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

September 13, 2022

David Sickey, Chairman
Coushatta Tribe of Louisiana
P.O. Box 818
Elton, LA 70532

SUBJECT: CONSULTATION UNDER SECTION 106 OF THE NATIONAL HISTORIC PRESERVATION ACT REGARDING THE NUCLEAR FUEL SERVICES, INC. LICENSE AMENDMENT REQUEST TO AUTHORIZE URANIUM PURIFICATION AND CONVERSION SERVICES IN ERWIN, TENNESSEE (DOCKET NUMBER: 70-143)

Dear Chairman Sickey:

We are sending you this letter because we identified your Tribe as being potentially interested in a proposed amendment to the Nuclear Fuel Services, Inc. (NFS) special nuclear materials license, SNM-124. The U.S. Nuclear Regulatory Commission (NRC) staff received a license amendment application dated November 18, 2021 (Agencywide Documents Access and Management System (ADAMS) ML21327A108) for review. The application was supplemented by letters dated February 24, 2022 (ML22066B006 and ML22069A315). The application from NFS requests an amendment to its SNM-124 license, to authorize uranium purification and conversion services (U-Metal Project) at the NFS site in Erwin, TN. This work would be pursuant to a contract between NFS and the Department of Energy's National Nuclear Security Administration.

The NFS site is situated on approximately 33.2 hectares [82 acres] of land in the Town of Erwin, Unicoi County in northeast Tennessee. The property is located at latitude of 36°07’47”N and longitude of 82°25’57”W, approximately 499 to 512 meters [1,640 to 1,680 ft] above sea level. The facility is bounded by Carolina Avenue on the southeastern side, with the Chessie Seaboard Multiplier (CSX) Railroad line on the northwest side, and Martin Creek bounding the northeastern side of the facility location.

A site location map (Enclosure 1) and a diagram of the facility area (Enclosure 2) are enclosed. If the NRC staff grants the requested amendment, NFS would construct a new Utility Services Building (Building 389) and revise activities in an existing structure called the High Enriched Uranium Metal Processing Area Building (Building 301) to accommodate the new U-Metal Project. The new building would be located within the protected area of the site just west of the main processing building. These facilities would contain the U-Metal conversion process activities and utilities subsystems.

The NRC staff is conducting both a safety and environmental review of NFS’s amendment request. The safety review will be conducted in accordance with NRC regulations in title 10 *Code of Federal Regulations* (10 CFR) part 70. The environmental review will be conducted in accordance with NRC regulations at 10 CFR part 51 which implement the National Environmental Policy Act of 1969, as amended (NEPA).

The NRC is preparing an environmental assessment (EA) in connection with its review of the license amendment request to authorize the U-Metal Project. In accordance with title 36 of the *Code of Federal Regulations* (36 CFR) 800.8, "Coordination with the National Environmental Policy Act," the NRC staff is using the NEPA process to comply with its obligations under section 106 of the National Historic Preservation Act of 1966, as amended (NHPA). The EA will include an analysis of potential impacts to historic and cultural resources as a result of the license amendment request.

The NRC staff issued an EA for renewal of the NFS license on October 20, 2011 (ML112560265). As part of that review, the staff contacted the Tennessee State Historical Preservation Office which informed the staff that there are no historic or cultural sites on the NFS site (ML093510975).

According to NFS's amendment request, the proposed activities for the license amendment would occur in one existing building and any new construction would be within the industrial facility footprint and on previously disturbed ground. Therefore, the activities associated with the proposed amendment would likely not alter any of the current characteristics of the site.

Through this letter, the NRC staff initiates consultation under NHPA section 106 with the Coushatta Tribe of Louisiana regarding NFS' license amendment request. To support the environmental review and implementation of the NHPA section 106 process through NEPA, the NRC staff requests that you provide information, comments, or concerns you consider appropriate with regard to cultural, historic or archaeological resources of interest that may be affected by the proposed license amendment.

For additional information regarding the proposed action, the license amendment application is publicly available in ADAMS, which can be accessed online at http://www.nrc.gov/reading-rm/adams.html, at ML21327A099.

Please review the enclosed figures and submit any comments and/or information you would like regarding this project within 30 days of receipt of this letter to Ashley Waldron of my staff via email at Ashley.Waldron@nrc.gov or via phone at 301-415-7317.

