



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

June 11, 2019

Mr. Russell Martin, President  
Tonkawa Tribe of Oklahoma  
1 Rush Buffalo Road  
Tonkawa, OK 74653

**SUBJECT: NOTIFICATION AND REQUEST FOR CONSULTATION REGARDING  
ENVIRONMENTAL PROPERTIES MANAGEMENT'S PROPOSED  
DECOMMISSIONING ACTIVITIES FOR THE FORMER CIMARRON FUEL  
FABRICATION FACILITY (DOCKET NUMBER: 70-0925)**

Dear President Martin:

The U.S. Nuclear Regulatory Commission (NRC) received, by letter dated November 5, 2018, a request from Environmental Properties Management, LLC, the trustee for the Cimarron Environmental Response Trust (CERT or licensee), to amend Special Nuclear Materials License 928 to approve a decommissioning plan for groundwater remediation on the site of the former Cimarron Fuel Fabrication Facility (Cimarron site) in Logan County, Oklahoma. A map showing the location of the Cimarron site is enclosed (Enclosure 1).

The decommissioning plan is available in the NRC's Agencywide Documents Access and Management System (ADAMS) Accession Number ML18323A197, or you can access it directly through this link: <https://www.nrc.gov/docs/ML1832/ML18323A197.html>. The NRC determined that the application contained sufficient detail to begin a thorough review and sent a formal acceptance letter to CERT dated February 28, 2019 (ADAMS Accession Number ML19056A513). If the NRC approves the decommissioning plan and issues the license amendment, CERT would be authorized to complete the decommissioning of the site by installing systems to pump and treat groundwater to reduce the concentrations of contaminants that exceed NRC and/or State limits.

The NRC staff will prepare an environmental assessment (EA) 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. The purpose of the EA is to assess potential environmental impacts that may significantly affect the human environment. In addition, the NRC must comply with Section 106 of the National Historic Preservation Act of 1966 (NHPA), which requires Federal agencies to determine whether historic resources, including those of religious and cultural significance to Native American Tribes, could be affected by an undertaking such as the NRC's approval of the licensee's decommissioning plan. In accordance with NHPA regulations in 36 CFR 800.8, "Coordination with the National Environmental Policy Act," the NRC will comply with Section 106 of the NHPA through the NEPA process, and the EA will include an analysis of potential impacts on cultural and historic 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 CERT's proposed action and in the development of proposals to address adverse effects that may be identified during the evaluation process.

To express your interest in participating as a consulting party, you may complete and send the enclosed form (Enclosure 2) to us. If you prefer not to use the form, please contact us at the numbers or email addresses provided at the end of this letter. We request that the form or other response be provided to us within 30 days of receipt of this letter. You may also contact us if you wish to discuss concerns about the confidentiality of information that may be provided to the NRC. 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).

In accordance with 10 CFR Section 2.390, "Public Inspections, Exemptions, and Requests for Withholding," 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 about this project or need additional information regarding CERT's license amendment application, please contact the NRC Project Manager for the Cimarron site, Mr. Kenneth Kalman, by telephone at 301-415-6664 or via e-mail at [Kenneth.Kalman@nrc.gov](mailto:Kenneth.Kalman@nrc.gov). For information about the environmental review or the Section 106 process for this project, please contact the environmental Project Manager, Ms. Christine Pineda, by telephone at 301-415-6789 or via e-mail at [Christine.Pineda@nrc.gov](mailto:Christine.Pineda@nrc.gov).

Sincerely,

*/RA/*

Andrew J. Pretzello, Deputy Director  
Division of Fuel Cycle Safety, Safeguards,  
and Environmental Review  
Office of Nuclear Material Safety  
and Safeguards

Docket No. 70-0925  
License No. SNM-928

Enclosures:

1. Site Location Map
2. Response Form

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Dated: June 11, 2019

**DISTRIBUTION:**

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**ADAMS Accession Numbers: ML19148A414 (P), ML19158A340 (L)** **\*via e-mail**

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<b>NAME</b>	CPineda	AWalker-Smith	EHouseman*	CRomán	DPretzello
<b>DATE</b>	05/10/2019	05/23/2019	05/14/2019	06/03/2019	06/11/2019

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