

From: [Talley, Sandra](#)
To: [White, Duncan](#)
Cc: [Einberg, Christian](#); [Michalak, Paul](#)
Subject: RE: WY Application to be in Agreement State
Date: Wednesday, April 05, 2017 6:03:14 AM

Thanks, Duncan. Did he mention what the SHPO had to say about the Agreement process?

Sandra T. Talley
Senior Liaison Project Manager
Office of Nuclear Material Safety
And Safeguards
Nuclear Regulatory Commission
Mail Stop T8D36
11555 Rockville Pike
Rockville, MD 20852
(301) 415-8059 (office)
(301) 433-2961 (cell)

-----Original Message-----

From: White, Duncan
Sent: Tuesday, April 04, 2017 7:55 PM
To: Talley, Sandra <Sandra.Talley@nrc.gov>
Cc: Einberg, Christian <Christian.Einberg@nrc.gov>; Michalak, Paul <Paul.Michalak@nrc.gov>
Subject: FW: WY Application to be in Agreement State

Sandra:

I spoke to Mr. Ortiz and Dean Goggles this afternoon regarding the Wyoming Agreement application. They asked about the following topics:

1. If uranium is found on their tribal reservation and an application is submitted for a milling operation after the Agreement goes into effect for a mill operation on the reservation, who would have jurisdiction? My answer: The federal government since the Northern Arapaho are a federally recognized tribe.
2. There is Title I site currently on their tribal reservation that is regulated by the federal government. Will that site be transferred to Wyoming? My answer: No.
3. Will Wyoming require an environmental review and hold a hearing for a new mill? My answer: Yes, an environmental review is required and the State must provide the public the opportunity to provide comment on the proposed licensing action before it's issued.
4. If an ISL facility is located near the reservation (but not on it), who will have jurisdiction over the groundwater that is impacted by the uranium mill operations if it extends under the reservation? My answer: I did not know who would have jurisdiction over the ground water in this circumstance, but an environmental assessment of the impact of the ISL operation must be conducted.
5. Mr. Ortiz mentioned that there is litigation currently ongoing regarding a portion of the boundary of their tribal reservation. He asked if the border of the reservation was changed as a result of the litigation, how that would impact the Agreement. My answer: The NRC would recognize the tribal reservation border as mandated by the courts.

Mr. Ortiz mentioned that he was present at the March 13th meeting with the State and met Ryan Schierman from the Wyoming program. He also mentioned that the SHPO was in contact with them regarding the Agreement process.

Duncan

-----Original Message-----

From: Ryan Ortiz [<mailto:rortiz@northernarapaho.com>]

Sent: Tuesday, April 04, 2017 6:41 PM

To: White, Duncan <Duncan.White@nrc.gov>

Cc: Steve Babbitts <sbabbitts@wyoming.com>; dean.goggles@northernarapaho.org

Subject: [External_Sender] WY Application to be in Agreement State

Duncan,

Thank you for taking the time to call us back and talking to us earlier today. It was good to hear that the NRC was not intending to give the state of Wyoming permission to do any permitting on Tribal Land. I will report our conversation to our Tribal Council and if there are any follow-up questions I will be in touch.

If for any reason you need to get a hold of me my contact information is as follows:

Ryan Ortiz
Executive Director
Northern Arapaho Tribe
Natural Resource Office
307-335-1094
rortiz@northernarapaho.com

All the best,

Ryan Ortiz