



UNITED STATES
NUCLEAR REGULATORY COMMISSION
WASHINGTON, D.C. 20555-0001

April 20, 2018

Mr. James Floyd, Principal Chief
Muscogee (Creek) Nation of Oklahoma
P. O. Box 580
Okmulgee, OK 74447

SUBJECT: SECTION 106 CONSULTATION AND NOTIFICATION OF THE ISSUANCE OF THE DRAFT ENVIRONMENTAL IMPACT STATEMENT FOR THE EARLY SITE PERMIT APPLICATION FOR THE CLINCH RIVER NUCLEAR SITE IN ROANE COUNTY, TENNESSEE

Dear Principal Chief Floyd:

The U.S. Nuclear Regulatory Commission (NRC) staff is reviewing an application submitted by the Tennessee Valley Authority (TVA) for an early site permit (ESP) for the Clinch River Nuclear (CRN) Site near Oak Ridge, Tennessee. The U.S. Army Corps of Engineers, Nashville District (USACE), is a cooperating agency on the draft environmental impact statement (DEIS), which was prepared in accordance with Title 10 of the *Code of Federal Regulations* Part 51, the NRC's regulations that implement the National Environmental Policy Act (NEPA) of 1969, as amended. By letter dated April 20, 2017, the NRC staff notified you that in accordance with 36 CFR 800.8(c), the staff is using the NEPA process to comply with its obligations under Section 106 of the National Historic Preservation Act (NHPA) of 1966, as amended, in lieu of the procedures set forth in 36 CFR 800.3 through 800.6. A DVD of the DEIS, NUREG-2226, "Environmental Impact Statement for an Early Site Permit (ESP) for the Clinch River Nuclear Site: Draft Report for Comment" is enclosed for your information and review.

For your convenience, a Reader's Guide is attached to the DVD. The Reader's Guide is a detailed brochure to facilitate your understanding of the proposed action and its potential environmental impacts.

The NRC and USACE staff plan to hold two public meetings to discuss the analyses and results in the DEIS on Tuesday, June 5, 2018, at Noah's Event Venue, 1200 Ladd Landing Boulevard, Kingston, Tennessee. The first meeting will convene at 2:00 p.m. and will continue until 4:00 p.m., as necessary. The second meeting will convene at 7:00 p.m., with a repeat of the overview portions of the first meeting, and will continue until 9:00 p.m., as necessary. The meetings will be transcribed and will include: (1) a presentation of the contents of the DEIS; and (2) the opportunity for interested government agencies, organizations, and individuals to provide comments on the DEIS. Additionally, the NRC and USACE staff will host informal discussions one hour before the start of each meeting during which members of the public may meet with NRC and USACE staff. You and your staff are invited to attend.

In the DEIS, the NRC evaluated the potential effects of building and operating two or more small modular reactors on historic properties within the direct and indirect areas of potential effect, and described how TVA's programmatic agreement resolves potential adverse effects to historic properties. The historic and cultural resources analysis contained in the DEIS, is based on an environmental audit conducted by NRC staff of the CRN Site, review of historic and archaeological records at the Tennessee Historic Commission and the Tennessee Division of Archaeology offices, review of cultural resources field investigation reports completed by TVA, and NRC's ongoing consultation. Chapter 2 of the DEIS provides a discussion of the area of potential effects (APE), and a description of historic and cultural resources identified in the APE. Chapters 4 and 5 discuss impacts to historic and cultural resources from construction and operation including an assessment of effects to historic properties. Chapter 7 addresses cumulative impacts to historic properties and cultural resources. An ESP does not, however, authorize construction and operation of a nuclear power plant. Such authorization would require an additional application and review.

Pursuant to 36 CFR 800.8(c), the NRC requests that your office submit any information, comments, or concerns you feel are appropriate on the DEIS during the comment period, which ends on July 13, 2018. Comments can be submitted: (1) by e-mail to ClinchRiverESPEIS@nrc.gov; or (2) in person during the public meetings. After consideration of public comments received, as well as information received through consultation, the NRC will prepare a final environmental impact statement, which is scheduled to be published in June 2019.

The DEIS is available through the NRC's Agencywide Document Access and Management System (ADAMS), which is accessible from the NRC's Web site at <http://www.nrc.gov/reading-rm/adams.html> under ADAMS Accession No. ML18100A220 and ML18100A223. In addition, the DEIS can be found online at the NRC's Clinch River Nuclear Web site at <http://www.nrc.gov/reactors/new-reactors/esp/clinch-river.html>.

If you have any questions concerning the NRC staff's environmental review of this ESP application, please contact Ms. Patricia Vokoun, NRC Environmental Project Manager for the CRN ESP project, at (301) 415-3470 or by e-mail at Patricia.Vokoun@nrc.gov, or in her absence, please contact Ms. Tamsen Dozier at (301) 415-2272 or by e-mail at Tamsen.Dozier@nrc.gov.

Sincerely,

A handwritten signature in black ink that reads "Adrian Muñoz" followed by a stylized flourish.

Adrian Muñoz, Acting Branch Chief
Licensing Branch 3
Division of New Reactor Licensing
Office of New Reactors

Docket No.: 52-047

Enclosures:

1. DVD
2. Reader's Guide

cc: Eric Oosahwee-Vos,
Tribal Historic Preservation Officer

SUBJECT: NOTIFICATION OF THE ISSUANCE OF THE DRAFT ENVIRONMENTAL IMPACT STATEMENT FOR THE EARLY SITE PERMIT APPLICATION FOR THE CLINCH RIVER NUCLEAR SITE IN ROANE COUNTY, TENNESSEE

DATED: April 20, 2018

Identical letters have been sent to:

- Principal Chief Richard Sneed, Eastern Band of Cherokee Indians of North Carolina
- Governor Edwina Butler-Wolfe, Absentee Shawnee Tribe
- Chairperson Jo Ann Battise, Alabama-Coushatta Tribe of Texas
- Chief Nelson Harjo, Alabama-Quassarte Tribal Town
- Principal Chief Bill John Baker, Cherokee Nation of Oklahoma
- Governor Bill Anoatubby, The Chickasaw Nation
- Town King Jeremiah Hobia, Kialegee Tribal Town
- Chief Glenna J. Wallace, Eastern Shawnee Tribe of Oklahoma
- Principal Chief James Floyd, Muscogee (Creek) Nation of Oklahoma
- Tribal Chair Stephanie A. Bryan, Poarch Band of Creek Indians
- Chairman Marcellus W. Osceola Jr., Seminole Tribe of Florida
- Principal Chief Gregory Chilcoat, Seminole Nation of Oklahoma
- Chief Ron Sparkman, Shawnee Tribe of Oklahoma
- Town King Ryan Morrow, Thlopthlocco Tribal Town
- Chairman David Sickey, Coushatta Tribe of Louisiana
- Principal Chief B. Cheryl Smith, Jena Band of Choctaw Indians

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ADAMS Accession No.: ML18092B125

***via e-mail**

NRO-002

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DATE	04/09/2018	4/20/2018	4/19/2018

OFFICIAL RECORD COPY

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(Revised 03/12/2018)

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