UNITED STATES
NUCLEAR REGULATORY COMMISSION
WASHINGTON, D.C. 20555-0001

July 12, 2018

Clair Green
Cultural Resources Office
Lower Brule Sioux Tribe
P.O. Box 187
Lower Brule, SD 57548-0187

SUBJECT: U.S. NUCLEAR REGULATORY COMMISSION DISCONTINUES
             IMPLEMENTATION OF THE SELECTED APPROACH TO IDENTIFY
             HISTORIC, CULTURAL, AND RELIGIOUS SITES AT THE DEWEY-
             BURDOCK IN SITU URANIUM RECOVERY PROJECT IN FALL RIVER
             AND CUSTER COUNTIES, SOUTH DAKOTA (DOCKET NUMBER: 40-9075)

Dear Ms. Green:

I am following up with the Lower Brule Sioux Tribe regarding the U.S. Nuclear Regulatory
Commission (NRC) staff's invitation dated May 24, 2018, (Agencywide Documents Access and
Management System [ADAMS] Accession Number ML18144A067), to participate in the
implementation of the NRC staff's selected approach and associated timeline to identify sites of
historic, cultural, and religious significance to the Lakota Sioux Tribes and gather information to
supplement the Final Supplemental Environmental Impact Statement for the Dewey-Burdock *in
situ* uranium recovery (ISR) project in Fall River and Custer Counties, South Dakota.

On June 11, 2018, the NRC staff appeared at the designated gathering place for the first phase
of the tribal field survey at the Dewey-Burdock ISR project site to meet any tribes interested in
participating in the survey. Also, during the week of June 11, 2018, at the request of the Oglala
Sioux Tribe, the NRC staff met with representatives of the Tribe at the offices of the Tribal
Historic Preservation Officer in Pine Ridge, South Dakota, to further discuss a methodology for
the June field survey efforts. No other tribes participated in these discussions, and no tribes
appeared at the Dewey-Burdock ISR site to participate in the first phase of the tribal field
survey.

During the week of June 11, 2018, the Oglala Sioux Tribe presented the NRC staff with a new
cultural resources survey proposal with activities and milestones that were not compatible in
terms of scope, timeline, and cost with the approach previously discussed with the Tribe and
parties to the adjudicatory proceeding. By letter dated July 2, 2018 (ADAMS Accession Number
ML18183A304), the NRC staff informed the Oglala Sioux Tribe that it could not accept the
Tribe's new proposal. Given how significantly different the Oglala Sioux Tribe's new proposal is
from the selected approach, the NRC staff determined that the appropriate course of action was
to discontinue its efforts to implement the selected approach.

Accordingly, by this letter, the NRC staff would like to inform the Lower Brule Sioux Tribe that it
has discontinued its efforts to implement the selected approach and associated timeline.

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In accordance with Title 10 CFR 2.390, a copy of this letter will be available electronically for public inspection in the NRC Public Document Room or from the Publicly Available Records component of NRC's ADAMS. ADAMS is accessible from the NRC Website at http://www.nrc.gov/reading-rm/adams.html.

If you have any questions or comments, please contact Ms. Kellee Jamerson of my staff. Ms. Jamerson can be reached at (301) 415-7408 or via e-mail at Kellee.Jamerson@nrc.gov.

                                   Sincerely,

                                   \RA\
                                   Cinthya I. Román, Chief
                                   Environmental Review Branch
                                   Division of Fuel Cycle Safety, Safeguards,
                                     and Environmental Review
                                   Office of Nuclear Material Safety
                                     and Safeguards

Docket No. 40-9075
License No. SUA-1600

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SUBJECT: U.S. NUCLEAR REGULATORY COMMISSION DISCONTINUES IMPLEMENTATION OF THE SELECTED APPROACH TO IDENTIFY HISTORIC, CULTURAL, AND RELIGIOUS SITES AT THE DEWEY-BURDOCK IN SITU URANIUM RECOVERY PROJECT IN FALL RIVER AND CUSTER COUNTIES, SOUTH DAKOTA (DOCKET NUMBER: 40-9075)

DATED: July 12, 2018

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ADAMS Accession Number: ML18193B099   *via e-mail

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