

**From:** Diana Diaz Toro  
**Sent:** Thursday, March 26, 2026 8:09 AM  
**To:** Taylor Gunhammer  
**Subject:** NRC Section 106 review for the license renewal application for the Dewey-Burdock in situ uranium recovery project in Custer and Fall River Counties, South Dakota

Greetings,

The U.S. Nuclear Regulatory Commission (NRC) staff is providing you, as a consulting party under Section 106 for the review of the license renewal of the Dewey-Burdock in situ uranium recovery project in South Dakota, with the following information regarding updates to the draft Section 106 Programmatic Agreement (PA) that will be circulated for comment soon.

The NRC staff is proposing an alternative approach to identify and evaluate cultural resources of significance to federally recognized Tribes that could be affected by the construction and operation of the Dewey-Burdock project that would occur during Powertech (USA), Inc.'s proposed license renewal term. This proposed alternative approach considers the comments received in response to the draft Section 106 PA the NRC staff issued for comment in December 2025. This alternative approach will be documented in the PA that the NRC staff continues to develop to satisfy its obligations under Section 106 of the National Historic Preservation Act.

The proposed alternative approach is focused on avoidance. Powertech would commit to avoid areas within and adjacent to the direct area of potential effects where cultural resources of significance to Tribes were previously identified. If Powertech determines that ground disturbance would occur within those areas, the NRC staff would follow the process in the draft PA for evaluation and resolution of adverse effects.

The proposed alternative approach balances the NRC's mission to enable the safe and secure use and deployment of civilian nuclear energy technologies and radioactive materials by establishing a timely, predictable, and meaningful consultation process for evaluation of significance/eligibility, effects, and resolution of potential adverse effects.

The NRC staff plans to issue a draft Final PA for review and comment within the next month.

Thank you.  
Diana

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