified as having potential interest in the proposed undertaking. Three groups responded and, of these, two Tribes stated that no known historic properties would be adversely affected; however they requested that they be contacted if inadvertent discoveries are made. The third Tribe had no comments on the project.

After a review of the potential impacts of the proposed action and based on the results of the cultural resources survey and the results of consultation with Native American Tribes, the NRC has determined that the proposed action will not adversely affect any historic properties. On February 7, 2012, the New Mexico State Historical Preservation Office concurred in this determination.

In response to a comment from the U.S. Environmental Protection Agency and due to the close proximity of the proposed site to the State of Texas, we are transmitting a copy of this Final EIS on a compact disc (CD) for your information.

If you have any questions or need additional information, please contact Asimios Malliakos, Project Manager, by phone at 301-415-6458, or by email at Asimios.Malliakos@nrc.gov.

Sincerely,

/RA/

Kevin Hsueh, Chief
Environmental Review Branch
Environmental Protection
and Performance Assessment Directorate
Division of Waste Management
and Environmental Protection
Office of Federal and State Materials
and Environmental Management Programs

Docket No.: 40-9086

Enclosure: Final EIS (CD copy)

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Sincerely,

Kevin Hsueh, Chief
 Environmental Review Branch
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 and Performance Assessment Directorate
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 and Environmental Protection
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