

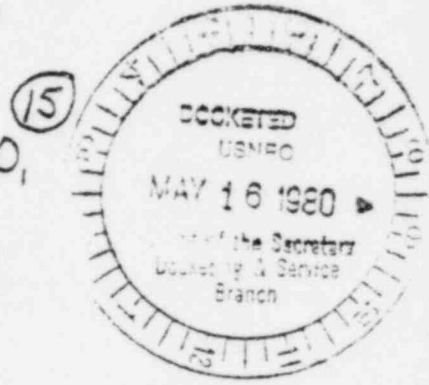
committee on



public archeology

Department of Anthropology
University of Massachusetts
Amherst, MA 01003
April 7, 1980

PROPOSED RULE PR-2,30,40
50, 51, 70, 110
(45 FR 13739)



Secretary of the Commission
U.S. Nuclear Regulatory Commission
Washington, DC. 20555
Attention: Docketing and Service Branch

Dear Sir:

This is a response to the Proposed Rules for 10 CFR 2,30,40,50,51,70 and 110, as published for public review in the Federal Register (45(43)). I wish to call to your attention that the proposed rules do not indicate procedures for the identification, evaluation and protection of historical and/or archaeological properties which may be affected by NRC licensing.

Most of the agencies which have published draft or final rules in response to EO11991 have made efforts to coordinate historical property review in their EIS procedures, as recommended in 40CFR1500. The coordination is by no means uniform from agency to agency, but the effort is there. Compliance with 36CFR800 may be part of an EIS, or separate from it on occasions where no EIS is required but historical/archaeological resources are to be effected. The National Historic Preservation Act of 1966, as amended, places responsibility for the consideration of impacts on historic properties onto agencies which issue licenses. NRC environmental review procedures would be more fully compliant with congressional intent and with 40 CFR 1500 and 36 CFR 800 if they explicate the Commission's responsibilities for historic property review at appropriate places in the planning stages of licensed actions.

Yours truly,

Dena F. Dincauze
Associate Professor of Anthropology
Chair, Committee on Public Archaeology
of the Society for American Archaeology

Acknowledged by card. 5/20/80 *mdv*

L-4-1/r/1.2