



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

December 7, 2021

**VIA EMAIL ONLY**

Mr. Russell Townsend  
Tribal Historic Preservation Specialist  
Eastern Band of Cherokee Indians  
P.O. Box 455  
Cherokee, NC 28719  
[russtown@nc-cherokee.com](mailto:russtown@nc-cherokee.com)

SUBJECT: SECTION 106 CONSULTATION OF THE NATIONAL HISTORIC PRESERVATION ACT REGARDING THE PROPOSED LICENSE RENEWAL FOR THE WESTINGHOUSE COLUMBIA FUEL FABRICATION FACILITY IN RICHLAND COUNTY, SOUTH CAROLINA (DOCKET NUMBER: 70-1151)

Dear Mr. Russell Townsend:

The U.S. Nuclear Regulatory Commission (NRC) is considering a request, submitted by Westinghouse Electric Company, LLC (WEC), to renew its operating license for the Columbia Fuel Fabrication Facility (CFFF) for an additional 40 years. As part of its licensing review, the NRC staff prepared a draft environmental impact statement (DEIS) in accordance with NRC's regulations at Title 10 of the *Code of Federal Regulations*, (10 CFR) Part 51, "Environmental Protection Regulations for Domestic Licensing and Related Regulatory Functions", which implement the National Environmental Policy Act (NEPA). The DEIS provides the NRC staff's evaluation of the potential environmental impacts of the proposed license renewal, including analyses of potential impacts to historic properties in the area of potential effects (see Enclosures 1 and 2). If the license renewal request is approved, the facility would continue making fuel assemblies for commercial nuclear power plants for an additional 40 years. In accordance with Title 36 of the *Code of Federal Regulations* (36 CFR) Section 800.8, "Coordination With the National Environmental Policy Act", the NRC staff is coordinating its National Historic Preservation Act Section 106 review with its NEPA environmental review.

In response to their review of the DEIS, the Department of Interior provided comments indicating that your Tribe considers Richland County, South Carolina within your ancestral lands and may be interested in consulting regarding this Federal undertaking.

Background

On July 31, 2020, the NRC staff published a notice of intent, in the *Federal Register* (see [85 FR 46193](#)), to prepare an EIS for WEC's license renewal request and announced the beginning of the scoping process. The NRC conducted the scoping process in accordance with 10 CFR 51.29. The purpose of the scoping process was to determine the appropriate scope of the EIS, including significant environmental issues to be analyzed in depth, as well as those that should be eliminated from detailed study because they are peripheral or are not significant. The scoping summary report is available in the NRC's Agencywide Documents Access and Management System (ADAMS) using [ADAMS Accession No. ML21033A675](#).

On July 30, 2021, the NRC staff published the DEIS for public comment ([86 FR 43276](#)). The DEIS provides the NRC staff's evaluation of the potential environmental impacts of the proposed license renewal, including analyses of potential impacts to historic properties.

### Effects on Historic Properties

In preparing the DEIS, the NRC staff reviewed information provided by the South Carolina State Historic Preservation Officer (SHPO) and other external stakeholders. The NRC staff also consulted cultural resource reports and historic context information available at the South Carolina Department of Archaeology and Historic Preservation and the South Carolina Institute of Archaeology and Anthropology. Additionally, in response to NRC's requests for additional information, the WEC provided additional information on December 18, 2020 ([ADAMS Accession No. ML20353A275](#)), March 10, 2021 ([ADAMS Accession No. ML21097A170](#)), May 10, 2021 ([ADAMS Accession No. ML21144A117](#)), and July 1, 2021 ([ADAMS Accession No. ML21194A149](#)) about the evaluation of impacts on historic and cultural resources.

