



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

MAY 24 1993

Mr. Clark E. Johnson
Assistant Field Supervisor
Fish and Wildlife Service
United States Department of Interior
2078 Administration Building
1745 West 1700 South
Salt Lake City, Utah 84104-5110

Dear Mr. Johnson:

On July 17, 1991, you wrote to Sandra Wastler of my staff concerning the role of the Fish and Wildlife Service in reviewing the environmental activities related to the licensing by the Nuclear Regulatory Commission of Envirocare of Utah's proposed 11e.(2) byproduct material disposal facility at Clive, Utah. At that time, you furnished the following list of species which may be present in the concerned area:

Listed

bald eagle
peregrine falcon

Haliaeetus leucocephalus
Falco peregrinus

Section 7(c) of the Endangered Species Act of 1973, as amended, requires a biological assessment to determine the effects of the proposal on listed and proposed species. The Draft Environmental Impact Statement (DEIS), copy enclosed, published for comment by NRC on February 26, 1993, discusses endangered and threatened species in Section 4.5.4. No threatened or endangered plant or animal species are known to occur in the vicinity of the Clive site. Based on the assessment in the DEIS, we do not believe that construction and operation of the proposed facility will have an impact on any listed or proposed species or on critical or proposed critical habitat.

We would appreciate an update on any changes that may have occurred in the list of endangered species provided to us in your earlier letter.

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Mr. Clark E. Johnson

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Any questions or comments may be made to me at 301-504-3439 or to Allan Mullins, the NRC Project Manager, at 301-504-2578.

Sincerely,

Original Signed by
Myron H. Fliegel

John J. Surmeier, Chief
Uranium Recovery Branch
Division of Low-Level Waste Management
and Decommissioning
Office of Nuclear Material Safety
and Safeguards

Enclosure: As stated

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