

April 20, 2017

The Honorable Leonard M. Harjo, Principal Chief
Seminole Nation of Oklahoma
P.O. Box 1498
Wewoka, OK 74884

SUBJECT: INITIATION OF SECTION 106 AND SCOPING PROCESS FOR THE
ENVIRONMENTAL REVIEW OF THE EARLY SITE PERMIT APPLICATION
FOR THE CLINCH RIVER NUCLEAR SITE IN ROANE COUNTY, TENNESSEE

Dear Principal Chief Harjo:

The U.S. Nuclear Regulatory Commission (NRC) staff is reviewing an application submitted by the Tennessee Valley Authority (TVA) for an early site permit (ESP) for the Clinch River Nuclear (CRN) Site near Oak Ridge, Tennessee. The ESP application and review process makes it possible to evaluate and resolve safety and environmental issues related to siting a potential future small modular reactor at the CRN Site. An ESP does not, however, authorize construction and operation of a nuclear power plant. Such authorization would require an additional application and review.

As part of the review of this ESP application, the NRC is preparing an Environmental Impact Statement (EIS) as required by Title 10 of the *Code of Federal Regulations* (10 CFR) Part 51, the NRC's regulation that implements the National Environmental Policy Act (NEPA) of 1969, as amended. The U.S. Army Corps of Engineers, Nashville District, has been invited to participate as a cooperating agency with the NRC for the purpose of complying with NEPA. As a Federal agency, TVA is required to comply with NEPA and the National Historic Preservation Act (NHPA) independently from NRC and the USACE. In its environmental report, which was submitted as part of its application, TVA described its Section 106 consultation status with the Tennessee State Historic Preservation Office and Federally-recognized Tribes, including the execution of a programmatic agreement. The NRC will consider this information in the conduct of its Section 106 consultation.

In accordance with 36 CFR 800.8(c), the NRC staff is using the process required by NEPA for the preparation of the EIS to comply with Section 106 of the NHPA in lieu of the procedures set forth in 36 CFR 800.3 through 800.6. The draft EIS will also include identification of historic properties, assessment of impacts, and the NRC staff's preliminary determination. The purpose of this letter is to initiate NHPA Section 106 consultation with the Seminole Nation of Oklahoma and to invite you to participate in the scoping process pursuant to 10 CFR 51.28(a).

The EIS will also contain the results of the review of the environmental impacts on the area surrounding the CRN site that are related to terrestrial ecology, aquatic ecology, hydrology, socioeconomic issues, and historic and cultural resources (among others), and will contain a recommendation on whether the requested ESP should be granted or denied.

Pursuant to 10 CFR 51.28 and 36 CFR 800.2(c), the NRC wishes to ensure that Indian Tribes that might have an interest in historic properties in the area of potential effect are afforded the opportunity to identify their concerns, provide advice on the identification and evaluation of historic properties, including those of traditional religious, and cultural importance, and, if necessary, participate in the resolution of any adverse effects to such properties.

The CRN site is located in Roane County, with the center approximately 25 miles west-southwest of downtown Knoxville, Tennessee on the Clinch River. The NRC has defined the direct and indirect area of potential effects for this ESP review as the area at the Clinch River site and the Melton Hill Dam and its immediate environs, which may be directly or indirectly impacted by land-disturbing and building activities associated with the construction and operation of possible future small modular reactors (see enclosures).

The TVA application is available through the NRC's Agencywide Documents Access and Management System (ADAMS). ADAMS is accessible at <http://www.nrc.gov/reading-rm/adams.html>. The environmental report portion of the application is listed under ADAMS Accession No. ML16144A145. The Clinch River application is also available on the Internet at <http://www.nrc.gov/reactors/new-reactors/esp/clinch-river.html>.

The NRC staff plans to hold two public meetings on May 15, 2017, at the Pollard Technology Conference Center Auditorium, 210 Badger Avenue, Oak Ridge, Tennessee. The first meeting will convene at 2:00 p.m., and will continue until approximately 4:00 p.m. (as necessary). The second meeting will convene at 7:00 p.m., with a repetition of the overview portions of the first meeting and will continue until approximately 9:00 p.m. (as necessary). Both meetings will be preceded by a one hour open house during which members of the public may meet and talk with the NRC staff members on an informal basis.

