

StrataRossLAPem Resource

From: Mike Griffin [MGriffin@stratawyo.com]
Sent: Thursday, July 11, 2013 9:47 AM
To: Mohseni, Aby
Cc: Chris Pugsley (cpugsley@athompsonlaw.com); Tony Thompson (ajthompson@athompsonlaw.com); Ralph Knode; Ben Schiffer
Subject: Ross Section 106 and SEIS questions
Attachments: Ross Section 106 Consultation and SEIS Questions.docx

Hi Aby:

Attached is a list of questions regarding completion of the Section 106 and NEPA processes for the Ross project that Strata would like to review with NRC.

Thanks
Mike

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Ross Section 106 Consultation and SEIS Milestones

- 1) Have the tribes that received the preliminary report on June 21 replied to or returned the documents to NRC? We understand that the response was requested by July 8. Can NRC share the nature of the reviews/responses and whether any significant issues have been identified?
- 2) Did NRC receive all of the 2nd Tribal visit reports as requested by July 8? What is the time frame for their review and acceptance by NRC? Can NRC share their impressions on the quality of the documents?
- 3) When will the evaluation/determination by NRC on whether sites are historic properties be completed? Are there any ramifications/implications to sites identified in the Class III inventory?
- 4) What will be the BLMs role going forward particularly in regard to eligibility? Have the issues raised by BLM with the SHPO determination on historical sites been resolved?
- 5) When will the NRC transmit 'polygons' of any new potential sites identified by the tribes to Strata? Are there any implications to previously identified sites in terms of spatial extent? If so, when will Strata be provided these proposed modifications to the site boundaries?
- 6) When and how will NRC consult with Strata regarding the assessment of adverse effects? Early discussions with Strata may remove the potential for adverse effects through project redesign; these adjustments can then simply be incorporated into the EIS as either a new alternative or as mitigation for an existing alternative, thus eliminating the need for a PA or MOA. What will be the level of involvement of other consulting and interested parties? Who are the other consulting parties besides SHPO and BLM and what will be their level of involvement?
- 7) When will NRC complete the final determination and assessment of adverse effects for transmittal to SHPO? Will NRC confer with consulting THPOs prior to transmittal to SHPO? If so, how will this be conducted?
- 8) When does NRC estimate receiving SHPO recommendations? Does NRC plan on any informal discussions with SHPO prior to transmittal or any discussions of the determinations during SHPO review?
- 9) What is the course of action if SHPO and/or BLM do not concur with NRC?
- 10) What is the rationale for completion of the Ethnographic Report and the schedule for this document? Since the report will not be applied to site identification or evaluations (which is its primary purpose) completion does not appear to be a cost effective use of Strata financial resources.
- 11) How soon after SHPO comments are received would NRC initiate development of an MOA? Or, as allowed by 36 CFR 800.8, would NRC simply incorporate the negotiated agreements between consulting parties into the final SEIS? If so, how does this affect the schedule for completion of the SEIS?
- 12) What is the threshold for initiation of PA development?
- 13) What is the schedule to receive the draft comment/response report from AEC?
- 14) What is the schedule to receive the preliminary final SEIS and final SEIS from AEC?
- 15) When is the final SEIS scheduled to go out for concurrence with OGC and Safety?

16) Based on the above, is November 4, 2013 still viable as a date for release of the SEIS to EPA? If 'slippage' is apparent, what is the magnitude of the delay and what can be done to limit it to the extent practicable?

17) Does NRC intend to develop interim milestones for this process based on the items above so that progress can be clearly tracked?