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HISTORIC PRESERVATION DEPARTMENT

OFFICE OF SECRETARY
RULEMAKING AND
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June 7, 1999

N. King Stablein, Acting Chief
Uranium Recovery and low level Waste Branch
Division of Waste Management
Office of Nuclear Material Safety and Safeguards
U.S. Nuclear Regulatory Commission
Washington DC 20555-0001


Attention: Robert Carlson

Dear Mr. Stablein:

A copy of your letter dated May 13, 1999 to Dr. Lynne Sebastian arrived in my office today. Unfortunately the Navajo Nation Historic Preservation Office must OBJECT to your proposal that the NHPA process can be concluded prior to consultation with the Navajo Nation Historic Preservation Department for this phase of the undertaking. Furthermore, since the area is within the general jurisdiction of the Navajo Nation, we believe that the Navajo Nation Cultural Resource Protection Act is applicable to undertakings proposed for the area in question.

We request your immediate review of the undertaking and the area in question since we believe that this review will clearly demonstrate that the area is a dependent Indian community and thus subject to the Navajo Nation Tribal Historic Preservation Officer's jurisdiction under the NHPA. We further request that you consult with this office in accordance with Section 106 of the NHPA and the regulations at 36 C.F.R. 800.

Sincerely:


Peter T. Noyes, Program Supervisor
Historic Preservation Department
P.O. Box 4950
Window Rock, Navajo Nation AZ 86515

(520) 871-7144
(520) 871-7886(f)

cc: See attached list

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