

September 1, 2011

Ms. Susan Pengilly
Deputy State Historic Preservation Officer
Idaho State Historic Preservation Office
210 Main Street
Boise, ID 83702-7264

SUBJECT: NATIONAL HISTORIC PRESERVATION ACT SECTION 106 FINAL
MEMORANDUM OF AGREEMENT FOR THE PROPOSED EAGLE ROCK
ENRICHMENT FACILITY IN BONNEVILLE COUNTY, IDAHO

Dear Ms. Pengilly:

Enclosed for your signature is the Final Memorandum of Agreement (MOA) regarding the mitigation of adverse effects to historic properties from the proposed AREVA Enrichment Services LLC (AES) Eagle Rock Enrichment Facility (EREF) project in Bonneville County. The MOA was prepared by the U.S. Nuclear Regulatory Commission (NRC) in accordance with Section 106 of the National Historic Preservation Act (NHPA). The NRC, the Idaho State Historic Preservation Office (SHPO), and AES are required signatories to the MOA, and the Shoshone-Bannock Tribes (Tribes) are included as an invited concurring party.

The NRC transmitted the Draft MOA to the Idaho SHPO, AES, and the Tribes for review and comment with letters dated March 30, 2011. This Final MOA incorporates the changes to the Draft MOA provided and agreed upon by the Idaho SHPO and AES. In addition, the MOA has been updated to reference the three additional reports recently submitted by AES to the SHPO and NRC: detailed final report on archaeological data recovery at historic site MW004 dated June 23, 2011; and two letter reports on geochemical and hydration analyses of obsidian artifacts, dated June 28, 2011, and July 11, 2011.

If you agree with the Final MOA, please sign at your respective location on the signature page, and return that page (with your original signature), within five (5) business days from your receipt of this letter, to Mr. Stephen Lemont of my staff at the address shown below. Note that we are also providing the Final MOA to the Tribes for signature as an invited concurring party, and have provided them ten (10) business days to respond. However, the MOA becomes effective upon receipt of the signature pages from the required signatories (NRC, Idaho SHPO, and AES).

Mr. Stephen Lemont
U.S. Nuclear Regulatory Commission
Office of Federal and State Materials
and Environmental Management Programs
Mail Stop: T-8F5
11155 Rockville Pike
Rockville, MD 20852

S. Pengilly

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Pursuant to 36 CFR 800.6(b)(1)(iv), the NRC will file a copy of the Final MOA and related documentation with the Advisory Council on Historic Preservation to complete the requirements of Section 106 of the NHPA for the EREF project. In addition, the NRC will send you a copy of the executed MOA.

On behalf of the NRC, I would like to thank you for your participation in the MOA development process. If you have any questions, you may contact Mr. Lemont at (301) 415-5163, or by email at Stephen.Lemont@nrc.gov.

Sincerely,

/RA/

Larry W. Camper, Director
Division of Waste Management
and Environmental Protection
Office of Federal and State Materials
and Environmental Management Programs

Docket No.: 07-7015

Enclosure:
Final Memorandum of Agreement

S. Pengilly

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Enclosure:
Final Memorandum of Agreement

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