



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

January 8, 2024

Mr. Aaron Brien, Tribal Historic Preservation Officer  
Crow Tribe of Montana  
P.O. Box 159  
Crow Agency, MT 59022

SUBJECT: TRIBAL NOTIFICATION OF THE WESTERN NUCLEAR INC. LICENSE  
TERMINATION AND TRANSFER OF OWNERSHIP

Dear Mr. Aaron Brien,

We are sending you this letter because we identified the Crow Tribe of Montana as being potentially interested in the license termination of the Western Nuclear, Inc. (WNI) Split Rock uranium mill tailings disposal site located in Fremont County, Wyoming. In a letter to the Crow Tribe of Montana dated October 30, 2020,<sup>1</sup> the U.S. Nuclear Regulatory Commission (NRC) staff explained the process and review activities for the termination of the license by the State of Wyoming and transfer of the site to the U.S. Department of Energy (DOE) for the long-term care and maintenance. By the letter dated December 8, 2020,<sup>2</sup> the staff informed the Crow Tribe of Montana that a finding of no effects determination was appropriate under Section 106 of the National Historic Preservation Act. Additionally, by the letter dated September 23, 2021,<sup>3</sup> the Crow Tribe of Montana was notified that the NRC staff completed its review of the Wyoming Department of Environmental Quality Completion Review Report and found that the license termination activities at the WNI site met all applicable standards and requirements for the protection of public health, safety, and environment.<sup>4</sup>

The purpose of this letter is to inform the Crow Tribe of Montana that the NRC accepted the Long-Term Surveillance Plan (LTSP) for the Split Rock disposal site.<sup>5</sup> Acceptance of this LTSP established the DOE as the long-term custodian and caretaker of the Split Rock site under the general license specified in Section 40.28 of Title 10 of the *Code of Federal Regulations*. The WNI and the U.S. Bureau of Land Management transferred ownership of land at the Split Rock site to the DOE. The State of Wyoming terminated WNI's Source Material License No. WYSUA-0056 for the Split Rock site on October 31, 2023.<sup>6</sup> The NRC found these actions complete for all requirements under the Uranium Mill Tailings Radiation Control Act of 1978, as amended for the termination of the WNI license and transference of the Split Rock site to DOE for long-term care.

---

<sup>1</sup> Agencywide Document Access and Management System (ADAMS) Accession No. ML20303A205.

<sup>2</sup> ADAMS Accession No. ML20329A081.

<sup>3</sup> ADAMS Accession No. ML21242A129.

<sup>4</sup> ADAMS Accession No. ML23271A217.

<sup>5</sup> ADAMS Accession No. ML23271A189.

<sup>6</sup> ADAMS Accession No. ML23311A036.

Enclosed with this letter is the *Federal Register* notice for license termination and transfer. The notice was published in the *Federal Register* (88 FR 78394) on November 15, 2023, and posted on the Federal e-rulemaking portal <https://www.regulations.gov> under Docket No. NRC-2023-0076.

If you have any questions, please contact Mr. Tom Lancaster at 301-415-6563 or via email at [thomas.lancaster@nrc.gov](mailto:thomas.lancaster@nrc.gov).

Thank you for your assistance.

Sincerely,



Signed by Morgan, Nadiyah  
on 01/08/24

Nadiyah Morgan  
Tribal Liaison Program Manager  
Division of Materials Safety, Security,  
State and Tribal Programs  
Office of Nuclear Material Safety  
and Safeguards

Docket No. 40-1162

Enclosure:  
*Federal Register* Notice

cc: Frank White Claw, Chairman  
Crow Tribe of Montana  
P.O. Box 159  
Batcheeche Avenue  
Crow Agency, MT 59022

WESTERN NUCLEAR INC. – LICENSE TERMINATION AND TRANSFER OF OWNERSHIP DATE January 9, 2024

DISTRIBUTION:

TLancaster, NMSS/DUWP/URMDB

NMorgan, NMSS/MSST

JCaverly, NMSS/REFS/ERMB

RVonTill, NMSS/DUWP/URMDB

RAlexander, R-IV/DRS/RCB

**ADAMS Accession No.: ML23362A085; Ltr ML24008A189**

OFFICE	NMSS/DUWP/URMDB	NMSS/DUWP/URMDB	NMSS/MSST	
NAME	TLancaster TL	RVonTill RV	NMorgan NM	
DATE	Dec 18, 2023	Dec 21, 2023	Jan 8, 2024	

**OFFICIAL RECORD COPY**