

**From:** [Davis, Jennifer](#)  
**To:** [Theodore Isham](#)  
**Cc:** [Vokoun, Patricia](#)  
**Subject:** RE: RE: Early Site Permit Application for the Clinch River Nuclear Site in Roane County, Tennessee  
**Date:** Monday, March 05, 2018 11:22:06 AM

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Mr. Ishom,

Thank you for your comments. The applicant (TVA) has conducted natural and cultural resource surveys for the CRN site, the details of which will be documented in the draft environmental impact statement (EIS) that is scheduled to be published in June 2018.

Between 2011 and 2015, TVA conducted five historic and cultural resource investigations as part of its NHPA Section 106 compliance responsibilities for its proposed project (Barrett et al. 2011 [draft], Barrett et al. 2011 [final]; Hunter et al. 2015; Karpynec 2011; TVA 2015). These investigations, taken together with the field efforts completed by Stanyard et al. in 2003 and Leigh 1999, resulted in an updated and complete inventory of archaeological and architectural resources located within the onsite direct- and indirect-effects Areas of Potential Effect (APE).

Redacted versions of the cultural resource reports are available in Agencywide Documents Access and Management System (ADAMS), NRC's official recordkeeping system. Below are links to the redacted reports:

Leigh 1999 – [ML17296A408](#)  
Stanyard et al. in 2003 – [ML17296A412](#)  
Barrett et al. 2011 [draft] – ADAMS No. [ML17284A317](#)  
Barrett et al. 2011 [final] – ADAMS No. [ML17284A318](#) and [ML17284A319](#)  
Karpynec 2011 – ADAMS No. [ML17298A063](#)  
Hunter et al. 2015 – ADAMS No. [ML17296A405](#)  
TVA 2015 – ADAMS No. [ML18036A936](#)

Between 2015 and 2016, TVA developed and executed a programmatic agreement (PA) in consultation with Tennessee Historical Commission and American Indian Tribes to address how TVA would comply with ongoing NHPA Section 106 requirements associated with its proposed project. The PA also includes stipulations that address inadvertent discovery and deeply buried deposits. Stipulation 1A of the PA states that if project plans include activities that would disturb soils or sediments greater than the maximum depth investigated previously during the archaeological surveys of the APE (approximately 80 cm or 31 inches), in areas with potential for deeply buried cultural deposits, the APE will be enlarged in the vertical dimension. Link to the PA: TVA 2016 (see [ML17296A399](#)).

The terrestrial ecology section of the draft EIS will describe the ecology affected by the proposed project.

Please let me know if you have additional questions or comments.

Sincerely,

Jennifer

Jennifer A. Davis  
Senior Project Manager  
Office of New Reactors  
U.S. Nuclear Regulatory Commission  
(301) 415-3835

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**From:** Theodore Isham [mailto:isham.t@sno-nsn.gov]  
**Sent:** Saturday, January 20, 2018 10:45 AM  
**To:** Davis, Jennifer <Jennifer.Davis@nrc.gov>  
**Cc:** Vokoun, Patricia <Patricia.Vokoun@nrc.gov>  
**Subject:** [External\_Sender] RE: Early Site Permit Application for the Clinch River Nuclear Site in Roane County, Tennessee

This *Opinion* is being provided by Seminole Nation of Oklahoma's Cultural Advisor, pursuant to authority vested by the Seminole Nation of Oklahoma General Council. The Seminole Nation of Oklahoma is an independently Federally-Recognized Indian Nation headquartered in Wewoka, OK.

In keeping with the National Environmental Policy Act (NEPA)d, and Section 106 of the National Historic Preservation Act (NHPA), 36 CFR Part 800, this letter is to acknowledge that the Seminole Nation of Oklahoma has received notice of the proposed project at the above mentioned location.

Based on the information provided and because the potential for buried cultural resources, the proposed project has an extreme probability of affecting archaeological resources, some of which may be eligible for listing in the National Register of Historic Places (NRHP).

We recommend that an intensive literature/phase I survey reports of the nearby archaeological sites be conducted and sent to SNO. Also, we request that a listing of all the flora in the affected area be provided.

We do request that if cultural or archeological resource materials are encountered at all activity cease and the Seminole Nation of Oklahoma and other appropriate agencies be contacted immediately.

Furthermore, due to the historic presence of our people in the project area, inadvertent discoveries of human remains and related NAGPRA items may occur, even in areas of existing or prior development. Should this occur we request all work cease and the Seminole Nation of Oklahoma and other appropriate agencies be immediately notified.

*Theodore Isham*

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**From:** Davis, Jennifer [<mailto:Jennifer.Davis@nrc.gov>]

**Sent:** Friday, January 19, 2018 3:07 PM

**To:** Theodore Isham

**Cc:** Vokoun, Patricia

**Subject:** Early Site Permit Application for the Clinch River Nuclear Site in Roane County, Tennessee

Mr. Isham,

My colleague Pat Vokoun and I called your office to follow up on a letter sent by our agency (U.S. Nuclear Regulatory Commission (NRC)) from April 2017. Per request, we are re-sending this letter for your files.

The NRC is reviewing an application for an early site permit (ESP) from Tennessee Valley Authority for the proposed construction and operation of two or more Small Modular Reactors (SMRs) at the Clinch River site in Oak Ridge, Roane County, Tennessee. As part of this application process, the NRC will be completing an environmental impact statement in compliance with the National Environmental Policy Act (NEPA). NRC will also be coordinating its National Historic Preservation Act (NHPA) Section 106 review through the NEPA process in accordance with 36 CFR 800.8(c).

The ESP application and review process makes it possible to evaluate and resolve safety and environmental issues related to siting potential future SMRs at the CRN Site. An ESP does not, however, authorize construction and operation of the SMRs. Such authorization would require a separate application by TVA to the NRC, necessitating additional NEPA and NHPA review.

If you have any questions, please feel free to reach out to me or with Patricia Vokoun. Patricia is the environmental project manager for this review. Her contact information is provided in the attached letter.

Thank you,

Jennifer

Jennifer A. Davis

Senior Project Manager

Office of New Reactors

U.S. Nuclear Regulatory Commission

(301) 415-3835