In its license renewal application, the WEC did not request changes to its licensed operations or construction of buildings and structures that would result in land disturbances. The WEC has established site-wide procedures ([ADAMS Accession No. ML21144A117](#)) with the goal of avoiding and minimizing impacts on historic and cultural resources in the conduct of all ground-disturbing activities including those being conducted as part of the implementation of the Consent Agreement executed between the WEC and South Carolina Department of Health and Environmental Control. The procedures direct personnel to conduct ground-penetrating radar or another applicable alternative method to identify potential subsurface cultural resource anomalies prior to starting any work in undisturbed areas of the CFFF site. The procedures also include stop work procedures and notification to the South Carolina SHPO in the event of an unanticipated discovery of cultural resources or human remains. Additionally, the procedures require that a qualified professional archaeologist investigate any finds to determine the potential significance of the find and consult with the South Carolina SHPO on additional actions, which may include further archaeological investigations or consultation with Indian Tribes.

Additionally, the WEC is conducting a cultural resource survey within the CFFF site to identify historic properties in a manner that would further avoid or minimize potential impacts. A qualified professional is performing the survey. The WEC is coordinating the survey with the South Carolina SHPO.

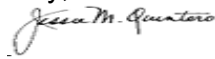
Based on its review (see Section 3.9 of the DEIS) and in accordance with 36 CFR 800.4(d)(1), the NRC staff has determined that the proposed renewal of the WEC's license to continue to operate the CFFF for an additional 40 years would not affect historic properties. As part of the Section 106 review, the NRC staff is requesting any information you may have regarding historic or cultural resources that may be affected by this proposed license renewal including comments on the discussion of potential impacts to historic properties in the DEIS by January 28, 2022.

The DEIS is publicly accessible from the NRC's ADAMS using [ADAMS Accession Number ML21209A213](#). ADAMS is accessible from the NRC website at <https://www.nrc.gov/reading-rm/adams.html>. Additionally, the DEIS can be accessed from the NRC webpage for the WEC's CFFF at <https://www.nrc.gov/info-finder/fc/westinghouse-fuel-fab-fac-sc-lc.html>.

If you have any questions, please contact Ms. Diana Diaz-Toro of my staff by telephone at (301) 415-0930 or via e-mail at [Diana.Diaz-Toro@nrc.gov](mailto:Diana.Diaz-Toro@nrc.gov).

In accordance with 10 CFR Section 2.390, "Public inspections, exemptions, requests for withholding," of the NRC's "Agency Rules of Practice and Procedure," a copy of this communication will be available electronically for public inspection in the NRC Public Document Room, or from the NRC's ADAMS.

Sincerely,



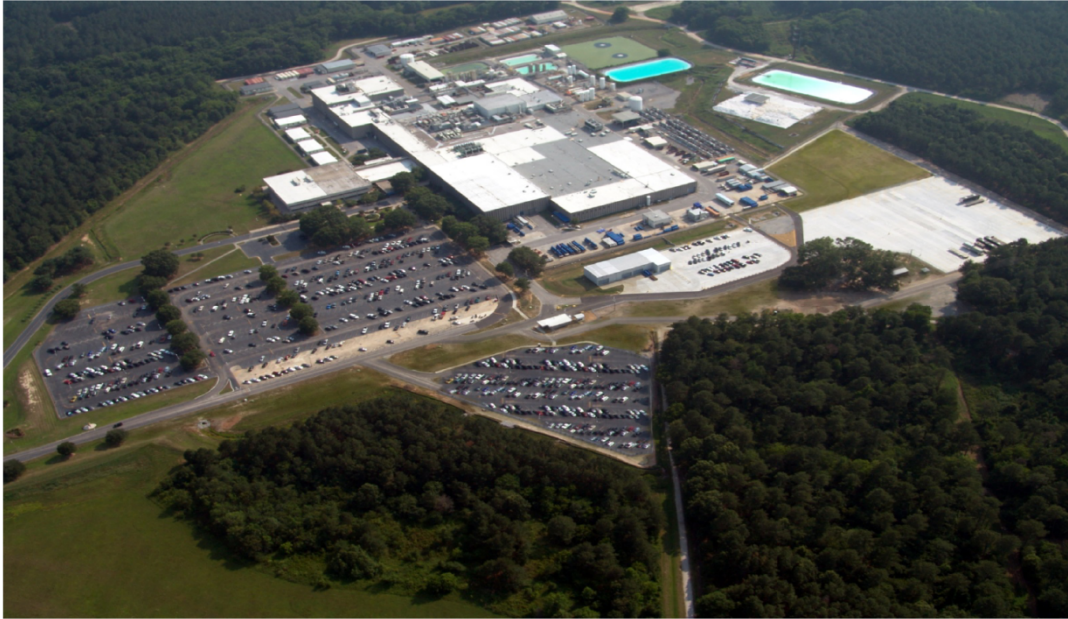
Signed by Quintero, Jessie  
on 12/07/21

