



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

August 26, 2020

Mr. Phil Dupoint, Acting
Tribal Historic Preservation Officer
P.O. Box 369
Carnegie, OK 73015

SUBJECT: TRANSMITTAL AND REQUEST FOR REVIEW OF DRAFT REPORT ON THE IDENTIFICATION OF HISTORIC PROPERTIES AND DETERMINATION OF EFFECTS IN ACCORDANCE WITH SECTION 106 OF THE NATIONAL HISTORIC PRESERVATION ACT REGARDING HOLTEC INTERNATIONAL'S PROPOSED HI-STORE CONSOLIDATED INTERIM STORAGE FACILITY FOR SPENT NUCLEAR FUEL TO BE LOCATED IN LEA COUNTY, NEW MEXICO (DOCKET NUMBER: 72-1051)

Dear Mr. Dupoint:

The U.S. Nuclear Regulatory Commission (NRC) requests your review of a draft report on the identification of historic properties and its proposed eligibility recommendations regarding Holtec International's (Holtec) license application to construct and operate a consolidated interim storage facility (CISF) for spent nuclear fuel in Lea County, New Mexico.

The NRC received an application from Holtec on March 30, 2017. Holtec requested a license to initially store 500 canisters of spent fuel and proposes to eventually store up to 10,000 canisters in the CISF (the undertaking). The NRC staff accepted Holtec's license application for detailed review on February 28, 2018. In April 2018 (Agencywide Documents Access and Management System (ADAMS) Accession No. ML17339A636), the NRC initiated National Historic Preservation Act (NHPA) Section 106 consultation with your Tribe. We appreciate your consultation efforts over the past two years to identify and evaluate historic properties.

The NRC staff is enclosing its "Summary Report for the Holtec Consolidated Interim Storage Facility Project, Lea County, New Mexico Cultural Resource Investigations Review and Consultation" for your review and comment. This report will be submitted to the New Mexico State Historic Preservation Office for its concurrence after our consulting partners have reviewed and commented. In the enclosed report, the NRC staff has developed and delineated the area of potential effects, described the efforts to identify historic properties, discussed the historic properties identified, and evaluated the effects on the historic properties in accordance with the NHPA-implementing regulations in Title 36 of the *Code of Federal Regulations* Part 800. The NRC staff evaluated if any potentially eligible historic resources are present and, if so, whether they would be affected by the undertaking. The NRC's preliminary finding of effect is that no potentially eligible historic properties will be affected by the proposed project.

The NRC staff invites you to submit comments pertaining to the "Summary Report for the Holtec Consolidated Interim Storage Facility Project, Lea County, New Mexico Cultural Resource Investigations Review and Consultation" within 30 days of receipt of this letter. Please contact Ms. Jill Caverly of my staff if you have any questions about or comments on the report provided to you in this letter. Ms. Caverly can be reached by telephone at 301-415-7674, or via email at Jill.Caverly@nrc.gov.

For additional information regarding the proposed action, Holtec's license application and the NRC's draft Environmental Impact Statement are publicly available from the NRC's ADAMS. You may access publicly available documents online in the NRC library at: <http://www.nrc.gov/reading-rm/adams.html> and searching for the Docket Number: 07201051 or at the Holtec CISF webpage at: <https://www.nrc.gov/waste/spent-fuel-storage/cis/holtec-international.html>.

Sincerely,

Jessie M. Quintero, Acting Chief
Environmental Review Materials Branch
Division of Rulemaking, Environmental
and Financial Support
Office of Nuclear Material Safety
and Safeguards

Docket No. 72-1051

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

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Date: August 26, 2020

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ADAMS Package Accession No.: ML20226A102

***via email**

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