

November 2, 2015

William J. Froehlich, Chair
Administrative Judge
Atomic Safety and Licensing Board Panel
Mail Stop T-3 F23
U.S. Nuclear Regulatory Commission
Washington, DC 20555-0001

Mark O. Barnett
Administrative Judge
Atomic Safety and Licensing Board Panel
Mail Stop T-3 F23
U.S. Nuclear Regulatory Commission
Washington, DC 20555-0001

G. Paul Bollwerk, III
Administrative Judge
Atomic Safety and Licensing Board Panel
Mail Stop T-3 F23
U.S. Nuclear Regulatory Commission
Washington, DC 20555-0001

In the Matter of
POWERTECH (USA) INC.,
Docket No. 40-9075-MLA; ASLBP No. 10-898-02-MLA-BD01

Dear Administrative Judges:

In its Partial Initial Decision issued on April 30, 2015, the Board directed the Staff to submit monthly reports regarding its consultation efforts with the Oglala Sioux Tribe.

The Staff continues to coordinate with the Director of the Tribal Historic Preservation Office by telephone and email to establish a date for a government-to-government meeting. As reflected in its Hearing File update for this month, the Staff has kept Mr. John Yellow Bird Steele, President of the Sioux Tribe, informed of its coordination with the Tribal Historic Preservation Office.

The Staff will update the Board on the status of its consultations with the Tribe on December 1, 2015.

Sincerely,

***/Signed (electronically) by/
Patricia A. Jehle***

Patricia A. Jehle
Counsel for NRC Staff

Attachment: Transmittal of Emails to John Yellow Bird Steele with Two Attachments.

October 30, 2015

Mr. John Yellow Bird Steele, President
Oglala Sioux Tribe
P.O. Box 129
Kyle, SD 57752

SUBJECT: TRANSMITTAL OF CORRESPONDENCE SENT TO THE TRIBAL HISTORIC PRESERVATION OFFICER REQUESTING POTENTIAL DATES FOR COORDINATION OF A GOVERNMENT-TO-GOVERNMENT MEETING REGARDING THE DEWEY-BURDOCK PROJECT (DOCKET NO.: 40-9075)

Dear President Yellow Bird Steele:

As a follow-up to your letter dated September 24, 2015, the U.S. Nuclear Regulatory Commission (NRC) staff has attempted to reach your Director/Tribal Historic Preservation Officer via phone calls and e-mail correspondence to coordinate on dates and location for the government-to-government meeting regarding the Dewey-Burdock in situ uranium recovery (ISR) project. However, we have not been successful in getting a response from your staff. Therefore, I want to take this opportunity to re-emphasize our desire to meet and introduce the NRC team to you.

Please have your staff contact Ms. Kellee Jamerson of my staff via e-mail at: Kellee.Jamerson@nrc.gov or by phone at (301) 415-7408. She is the environmental project manager for the Dewey-Burdock ISR Project. I am looking forward to hearing from you or your staff and meeting with you in the near future.

Sincerely,

/RA/

Marissa G. Bailey, Director
Division of Fuel Cycle Safety, Safeguards,
and Environmental Review
Office of Nuclear Material Safety
and Safeguards

Docket No.: 40-9075

Enclosures:

1. September 29, 2015 E-mail
2. October 28, 2015 E-mail

Mr. John Yellow Bird Steele, President
Oglala Sioux Tribe
P.O. Box 129
Kyle, SD 57752

SUBJECT: TRANSMITTAL OF CORRESPONDENCE SENT TO THE TRIBAL HISTORIC PRESERVATION OFFICER REQUESTING POTENTIAL DATES FOR COORDINATION OF A GOVERNMENT-TO-GOVERNMENT MEETING REGARDING THE DEWEY-BURDOCK PROJECT (DOCKET NO.: 40-9075)

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Sincerely,

/RA/

Marissa G. Bailey, Director
Division of Fuel Cycle Safety, Safeguards,
and Environmental Review
Office of Nuclear Material Safety
and Safeguards

Docket No.: 40-9075

cc: D. Yellow Thunder, THPO

Enclosures:

1. September 29, 2015 E-mail
2. October 28, 2015 E-mail

ML15302A316

OFFICE	NMSS	NMSS	OGC	NMSS	NMSS
NAME	KJamerson	AWalker-Smith	PJehle via e-mail	LChang	MBailey
DATE	10/29/15	10/30/15	10/29/15	10/30/15	10/30/15

OFFICIAL RECORD COPY

From: [Jamerson, Kellee](#)
To: [Tyler, Cynthia](#)
Subject: Follow-up Email Requesting Potential Dates for a Meeting with the Oglala Sioux Tribe
Date: Wednesday, September 30, 2015 10:34:36 AM

Kellee L. Jamerson

NMSS/FCSE/ERB
301-415-7408

From: Jamerson, Kellee
Sent: Tuesday, September 29, 2015 4:24 PM
To: dennis@oglalathpo.org
Cc: Jamerson, Kellee <Kellee.Jamerson@nrc.gov>
Subject: Follow-up Email Requesting Potential Dates for a Meeting with the Oglala Sioux Tribe

Dear Mr. Yellow Thunder,

Good afternoon.