Sincerely,

Signed by Moses, John
on 09/13/22

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

Docket No. 70-143
License No. SNM-124

Enclosures:
1. NFS Site location map
2. NFS U-Metal process location

cc:
Linda Langley, THPO
Coushatta Tribe of Louisiana
P.O. Box 10
Elton, LA 70532

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DATED: SEPTEMBER 13, 2022

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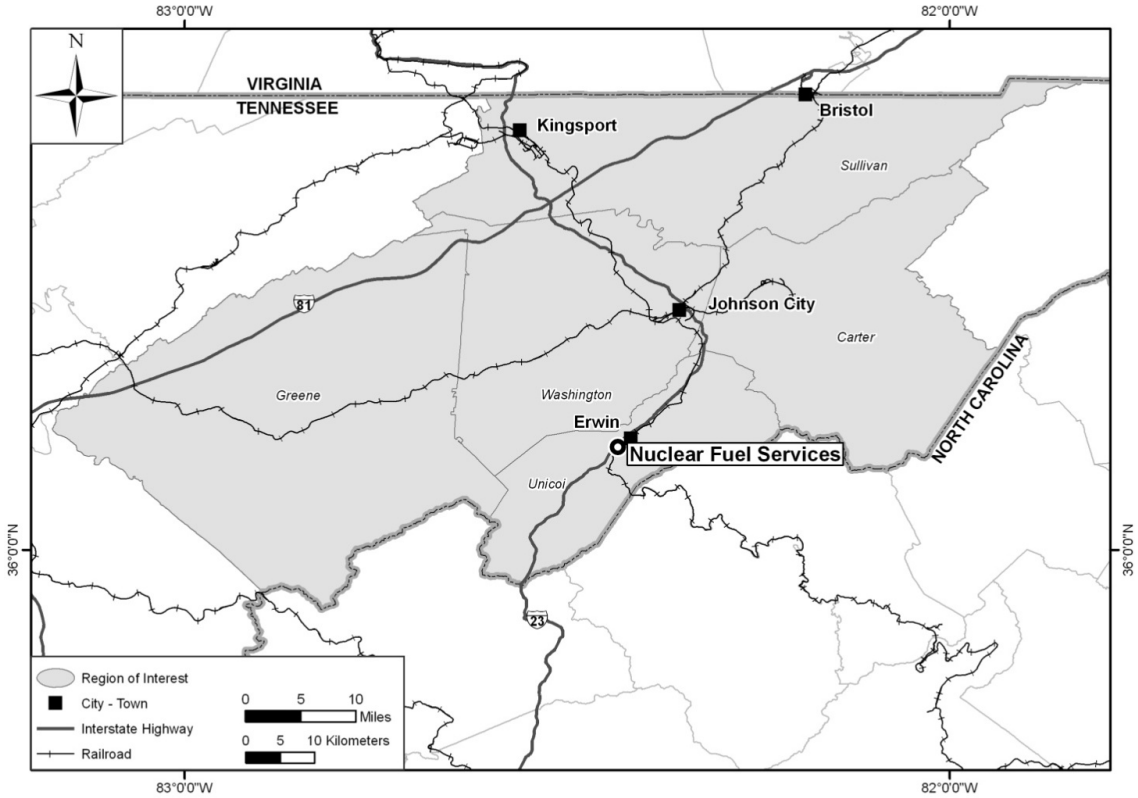

Figure 1 - Location of the Nuclear Fuel Services Facility

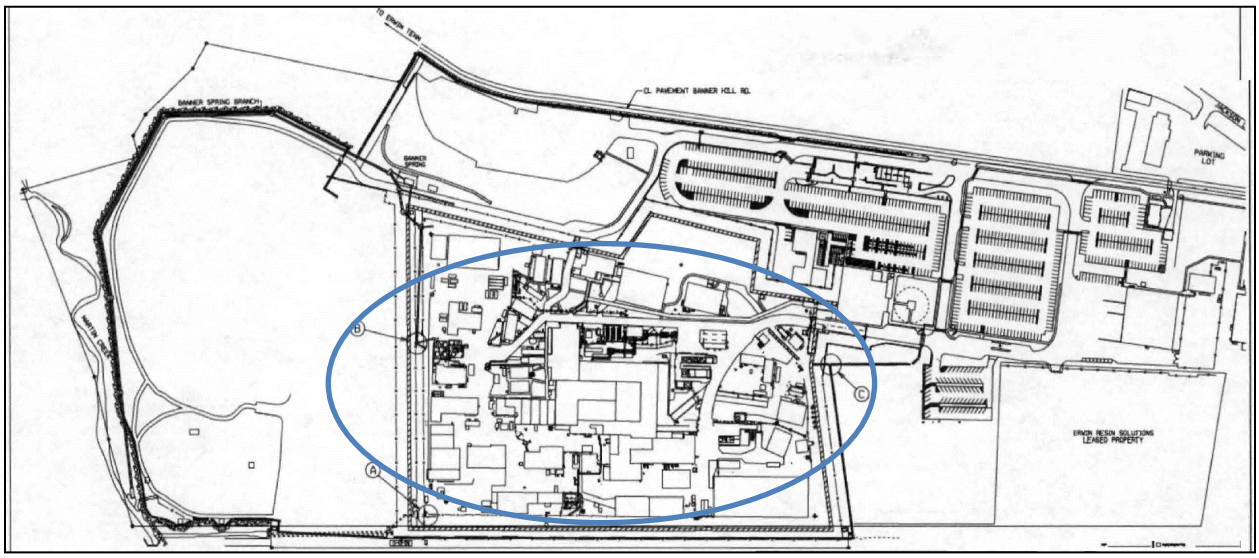

Figure 2 - Proposed area for license amendment activities (within the blue ellipse)

Note: The exact location of the new building is not allowable for public disclosure, but the building will be within the industrial paved area of the facility identified by the blue ellipse.