

May 23, 2012

Mr. Tex Hall, Chairman
Three Affiliated Tribes
404 Frontage Road
New Town, ND 58763-9404

SUBJECT: PERIODIC STATUS UPDATE ON NATIONAL ENVIRONMENTAL POLICY ACT
AND NATIONAL HISTORIC PRESERVATION ACT SECTION 106
CONSULTATION ACTIVITIES FOR PROPOSED URANIUM RECOVERY
PROJECTS

Dear Chairman Hall:

The U.S. Nuclear Regulatory Commission (NRC) staff is reviewing license applications for proposed uranium *in-situ* recovery (ISR) projects. As part of its detailed technical reviews for each of the projects, the NRC staff is preparing environmental documents in accordance with *Title 10 of the Code of Federal Regulations* Part 51, which implements the requirements of the National Environmental Policy Act of 1969 (NEPA).

As stated in prior correspondence, the NRC staff plans, to the extent possible, to coordinate its NEPA review with its obligations under Section 106 of the *National Historic Preservation Act of 1966* (NHPA). This approach is consistent with 36 CFR Part 800.8 "*Coordination with the National Environmental Policy Act.*" As part of its NEPA review, NRC staff will analyze impacts to historic properties and cultural resources, including properties and resources that may be of religious and cultural significance to federally recognized Indian Tribes. The NRC staff will also make all findings and determinations required under NHPA regulations.

The NRC staff recognizes the special relationship that exists between Tribal governments and the Federal government. To facilitate government-to-government consultation, with this letter the NRC staff is providing updates for proposed actions in which your Tribe may have an interest.

Enclosed is a status summary for each of the uranium ISR applications that are presently being reviewed by the NRC staff. The summary describes: (1) the Proposed Action; (2) the NEPA Review Schedule; and (3) the NHPA Section 106 Review.

The NRC appreciates the opportunity to consult with you on issues within the scope of the NHPA. The following individuals serve as NRC management representatives when meeting with Tribal leaders:

T. Hill

2

Larry W. Camper, Director
Division of Waste Management
and Environmental Protection
Office of Federal and State Materials
and Environmental Management Programs

Andrew Persinko, Deputy Director
Division of Waste Management
and Environmental Protection
Office of Federal and State Materials
and Environmental Management Programs

Kevin Hsueh, Chief
Environmental Review Branch
Division of Waste Management
and Environmental Protection
Office of Federal and State Materials
and Environmental Management Programs

Tribal Historic Preservation Officers (THPOs) and other Tribal staff may provide input to, and obtain additional information from, the project manager associated with each pending ISR application. The names of the project managers and their contact information are listed in the enclosed information. In addition, THPOs and other Tribal staff with questions about this letter or its enclosures may contact Mr. Alan Bjornsen, Tribal Point-of-Contact for Uranium Recovery Projects, at 301-415-1195 or Alan.Bjornsen@nrc.gov.

Sincerely,

/RA/ by Bill Von Till acting for
Larry W. Camper, Director
Division of Waste Management
and Environmental Protection
Office of Federal and State Materials
and Environmental Management Programs

Enclosures:
Proposed Project Update(s)

cc: Elgin Crows Breast, THPO
Jill Dolbert, SHPO
Jay Vogt, SHPO
Mary Hopkins, SHPO
Richard Blubaugh, EH&S
John Schmuck, Cameco Resources
Ben Schiffer, WWC Engineering

Larry W. Camper, Director
 Division of Waste Management
 and Environmental Protection
 Office of Federal and State Materials
 and Environmental Management Programs

Andrew Persinko, Deputy Director
 Division of Waste Management
 and Environmental Protection
 Office of Federal and State Materials
 and Environmental Management Programs

Kevin Hsueh, Chief
 Environmental Review Branch
 Division of Waste Management
 and Environmental Protection
 Office of Federal and State Materials
 and Environmental Management Programs

Tribal Historic Preservation Officers (THPOs) and other Tribal staff may provide input to, and obtain additional information from, the project manager associated with each pending ISR application. The names of the project managers and their contact information are listed in the enclosed information. In addition, THPOs and other Tribal staff with questions about this letter or its enclosures may contact Mr. Alan Bjornsen, Tribal Point-of-Contact for Uranium Recovery Projects, at 301-415-1195 or Alan.Bjornsen@nrc.gov.

Sincerely,

/RA/ by Bill Von Till acting for
 Larry W. Camper, Director
 Division of Waste Management
 and Environmental Protection
 Office of Federal and State Materials
 and Environmental Management Programs

Enclosures:

Proposed Project Update(s)

cc: Elgin Crows Breast, THPO
 Jill Dolbert, SHPO
 Jay Vogt, SHPO
 Mary Hopkins, SHPO
 Richard Blubaugh, EH&S
 John Schmuck, Cameco Resources
 Ben Schiffer, WWC Engineering

ML120930095

OFC	DWMEP	DWMEP	DWMEP	DWMEP	DWMEP	DWMEP
NAME	ABjornsen	JTrefethen	AWalker-Smith	JDavis	JMoore	HYilma
DATE	04/02/12	04/02/12	04/02/12	04/03/12	04/03/12	04/04/12
OFC	DWMEP	OGC	DWMEP	DWMEP	DWMEP	
NAME	NGoodman	MClark for CScott	KHsueh	G Suber for APersinko	Bill Von Till forLCamper	
DATE	04/04/12	05/15/12	04/16/12	05/ 21 /12	05/ 23 /12	

OFFICIAL RECORD COPY