

TITLE: PROCEDURES GUIDING THE UNANTICIPATED
DISCOVERY OF CULTURAL RESOURCES AND
HUMAN REMAINS

PROCEDURE NO:
REFERENCE NO:
REVISION:

RA-432
NONE
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TYPE: INFORMATION USE

DATE: 04-08-21

Procedures Guiding the Unanticipated Discovery of Cultural Resources and Human Remains

	Description of Change	Reason for Change
1.	New Procedure.	New Procedure.

Department Acknowledgments:

EHS ENGINEERING ENV

EHS ENV ENGINEERING TECH

EHS LICENSING

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1.0 PURPOSE AND SCOPE

1.1	This procedure has been developed in order to assure protection of cultural resources.
1.2	This procedure has been developed to ensure all relevant state and federal laws regarding treatment of human remains are followed.
1.3	This procedure applies to: <ul style="list-style-type: none"> • ALL ground disturbing activities occurring in previously undisturbed areas of the Columbia Fuel Fabrication Facility (CFFF) property and • ANY unanticipated discovery that is found or unearthed as a result of project work (site surveillance, surveying, ground disturbing activities, etc.) whether in a previously disturbed or undisturbed area of the CFFF property

2.0 SUPPORTING DOCUMENTS

2.1	Controlled Forms
	1. NA
2.2	Controlled Sketches
	1. RAS-432-1, Previously Disturbed Areas of CFFF
2.3	Reference Procedures
	1. RA-136, Soil Sampling and Disposal 2. SYP-233, Excavation 3. TRN-170, Cultural Resource Training
2.4	Procedure Basis
	1. Regulatory Requirements/MAQP A. NA 2. W-MS Documents A. NA 3. Miscellaneous A. S.C. Code Ann., Section 16-17-600 B. TA-500, Columbia Manufacturing Plant Configuration Control C. RA-104, Regulatory Review of Configuration Change Authorization
2.5	Commitment Summary
	1. CAPR Commitments <ul style="list-style-type: none"> • NA

3.0 TERMS AND DEFINITIONS

- | | |
|-----|--|
| 3.1 | Refer to CA-042, Procedure Terms & Definitions for the following: <ol style="list-style-type: none">1. NA |
| 3.2 | The following Additional Terms/Definitions are used in this Procedure: <ol style="list-style-type: none">1. Area of Potential Effects - The geographic area or areas within which an undertaking may directly or indirectly cause alterations in the character or use of historic properties, if any such properties exist2. Cultural Resource - Any prehistoric or historic remains or indicators of past human activities, including artifacts, sites, structures, landscapes, and objects of importance to a culture or community for scientific, traditional, religious, or other reasons3. Disturbed area - Means an area that is altered as a result of clearing, grading, and/or excavation4. Ground disturbance - Means any work, operation or activity on or under the existing surface resulting in a disturbance or displacement of the soil or ground cover. Ground disturbances can include, but are not limited to, digging, excavation, trenching, ditching, tunneling, boring/drilling/pushing, augering, topsoil stripping, land levelling/grading, plowing, tree planting, land clearing and stump removal, subsoiling, blasting/use of explosives, quarrying, grinding and milling of asphalt/concrete, seismic exploration, driving fence posts, bars, rods, pins, anchors, or pilings. |

4.0 ROLES AND RESPONSIBILITIES

- | | |
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| 1. | All personnel are responsible for stopping and reporting any unusual circumstances to management. |
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5.0 INSTRUCTIONS

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5.1 Previously Disturbed and Undisturbed Areas

1. Many areas of the CFFF site have been previously disturbed by agricultural activities that were performed on the property prior to the Westinghouse purchase and also by construction activities performed by Westinghouse to build the plant facilities.
2. Previously disturbed areas are identified in RAS-432-1, Previously Disturbed Areas of CFFF.

WARNING

DO NOT fail to perform Ground Penetrating Radar (GPR) or other alternate identification methods for estimating utility locations as defined in SYP-233, Excavation, if needed. Failure to comply could result in injury or death.

3. Previously disturbed areas **DO NOT** require the identification of subsurface anomalies by Ground Penetrating Radar (GPR) (and other alternate methods as applicable) prior to the start of work for the purpose of preserving cultural resources.
 - A. However, estimating utility locations is still required for excavations as defined in SYP-233, Excavation.
 - Please note that this procedure does **NOT** relieve any requirements identified in SYP-233, Excavation for utility location
 - **IF** a cultural resource is discovered in a previously disturbed area, then section 5.2 of this procedure shall be followed
 - **IF** human remains are discovered in a previously disturbed area, then section 5.3 of this procedure shall be followed
4. Previously undisturbed areas **DO** require the identification of subsurface anomalies by GPR (and other alternate methods as applicable) prior to the start of work for the purpose of preserving cultural resources.
 - **IF** an anomaly is detected prior to the start of work, Section 5.2.C "EVALUATION" of this procedure shall be followed
 - **IF** a cultural resource is discovered in a previously undisturbed area, then section 5.2 of this procedure shall be followed
 - **IF** human remains are discovered in a previously undisturbed area, then section 5.3 of this procedure shall be followed

5.2 Cultural Resources

1. Previously unrecorded cultural resources are sometimes discovered during the course of project work.
 - Such discovery is even more likely with projects involving ground disturbing activities, even after the project area has been surveyed for subsurface interferences
 - A. Because there is a potential to encounter undiscovered cultural resources within the limits of the project's Area of Potential Effects, CFFF has developed the following unanticipated discovery plan to be implemented should new or additional cultural resources be found after subsurface work has begun on the project.
2. This plan has been developed in order to assure protection of cultural resources.

