



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

August 28, 2018

Ms. Joy Beasley  
Keeper of the National Register  
of Historic Places  
National Park Service  
National Register of Historic Places  
1849 C Street, NW (2280)  
Washington, DC 20240

SUBJECT: CONSULTATION REGARDING AN APPLICATION FOR HOLTEC  
INTERNATIONAL'S PROPOSED HI-STORE CONSOLIDATED INTERIM  
STORAGE FACILITY FOR SPENT NUCLEAR FUEL, IN LEA COUNTY,  
NEW MEXICO (DOCKET NUMBER: 72-1051)

Dear Ms. Beasley:

The U.S. Nuclear Regulatory Commission (NRC) staff received a license application from Holtec International (Holtec), on March 30, 2017, to construct and operate the Hi-Store consolidated interim storage facility (CISF) for spent nuclear fuel, in Lea County, New Mexico.

The NRC staff will prepare an Environmental Impact Statement (EIS) to document its independent assessment of the potential impacts from the proposed CISF. The NRC staff will be preparing the EIS in accordance with its regulations at Title 10 of the *Code of Federal Regulations* (CFR) Part 51, "Environmental Protection Regulations for Domestic Licensing and Related Regulatory Functions," which implement the provisions of the National Environmental Policy Act (NEPA) of 1969, as amended.

In accordance with 36 CFR Section 800.8, "Coordination with the National Environmental Policy Act," the NRC staff is using the NEPA process to comply with its obligations under Section 106 of the National Historic Preservation Act (NHPA) of 1966, as amended. The environmental review will also include analyses of potential impacts to historic and cultural resources. Holtec submitted, as an appendix to its application, the results of a cultural resource survey of the proposed project area (Enclosed). In keeping with the staff's commitment to protecting cultural resources, the staff has limited the dissemination of the survey report by classifying the material as non-publicly available.

The NRC staff is consulting with you pursuant to Section 304 of the NHPA regarding the public availability of the properties identified in the cultural resource survey report. During its environmental review, the staff will use the survey information to determine whether any cultural resources will be impacted by the proposed action, and to determine if any of the resources are eligible for listing on the National Register of Historic Places. Because the staff has not completed its process to determine eligibility, the NRC staff will keep this information protected during the pre-decisional phase of the project in accordance with NRC guidance. Specifically, the NRC has made a preliminary conclusion that the public disclosure of this information may risk harm to a potential cultural resource by invasion of privacy or risk of harm to the potential

historic resource. The staff will make available to the public any information that is not protected by the determination of eligibility upon completion of consultation and the environmental impacts evaluation.

Information on the Holtec Hi-Store CISF license application is available on the NRC's project webpage at: <https://www.nrc.gov/waste/spent-fuel-storage/cis/holtec-international.html>. Documents are also publicly available from the NRC's Agency Wide Documents Access and Management System, which can be accessed online at: <http://www.nrc.gov/reading-rm/adams.html>.

Please note that the NRC staff has received a Freedom of Information Act Request (FOIA) for the cultural resource survey report which the NRC staff has redacted from the publicly available version of the application. Therefore, the NRC staff requests your withholding determination as soon as possible so that we may respond to the FOIA request. Please contact Ms. Jill Caverly, the environmental Project Manager for this licensing action, if you have comments or need additional information. Ms. Caverly can be reached by telephone at 301-415-7674, or via email at [Jill.Caverly@nrc.gov](mailto:Jill.Caverly@nrc.gov).

Sincerely,

**/JCaverly for RA/**

Cinthya I. Román, Chief  
Environmental Review Branch  
Division of Fuel Cycle Safety, Safeguards,  
and Environmental Review  
Office of Nuclear Material Safety  
and Safeguards

Docket No. 72-1051

Non-Public Enclosure:  
Appendix C: Cultural Resources  
Communications and Survey Results

cc: Mr. Jeff Pappas, New Mexico State  
Historic Preservation Officer

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DATED: August 28, 2018

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**\*via email**

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