



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

June 9, 2025

MEMORANDUM TO: Michelle Rome, Chief
Environmental Technical Review Branch 1
Division of Rulemaking, Environmental,
and Financial Support
Office of Nuclear Material Safety
and Safeguards

FROM: Sarah Lopas, Senior Environmental Project Manager
Environmental Technical Review Branch 1
Division of Rulemaking, Environmental,
and Financial Support
Office of Nuclear Material Safety
and Safeguards

SUBJECT: SUMMARY OF TRIBAL SITE VISIT TO KEMMERER POWER
STATION UNIT 1 REGARDING NATIONAL HISTORIC
PRESERVATION ACT SECTION 106 CONSULTATION

Participants

U.S. Nuclear Regulatory Commission (NRC):

- *Christopher Regan*, NRC Federal Preservation Officer and Director, Division of Rulemaking, Environmental, and Financial Support (REFS), Office of Nuclear Material Safety and Safeguards (NMSS)
- *Michelle Rome*, Chief, Environmental Technical Review Branch 1 (ETRB1), REFS, NMSS
- *Joshua Boromeo*, Chief, Advanced Reactor Licensing Branch 1, Division of Advanced Reactors and Non-power Production and Utilization Facilities, Office of Nuclear Reactor Regulation
- *Nadiyah Morgan*, Team Lead, Tribal Relations Team, Division of Materials Safety, Security, State, and Tribal Programs, NMSS
- *Patricia Vokoun*, Environmental Project Manager, Environmental Project Management Branch 3, REFS, NMSS
- *Sarah Lopas*, Historic and Cultural Resources Project Lead, ETRB1, REFS, NMSS

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Pacific Northwest National Laboratory (PNNL):

- *Cyler Conrad*, Archaeologist and Cultural Resources Environmental Scientist, Risk & Environmental Assessment Group

Northern Arapaho Tribe:

- *Juwan Willow*, Tribal Cultural Specialist on behalf of Tribal Historic Preservation Officer, Crystal C'Bearing
- *Andi LeBeau*, Tribal Employment Rights Compliance Officer
- *Randy Means*, Tribal Cultural Specialist

Comanche Nation:

- *Martina Minthorn*, Tribal Historic Preservation Officer
- *Cecily Brigoli*, Tribal Cultural Specialist

Northern Cheyenne Tribe:

- *Nick Redgrave*, Tribal Cultural Specialist

TerraPower:

- *Beth Dalick*, Principal Licensing Engineer
- *Andy Chrusciel*, Natrium Construction Director

Bechtel:

- *Kyra Perkins*, Duty Chief Engineer, Environmental
- *Mark Roman*, Natrium Project Manager

Tetra Tech:

- *Mark Karpinski*, Cultural Resources Project Manager/Archaeologist
- *Lisa Matis*, Project Manager/Regulatory Specialist

Cannon Heritage Consultants:

- *Kenneth Cannon*, Senior Project Manager/Principal Investigator

Location

Proposed Kemmerer Power Station Unit 1 site in Kemmer, Lincoln County, Wyoming

Date

April 28-29, 2025

Background

The NRC staff is reviewing a construction permit application submitted by TerraPower, LLC (TerraPower), on behalf of US SFR Owner, LLC, a wholly owned subsidiary of TerraPower, for the proposed Kemmerer Power Station Unit 1 (Kemmerer Unit 1). The application was submitted to the NRC by letter dated March 28, 2024 (Agencywide Documents Access and Management System (ADAMS) Package [ML24088A059](#)), pursuant to Title 10 of the *Code of Federal Regulations* (10 CFR) Part 50, "Domestic Licensing of Production and Utilization

Facilities.” Additional information about the NRC’s construction permit review is available at <https://www.nrc.gov/reactors/new-reactors/advanced/who-were-working-with/applicant-projects/terrapower.html>.

The NRC staff has determined that the issuance of this construction permit would be a Federal undertaking under Section 106 of the National Historic Preservation Act of 1966, as amended (NHPA). Pursuant to 36 CFR 800.8(c), the NRC staff is using the National Environmental Policy Act of 1969 (NEPA), as amended, process to comply with NHPA Section 106 in lieu of the procedures set forth in 36 CFR 800.3 through 800.6. Accordingly, by letters dated June 14, 2024, the NRC staff initiated NHPA Section 106 consultation with Tribes for this undertaking ([ML24114A079](#)). Thereafter, by letters dated February 4, 2025 ([ML24358A177](#)), the NRC staff notified Tribes that based on a Class III cultural resources report for the Kemmerer Power Station Unit 1 site ([ML25049A292](#)) and consistent with 36 CFR 800.5, the NRC staff had determined that the undertaking, as currently planned, would result in adverse effects on historic properties, specifically, historic sites 48LN740 and 48LN8940.

