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Notice of Intent to Review and Update the Generic Environmental Impact Statement for License Renewal of Nuclear Plants

Comment On: NRC-2020-0175-0001

Notice of Intent To Review and Update the Generic Environmental Impact Statement for License Renewal of Nuclear Plants

Document: NRC-2020-0175-DRAFT-0001

Comment on FR Doc # 2020-16952

Submitter Information

Name: Steve Vance

Address:

98 South Willow Street

Eagle Butte, SD, 57625-0590

Email: stevev.crstpres@outlook.com

General Comment

See attached file(s)

Attachments

Public Comment to NRC 8-2020

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Itazipco

CHEYENNE RIVER SIOUX TRIBE

Cultural Preservation Office
PO BOX 590 98 S. Willow St.
Eagle Butte, South Dakota 57625
Telephone: (605) 964-7554
Fax: (605) 964-7552



Steven Vance
Tribal Historic Preservation Officer
stevev.crstpres@outlook.com

Siha Sapa

Oohenumpa

Date: August 20, 2020

**David W. Alley, Chief
Materials Safety and Tribal Liaison
Division of Materials Safety, Security, State, and Tribal Programs
Office of Nuclear Material Safety and Safeguards
U.S. Nuclear Regulatory Commission
Washington, DC 20555-0001**

**Re: Notification of the Intent to Review and Update the Generic Environmental
Impact Statement for License Renewal of Nuclear Plants (NUREG)
Docket ID NRC-2020-0175**

The Cheyenne River Sioux Tribe (CRST), submits these comments on the Intent to Review and Update the Generic Environmental Impact Statement for License Renewal Plants (LR GEIS).

In review of the August 5, 2020 letter (STC-20-059), from the United States Nuclear Regulatory Commission (NRC), page 2;

“The intent of the LR GEIS is to determine which issues would result in essentially the same (generic) environmental impact at all nuclear power plants and which issues could result in different levels of impact requiring plant-specific environmental analyses.”

Being that this is a document which would address impacts or effects to the environment such as land, air, and water quality, there should be extensive measures taken by NRC and the Environmental Protection Agency (EPA), for *ALL* nuclear plants. To limit the review by categorizing them as “generic” or common is not enough. This I see as another tactic by NRC to “streamline” the review process.

EPA received guidance on how to consult with Tribes on issues with Treaties and the “affects” from projects, upwind and upstream, to air and water quality for people downwind and downstream.

“CRST opposes all uranium mining in Treaty Territory” but look where uranium mining has gone since.

Air and water have life giving elements and alive like the rest of Creation. Air and water do not stay in one place, they both travel.

Dozens of extractive industries are in the same areas where uranium mining is proposed and the federal agencies are not looking to each other for the long term environmental effects. They separate their project from the others.

Cumulative effects from uranium mining should not be considered to one specific project but for all uranium projects within a region.

The letter goes on to state that historic and cultural resources are considered under a different category. This is again a systematic procedure used by NRC to separate the issue of “effects”. CRST considers land, air, and water as Sacred and a cultural resource and should not be categorized differently by NRC to allow fast-track permitting.

I assume NRC shares comments so here is a portion of a letter I sent to NRC in 2014;

Jonathan Downing, Executive Director for the Wyoming Mining Association (WMA), commented on August 25, 2014 “This process is of serious concern to the uranium recovery industry as it is a source of delay and increased cost in the permitting process”.

He also stated a comment from Ms. Sweeney, General Counsel of the National Mining Association (NMA), January 7, 2013, “Second, NRCs conduct of the National Historic Preservation Act’s (NHPA) Section 106 process has become a source of great concern within the uranium recovery industry”.

More comments from WMAs Jonathan Downing;
“Conducting a survey of the area with consulting parties, to collect more data after the project applicant has already conducted surveys per NRC regulations, and NEPA requirements, is a waste of the project proponents’ time and money”.

This was in my letter in 2014 regarding the proposed Dewey-Burdock in-situ Uranium Recovery Project in Fall River and Custer Counties, South Dakota. It is within the Sacred H’e Sap’a or Black Hills, another significant cultural resource or landscape. The origin of the Lakota Nation and also significant to many other Native Nations. Yet hear we are again in 2020 attempting to limit the environmental and cultural review of uranium mining.

CRST maintains the position of “that the CRST opposes the U.S. Nuclear Regulatory Commission in issuing new, renewal, or expansion permits to International and national uranium companies, L.P, for the construction, expansion, of new uranium mining site as it will adversely affect the quality of air and water”. We maintain this position as the Cheyenne River, which is the southern border of the reservation, is still contaminated from mining activates upstream within the Sacred H’e Sap’a.

Previous NRC representatives, Kevin Hsueh, Haimanot Yilma, Jahari Moore, and Larry Camper, failed NRC during discussions on the proposed Dewey-Burdock project. When

they were no longer contacting CRST on projects I asked what happened to them. Did they get fired for their failure or quit? I was told they all moved up in ranks with NRC. It reminds me of the "bad priests" that get moved to another location without consequences.

So has NRC reviewed the failures of Tribal involvement from Dewey-Burdock Section 106 process?

Another NRC staff person was Sandra Talley who made an unannounced visit to a Tribal meeting in North Dakota. She handed out the NRC Tribal Protocol Manual which is intended to facilitate effective consultation and interactions between the NRC and Native American Tribes concerning activities within the NRC's jurisdiction. I felt sorry for her as she came in at a time when NRC had failed in Tribal consultation. Since then Sandra had compiled comments and concerns from Tribes and emailed a summary report on 11-4-2015. I recommend NRC to read the summary as again Tribes are repeating the same environmental concerns year after year.

CRST has been involved in the Section 106 Consultation Process with NRC in multiple states in the Great Northern Plains region. To name a few of the projects consulted on are, Crow Buttes, North Trend, Gas-Hills, Jane Dough, Nichols Ranch, Ross, Smiths Ranch, Hanks Unit, and North Butte, and Dewey-Burdock. We participated in several of the teleconferences while PAs and MOUs were developed for these projects. Although CRST has opposed all uranium mining in Treaty Territory, which the Dewey-Burdock is in, we participate where we can so that maybe some of our concerns will be addressed. CRST will not sign PAs or MOUs until there is equal authority for the CRST Chairman's signature to that of the US President and the State Historic Preservation Officer (SHPO).

As Tribes, we assumed the functions and duties of the SHPOs as THPOs but when the time comes to sign a PA the Tribes fall to the back of the document. These PAs, MOAs, or MOUs are supposed to be at a government-to-government level and a document between the two Nations.

CRST Chairman Harold Frazier stated to the US Government, "What does it mean when the Tribe says No"? He also stood facing a wall and said "This is like talking to the federal agencies or governments, nobody listens".

It is our responsibility of all of us for the preservation and protection of these homelands for our future generations.

"Mak'a ki lec'ela t'ehan ukinkt'e lo"
(Only the Earth will be here forever.)

A handwritten signature in black ink, appearing to be "Se J" or similar, written in a cursive style.