



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

July 24, 2014

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HISTORIC PRESERVATION DIVISION

Dr. Jeff Pappas
State Historic Preservation Officer
Historic Preservation Division
Bataan Memorial Building
407 Galisteo St., Suite 236
Santa Fe, NM 87501

SUBJECT: REQUEST FOR CONCURRENCE ON THE DETERMINATION OF EFFECTS
FOR THE URENCO USA PROPOSED CAPACITY EXPANSION OF THE GAS
CENTRIFUGE URANIUM ENRICHMENT FACILITY IN LEA COUNTY, NEW
MEXICO

Dear Dr. Pappas:

In a letter dated April 1, 2013, the U. S. Nuclear Regulatory Commission (NRC) staff requested initiation of Section 106 consultation under the National Historic Preservation Act (NHPA) regarding the proposed capacity expansion of the gas centrifuge uranium enrichment facility in Lea County, New Mexico, which URENCO USA has operated since 2010.

In May 2013, Michelle Ensey of your office responded to the NRC staff's request. She noted that the entire parcel of land on which present and future enrichment operations will occur has already been surveyed to identify cultural resources, and that further disturbance is proposed to be limited to areas previously disturbed. Accordingly, she stated that your office does not anticipate that the proposed capacity expansion will have an effect on historic properties. In addition, in accordance with NHPA Section 106, she requested that the NRC staff provide the determination of effect for the proposed capacity expansion to you as the State Historic Preservation Officer to obtain your concurrence.

To fulfill its obligation under the NHPA for the initial licensing of the facility, the NRC staff contacted the Kiowa Tribe of Oklahoma, the Comanche Tribe of Oklahoma, the Mescalero Apache Tribe, and the Ysleta del Sur Pueblo because of the traditional affiliations these groups have had with the area in which the enrichment facility is located. The NRC staff had also contacted the Advisory Council on Historic Preservation (ACHP) and your office when it was determined that an adverse effect could occur on historic properties. At that time, all the Tribes agreed to be concurring parties on a Memorandum of Agreement (MOA) concerning the archaeological sites on URENCO USA's property. Your office and the ACHP also signed the MOA. None of the parties consulted identified any additional historic and cultural resources on the property.

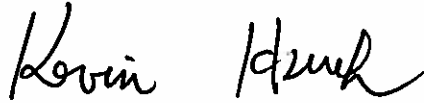
For the proposed capacity expansion, the NRC staff again contacted the same organizations and Tribes. None of the parties that responded identified any concerns regarding historic and cultural resources on the property. Based on this feedback and the input from your office in the May 3, 2013 letter, the NRC staff finds that the proposed capacity expansion does not adversely affect any historical properties. We request your concurrence on the NRC staff's determination of effect.

J. Pappas

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If you have any specific questions or comments on the proposed project, or need any additional information regarding the NRC staff determination of effect, please contact Dr. Asimios Malliakos of my staff at (301) 415-6458 or by email at Asimios.Malliakos@nrc.gov.

Sincerely,



Kevin Hsueh, Chief
Environmental Review Branch
Environmental Protection
and Performance Assessment Directorate
Division of Waste Management
and Environmental Protection
Office of Federal and State Materials
and Environmental Management Programs

Docket No.: 70-3103

Concurs
No Historic Properties Affected. 8/26/14

for NRI State Historic Preservation Officer