

**From:** [Park, James](#)  
**To:** [bbarcena@lipanapache.org](mailto:bbarcena@lipanapache.org)  
**Subject:** Availability of and Comment Period Opens for Draft Environmental Impact Statement for Proposed Consolidated Interim Storage Facility  
**Date:** Monday, May 11, 2020 1:29:00 PM  
**Attachments:** [ISP DEIS 050420 letter to Chairman Barcena of the Lipan Apache Tribe of Texas.pdf](#)

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Dear Chairman Barcena:

Please find attached a copy of a letter, dated May 4, 2020, by which the U.S. Nuclear Regulatory Commission (NRC) staff is notifying you of the availability of the NRC staff's Draft Environmental Impact Statement (DEIS) for Interim Storage Partners (ISP's) proposed Consolidated Interim Storage Facility (CISF) located in Andrews County, Texas.

As discussed in the letter, the DEIS is publicly available from the NRC's Agencywide Documents Access and Management System (ADAMS). ADAMS is accessible from the NRC website at <https://www.nrc.gov/reading-rm/adams.html>. The ADAMS accession number for the DEIS is ML20122A220. The ADAMS accession number for an overview to the DEIS is ML20121A016.

The letter also noted that the opening of the 120-day public comment period for the DEIS would begin with the U.S Environmental Protection Agency's (EPA's) Notice of Availability for the DEIS to be published in the *Federal Register*. EPA's notice appeared in the May 8, 2020, issue of the *Federal Register* and is accessible at <https://www.federalregister.gov/documents/2020/05/08/2020-09859/environmental-impact-statements-notice-of-availability>. The NRC's notice providing instructions on how to submit comments also appeared in the May 8, 2020, *Federal Register* and is accessible at <https://www.federalregister.gov/documents/2020/05/08/2020-09795/interim-storage-partners-consolidated-interim-storage-facility-project>.

Please contact me at 301-415-6954 or via e-mail at [James.Park@nrc.gov](mailto:James.Park@nrc.gov) should you have any questions concerning the NRC staff's environmental review of ISP's license application for it's proposed CISF.

Regards,

James Park, Project Manager

U.S. Nuclear Regulatory Commission



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.

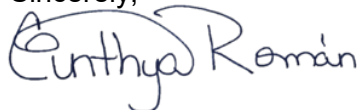
A separate Notice of Availability of the draft EIS will be placed in the *Federal Register* (FR) through the U.S. Environmental Protection Agency (EPA). The 120-day public comment period end date is calculated from the date on which the EPA notice is published in the FR.

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](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 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