

From: [Sage Mountainflower](#)
To: [RulemakingComments Resource](#)
Cc: [Sophie Stauffer](#); [Ryan Swazo-Hinds](#); [Joseph Abeyta](#)
Subject: [External_Sender] Docket ID NRC-2018-0300: A Proposed Rule by the Nuclear Regulatory Commission for Categorical Exclusions from Environmental Review
Date: Wednesday, July 21, 2021 2:21:30 PM
Attachments: [NRC_CatExEnvReview_PuebloofTesuque07212021.pdf](#)

The Pueblo of Tesuque has reviewed the U.S. Nuclear Regulatory Commission (NRC) advance notice of proposed rulemaking on their plan to amend NRC regulations on categorical exclusions for licensing, regulatory, and administrative actions that individually or cumulatively do not have a significant effect on the human environment.

See Attached Letter.

Sage Mountainflower

Director

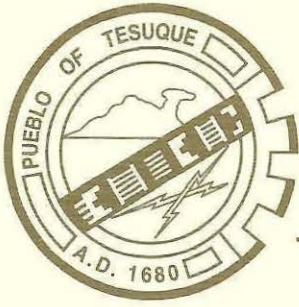
Pueblo of Tesuque Department of Environment & Natural Resources

20 TP 828, Administration Building

Santa Fe, NM 87506

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Office of the Governor
Pueblo of Tesuque
20 TP828
Santa Fe, New Mexico 87506

July 21, 2021

Secretary
U.S. Nuclear Regulatory Commission
Washington, DC 20555-0001

Re: Docket ID NRC-2018-0300: A Proposed Rule by the Nuclear Regulatory Commission for Categorical Exclusions from Environmental Review

ATTN: Rulemakings and Adjudications Staff

The Pueblo of Tesuque has reviewed the U.S. Nuclear Regulatory Commission (NRC) advance notice of proposed rulemaking on their plan to amend NRC regulations on categorical exclusions for licensing, regulatory, and administrative actions that individually or cumulatively do not have a significant effect on the human environment.

The Pueblo of Tesuque is concerned with following potential rulemaking changes:

- Revisions to categorically exclude issuance of exemptions to low-level waste disposal sites for the storage and disposal of special nuclear material regulated by Agreement States
- Revisions to categorically exclude approvals for alternative waste disposal procedures for reactor and material licenses in accordance with § 20.2002, "Method for obtaining approval of proposed disposal procedures."

For the Pueblo of Tesuque this could mean that any alternative and or low-level waste disposal could be approved without further NEPA/ environmental impact consideration.

- Revisions to categorically exclude issuance of new, amended, revised, and renewed certificates of compliance for cask designs used for spent fuel storage and transportation (issued as amendments to 10 CFR 72.214, "List of approved spent fuel storage casks")

For the Pueblo of Tesuque this could mean any new designs could be approved without further NEPA/environmental impact consideration.

The Pueblo of Tesuque is requesting to be notified of the location for projects being considered for NRC categorical exclusions. Notification should go to the Tesuque Governor and Environment Director for their review. The Pueblo of Tesuque understands the need for efficiency of project

work, it is necessary to follow NEPA protocol in notifying the tribe if NRC determines licensing, regulatory, and administrative actions that individually or cumulatively do not have a significant effect on the human environment, as we are still concerned for the natural and cultural resources. You can provide the requested information to the following address:

Governor Mark Mitchell
Pueblo of Tesuque
20 TP828
Santa Fe, NM 87506
Email: governor@pueblooftesuque.org

Sage Mountainflower
Pueblo of Tesuque
Director of Environment and Natural Resources
20 TP828
Santa Fe, NM 87506
Email: sagem@pueblooftesuque.org

Thank you for your attention regarding this matter, if you have any question or concerns, please feel free to contact Sage Mountainflower, Director of Environment and Natural Resources at (505)303-1566 or email at sagem@pueblooftesuque.org.

Sincerely,


Mark Mitchell,
Governor