



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

February 16, 2022

Rodney A. Butler, Chairman
Mashantucket (Western) Pequot
Tribal Nation
2 Matts Path
P.O. Box 3060
Mashantucket, CT 06338-3060

SUBJECT: OFFERING TRIBAL CONSULTATION CONCERNING CONNECTICUT'S
REQUEST FOR AN AGREEMENT UNDER SECTION 274 OF THE ATOMIC
ENERGY ACT

Dear Chairman Butler:

The purpose of this letter is to offer the opportunity for the Mashantucket (Western) Pequot Tribal Nation to consult with the U.S. Nuclear Regulatory Commission (NRC) concerning Connecticut's request for an Agreement under Section 274 of the Atomic Energy Act, in accordance with the NRC's Tribal Policy Statement.¹ The State of Connecticut submitted a letter of intent on December 10, 2020,² to notify the NRC that it is interested in pursuing an agreement with the NRC to assume regulatory authority over specified radioactive materials and activities. By letter dated April 26, 2021,³ the NRC informed the Mashantucket (Western) Pequot Tribal Nation of the State of Connecticut's letter and stated that the NRC would provide updates as the State of Connecticut's application moves through the review process.

The NRC offers to consult with the Mashantucket (Western) Pequot Tribal Nation in accordance with the NRC's Tribal Policy Statement because the proposed Agreement could have a substantial direct effect on the Tribe by changing the relationship between the NRC and the Tribe since the National Environmental Policy Act and National Historic Preservation Act tribal consultation provisions do not apply to Agreement State licensing actions. The NRC's tribal liaisons (TLs) will serve as the primary points of contact during this process, along with the NRC Project Manager for the Connecticut Agreement. The NRC will also be offering this opportunity to the Mohegan Tribe of Indians of Connecticut.

¹ U.S. Nuclear Regulatory Commission, "Tribal Policy Statement," January 9, 2017 (82 FR 2402) (Agencywide Document Access and Management System (ADAMS) Accession No. ML17011A243).

² ADAMS Accession No. ML20346A345.

³ ADAMS Accession No. ML21096A303.

The NRC encourages participation by federally -and State recognized Tribes in the regulatory process. Should your Tribe be interested in consultation with the NRC on this matter, please contact Ms. Maria Arribas-Colon, Branch Chief, Materials Safety and Tribal Liaison Branch at (301) 415-6026, or by email at Maria.Arribas-Colon@nrc.gov.

Sincerely,



Signed by Williams, Kevin
on 02/16/22

Kevin Williams, Director
Division of Materials Safety, Security, State,
and Tribal Programs
Office of Nuclear Material Safety
and Safeguards

cc: Michael E. Johnson, THPO
Mashantucket (Western) Pequot Tribal Nation

Jeffrey Semancik, RCPD, State of Connecticut

(CONNECTICUT) CONSULTATION, IN ACCORDANCE WITH THE U.S. NUCLEAR REGULATORY COMMISSION TRIBAL POLICY STATEMENT, REGARDING THE REVIEW OF THE STATE OF CONNECTICUT AGREEMENT STATE APPLICATION DATE February 16, 2022

DISTRIBUTION:

ADAMS Accession No.: ML22047A177; Ltr ML22018A252

OFFICE	NSIR/DPR/OB	NMSS/MSST/MSTB	NMSS/MSST/SALB	OGC/RMR
NAME	JWhited <i>JW</i>	MArribas-Colon <i>MA</i>	BAnderson <i>BA</i>	JOlmstead <i>JO</i>
DATE	Jan 25, 2022	Jan 26, 2022	Feb 11, 2022	Feb 14, 2022
OFFICE	NMSS/MSST			
NAME	KWilliams <i>KW</i>			
DATE	Feb 16, 2022			

OFFICIAL RECORD COPY