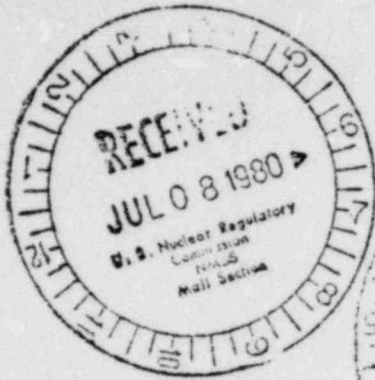


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June 30, 1980



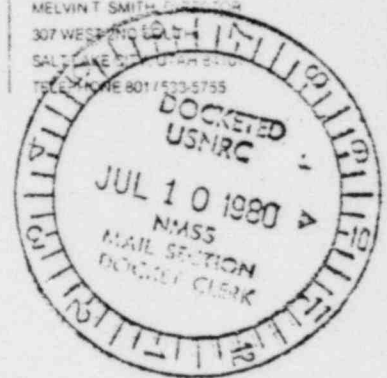
SCOTT M. MATHESON GOVERNOR



STATE OF UTAH DEPARTMENT OF COMMUNITY AND ECONOMIC DEVELOPMENT

Division of State History (UTAH STATE HISTORICAL SOCIETY)

MELVINT SMITH, DIRECTOR 307 WEST 2ND EAST SALT LAKE CITY, UTAH 84102 TELEPHONE 801/533-5755



Mr. Ross Scarano Chief, Uranium Recovery Licensing Branch Nuclear Regulatory Commission 7915 Eastern Avenue Silver Springs, Maryland 20901

RE: Meeting of 18 June 1980 with Energy Fuels Nuclear, Archaeological Contractor, and Jack Rudy, concerning White Mesa Archaeological Site, San Juan County, Utah

Dear Mr. Scarano:

In our first letter to the Nuclear Regulatory Commission, we addressed three areas:

- Item 1 - Our concern of a new interpretation being applied to the Memorandum of Agreement by Energy Fuels Nuclear.
Item 2 - The qualifications of the contractor.
Item 3 - Artifact storage outside the state of Utah.

Item one, we identified the problem as being an attempt by Energy Fuels Nuclear to meet the Memorandum of Agreement in a piecemeal fashion. This is not acceptable to us because of its detrimental effect on archaeological analysis and interpretation. We believe the following two steps should be taken:

- A. Completion of ancillary work as it relates to the 1979 - 1980 field excavations. This should be done as outlined by the original recovery program (research design) of the Memorandum of Agreement. The contractor who performed the field excavation work should be responsible for this ancillary work in order to insure no loss of data.
B. Synthesis of all data, including 1979 and 1980 excavations and all ancillary work into one usable report.

This insures that subsequent excavations, should they be delayed, can fit into a suitable, existing interpretive framework. It also insures that work completed will not be simply abandoned to the piecemeal approach of excavation of impacted sites. If this work as outlined above is contracted, then

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we will be willing to discuss with the Nuclear Regulatory Commission and Energy Fuels Nuclear a new research design or data recovery program, and new completion dates for data recovery.

It is our opinion that a new research design is necessary, since it will solve two problems:

1. Sites which are not adversely effected will not be tested as required now.
2. Energy Fuels Nuclear will be allowed slippage of data recovery dates to accommodate the new situation.

If the ancillary and synthesis work can be done as discussed above, then we would proceed to negotiate these changes. However, we would like to continue with the established memorandum of agreement and deadline dates until a contract is let to do the ancillary work as per the original memorandum of agreement so we are sure that this work is being done by professionals and in a professional manner.

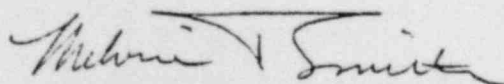
It was essential that the original memorandum of agreement be completed in three years, thus assuring adequate analysis, interpretation and synthesis within a reasonable time frame for the overall project. Since Energy Fuels Nuclear is now pressing for extended dates, it is necessary that this ancillary work be done now to avoid any loss of information and data caused by different contractors and extended dates.

Item two, the qualifications of the current contractors, Larry Agerbroad and Steve Cassells, of Plano Archaeological Consultants, are professionally acceptable. However, we think it must be pointed out in the new research design that the institution associated with archaeologists doing this work should also be acceptable. The institution should have acceptable lab facilities and research facilities to insure proper processing of the data recovered from the archaeological site. We will comment further on the professional qualifications of the current archaeological consultants after we have received their report. However, if there is no problem with the report, we will make no additional comments.

Item three, transportation of archaeological resources out of the state of Utah, has been solved by an agreement with Edge of the Cedars Museum.

If you have any questions or concerns, please contact Wilson G. Martin, Preservation Development Coordinator, (801) 533-6017, or James L. Dykman, Compliance Administrator, (801) 533-6000.

Sincerely,



Melvin T. Smith  
Director and  
State Historic Preservation Officer

cc: Energy Fuels Nuclear  
Advisory Council on Historic Preservation  
Jack Rudy, Interagency Archaeological Services