As your Tribe has historic ties to Tennessee, the NRC invites you to submit any comments that you may have to offer on the scope of the environmental review by June 12, 2017. Comments may be submitted to the following e mail ClinchRiverESPEIS@nrc.gov. The NRC expects to publish the draft EIS in June 2018. A copy of the draft EIS will be sent to your office for your review and comment. After consideration of public comments received, the NRC will prepare a final EIS, which is scheduled to be published in June 2019.

Chief Harjo

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If you have any questions concerning the NRC staff's environmental review of this ESP application, please contact Ms. Patricia Vokoun, NRC Environmental Project Manager for the CRN ESP project, at (301) 415-3470 or by e-mail at Patricia.Vokoun@nrc.gov, or in her absence, please contact Ms. Tamsen Dozier at 301-415-2272 or by email at Tamsen.Dozier@nrc.gov.

Sincerely,

/RA/

Allen H. Fetter, Acting Branch Chief
Licensing Branch 3
Division of New Reactor Licensing
Office of New Reactors

Docket No.: 52-047

Enclosures:

1. ER Figure 2.3-1.1
2. ER Figure 2.1-3

cc: Natalie Harjo, Historic Preservation

SUBJECT: INITIATION OF SECTION 106 AND SCOPING PROCESS FOR THE ENVIRONMENTAL REVIEW OF THE EARLY SITE PERMIT APPLICATION FOR THE CLINCH RIVER NUCLEAR SITE IN ROANE COUNTY, TENNESSEE

Identical letters have been sent to:

Principal Chief Patrick Lambert, Eastern Band of Cherokee Indians of North Carolina
Governor Edwina Butler-Wolfe, Absentee Shawnee Tribe
Chairperson Jo Ann Battise, Alabama-Coushatta Tribe of Texas
Chief Tarpie Yargee, Alabama-Quassarte Tribal Town
Principal Chief Bill John Baker, Cherokee Nation of Oklahoma
Governor Bill Anoatubby, The Chickasaw Nation
Town King Jeremiah Hobbs, Kialegee Tribal Town
Chief Glenna J. Wallace, Eastern Shawnee Tribe of Oklahoma
Principal Chief James Floyd, Muscogee (Creek) Nation of Oklahoma
Tribal Chair Stephanie A. Bryan, Poarch Band of Creek Indians
Chairman Marcellus W. Osceola Jr., Seminole Tribe of Florida
Chief Ron Sparkman, Shawnee Tribe of Oklahoma
Town King Ryan Morrow, Thlopthlocco Tribal Town
Chief Joe Bunch, United Keetoowah Band of Cherokee Indians
Chief Gary Batton, Choctaw Nation of Oklahoma
Chairman Lovelin Poncho, Coushatta Tribe of Louisiana
Principal Chief B. Cheryl Smith, Jena Band of Choctaw Indians
Chief Phylliss J. Anderson, Mississippi Band of Choctaw Indians
Chairman John Berrey, Quapaw Tribe of Oklahoma

