



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

May 3, 2021

VIA EMAIL ONLY

Mr. Terry Knight
Tribal Historic Preservation Officer
Ute Mountain Ute Tribe
P.O. Box 468
Towaoc, CO 81334
tknight@utemountain.org

SUBJECT: TRANSMITTAL OF THE SECOND AMENDMENT TO THE MEMORANDUM OF AGREEMENT FOR THE WHITE MESA URANIUM PROJECT BLANDING, UTAH (DOCKET NUMBER: 40-8681)

Dear Mr. Knight:

The U.S. Nuclear Regulatory Commission (NRC) staff has signed the second amendment to the White Mesa Uranium Project Memorandum of Agreement (MOA). This second amendment reflects the transfer of regulatory authority from the NRC to the State of Utah and the MOA's expiration. A copy of the Advisory Council on Historic Preservation (ACHP) transmittal letter to the NRC and the second amendment are provided in the enclosures. The expiration is effective as of April 6, 2021, the date the amendment was signed and executed. Energy Fuels Resources Inc. is the current licensee for White Mesa Uranium Project, located near Blanding, Utah.

The initial MOA was executed on August 15, 1979, between the ACHP, the Utah State Historic Preservation Office (Utah SHPO) and the NRC. The first amendment to this MOA, in 1983, required a license amendment to include mitigation measures. On August 10, 2004, the State of Utah assumed regulatory authority over byproduct material as defined by Section 11e.(2) of the Atomic Energy Act of 1954, as amended, and authority over extraction and concentration of source material from source material ore. With this transfer of regulatory authority, Source Materials License SUA-1358 was transferred from the NRC to the State of Utah. The State of Utah possesses a cultural resources compliance law that the Utah Department of Environmental Quality (Utah DEQ) must comply with. For undertakings concerning the White Mesa site, the Utah DEQ consults with the Utah SHPO's office.

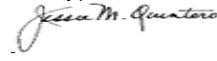
The Public Document Room (PDR), where the public may examine and order copies of public documents, is currently closed. The public may submit requests to the PDR via e-mail at PDR.Resource@nrc.gov or call 1-800-397-4209 between 8:00 a.m. and 4:00 p.m. Eastern Standard Time, Monday through Friday, except Federal holidays. This letter and its enclosure are also available from the Publicly Available Records component of NRC's (Agencywide Documents Access and Management System (ADAMS)). ADAMS is accessible from the NRC Website at <http://www.nrc.gov/reading-rm/adams.html>. Other documents related to this action can also be found in the NRC PDR or ADAMS.

T. Knight

2

If you have any questions, please contact Ms. Jean Trefethen of my staff at (301) 415-0867 or via email at Jean.Trefethen@nrc.gov.

Sincerely,



Signed by Quintero, Jessie
on 05/03/21

Jessie M. Quintero, Chief
Environmental Review Materials Branch
Division of Rulemaking, Environmental,
and Financial Support
Office of Nuclear Material Safety
and Safeguards

Docket No. 40-8681
License No. SUA-1358

Enclosures:
As stated

T. Knight

3

SUBJECT: TRANSMITTAL OF THE SECOND AMENDMENT TO THE MEMORANDUM OF AGREEMENT FOR THE WHITE MESA URANIUM PROJECT BLANDING, UTAH (DOCKET NUMBER: 40-8681)

DATE: May 3, 2021

DISTRIBUTION:

S. Poy, NRC

ADAMS Accession Nos.
ML21103A061 (Package);
ML21112A264 (Letter)
ML21103A262 (Enclosure)
ML21103A230 (Enclosure)

***via e-Concurrence**

OFFICE	REFS/ERMB	REFS/ERMB	REFS/ERMB
NAME	JTrefethen	*AWalker-Smith	JQuintero
DATE	04/13/2021	04/13/2021	05/03/2021