Jessie M. Quintero, Chief  
Environmental Review Materials Branch  
Division of Rulemaking, Environmental,  
and Financial Support Division  
Office of Nuclear Material Safety  
and Safeguards

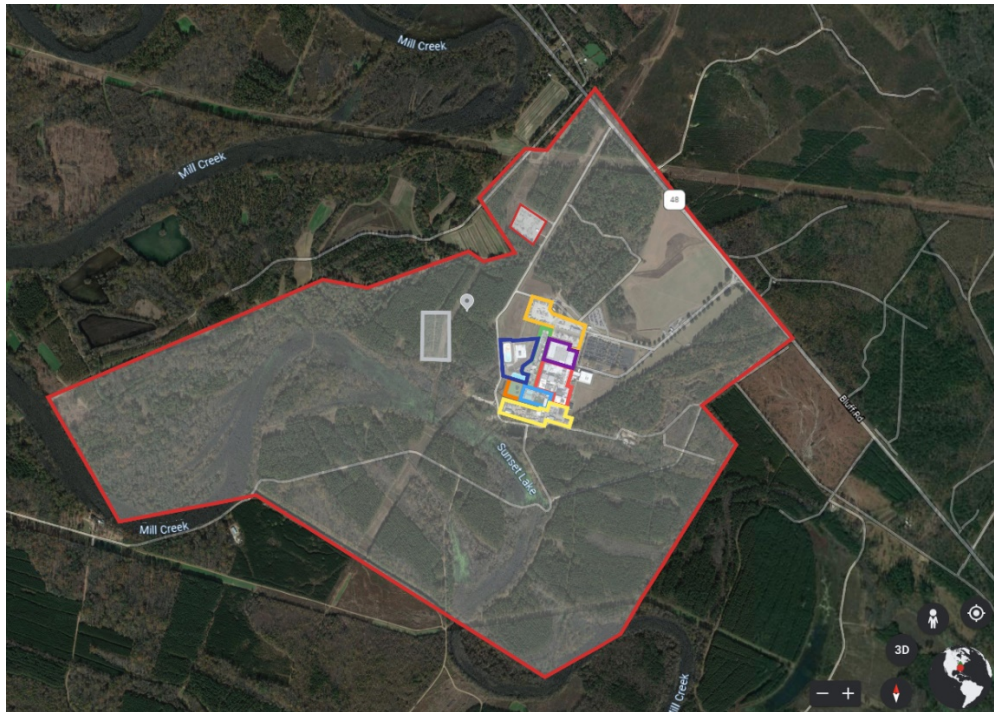
Docket No. 70-1151  
License No. SNM-1107

Enclosures:

1. Aerial view and site license boundary  
of the CFFF
2. Previously Disturbed Areas of CFFF  
([ADAMS Accession No. ML21144A121](#))



**Figure 1. Aerial View of the Columbia Fuel Fabrication Facility Site and Facilities**  
 Source: Presentation by C. Alstadt, "Columbia Fuel Fabrication Facility Post-Fukushima," at the 2012 Fuel Cycle Information Exchange, June 12-13, 2012, Washington, D.C. ADAMS Accession No. ML12160A197



**Figure 2. Columbia Fuel Fabrication Facility License Site Boundary**  
 Source: Modified from Google Earth