By letters dated March 28, 2025 ([ML25073A117](#), [ML25073A136](#)), the NRC staff requested consultation with Tribes and the Wyoming State Historic Preservation Office (SHPO) on proposed archaeological testing to further investigate sites 48LN740 and 48LN8940. The purpose of the testing was to determine whether TerraPower could modify their construction plans to avoid impacts to the two sites. As part of the consultation on the archaeological testing plan, NRC staff offered opportunities to consulting Tribes to visit the proposed Kemmerer Unit 1 site and monitor the planned archaeological testing. The archaeological testing took place from April 28 through May 3, 2025, and the site visit took place on April 29, 2025.

Summary of Tribal Site Visit

On April 28, 2025, NRC staff Michelle Rome and Sarah Lopas, and PNNL archaeologist Cyler Conrad, joined Tribal Cultural Specialists Randy Means (Northern Arapaho), Cecily Brigoli (Comanche Nation), and Nick Redgrave (Northern Cheyenne), for the first day of archaeological testing at the Kemmerer Unit 1 site. This day consisted of site access safety training provided by Bechtel on behalf of TerraPower, followed by the beginning of archaeological testing by TerraPower’s archaeological contractor, Tetra Tech. The first day of archaeological testing started at site 48LN740 (parking lot site) and included laying out transects with pin flags to identify the boundaries for testing and beginning auger test probes and the magnetic resonance/ground-penetrating radar study. The three Tribal Cultural Specialists stayed to participate in and monitor the archaeological testing at the Kemmerer Unit 1 site through its end date on Saturday, May 3, 2025.

On April 29, 2025, NRC staff Chris Regan, Joshua Boromeo, Michelle Rome, Pat Vokoun, Dee Morgan, and Sarah Lopas, and PNNL archaeologist Cyler Conrad, joined the Comanche Nation Tribal Historic Preservation Officer, Martina Minthorn, and representatives from the Northern Arapaho Tribe, Juwan Willow and Andrea (Andi) LeBeau, for the one-day visit of the proposed Kemmer Unit 1 site. Bechtel, on behalf of TerraPower, began the site visit with site access safety training for all the attendees, and TerraPower provided an overview presentation of the proposed Kemmer Unit 1 project and the archaeological features of the site. The presentation was similar to that provided by TerraPower during the NRC’s Tribal information workshop on February 25, 2025, which is available at [ML25058A245](#).

TerraPower and its archaeological contractor, Tetra Tech, then led the NRC and Tribal representatives on a tour of the two historic sites, 48LN740 and 48LN8940 (utility corridor site).

Tetra Tech's lead archaeologist, Mark Karpinski, provided a general overview of the archaeological features of both sites, and explained the approach for the archaeological testing that was occurring that week. Kenneth Cannon, of Cannon Heritage Associates, explained the process for the magnetic resonance/ground-penetrating radar study at site 48LN740. Tribal representatives walked and examined the site features.

The site visit concluded with a closed meeting between NRC staff, Cyler Conrad, Martina Minthorn, Juwan Willow, and Andi LeBeau. Sarah Lopas of the NRC provided a status update on the NHPA Section 106 consultation process and the development of the draft EIS for the NEPA review of the TerraPower construction permit application. Sarah Lopas explained that the NRC's *preliminary* determination is that while there is potential to cause adverse effects to sites 48LN740 and 48LN8940 ([ML24358A177](#)), a formal declaration of adverse effects and resolution of those effects will await the results of the archaeological testing. Sarah Lopas stated that NHPA Section 106 consultation is therefore ongoing with consulting Tribes and the Wyoming SHPO regarding the archaeological testing results and the potential adverse effects to both sites. Sarah Lopas stated that the draft EIS for the TerraPower construction permit application would be published no later than July 2025, and due to the timing of the archaeological testing and ongoing NHPA Section 106 consultation, final NEPA and NHPA determinations would not be provided in the draft EIS. Instead, the NRC anticipates reviewing and providing updated determinations on the potential impacts to sites 48LN740 and 48LN8940 no later than September 2025, and the *final* EIS would be updated to reflect the NRC's findings. Sarah Lopas reiterated that if adverse effects to one or both sites cannot be avoided, then the NRC would proceed with preparation of and consultation on a draft memorandum of agreement to mitigate adverse effects.

Action Items

- 1.) NRC will be submitting to Tribes the TerraPower Kemmerer Unit 1 draft EIS for comment and NHPA Section 106 consultation in July 2025.
- 2.) As soon as they are available, but no later than September 2025, the NRC staff will consult with Tribes and the WY SHPO on the results of the archaeological testing of sites 48LN740 and 48LN8940.

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CONSULTATION

Dated: June 9, 2025

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