



SEP 22 1978

Jacket Nos. STN 50-546  
and STN 50-547**RECEIVED**  
SEP 28 1978

ENVIRONMENTAL LAW DIVISION

Mr. Joe Hough  
Advisory Council of Historic Preservation  
1522 K Street  
Washington, D. C. 20005

Dear Mr. Hough:

In a letter dated July 24, 1978, the Keeper of the Register, Mr. William J. Murtagh, notified the NRC that an archeological site on the flood plain of the Ohio River, 12 Je 119/120, was determined to be eligible for inclusion in the National Register of Historic Places (Enclosure 1). About 26,000 square feet of this site is to be disturbed in the process of constructing the intake and discharge structures for the Marble Hill Nuclear Generating Station. The NRC has determined that these construction activities would have an adverse effect on any archeological resources in this area. The licensee, Public Service of Indiana, has proposed a mitigation plan to recover the archeological resources in the area to be disturbed. Pursuant to its responsibility under 36 CFR 800 as licensing agency for the construction of the Marble Hill plant, the NRC requests the consideration of the proposed mitigation plan by the Advisory Council of Historic Preservation.

The licensee has prepared a package of documents (Enclosure 2) relating to the plan, including a proposed Preliminary Case Report and a proposed Memorandum of Agreement. The Indiana State Preservation Officer has evaluated these documents and the Phase II Survey of the archeological site. He finds the plan adequate on the whole, but believes "the excavation should be based on a minimum 5% sample." He also suggests that the NRC "include a statement as to why in-place preservation of the site was rejected in favor of excavation." (Enclosure 3)

The NRC has no objection to sampling a minimum of 5% of the total site. The licensee's consultant, the Glenn A. Black Laboratory of Archeology, indicated that neighboring areas of the Ohio River flood plain were also likely to be of archeological interest, so that moving the location of the intake structure was not a promising way to avoid damage to archeological resources. Similar comments were made by an archeologist in Interagency Archeological Services with whom we consulted on the Phase II Survey and on an early version of the mitigation plan.

The remainder of the licensee's proposed mitigation plan is acceptable to the NRC. The proposed Memorandum of Agreement is not in proper form; a more appropriate form is suggested in Enclosure 4.

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Mr. Joe Hough

- 2 -

Public Service of Indiana is anxious to complete the field work and report required by the mitigation plan as soon as possible so that construction work on the intake structure can begin. Therefore, your prompt response regarding the adequacy of the proposed mitigation plan and Memorandum of Agreement would be greatly appreciated. The licensee and his archeological consultant would be willing to meet with you at your convenience to resolve any points of difference.

If your staff requires information in addition to that provided above, please contact me or S. S. Kirslis (301) 492-8426 of our staff so that we may provide it to you promptly.

Sincerely,

*Ronald L. Ballard*  
Ronald L. Ballard, Chief  
Environmental Projects Branch 1  
Division of Site Safety  
and Environmental Analysis

Enclosures:  
As stated

STATE OF INDIANA



INDIANAPOLIS, IN

DEPARTMENT OF NATURAL RESOURCES

JOSEPH D. CLOUD  
DIRECTOR

RECORDED 50-546  
547  
SEP 28 1978  
ENVIRONMENTAL LAW DIVISION

September 11, 1978

Dr. Stanley Kirslis  
Project Manager  
Environmental Projects Branch 1  
Division of Site Safety and  
Environmental Analysis  
U.S. Nuclear Regulatory Commission  
Washington, D.C. 20555

Dear Dr. Kirslis:

We have reviewed the Preliminary Case Report and Mitigation Plan for Archaeological Sites 12 Je 119/120 which will be impacted by Marble Hill Plant in Jefferson County, Indiana.

On the whole, the plan appears to adequately mitigate the archaeological resources. We believe that the excavation should be based on a minimum 5% sample. As long as this alteration is made in the mitigation plan, we believe that there will be no adverse impact and that the archaeological resources will be adequately mitigated.

Before the Case Report is passed on to the Advisory Council, we suggest that the Nuclear Regulatory Commission include a statement as to why in-place preservation of the site was rejected in favor of excavation.

Please advise us when we may be of further assistance.

Very truly yours,

Joseph D. Cloud  
State Historic Preservation Officer

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