

## StrataRossLANPEm Resource

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**From:** Waste'Win Young [wyoung@standingrock.org]  
**Sent:** Monday, August 15, 2011 11:05 AM  
**To:** Bjornsen, Alan  
**Subject:** RE: Ross ISR Tribal Site Visit and Meeting

Hi Alan,

I have not yet received the hard copy for this project yet. On the phone last week I told you my concerns with the way this process is being handled by the NRC.

It is my understanding that there has been some class III survey work completed. If there are no tribes on your team how can you identify properties with religious and cultural significance to tribes? You said that you would be attending an "industry" meeting at the end of September and this would be a concern that would be addressed. How will it be addressed? By who? Where is this conference so that tribes may attend?

Secondly, you give us approximately 11 days from now—when we haven't yet received any hard copies of information to respond.

I told you on the telephone that at the same time of this NRC meeting is being held, another tribal consultation with the FCC that many of the tribes who have an interest, right and have aboriginal ties to in Crook County—will be at this FCC meeting in South Dakota.

The tribes are stretched to their limits and receive literally hundreds of projects a month. So it is dismaying when an agency sends us a letter telling us what, when, where, how and that we have 10 days to respond. As THPOs our calendars are filled at least 2 months in advance.

Federal agencies have a trust responsibility to tribes. It's time for federal agencies to responsibly meet and uphold their part in the section 106 process.

I ask that you contact Valerie Hauser at the ACHP. They have a fairly good handbook on tribal consultation.

I appreciate the work that you've done. I believe your efforts are well-meaning. But many agencies are not complying and we have to come to an understanding of the process.

Sincerely,

Wašté Win Young  
Standing Rock Sioux Tribe  
Tribal Historic Preservation Officer  
(701)-854-8512 work  
(701)-854-2138 fax

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**From:** Bjornsen, Alan [mailto:Alan.Bjornsen@nrc.gov]  
**Sent:** Saturday, August 13, 2011 11:19 AM  
**To:** Waste'Win Young  
**Cc:** Moore, Johari; Saxton, John  
**Subject:** FW: Ross ISR Tribal Site Visit and Meeting

Waste Win,

The following letter was mailed to you with the accompanying enclosure. In addition, the Class II Cultural Inventory, which is also contained in the package mailed to you, can be accessed through NRC ADAMS at ML1121501670. Because of its large size (12MB), it could not be attached, directly, to this e-mail. The mailed package should reach you by Monday, August 15.

If you need financial assistance (travel expenses) for this event, you may place your request to:

Mr. Michael Butcher  
Business Manager  
Strata Energy, Inc.  
P.O. Box 2318  
Gillette, WY 82716  
(307) 686-4066

Please note that your response is due by Friday, August 26, 2011.

Thank you.

*Alan B. Bjornsen*

Environmental Project Manager  
FSME/DWMEP/EPPAD/ERB  
U.S. Nuclear Regulatory Commission  
11545 Rockville Pike  
Rockville, MD 20852  
(301) 415-1195  
alan.bjornsen@nrc.gov

August 11, 2011

Ms. Waste Win Young  
Tribal Historic Preservation Officer  
Standing Rock Lakota  
P.O. Box D  
Fort Yates, ND 58538

SUBJECT: INVITATION FOR SITE VISIT AND SECTION 106 CONSULTATION FOR THE PROPOSED ROSS URANIUM RECOVERY PROJECT, CROOK COUNTY, WYOMING

Dear Ms. Young:

By letter dated February 9, 2011, the U.S. Nuclear Regulatory Commission (NRC) notified your office that it had received a source materials license application from Strata Energy, Inc. to construct and operate a uranium *In-Situ* Recovery (ISR) facility in Crook County, Wyoming. The proposed Ross Project is approximately 11 miles west of the Devils Tower National Monument. Also in this letter, the NRC formally invited you to be a Section 106 consulting party and offered to conduct a government-to-government meeting with tribes. This letter is to inform you that the NRC has accepted the license application for detailed technical review, and to invite you to participate in a site visit and consultation meeting for the proposed Ross Project (See Enclosure 1).

Section 106 of the National Historic Preservation Act (NHPA) requires Federal agencies to take into account the effects of their projects and programs on historic properties. The Advisory Council on Historic Preservation's regulations implementing Section 106 (36 CFR Part 800) set forth this review process, whereby the Federal agency consults with the State Historic Preservation Officer (SHPO), Tribal Historic Preservation Officers (THPOs) and Indian Tribes to determine if the proposed project will have an effect on a property listed on or eligible for listing on the National Register of Historic Places, and if so, what measures might be appropriate to avoid, minimize, or mitigate that effect. The proposed federal undertaking is issuance of an NRC license.

As part of the environmental review, the NRC is preparing a Supplemental Environmental Impact Statement (SEIS) to the *Generic Environmental Impact Statement for In-Situ Leach Facilities* (NUREG-1910). This SEIS will be prepared in accordance with the regulatory provisions in Title 10 of the Code of Federal Regulations Part 51 (10 CFR Part 51). These regulations implement the requirements of the National Environmental Policy Act of 1969. In accordance with 36 CFR Part 800.8, the SEIS will also include analyses of impacts to historic properties. The NRC staff is using this process to comply with its obligations under Section 106 of the NHPA in lieu of the procedures set forth in 36 CFR 800.3 through 800.6.

The NRC seeks to identify historic properties that may be of religious and cultural significance to the Standing Rock Lakota. To facilitate your review, we have enclosed the Class III Cultural Resource Inventory of Strata Energy's Proposed Ross ISR Uranium Project, Crook County, Wyoming, prepared by GCM Services, Inc. for Strata (See Enclosure 2). Additionally, a site walkover will be held for all interested tribes on Tuesday, September 13, 2011. On Wednesday, September 14, 2011, Section 106 consultation will take place at the Best Western Tower West Lodge in Gillette, Wyoming.

You are cordially invited to attend this site visit and consultation meeting. Associated travel and per diem costs will be reimbursed by the applicant, Strata Energy, Inc. The details of this event will be formalized at a later date.

If you are interested in attending, please notify the following member of my staff, in writing, by August 26, 2011:

Alan B. Bjornsen, Environmental Project Manager  
U.S. Nuclear Regulatory Commission  
11545 Rockville Pike, M.S. T-08F05  
Rockville, MD 20852

If you have any specific questions or comments on the proposed project, or need any additional information regarding the license application and the environmental review process, please contact Mr. Alan Bjornsen of my staff by telephone at 301-415-1195, or by email at [Alan.Bjornsen@nrc.gov](mailto:Alan.Bjornsen@nrc.gov)

Sincerely,

/RA/

Larry W. Camper, Director  
Division of Waste Management  
and Environmental Protection  
Office of Federal and State Materials  
and Environmental Management Programs

Docket No.: 40-9091

Enclosures:

1. NRC Acceptance Letter to Strata
2. Class III Cultural Resources Inventory

cc: w/o enclosures:

Charles W. Murphy, Chairman

T. Simpson, Strata

B. Schiffer, WWC

D. Furguson, GCM

C. Pugsley, Thompson and Pugsley

R. Currit, WYSHPO

A. Tratebas, BLM

R. Nation, BIA

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**From:** WasteWin Young

**Created By:** wyoung@standingrock.org

**Recipients:**  
"Bjornsen, Alan" <Alan.Bjornsen@nrc.gov>  
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