



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

May 4, 2020

Mr. Bernard Barcena, Jr., Chairman
Lipan Apache Tribe of Texas
P.O. Box 5218
McAllen, Texas 78502

SUBJECT: NOTICE OF AVAILABILITY OF THE DRAFT ENVIRONMENTAL IMPACT
STATEMENT FOR INTERIM STORAGE PARTNER'S PROPOSED
CONSOLIDATED INTERIM STORAGE FACILITY LOCATED IN ANDREWS
COUNTY, TEXAS (DOCKET NUMBER: 72-1050)

Dear Chairman Barcena:

The U.S. Nuclear Regulatory Commission (NRC) staff has completed a draft Environmental Impact Statement (EIS) for Interim Storage Partners LLC's (ISP's) proposed consolidated interim storage facility (CISF) for spent nuclear fuel to be located in Andrews County, Texas. The draft EIS provides the NRC staff's evaluation of the potential environmental impacts of the construction and operation of the proposed CISF, including analyses of potential impacts to historic properties. As stated in our letter dated May 6, 2019 (available in NRC's Agencywide Documents Access and Management System (ADAMS) under Accession No. ML19113A226), the NRC staff is using the National Environmental Policy Act (NEPA) process to comply with its obligations under Section 106 of the National Historic Preservation Act of 1966, as amended (NHPA), as outlined in Title 36 of the *Code of Federal Regulations* (CFR) 800.8(c).

As discussed in Chapter 4 of the draft EIS, the NRC staff preliminarily has determined that the construction and operation of the proposed CISF would not adversely affect historic properties near the site. In support of this determination, the NRC staff reviewed available archaeological literature, conducted a search and evaluation of archaeological records and collections maintained by the Texas and the New Mexico State Historic Preservation Offices, and reviewed reports of archaeological surveys conducted on the site. Documentation of tribal consultation is presented in Appendix A of the draft EIS. While consultation under NHPA Section 106 is ongoing, the NRC staff's preliminary conclusion is that no historic properties would be affected by the proposed action.

An electronic copy of the draft EIS is available in ADAMS, which is accessible from the NRC website at <http://www.nrc.gov/readingrm/adams.html>. The ADAMS accession number for the draft EIS is ML20122A220. If you prefer a CD or hard copy of the draft EIS, please let us know; however, due to the COVID-19 situation and associated government-wide actions, delivery of the CD or hard copy will be delayed.

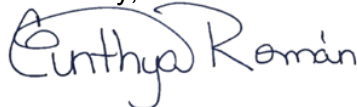
A separate Notice of Availability of the draft EIS will be placed in the *Federal Register* (FR) through the U.S. Environmental Protection Agency (EPA). The 120-day public comment period end date is calculated from the date on which the EPA notice is published in the FR.

We are seeking comments on the draft EIS and the NRC staff's preliminary conclusions. Electronic comments on the draft EIS may be submitted to the NRC by accessing <https://www.regulations.gov/> and searching for Docket ID NRC-2016-0231 and by e-mail to WCS_CISF_EIS@nrc.gov. Written comments should be submitted by mail to the NRC at:

ATTN: Program Management, Announcements
and Editing Staff
Office of Administration
Mail Stop: TWFN-7A60M
U.S. Nuclear Regulatory Commission
Washington, DC 20555-0001

Should you have any questions concerning the staff's environmental review of ISP's application for construction and operation of a proposed CISF, please contact Mr. James Park at 301-415-6954 or via e-mail at James.Park@nrc.gov

Sincerely,

A handwritten signature in blue ink that reads "Cinthya Román". The signature is written in a cursive style with a large, stylized "C" at the beginning.

Cinthya I. Román, Chief
Environmental Review Branch
Division of Rulemaking, Environmental,
and Financial Support
Office of Nuclear Material Safety
and Safeguards

Docket No. 72-1050

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DATED: May 4, 2020

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Identical letter has been sent to:

Texas Band of Yaqui Indians

ADAMS Accession Nos: ML20121A081

***concurred via email**

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