Thank you for your letter dated September 24, 2015, regarding NRC's consultation with the Oglala Sioux Tribe under Section 106 of the National Historic Preservation Act (NHPA) for the Dewey-Burdock in situ uranium recovery project. I have reached out to you via phone to discuss potential dates for the proposed government-to-government meeting with the Oglala Sioux Tribe, but I thought I would also follow-up via e-mail. We appreciate the Oglala Sioux Tribe's willingness to meet with us. To coordinate this meeting, we want to ensure that we understand the Tribe's availability within the next few months so that we can accommodate your schedule accordingly. In this regard, we would greatly appreciate if you can share with us potential dates when you would be available for a meeting. We also agree that the meeting would be best to take place in the region of the proposed project, and have no objection with your suggestion of Pine Ridge.


In your letter, you also suggest to include other Sioux Tribes. We have no objection to the Oglala Sioux Tribe inviting other parties to the meeting in order to further our consultation with your Tribe.

We appreciate the opportunity to further consult with the Oglala Sioux Tribe on matters related to the Dewey-Burdock project and look forward to the meeting.

Regards,
Kellee Jamerson

Kellee L. Jamerson

Environmental Scientist
NMSS/FCSE/ERB
U.S. Nuclear Regulatory Commission
 E-mail: Kellee.Jamerson@nrc.gov
 Phone: (301) 415-7408

 Fax: (301) 415-0020

 Mail Stop: T-4B16

From: [Jamerson, Kellee](mailto:Jamerson_Kellee)
To: dennis@oglalathpo.org
Cc: [Jamerson, Kellee](mailto:Jamerson_Kellee)
Subject: Follow-up Email Requesting Potential Dates for a Meeting with the Oglala Sioux Tribe
Date: Wednesday, October 28, 2015 11:33:40 AM

Dear Mr. Yellow Thunder,

On September 29, 2015, I sent an e-mail message requesting potential dates so that NRC staff could coordinate a meeting with the Oglala Sioux Tribe. I have reached out to you via phone but on those occasions, you were unavailable. Therefore, I am following up once again through e-mail.

The NRC staff would greatly appreciate it if you can share with us potential dates when the Oglala Sioux Tribe would be available for a government-to-government meeting.

Regards,
Kellee Jamerson


Kellee L. Jamerson

Environmental Scientist

NMSS/FCSE/ERB

U.S. Nuclear Regulatory Commission

 E-mail: Kellee.Jamerson@nrc.gov

 Phone: (301) 415-7408

 Fax: (301) 415-0020

 Mail Stop: T-4B16

From: Jamerson, Kellee
Sent: Tuesday, September 29, 2015 4:24 PM
To: 'dennis@oglalathpo.org' <dennis@oglalathpo.org>
Cc: Jamerson, Kellee <Kellee.Jamerson@nrc.gov>
Subject: Follow-up Email Requesting Potential Dates for a Meeting with the Oglala Sioux Tribe

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Regards,
Kellee Jamerson


Kellee L. Jamerson


Environmental Scientist

NMSS/FCSE/ERB

U.S. Nuclear Regulatory Commission

 E-mail: Kellee.Jamerson@nrc.gov

 Phone: (301) 415-7408

 Fax: (301) 415-0020

 Mail Stop: T-4B16

UNITED STATES OF AMERICA
NUCLEAR REGULATORY COMMISSION

BEFORE THE ATOMIC SAFETY AND LICENSING BOARD

In the Matter of)	
)	
POWERTECH (USA) INC)	Docket No. 40-9075-MLA
)	ASLBP No. 10-898-02- MLA-BD01
)	
(Dewey-Burdock In Situ Uranium Recovery Facility))	Date: November 2, 2015

CERTIFICATE OF SERVICE

Pursuant to 10 C.F.R. § 2.305 (revised) and the Board's Orders, I hereby certify that copies of the foregoing "NRC STAFF'S STATUS REPORT" in this proceeding have been served via the Electronic Information Exchange (EIE), the NRC's E-Filing System, this 2nd day of November, 2015. Counsel for the Staff served those representatives exempted from filing through the EIE with copies of its motion by electronic mail, also on November 2, 2015.

***/Signed (electronically) by/
Patricia A. Jehle***

Patricia A. Jehle
Counsel for the NRC Staff
U.S. Nuclear Regulatory Commission
Mail Stop O-15 D21
Washington, DC 20555-0001
(301) 415-2011
Patricia.Jehle@nrc.gov
Date of Signature: November 2, 2015