

DeweyBurdPubEm Resource

From: Yilma, Haimanot
Sent: Monday, November 22, 2010 5:15 PM
To: gravattlana@yahoo.com
Cc: Hsueh, Kevin
Subject: NRC's Consultation letter for proposed Dewey-Burdock ISR facility near Edgemont, SD
Attachments: Yankton Sioux Tribe.pdf

Ms. Gravatt,

Thank you for taking the time to speak with me today. Per our conversation just now and your request, I have attached the consultation letter sent on Sept 10, 2010. Please address your response to the attached letter to my Branch Chief Kevin Hsueh at the following address:

Mr. Kevin Hsueh,
Mail Stop T-8HF05,
Washington, DC 20555.

You can also find this information inside the attached letter.

Sincerely,

Haimanot Yilma
Project Manager
FSME/DWMEP/EPPAD/ERB
U.S Nuclear Regulatory Commission
Phone: 301-415-8029
email: haimanot.yilma@nrc.gov
Mail Stop : T8H09

From: Yilma, Haimanot
Sent: Monday, November 22, 2010 5:01 PM
To: Yilma, Haimanot
Subject:

Hearing Identifier: Powertech_Uranium_Dewey_Burdock_LA_Public
Email Number: 181

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Subject: NRC's Consultation letter for proposed Dewey-Burdock ISR facility near Edgemont, SD
Sent Date: 11/22/2010 5:14:36 PM
Received Date: 11/22/2010 5:14:38 PM
From: Yilma, Haimanot
Created By: Haimanot.Yilma@nrc.gov

Recipients:
"Hsueh, Kevin" <Kevin.Hsueh@nrc.gov>
Tracking Status: None
"gravattlana@yahoo.com" <gravattlana@yahoo.com>
Tracking Status: None

Post Office: HQCLSTR02.nrc.gov

Files	Size	Date & Time
MESSAGE	778	11/22/2010 5:14:38 PM
Yankton Sioux Tribe.pdf		318633

Options
Priority: Standard
Return Notification: No
Reply Requested: No
Sensitivity: Normal
Expiration Date:
Recipients Received:



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

September 10, 2010

Robert Cournoyer, Chairman
Yankton Sioux Tribe
P.O. Box 248
Marty, SD 57361-0248

SUBJECT: INVITATION FOR FORMAL CONSULTATION UNDER THE SECTION 106 OF
THE NATIONAL HISTORIC PRESERVATION ACT

Dear Chairman Cournoyer:

As established in Title 10 *Code of Federal Regulations* Part 51 (10 CFR 51), the U.S. Nuclear Regulatory Commission (NRC) regulations that implement the National Environmental Policy Act (NEPA) of 1969, as amended, the NRC is preparing a Supplemental Environmental Impact Statement (SEIS) for the proposed Powertech Inc. Dewey-Burdock In-Situ Recovery (ISR) Facility near Edgemont, South Dakota. As part of the environmental review, the SEIS will include an analysis of potential impacts of the proposed action to historic and cultural properties.

On March 19, 2010, the NRC sent a letter to your office inviting the Yankton Sioux Tribe to participate as a consulting party and requested information regarding tribal historic and cultural resources potentially affected by the proposed Dewey-Burdock ISR facility. A copy of the March 19th letter is enclosed, for your convenience.

To date, the NRC has not received any response from your office regarding the Tribe's interest in becoming a consulting party for the proposed Dewey-Burdock ISR facility near Edgemont South Dakota.

The NRC again extends an invitation to the Yankton Sioux Tribe to participate as a consulting party for the proposed Dewey Burdock ISR facility. Specifically, the NRC is interested in learning of any areas on the proposed Dewey-Burdock site that you believe have traditional religious or cultural significance and whether there are specialized concerns or information known to the Tribe that should be considered by the staff during the development of the SEIS.

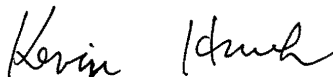
The NRC staff understands that the Tribe may raise issues in consultation that should be kept confidential and nonpublic; the staff is committed to maintaining confidentiality of said information.

After a careful review and assessment of all information and comments received, the NRC will determine what additional actions are necessary to comply with 10 CFR Part 51 and 36 CFR 800, the implementing regulations for Section 106 of the National Historic Preservation Act.

If the Tribe would like to participate as a consulting party pursuant to Section 106, the Tribe should express its interest in participating and identify areas of concern, within 60 days of receipt of this letter, to ensure that the parties will have the opportunity to engage in meaningful and productive consultation. The Tribe should forward its response to the following address: Mr. Kevin Hsueh, Mail Stop T-8F05, Washington, DC. 20555.

If you have any questions or comments, or need any additional information, please contact the environmental Project Manager, Ms. Haimanot Yilma by telephone at 301-415-8029, or email at Haimanot.Yilma@nrc.gov.

