



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

August 31, 2026

Mark Mitchell, Governor  
Pueblo of Tesuque  
20 TP 828  
Santa Fe, NM 87506

SUBJECT: U.S. NUCLEAR REGULATORY COMMISSION SECTION 106 CONSULTATION, PRELIMINARY DRAFT PROGRAMMATIC AGREEMENT FOR REVIEW, NUFUELS, INC.'S LICENSE RENEWAL APPLICATION FOR THE CROWNPOINT URANIUM PROJECT IN MCKINLEY COUNTY, NEW MEXICO (DOCKET NUMBER: 40-8968)

Dear Governor Mark Mitchell:

The U.S. Nuclear Regulatory Commission (NRC) is considering a license renewal request from NuFuels, Inc. submitted on January 22, 2025, pursuant to Title 10 of the *Code of Federal Regulations* Part 40, "Domestic Licensing of Source Material," for the Crownpoint in situ uranium recovery project (Project) in McKinley County, New Mexico.

As part of the NRC's licensing review, the NRC staff has previously initiated and continues to conduct Section 106 consultation under the National Historic Preservation Act of 1966, as amended (NHPA), and its implementing regulations at Title 36 of the *Code of Federal Regulations* (36 CFR) Part 800, "Protection of Historic Properties." The purpose of this letter is to solicit comments on the enclosed preliminary draft Programmatic Agreement (PA) for the Project.

All public documents referenced herein are available online through NRC's Agencywide Documents Access and Management System (ADAMS), accessible at <https://www.nrc.gov/reading-rm/adams.html>.

The NRC staff previously initiated Section 106 consultation with 22 federally recognized Tribes (ADAMS package [ML26093A024](#)), one consulting party (package [ML26090A385](#)), five federal agencies with potential actions (package [ML26090A265](#)), and the Navajo Nation Tribal Historic Preservation Officer (NN THPO), New Mexico State Historic Preservation Officer (NM SHPO), and Advisory Council on Historic Preservation (ACHP) (package [ML26092A220](#)). Pursuant to 36 CFR 800.2(a)(2), the Bureau of Land Management ([ML26202A119](#)), Bureau of Indian Affairs ([ML26236A009](#)), and U.S. Army Corps of Engineers ([ML26120A117](#)) designated the NRC as the lead federal agency to satisfy the agencies' collective responsibilities for compliance with NHPA Section 106. Other pertinent responses include NM SHPO's deferral to the NN THPO ([ML26149A288](#)) and the ACHP's decision to decline to participate in consultation ([ML26147A023](#)).

To account for the phased development of the Project, its complex regulatory nature, and varied land ownership, the NRC staff previously proposed to execute a PA pursuant to 36 CFR 800.4(b)(2) and 36 CFR 800.14(b) to satisfy NHPA Section 106 obligations. The NRC staff is seeking comments from consulting parties on the preliminary draft PA (see enclosure).

Please provide any comments to Beau Goldstein, Archaeologist, via email at [beau.goldstein@nrc.gov](mailto:beau.goldstein@nrc.gov) or Christine Pineda, Senior Environmental Project Manager, via email at [Christine.pineda@nrc.gov](mailto:Christine.pineda@nrc.gov) within 30 days of the receipt of this letter.

Sincerely,



Signed by Robert Sun on 08/31/26

Robert Sun, Chief  
Environmental Review Materials Branch  
Division of Spent Fuel Storage  
and Transportation  
Office of Nuclear Material Safety  
and Safeguards

Docket No. 40-8968

Enclosure: As stated

cc: Granicus Communications

Larry Samuel, Interim Tribal Historic Preservation Officer  
[lsamuel@pueblooftesuque.org](mailto:lsamuel@pueblooftesuque.org)

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DATED: August 31, 2026

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**ADAMS Accession Numbers:**

**PKG: ML26236A016**

**DOC: ML26236A019 (Multiple Letters)**

**Encl: ML26236A018**

**Concurrence case: 20260824-02025**