

US EPA ARCHIVE DOCUMENT

TEXAS HISTORICAL COMMISSION
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22 May 2014

Jeff Robinson
Chief, Air Permits Section
Environmental Protection Agency, Region 6
1445 Ross Avenue, Suite 1200
Dallas, Texas 75202-2733

Re: *Project review under Section 106 of the National Historic Preservation Act of 1966, U.S. Environmental Protection Agency, Proposed Prevention of Significant Deterioration (PSD) Permit to Voestalpine Texas, LLC for the Construction and Operation of the DRI/HBI Production Facility near Gregory, San Patricio, Texas (SHPO Track #201408719)*

Dear Mr. Robinson:

Thank you for your recent submission on the above-referenced project which we received on April 25, 2014. This letter serves as official comment from the State Historic Preservation Officer (SHPO), the Executive Director of the Texas Historical Commission (THC).

The THC Archeology Division review staff, led by William Martin, has reviewed the archeological component of the project submission and concurs with the recommendation that the portion of Site 41SP35 in the direct APE is not eligible for inclusion in the National Register of Historic Places (NRHP) and that no further archeological investigations are recommended nor warranted. The THC History Programs Division review staff, led by Sarah K. Birtchet, has reviewed the above-ground component of the project submission. At this time we do not concur with the assessment that the Portland/Gregory Cemetery appears to be eligible for listing on the NRHP under Criterion A, nor does it meet Criteria Consideration D based on the information presented in the submission. However, based on the nature of the undertaking, SHPO feels that a reasonable and good faith effort was carried out for appropriate identification and evaluation efforts and that no further efforts are necessary. At this time it is SHPO's opinion that **no historic properties are affected**. We concur with the recommendation that no additional cultural resources investigations are necessary.

Thank you for your cooperation in this federal review process. We look forward to further consultation with your office and hope to maintain a partnership that will foster effective historic preservation. **If you have any questions regarding our review or if we can be of further assistance, please contact William Martin, Archeologist, at bill.martin@thc.state.tx.us or 512/463.5867; or Sarah K. Birtchet, Historian, Federal Programs at sarah.birtchet@thc.state.tx.us or 512/936.7403.**

Best Regards,



Sarah K. Birtchet, Historian, Federal Programs
For: Mark Wolfe, State Historic Preservation Officer

CC: Alfred C. Dumaul, Air Permits Section, Environmental Protection Agency, Region 6





UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

REGION 6
1445 ROSS AVENUE, SUITE 1200
DALLAS TX 75202-2733

APR 21 2014



Mr. Mark Wolfe
State Historic Preservation Officer
Texas Historical Commission
Attn: Mr. Bill Martin
P.O. Box 12276
Austin, Texas 78711

Dear Mr. Wolfe:

The U.S. Environmental Protection Agency, Region 6 (EPA Region 6) is considering issuing a *Prevention of Significant Deterioration* (PSD) permit to voestalpine Texas, LLC, for the direct reduced iron (DRI)/hot-briquetted iron (HBI) Project for Greenhouse Gas (GHG) emissions. The proposed PSD permit would allow for the construction and operation of the DRI/HBI production facility near Gregory, San Patricio County, Texas.

Pursuant to Section 106 of the National Historic Preservation Act (NHPA), EPA determines that the issuing of this permit constitutes an "undertaking," and as such, examines its potential for having an effect on historic properties. A cultural resources report was prepared by Environmental Resource Management (ERM), a contractor to voestalpine. The proposed undertaking would allow for the construction and operations of a DRI/HBI production facility. For purposes of the NHPA review, the Area of Potential Effect (APE) was determined to be approximately 475 acres of land that contains the construction footprint of the project. ERM performed a field survey of the property, including shovel tests, and a desktop review on the archaeological background and historical records within a 1-mile radius of the APE.

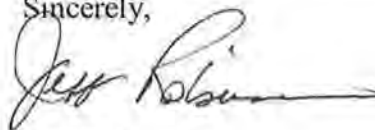
Based on the results of the field survey, one archaeological site was found within the APE; however, it was recommended that the portion of the archeological site within the APE is not eligible for inclusion in the National Register (NR). Based on the desktop review, at least five cultural surveys have been conducted within and adjacent to the APE. Seven historic/archaeological sites were identified that are potentially eligible or eligible for listing on the NR within a 1-mile radius of the APE; however, they are all located outside the APE.

Based upon the information provided in the cultural resources report (enclosed), EPA Region 6 determines that because no historic properties are located within the APE of the facility site and potential for the location of archaeological resources eligible for listing on the National Register is low within the construction footprint itself, issuance of the permit to voestalpine will not affect properties on or potentially eligible for listing on the National Register.

On February 13, 2014, EPA sent letters to twenty-seven (27) tribes with a historic interest in Texas to inquire whether any of them were interested in participating as consulting parties in the Section 106 process. EPA received no responses from tribes. We now request your concurrence with our determination for this undertaking within thirty (30) days.

Thank you in advance for your expeditious evaluation of this request. In the interim, please feel free to contact Alfred C. "AC" Dumaul, at (214) 665-6613, if you have any questions.

Sincerely,



Jeff Robinson
Section Chief
Air Permits Section

Enclosure

cc: Mr. Matthias Pastl
Head of Corporate Communications
& Public Relations, voestalpine Texas, LLC