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

April 30, 2019

Mr. Val R. Panteah, Sr.
Zuni Pueblo
PO Box 339
1203B State HWY 53
Zuni, NM 87327

SUBJECT: INVITATION FOR SECTION 106 CONSULTATION FOR THE PROPOSED RELOCATION OF NORTHEAST CHURCH ROCK MINE SITE WASTE TO THE CHURCH ROCK MILL SITE (DOCKET NUMBER: 40-8907)

Dear Mr. Panteah:

The U.S. Nuclear Regulatory Commission (NRC) received a license application from United Nuclear Corporation (UNC), a wholly owned, indirect subsidiary of the General Electric Company (GE) by letter dated September 24, 2018, to amend its NRC license (SUA-1475) to excavate approximately 1 million cubic yards of mine waste from the Northeast Church Rock Mine Site and dispose of it at the adjacent mill site in Gallup, New Mexico (the proposed action). The NRC determined that the application contained sufficient detail to begin its detailed review on December 21, 2018 (Agencywide Documents Access and Management System [ADAMS] Accession Number ML19007A126). NRC issued a formal acceptance letter to GE on March 7, 2019 (ADAMS Accession Number ML19044A592). A map showing the location of the proposed action in McKinley County, New Mexico, is enclosed (Enclosure 1).

An Environmental Impact Statement (EIS) will be prepared in accordance with the regulatory provisions in Title 10 of the *Code of Federal Regulations* (10 CFR) Part 51, "Environmental Protection Regulations for Domestic Licensing and Related Regulatory Functions," which implement the requirements of the National Environmental Policy Act (NEPA) of 1969, as amended. In accordance with 36 CFR 800.8, "Coordination with the National Environmental Policy Act," the NRC staff will use the NEPA process to comply with its obligations under Section 106 of the National Historic Preservation Act (NHPA) of 1966, as amended. As stated in NRC's *Federal Register* notice (84 FR 2935), the EIS will include analyses of potential impacts to historic and cultural resources.

The NRC staff invites your Tribe to participate as a consulting party under Section 106 of the NHPA and to assist in the identification and evaluation of historic properties that may be affected by UNC's proposed action and in the development of proposals to address adverse effects that may be identified during the evaluation process.

We would ask that you indicate whether you would like to participate as a consulting party by completing the enclosed Tribal Response Form (Enclosure 2). In order to realize the benefits of early engagement on historic and cultural resources under the NHPA Section 106 consultation process, we would ask that you return the Tribal Response Form as soon as possible,

especially if you would like to participate as a consulting party. Please note that according to NRC policy, correspondence provided to the NRC, including emails, may be made publicly available. Therefore, the NRC recommends that the Tribe avoid including any information that tribal officials do not want to be publicly disclosed (e.g., personal email addresses). The NRC staff can also be contacted directly to discuss concerns about the confidentiality of information that may be provided to the NRC.

For additional information, documents related to the UNC Church Rock application are available on the NRC's project webpage at the following address: https://www.nrc.gov/info-finder/decommissioning/uranium/united-nuclear-corporation-unc-.html.

In addition, please contact the NRC staff identified below to obtain a copy of the application or any other publicly available project-related documents.

The NRC appreciates the opportunity to consult with you on issues regarding this proposed license amendment application. For the purposes of any future meeting with tribal leaders, a Division Director, Deputy Division Director, or Environmental Review Branch Chief would represent the NRC.

In accordance with 10 CFR 2.390, "Public Inspections, Exemptions, and Requests for Withholding," a copy of this letter will be available electronically for public inspection in the NRC Public Document Room or from the Publicly Available Records components of the NRC's ADAMS. ADAMS is accessible from the NRC Web site at: https://www.nrc.gov/reading-rm/adams.html.

If you have any questions or need any additional information regarding the license application or the EIS process, please contact Ms. Ashley Waldron by telephone at 301-415-7317, or via email at Ashley.Waldron@nrc.gov.

Sincerely,

/RA/

Michael F. King, Director
Division of Fuel Cycle Safety, Safeguards,
and Environmental Review
Office of Nuclear Material Safety
and Safeguards

Docket No. 40-8907
License No. SUA-1475

Enclosures:
1. Map of Site Location
2. Tribal Response Form

cc: Mr. Kurt Dongoske, THPO

SUBJECT: INVITATION FOR SECTION 106 CONSULTATION FOR THE PROPOSED RELOCATION OF THE MINE WASTE TO THE NORTHEAST CHURCH ROCK MILL SITE (DOCKET NUMBER: 40-8907)

DATED: April 30, 2019

DISTRIBUTION: FCSE r/f

ADAMS Accession Numbers: ML19105A029 (P), ML19119A245 (L) ***via email**

OFFICE	FCSE/ERB	FCSE/ERB	OGC	FCSE/ERB	NMSS/FCSE
NAME	AWaldron	AWalker-Smith	*AGendelman	CRomán	MKing
DATE	4/01/2019	4/11/2019	4/01/2019	4/25/2019	4/30/2019

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