



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

May 28, 2020

Mr. Matthew Komalty, Chairman  
Kiowa Tribe of Oklahoma  
P.O. Box 369  
Carnegie, OK 73015

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 Komalty:

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 undertaking). 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 letters dated March 24, 2017 and May 7, 2019 (available in NRC's Agencywide Documents Access and Management System (ADAMS) under Accession Nos. ML17069A409 and ML18345A028, respectively), 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 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 undertaking because no historic properties have been identified within the area of potential effects.

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 has been 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 and, accordingly, the public comment period ends on September 4, 2020.

Pursuant to 36 CFR 800.8(c), we are requesting 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](mailto: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](mailto:James.Park@nrc.gov).

Sincerely,

A handwritten signature in black ink, appearing to read 'Diana Diaz-Toro', with a long horizontal flourish extending to the right.

Diana Diaz-Toro, Acting Chief  
Environmental Review Branch  
Division of Rulemaking, Environmental,  
and Financial Support  
Office of Nuclear Material Safety  
and Safeguards

Docket No. 72-1050

Cc:

Kellie J. Poolaw, Acting THPO

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-----**Identical letters have been sent to:**

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**ADAMS Accession Nos: ML20136A285****\*concurred via email**

OFFICE	NMSS:REFS	NMSS:REFS	NMSS:REFS
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DATE	04/22/2020	04/20/2020	05/28/2020

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