



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

July 13, 2022

Gabe Aguilar, President
Mescalero Apache Tribe
P.O. Box 227
Mescalero, NM 88340

SUBJECT: NOTICE OF AVAILABILITY OF THE FINAL ENVIRONMENTAL IMPACT STATEMENT FOR HOLTEC INTERNATIONAL'S PROPOSED CONSOLIDATED INTERIM STORAGE FACILITY LOCATED IN LEA COUNTY, NEW MEXICO (DOCKET NUMBER: 72-1051)

Dear President Aguilar:

The U.S. Nuclear Regulatory Commission (NRC) staff has completed a final Environmental Impact Statement (FEIS) for Holtec International's (Holtec) license application for a consolidated interim storage facility for spent nuclear fuel in Lea County, New Mexico. In the FEIS, the NRC staff has provided an analysis of relevant environmental issues and documented the staff's determination regarding the environmental impacts from the construction and operation of the proposed facility, including analyses of potential impacts to historic and cultural resources.

As stated in our invitation letter to participate in consultation dated April 2, 2018 (NRC's Agencywide Documents Access and Management System (ADAMS) ML17339A636), the NRC staff used the National Environmental Policy Act process to comply with its obligations under Section 106 of the National Historic Preservation Act of 1966, as amended, as outlined in title 36 of the *Code of Federal Regulations* (CFR) 800.8(c). ADAMS is accessible on the internet at <https://www.nrc.gov/reading-rm/adams.html>.

As discussed in chapter 4 of the FEIS, the NRC staff determined that the construction and operation of the proposed facility would not affect historic or cultural properties at or near the site because such historic and cultural properties were not present at the site or in its vicinity. In support of this determination, the NRC staff reviewed available archaeological literature, conducted a search and evaluation of archaeological records and collections maintained by the New Mexico State Historic Preservation Offices (NM SHPOs), and reviewed reports of archaeological surveys conducted on the site. Documentation of tribal consultation is presented in appendix A of the FEIS. On December 15, 2020, the NM SHPO concurred on the NRC staff determination of no effect on historic properties (ML21004A023).

The FEIS and application materials can be accessed at the following internet link: <https://www.nrc.gov/waste/spent-fuel-storage/cis/holtec-international.html>. However, if you would like a copy of the FEIS, please contact Jill Caverly of my staff. Jill can be reached by phone at 301-415-7674, or via email at Jill.Caverly@nrc.gov.

Sincerely,



Signed by Moses, John
on 07/13/22

John M. Moses, Deputy Director
Division of Rulemaking, Environmental,
and Financial Support,
Office of Nuclear Material Safety
and Safeguards

Docket No. 72-1051

cc:

Holly Houghton, THPO
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