



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

August 19, 2014

Mr. Mark Gould, Tribal Chairperson
Nanticoke Lenni-Lenape Indians of NJ
18 East Commerce Street
Bridgeton, NJ 08302

SUBJECT: SECTION 106 CONSULTATION AND NOTIFICATION OF THE ISSUANCE OF
THE DRAFT ENVIRONMENTAL IMPACT STATEMENT FOR THE PSEG SITE
EARLY SITE PERMIT APPLICATION REVIEW

Dear Mr. Gould:

The U.S. Nuclear Regulatory Commission (NRC) staff is reviewing an application submitted by Public Service Enterprise Group, Incorporated (PSEG) for an Early Site Permit (ESP) for the PSEG Site in Salem County, New Jersey. As part of its review of the proposed action, the NRC staff has prepared a draft environmental impact statement (EIS). The U.S. Army Corps of Engineers, Philadelphia District (USACE), is a cooperating agency on the draft EIS. The draft EIS, NUREG-2168, "Environmental Impact Statement for an Early Site Permit (ESP) at the PSEG Site: Draft Report for Comment," includes analyses of relevant environmental issues, including potential impacts and effects on historic properties, and documents the NRC staff's determination regarding the suitability of the proposed site for the construction and operation of a new nuclear power plant.

In a letter dated October 26, 2010, the NRC staff notified you that it will comply with its obligations under Section 106 of the National Historic Preservation Act of 1966, as amended, (NHPA) using the process set forth in Title 36 of the *Code of Federal Regulations* (CFR) 800.8(c) in lieu of the procedures set forth in 36 CFR 800.3 through 36 CFR 800.6. Pursuant to 36 CFR 800.8(c), the NRC staff is using the preparation of the DEIS required by the National Environmental Policy Act of 1969, as amended, (NEPA), to comply with its obligations under Section 106 of the NHPA.

A notice of availability of the draft EIS is anticipated to be published by the NRC in the *Federal Register* on August 22, 2014. The EIS is available for public inspection at the NRC Public Document Room, located at One White Flint North, 11555 Rockville Pike, Rockville, Maryland 20852, or from the NRC's Agencywide Documents Access Management System (ADAMS), which is accessible from the NRC's website at <http://www.nrc.gov/reading-rm/adams.html> under the accession number ML14219A304. The draft EIS can also be accessed online at www.nrc.gov/reading-rm/doc-collections/nuregs/staff/sr2168/.

Pursuant to 36 CFR 800.8(c), we are requesting your comments on the draft EIS and on our preliminary conclusions regarding historic properties. We will address your comments in the final EIS, and appropriately consultation under Section 106 of the NHPA with the Nanticoke Lenni-Lenape Indians of New Jersey regarding the PSEG Site ESPs application.

The NRC and USACE review team conducted an environmental audit at the PSEG Site and reviewed information for cultural resources and historic properties within both the direct and indirect areas of potential effect (APE), as documented in reports prepared by PSEG for the ESP action. The results of the NRC staff's review, including conclusions regarding the presence of cultural resources and historic properties within the APEs and the potential effects of the ESP action on historic properties, are documented in this draft EIS. Chapter 2 describes historic properties and cultural resources located within the direct and indirect APEs for the PSEG Site. Chapter 4 discusses impacts to cultural resources during pre-construction and NRC-authorized construction, and Chapter 5 discusses impacts during operation of the proposed PSEG Site. Chapter 7 addresses cumulative impacts to historic properties and cultural resources in the vicinity of the PSEG Site APEs.

The NRC and USACE staff plan to hold two public meetings to present the analyses and results in the DEIS, and to receive stakeholders comments, on Wednesday, October 1, 2014, at the Salem Community College, Performing Arts Theatre (Davidow Hall) located at 460 Hollywood Avenue, Carneys Point, New Jersey. The first meeting will convene at 1:00 p.m. and will continue until 4 p.m. (as necessary). The second meeting will convene at 7:00 p.m., with a repeat of the overview portions of the first meeting and will continue until 10:00 p.m. (as necessary). The meetings will be transcribed and will include: (1) a presentation of the contents of the draft EIS; and (2) the opportunity for interested government agencies, organizations, and individuals to provide comments on the draft report. Additionally, the NRC and USACE staff will host informal discussions one hour before the start of each meeting during which members of the public may meet and talk with staff members on an informal basis. You and your staff are invited to attend.

Please provide any information, comments, or concerns you feel are appropriate on the draft EIS during the comment period, which ends on November 6, 2014. Comments can be submitted: (1) by mail to the Chief, Rules, Announcements, and Directives Branch (RADB), Division of Administrative Services, Office of Administration, Mailstop 3WFN-06-A44MP, U.S. Nuclear Regulatory Commission, Washington, D.C. 20555-0001; (2) by e-mail to PSEGSITE.ESPEIS@nrc.gov; or (3) in person during the public meetings.

If you have any questions or require additional information, please contact Dr. Allen Fetter, Environmental Project Manager, by phone at 301-415-8556 or via e-mail at Allen.Fetter@nrc.gov.

Sincerely,

/RA/

Jennifer Dixon-Herrity, Chief
Environmental Projects Branch
Division of New Reactor Licensing
Office of New Reactors

Docket No. 52-043

Enclosure:
As stated

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*see previous concurrence

NRO-002

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Letter to M. Gould from J. Dixon-Herrity dated August 15, 2014

PUBLIC

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