

September 13, 2000

Ms. Marjean Bullcreek  
Ohngo Gaudadeh Devia  
P.O. Box 155  
Tooele, UT 84074

SUBJECT: NATIONAL HISTORIC PRESERVATION ACT CONSULTATION PROCESS  
FOR THE PROPOSED PRIVATE FUEL STORAGE FACILITY

Dear Ms. Bullcreek:

As you are aware, Private Fuel Storage, L.L.C. (PFS), a limited liability company owned by eight utilities, proposes to construct and operate an independent spent fuel storage installation (ISFSI) on the Reservation of the Skull Valley Band of Goshute Indians, a Federally-recognized Indian Tribe. PFS would use dry storage technology to store as much as 40,000 metric tons of uranium of spent nuclear fuel (SNF).

PFS proposes to transport the SNF to the Reservation by rail. Currently, the closest rail line is 24 miles north of the Reservation. Therefore, to transport the SNF solely by rail, PFS proposes the construction and operation of a rail line from this existing rail line to the proposed site. The proposed rail line would be located along the western edge of Skull Valley and extend from Skunk Ridge (near Low, Utah) to the ISFSI site on the Reservation. The proposed rail line would be 32 miles long and would traverse only land managed by the U.S. Bureau of Land Management (BLM).

The U.S. Nuclear Regulatory Commission (NRC), in cooperation with the U.S. Bureau of Indian Affairs (BIA), BLM, and the Surface Transportation Board (STB), has published a Draft Environmental Impact Statement (DEIS) regarding the PFS proposal. The cooperating agencies have offered Indian tribes and other organizations, that may be concerned with the possible effects of the proposed action on historic properties, an opportunity to participate in the Section 106 consultation process. This process allows identification of consulting parties, identification of historic properties and assessment of the effects of the proposed action on such properties, and consultation regarding the effects of the proposed action on historic properties with Indian tribes that might attach religious and cultural significance to affected historic properties.

In accordance with 36 CFR 800.2(c)(6), certain individuals and organizations with a demonstrated interest in the undertaking may participate as consulting parties because of their legal or economic relation to the undertaking or affected properties, or their concern with the undertaking's effects on historic properties. In order to determine your organization's eligibility to participate in the Section 106 consultation process, we request that you provide information regarding cultural resources that you believe will be affected by the construction and operation of the proposed ISFSI or rail line. Specifically, we are requesting the following information:

- (1) awareness of or concern for any prehistoric or historic district, site, building, structure, or object eligible for inclusion on the National Register of Historic Places, or

(2) awareness of or concern for properties of traditional religious and cultural significance to an Indian tribe or Native Hawaiian organization and that meet the National Register criteria as defined in 36 CFR Part 60.

If you have any questions or comments regarding this request, please contact Scott Flanders (NRC) at (301) 415-1172, Laird Naylor (BLM) at (801) 977-4357, Garry Cantley (BIA) at (602) 379-6750, or Phillis Johnson Ball (STB) at (202) 565-1539. A response within 30 days of receipt of this letter is appreciated. Thank you for your assistance.

Sincerely,  
/S/ /RA/  
Mark S. Delligatti, Senior Project Manager  
Spent Fuel Licensing Section  
Licensing and Inspection Directorate  
Spent Fuel Project Office  
Office of Nuclear Material Safety  
and Safeguards

Docket No. 72-22

cc: M. Evans, State Historic Preservation Officer

(2) awareness of or concern for properties of traditional religious and cultural significance to an Indian tribe or Native Hawaiian organization and that meet the National Register criteria as defined in 36 CFR Part 60.

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Mark S. Delligatti, Senior Project Manager  
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cc: M. Evans, State Historic Preservation Officer

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