Sincerely,



Kevin Hsueh, Branch Chief
Environmental Review Branch B
Environmental Protection and Performance
Assessment Directorate
Division of Waste Management
and Environmental Protection
Office of Federal and State Materials
and Environmental Management Programs

Docket No.: 040-09075

Enclosure: Letter of March 19, 2010

March 19, 2010

Robert Cournoyer, Chairman
Yankton Sioux Tribe
P.O Box 248
Marty, SD 57361-0248

SUBJECT: INVITATION FOR FORMAL CONSULTATION UNDER NATIONAL HISTORIC PRESERVATION ACT SECTION 106 AS WELL AS REQUEST FOR INFORMATION REGARDING TRIBAL HISTORIC AND CULTURAL RESOURCES POTENTIALLY AFFECTED BY THE POWERTECH INC. PROPOSED DEWEY-BURDOCK IN-SITU RECOVERY FACILITY NEAR EDMONT SOUTH DAKOTA

Dear Chairman Cournoyer:

The U.S. Nuclear Regulatory Commission (NRC) has received an application from Powertech Inc. (Powertech) for a new radioactive source materials license to develop and operate the Dewey-Burdock Project located near Edgemont, South Dakota in Fall River and Custer Counties. The facility, if licensed, would use an *in-situ* recovery methodology to extract uranium at the Dewey-Burdock site. The proposed project area consists of approximately 10,580 acres (4,282 ha) located on both sides of Dewey Road (County Road 6463) and portions of Sections 1-5, 10-12, 14, and 15, Township 7 South, Range 1 East and Sections 20, 21, 27, 28, 29, and 30-35, Township 6 South, Range 1 East, Black Hill Meridian. A map showing the proposed project boundary is enclosed (Powertech Figure 1.4-1).

The South Dakota State Historic Preservation Officer identified the Yankton Sioux Tribe as potentially attaching religious and cultural significance to historic properties in the project area. By this letter, the NRC invites the Yankton Sioux Tribe to participate as a consulting party in the National Historic Preservation Act Section 106 process. If the Tribe would like to participate as a consulting party, please respond by writing to Mr. Kevin Hsueh.

As established in Title 10 Code of Federal Regulations Part 51 (10 CFR 51), the NRC regulation that implements the National Environmental Policy Act of 1969, as amended, the NRC is preparing a Supplemental Environmental Impact Statement (SEIS) for the proposed action. As part of the environmental review, the SEIS will include an analysis of potential impacts to historic and cultural properties and is therefore requesting input from the Yankton Sioux Tribe to facilitate the identification of tribal historic sites or cultural resources that may be affected by the proposed action. Specifically, the NRC is interested in learning of any areas on the Dewey-Burdock site that you believe have traditional religious or cultural significance. After a careful review and assessment of all the comments received, the NRC will determine what additional actions are necessary to comply with 10 CFR 51 and 36 CFR 800, the implementing regulation for Section 106 of the National Historic Preservation Act.

Enclosure

The Powertech Dewey-Burdock Project license application is publicly available in the NRC Public Document Room located at One White Flint North, 11555 Rockville Pike, Rockville, Maryland 20852, or from the NRC's Agency Wide Documents Access and Management System (ADAMS). The ADAMS Public Electronic Reading Room is accessible at <http://www.nrc.gov/reading-rm/adams.html>. The accession numbers for the Powertech application including the Environmental report is ML092870160.

Please submit your request to be a consulting party as well as any information that you may have regarding this environmental review within 30 days of the receipt of this letter to NRC, Attention: Mr. Kevin Hsueh, Mail Stop T8F05, Washington, DC 20555. If you have any questions or comments, or need any additional information, please contact Ms. Haimanot Yilma of my staff by telephone at 301-415-8029, or email at Haimanot.Yilma@nrc.gov.

Sincerely,

/RA/

Kevin Hsueh, Branch Chief
Environmental Review Branch B
Environmental Protection and Performance
Assessment Directorate
Division of Waste Management
and Environmental Protection
Office of Federal and State Materials
and Environmental Management Programs

Enclosure:
Figure 1.4-1

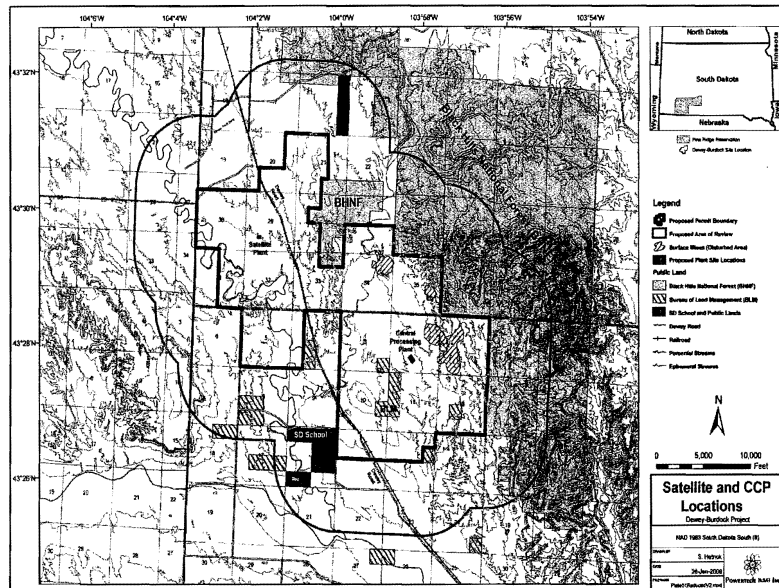


Figure 1.4-1: Satellite and CCP Locations