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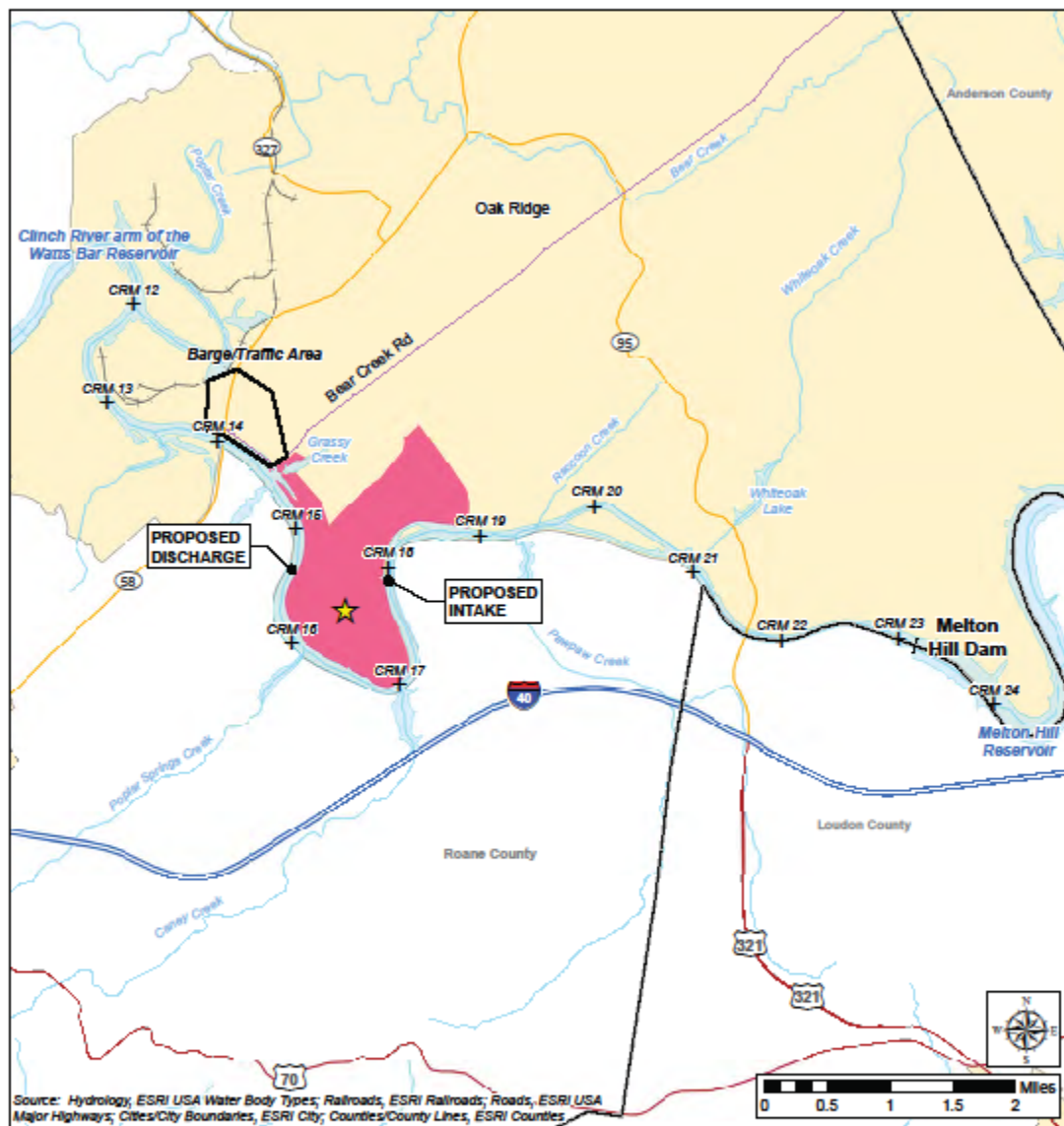
PUBLIC	JDavis, NRO	RidsNroDnrl
Reading File	KErwin, NRO	PMcGrady-Finnernan,
TDozier, NRO	SEasson, NMSS	NMSS
AFetter, NRO	SLopas, NMSS	BMcDowell, PNNL
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ADAMS Accession No.: ML17047A678

OFFICE	PM:LB3:DNRL	LA: LB3:DNRL	PM:RENV:DSEA	BC: LB3:DNRL(Acting)
NAME	PVokoun	SGreen	JDavis	AFetter
DATE	01/16/2017	02/28/2017	02/10/2017	4/20/2017

OFFICIAL RECORD COPY

Clinch River Nuclear Site
Early Site Permit Application
Part 3, Environmental Report



Legend

- | | | | |
|----------------------------------|---------------------------------------|----------------------------|-----------------------------|
| ★ CRN Site Center Point | Blue line Rivers and Lakes | Thick blue line Interstate | Purple line Bear Creek Road |
| + Clinch River Mile | Yellow line Town/City Boundaries | Red line Highway | |
| Pink box CRN Site | Black outline Counties | Yellow line Major Road | |
| Black outline Barge/Traffic Area | Black line with cross-ticks Railroads | | |

Figure 2.3.1-1. CRN Site Vicinity Water Resources

2.1-7

Revision 0

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(Revised 3/25/2017)

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(Revised 3/25/2017)

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(Revised 3/25/2017)

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