

July 6, 2012

President Etta Kuzakin
Agdaagux Tribe of King Cove
P.O. Box 249
King Cove, AK 99612

Dear President Kuzakin,

I am writing to inform you of a recent final rule published by the Nuclear Regulatory Commission (NRC) that may interest you and to ask if you would like to receive advance notifications of spent fuel shipments that cross your reservation.

On June 11, 2012 (77 FR 34194), the NRC published a final rule that amends its regulations (Title 10 *Code of Federal Regulations* (CFR) Parts 71 and 73) to: (1) require licensees to provide participating Federally-recognized Tribes advance notification of commercial irradiated reactor fuel shipments and nuclear waste shipments meeting the criteria of 10 CFR 71.97(b) that may be transported within or across Tribal reservations; and (2) to relieve Tribal officials, Tribal officials' designees, and Tribal law enforcement personnel from the criminal history checks, fingerprinting, and other elements of background checks required to allow access to Safeguards Information (SGI). A copy of the rule is enclosed for your information. The rule is effective on August 10, 2012. Compliance with the notification provisions of the rule is not required until June 11, 2013.

The rule allows Tribes to choose to receive a notification whenever a commercial irradiated fuel shipment passes within or across the Tribe's reservation. The notifications contain sensitive information that is considered to be SGI that must be protected and can only be shared with authorized individuals. In order to receive SGI notifications, the Tribe must agree to protect the information in accordance with the regulations (10 CFR 73.21 through 73.22). Enclosure 2 contains basic information on the handling and protection requirements for SGI contained in the notifications.

Over the next 6 to 9 months, the NRC will be developing the list of Tribes that would like to receive the advance notifications, providing training on the protection of SGI to those Tribes that decide to receive the notifications, and developing a Web site that will contain a map with the reservation location of participating Tribes and contact information of the Tribal official designated to receive the information. The Web site will also contain information on how a Tribe can notify the NRC that it wants to receive the advance notifications or discontinue receiving the notifications.

If your Tribe is interested in receiving the advance notifications, please contact Mr. Stuart Easson at (301) 415-5134 or by e-mail at Tribal_Outreach.Resource@nrc.gov. You may also contact us by regular mail. Those Tribes that express interest will be given additional information and training on SGI protection.

The NRC is committed to engaging in meaningful government-to-government interaction with Tribes and to informing Native American communities of the nature of NRC's regulatory

activities. If you wish to obtain additional information about the NRC's Tribal-related activities or about this final rule, please contact Mr. Stuart Easson of the Intergovernmental Liaison Branch, at (301) 415-5134 or by e-mail at Tribal_Outreach.Resource@nrc.gov.

Sincerely,

A handwritten signature in blue ink that reads "Josephine M. Piccone". The signature is fluid and cursive, with the first name "Josephine" being more prominent than the last name "Piccone".

Josephine M. Piccone, Director
Division of Intergovernmental Liaison and
Rulemaking
Office of Federal and State Materials and
Environmental Management Programs

Enclosures:

1. Final Rule
2. Protection of SGI Requirements

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Josephine M. Piccone, Director
Division of Intergovernmental Liaison and
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Identical letter sent to all 565 Federally recognized Tribes

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