



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

March 9, 2012

Dear Tribal Historic Preservation Officers:

On March 6, 2012, the U.S. Nuclear Regulatory Commission (NRC) staff informed you that we would soon be forwarding the applicants' Statement of Work (SOW) for the proposed Crow Butte North Trend, Crow Butte License Renewal, and Dewey-Burdock projects for your review and consideration. These three SOWs are attached. NRC staff would appreciate any comments you may have on the SOWs before NRC issues its comprehensive SOWs on March 28, 2012.

Additionally, on March 7, 2012, NRC staff received an e-mail from Sisseton-Wahpeton's Tribal Historic Preservation Officer (THPO) stating that Ben Rhodd, a consultant of the Rosebud Tribe, would be preparing an SOW for NRC's review. This e-mail also stated that the SOW would first be given to the Tribes for their review and concurrence. As NRC staff stated in the e-mail you received on March 6, 2012, we would ask that this SOW be provided to the staff by **March 16, 2012**.

While we appreciate you sharing with us your view of having face-to-face Section 106 consultation meetings, the regulations and guidance issued under the National Historic Preservation Act (NHPA) do not limit Section 106 consultation to face-to-face meetings. Nevertheless, NRC staff agrees that face-to-face group consultation is an important part of the Section 106 consultation process. As such, NRC staff would consider the possibility of having a third face-to-face meeting with the THPOs once it receives the SOW from the Tribes and has developed one comprehensive SOW for each of the three proposed projects.

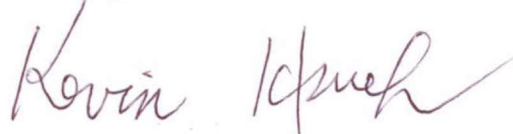
NRC staff also believes that the consulting parties can continue to make progress on developing SOWs as we await the next face-to-face meeting. NRC staff has proposed a conference call to discuss the proposed SOWs we expect to soon receive from the Tribes and the applicants. NRC staff proposed two possible weeks for conference calls in its e-mail on March 6, 2012. NRC staff proposes to host a conference call either:

- On April 10, 2012 from 2:30 – 6:30 p.m. EST;
- On April 19, 2012 from 2:30 – 6:30 p.m. EST; or
- Both dates and times if the Tribes wish to have further discussions.

This conference call will give the consulting parties an early opportunity to comment on the proposed SOWs and to bring to the staff's attention any other issues related to the NHPA.

If you have any questions, please don't hesitate to contact the project manager for the Dewey-Burdock project, Ms. Haimanot Yilma via phone at 301-415-8029 or e-mail at Haimanot.Yilma@nrc.gov, or the project manager for the Crow Butte North Trend and Crow Butte License Renewal projects, Mr. Nathan Goodman via phone at 301-415-2703 or e-mail at Nathan.Goodman@nrc.gov.

Sincerely,

A handwritten signature in dark ink, appearing to read "Kevin Hsueh", with a long, sweeping flourish extending to the right.

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

Enclosures:

1. Crow Butte North Trend SOW
2. Crow Butte License Renewal SOW
3. Dewey-Burdock SOW