5.2 Continued	<p>3. A cultural resource discovery could be prehistoric or historic. Examples include:</p> <ul style="list-style-type: none">• An accumulation of shell, burned rocks, or other food-related materials• Bones or fragments of bones• An area of charcoal or dark stained soil• Stone tools or stone waste flakes• Clusters of glass bottles, cans, jars, bricks, etc.• Stone foundations or• Buried railroad ties or tracks, machinery, or other industrial equipment <p>4. An unusual object or soil deposit should be assumed to be a cultural resource until determined otherwise by qualified personnel as described in the evaluation and consultation steps below.</p> <p>5. The following steps will be implemented should an unanticipated discovery be made by a CFFF employee, contractor, or subcontractor during project work (surveying, site surveillance, etc.) and/or ground disturbing activities:</p> <p>A. STOP WORK –All activities within the immediate area of an unanticipated discovery will be halted ("immediate area" is a context-specific measure, however roughly 30 to 50 feet is generally adequate, although special attention should be given to the possible extension of a new find beyond this buffer zone), and the discovery will be marked off and protected from further disturbance by equipment, vehicles, or personnel.</p> <ul style="list-style-type: none">• No work will resume until identification and treatment of the find has been resolved via the procedure outlined in the consultation step <p>B. NOTIFICATION – Both the CFFF Project Manager (if applicable) and Environmental Protection Manager will be immediately notified by telephone.</p> <p>(1) The Environmental Protection Manager will notify the South Carolina State Historic Preservation Office (SHPO) and law enforcement agencies as needed (the latter parties will be notified only in the case of a finding of human remains).</p> <ul style="list-style-type: none">• These notifications will take place within 24 hours of an unanticipated discovery
	<p>C. EVALUATION - The Environmental Protection Manager will ensure that a qualified professional archaeologist examines the find to determine if it is of potential archaeological significance.</p> <p>(1) The archaeologist will consult with the SHPO in making the evaluation of potential significance. If it is not, work will be allowed to continue.</p> <ul style="list-style-type: none">• If it is determined to be of potential significance, additional notifications and consultation will be made <p>D. CONSULTATION - The CFFF Environmental Protection Manager will consult with the SHPO to determine further course of action. This may involve further archaeological study or consultation with Native American groups or other parties with established cultural affiliation.</p> <p>(1) All activities within the immediate area of the find will remain halted until the South Carolina Department of Health and Environmental Control (DHEC) and the SHPO indicates to CFFF that it may proceed in the area of a specific unanticipated discovery.</p>

5.3 Human Remains

1. In the case of an unanticipated discovery of human remains, CFFF will follow all relevant state and federal laws regarding treatment of human remains.

WARNING

DO NOT destroy, damage, remove or desecrate human remains. The only known location of human remains within the site boundary is Denley Cemetery. The location of Denley Cemetery is shown on RAS-432-1, Previously Disturbed Areas of CFFF. Failure to follow this procedure could result in a felony violation of S.C. Code Ann. Section 16-17-600 et. seq.

- A. In South Carolina, state laws protect cemeteries, graveyards, and burial grounds, including S.C. Code Ann. Section 16-17-600 et. seq., which make it a felony to destroy, damage, remove, or desecrate human remains, as well as to vandalize, destroy, deface, or otherwise damage graveyards, tombs, mausoleums, gravestones, memorial monuments, and markers.
 - (1) CFFF recognizes the importance of providing careful and respectful treatment for human remains recovered as an unanticipated discovery or as part of an archaeological investigation.
 - (2) In the event of an unanticipated discovery of human remains, CFFF will use the following Human Remains Discovery Protocol:
 - (a) Should human remains be encountered, work in the general area of the discovery will stop immediately and the location will be immediately secured and protected from damage and disturbance.
 - (b) Human remains or associated artifacts will be left in place and not disturbed.
 - (1) No skeletal remains or materials associated with the remains will be collected or removed until appropriate consultation has taken place and a plan of action has been developed.
 - (c) The county coroner/medical examiner, local law enforcement, and the SHPO will be notified immediately.
 - (1) The coroner and local law enforcement will make the official ruling on the nature of the remains, being either forensic or archaeological.
 - (d) If human remains are determined to be Native American, the remains will be left in place and protected from further disturbance until a plan for their avoidance or removal can be generated.
 - (1) The local law enforcement agency will consult SHPO and appropriate Indian Nations to develop a plan of action that is consistent with the Native American Graves Protection and Repatriation Act (NAGPRA) guidance.
 - (e) If human remains are determined to be non-Native American, the remains will be left in place and protected from further disturbance until a plan for their avoidance or removal can be generated.
 - Avoidance is usually the preferred choice of the SHPO
 - (1) Consultation with the SHPO and other appropriate parties will be required to determine a plan of action.