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# Advisory Council On Historic Preservation

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1522 K Street, NW  
Washington, DC 20005

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NOV 16 1982

Mr. Louis L. Wheeler, Project Manager  
Office of Nuclear Reactor Regulation  
U.S. Nuclear Regulatory Commission  
Washington, D.C. 20555

Dear Mr. Wheeler:

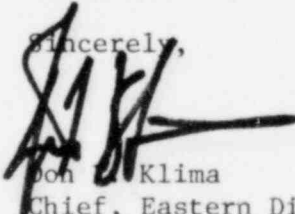
We have received and reviewed Mr. Roy P. Lessy's letter of October 20, 1982, regarding the Commission's involvement with the Seabrook Nuclear Station. The letter confirms the substance of our meeting of September 16, 1982, with Mr. Lessy and other Commission staff members.

We accept your position that at the time of the Commission's decision regarding the Station's construction permit on July 7, 1976, Section 106 of the National Historic Preservation Act of 1966, (16 U.S.C. Sec. 470f) applied only to properties included in the National Register of Historic Places. Section 106 was amended to cover properties eligible for the National Register on September 28, 1976 and is not applicable to this undertaking. Likewise your reading of 36 CFR Part 800 as non-retroactive is correct.

We also understand that the only discretion remaining to the Commission concerns energization of the Station's transmission lines, and that you have determined this will not affect any historical or cultural properties included in or eligible for the National Register. We have no basis to object to that determination.

Thank you for your cooperation.

Sincerely,

  
John A. Klima  
Chief, Eastern Division of  
Project Review

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