



UNITED STATES
NUCLEAR REGULATORY COMMISSION
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November 30, 2020

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Dr. Jeff Pappas
State Historic Preservation Officer
New Mexico Historic Preservation Division
407 Galisteo Street, Suite 236
Santa Fe, NM 87501

SUBJECT: SECTION 106 CONSULTATION OF THE NATIONAL HISTORIC PRESERVATION ACT FOR THE HOLTEC HI-STORE CONSOLIDATED INTERIM STORAGE FACILITY APPLICATION (DOCKET NUMBER: 70-1051)

Dear Dr. Pappas:

The U.S. Nuclear Regulatory Commission (NRC) received an application dated March 30, 2017, from Holtec International (Holtec) for a specific independent spent fuel storage installation license to construct and operate the HI-STORE Consolidated Interim Storage Facility (CISF), in Lea County, New Mexico. The application was submitted in accordance with the requirements of Part 72 of Title 10 of the *Code of Federal Regulations* (10 CFR) Part 72, "*Licensing Requirements for the Independent Storage of Spent Nuclear Fuel, High-Level Radioactive Waste, and Reactor-Related Greater than Class C Waste.*" Holtec seeks NRC approval to initially store 500 canisters of spent nuclear fuel and states that it would plan to request subsequent license amendments to eventually store up to 10,000 canisters in the CISF for a 40-year license term.

As established in 10 CFR 51, the NRC regulation that implements the National Environmental Policy Act of 1969, as amended (NEPA), the NRC is preparing an environmental impact statement (EIS) for the proposed action to store 500 spent nuclear fuel canisters. The purpose of the EIS is to assess the potential environmental impacts of the construction and operation of the CISF that may significantly affect the human environment. The EIS also includes an analysis of the impacts associated with additional phases of the project that may be requested by Holtec in the future (up to 10,000 canisters). If those additional phases are requested by amendment, the NRC would again evaluate those phases for safety and environmental effects.

In accordance with Title 36 of the *Code of Federal Regulations* Part 800.8 (36 CFR § 800.8) (Coordination with the National Environmental Policy Act), the NRC staff is coordinating compliance of Section 106 of the National Historic Preservation Act of 1966, as amended, (NHPA) with its NEPA review process. The EIS includes an analysis of potential impacts to historic and cultural resources. In support of the environmental review, the NRC is requesting your concurrence on NRC's determination that issuing the proposed license does not have the potential to cause effects to historic properties.

The NRC staff is enclosing its "Summary Report for the Holtec Consolidated Interim Storage Facility Project, Lea County, New Mexico Cultural Resource Investigations Review and Consultation." This report details the NRC staff's actions to develop and delineate the areas of potential effects, describes the efforts to identify historic properties, discusses the historic properties identified, describes consultation with Tribes and evaluates the effects on the historic

properties in accordance with the NHPA-implementing regulations in. The NRC staff evaluated if any potentially eligible historic properties are present and, if so, whether they would be affected by the undertaking. The NRC staff's determination is that no potentially eligible historic properties would be affected by the proposed project.

Please review the enclosed report and provide your concurrence or submit any comments and/or information you may have regarding this report within 30-days of receipt of this letter to Ms. Jill Caverly at Jill.Caverly@nrc.gov. If you have any questions, please contact Ms. Jill Caverly of my staff by telephone at 301-415-7674.

Thank you for your assistance.

Sincerely,
**Jessie M.
Quintero**

Digitally signed by
Jessie M. Quintero
Date: 2020.11.30
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Jessie M. Quintero, Chief
Environmental Review Materials Branch
Division of Rulemaking, Environmental
and Financial Support
Office of Nuclear Material Safety
and Safeguards


Docket No. 72-1051

Enclosures (non-publicly available):

1. Summary Cultural Resource Report (ML20217Q369)
2. Cultural Resource Report Figures 1 and 2 (ML20217R117)
3. Cultural Resource Report Appendix A - NMCRIS reports (ML20226A096)
4. Cultural Resource Report Appendix B - Site Forms (ML20226A100)

cc: Bob Estes, New Mexico, SHPO

Concur, No Historic Properties Affected


Michelle M. Ensey 12/15/2020
for the NM State Historic Preservation Officer