

From: Jennifer Davis
Sent: Wednesday, June 21, 2023 10:07 AM
To: Tami Dozier
Cc: O'Neil, Tara (tara.oneil@pnnl.gov); Mcfarland, Douglas P
Subject: RE: Consultation Summaries from June 2023 Meetings with Consulting Tribe

Tami,

Below are the public summaries of our meetings with the consulting Tribe. The Tribal Historic Preservation Officer has reviewed and approved the content below.

Summary of June, 1, 2023 meeting

On June 1, 2023, NRC staff met with the Tribal Historic Preservation Officer (THPO) from the consulting Tribe to discuss supplemental information provided by Kairos Power LLC (Kairos). After introductions, the NRC staff provided an overview of project and consultation activities to date. The THPO expressed concerns that no archaeologist was present during the geotechnical testing. NRC staff explained that Kairos' Secretary of Interior (SOI) qualified professional prepared the cultural resources memo based off the geomorphologist's report. The THPO asked if Kairos' archaeologist who drafted the memo had visited and conducted a reconnaissance review of the site. NRC staff stated that they would confirm with the license applicant and report back.

The consulting Tribe's THPO wanted the extent and depth of fill to be appropriately characterized across the site and requested an additional reconnaissance level field investigation be performed. The THPO also provided comments on the draft Archaeological Resources Monitoring and Unanticipated Discovery Plan. Comments centered on the inadvertent discovery provisions and protocols. The consulting Tribe agreed with NRC staff that the plan should be updated to include a mitigation plan, work controls, and monitoring procedures, and be prepared by an SOI qualified geoarchaeologist. The THPO also stated that their office wants to receive the weekly monitoring reports once construction commences. NRC staff requested that the consulting Tribe provide their comments via letter or email.

NRC staff stated that once they receive the consulting Tribe's comments, they will follow up and relay the information to Kairos. NRC staff agreed to provide status updates and committed to future meetings with the consulting Tribe. The THPO confirmed that the Tribe wants to keep consultation at a government-to-government level.

Summary of June 5, 2023 meeting

On June 5, 2023, NRC staff met with the Tribal Historic Preservation Officer (THPO) from the consulting Tribe to discuss clarifying questions related to earlier feedback from the THPO on Kairos' supplemental information. After introductions, the NRC staff followed up with the consulting Tribe's request for an additional reconnaissance field investigation. The THPO stated that they will provide their high-level comments within the week. These comments will include a request for additional reconnaissance field investigation and comments on the draft Archaeological Resources Monitoring and Unanticipated Discovery Plan (monitoring plan). NRC and the consulting Tribe discussed

the expectation that Kairos will hire a Secretary of Interior (SOI) qualified geoarchaeologist to prepare the survey methodology to be submitted to the NRC and consulting Tribe for review. The NRC staff plans to request that Kairos provide the survey methodology and updated monitoring plan to the NRC and consulting Tribe for review and comment.

The THPO asked for clarification on what the undertaking is. NRC staff clarified that the undertaking is an issuance of a construction permit to Kairos that allows for the construction of the proposed Kairos Hermes project. There was also a discussion about the history of site activities and past disturbance.

NRC staff discussed the need for establishing regular communications with the consulting Tribe, and all agreed to schedule weekly status meetings over the next six weeks to ensure continued alignment. After the six weeks, the NRC staff and consulting Tribe will assess the need for continued weekly meetings. Meetings are scheduled for June 8th, June 15th, and June 21st.

Summary of June 8, 2023 meeting

On June 8, 2023, NRC staff met with the Tribal Historic Preservation Officer (THPO) from the consulting Tribe to provide a status update regarding Kairos Hermes construction permit review and associated NHPA Section 106 consultation activities. The following items were discussed:

- On June 6, 2023, NRC conducted a call with Kairos Power, LLC (Kairos) and provided high-level comments from NRC staff and the consulting Tribe on Kairos' supplemental information.*
- NRC discussed the documentation required to issue the final environmental impact statement.*
- The THPO stated that the consulting Tribe is not the public or a stakeholder, and detailed information regarding government-to-government consultation should remain non-public.*
- The NRC agreed to continue honoring the consulting Tribe's request for government-to-government consultation.*
- The consulting Tribe reinforced the need for an additional reconnaissance level field investigation for the Kairos project.*
- NRC staff discussed NRC's role as a regulatory agency and explained how NRC documents NHPA Section 106 consultation within the administrative record.*
- NRC noted that the staff's Safety Evaluation Plan will be issued the week of June 12, 2023.*

Please let me know if you have any questions.

Thanks,

Jenny

Jennifer A. Davis
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