

May 23, 2012

Mr. Gabe Prescott, President
Lower Sioux Tribe
39527 Res. Hwy 1
P.O. Box 308
Morton, MN 56270-0308

SUBJECT: PERIODIC STATUS UPDATE ON NATIONAL ENVIRONMENTAL POLICY ACT
AND NATIONAL HISTORIC PRESERVATION ACT SECTION 106
CONSULTATION ACTIVITIES FOR PROPOSED URANIUM RECOVERY
PROJECTS

Dear President Prescott:

The U.S. Nuclear Regulatory Commission (NRC) staff is reviewing license applications for proposed uranium *in-situ* recovery (ISR) projects. As part of its detailed technical reviews for each of the projects, the NRC staff is preparing environmental documents in accordance with *Title 10 of the Code of Federal Regulations* Part 51, which implements the requirements of the National Environmental Policy Act of 1969 (NEPA).

As stated in prior correspondence, the NRC staff plans, to the extent possible, to coordinate its NEPA review with its obligations under Section 106 of the *National Historic Preservation Act of 1966* (NHPA). This approach is consistent with 36 CFR Part 800.8 "*Coordination with the National Environmental Policy Act.*" As part of its NEPA review, NRC staff will analyze impacts to historic properties and cultural resources, including properties and resources that may be of religious and cultural significance to federally recognized Indian Tribes. The NRC staff will also make all findings and determinations required under NHPA regulations.

The NRC staff recognizes the special relationship that exists between Tribal governments and the Federal government. To facilitate government-to-government consultation, with this letter the NRC staff is providing updates for proposed actions in which your Tribe may have an interest.

Enclosed is a status summary for each of the uranium ISR applications that are presently being reviewed by the NRC staff. The summary describes: (1) the Proposed Action; (2) the NEPA Review Schedule; and (3) the NHPA Section 106 Review.

The NRC appreciates the opportunity to consult with you on issues within the scope of the NHPA. The following individuals serve as NRC management representatives when meeting with Tribal leaders:

G. Prescott

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

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

Tribal Historic Preservation Officers (THPOs) and other Tribal staff may provide input to, and obtain additional information from, the project manager associated with each pending ISR application. The names of the project managers and their contact information are listed in the enclosed information. In addition, THPOs and other Tribal staff with questions about this letter or its enclosures may contact Mr. Alan Bjornsen, Tribal Point-of-Contact for Uranium Recovery Projects, at 301-415-1195 or Alan.Bjornsen@nrc.gov.

Sincerely,

/RA by Bill VonTill Acting for/

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

Enclosures:
Proposed Project Update(s)

cc: Anthony Morse, THPO
Jay Vogt, SHPO
Richard Blubaugh, EH&S Resources

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OFC	DWMEP	DWMEP	DWMEP	DWMEP	DWMEP	DWMEP
NAME	ABjornsen	JTrefethen	AWalker-Smith	JDavis	JMoore	HYilma
DATE	04/02/12	04/02/12	04/02/12	04/03/12	04/03/12	04/04/12
OFC	DWMEP	OGC	DWMEP	DWMEP	DWMEP	
NAME	NGoodman	MClark for CScott	KHsueh	GSuber for APersinko	BVonTill for LCamper	
DATE	04/04/12	05/15/12	04/16/12	05/21/12	05/23/12	

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