

December 23, 2013

Mr. Darrell Smith
Spirit Lake Tribe
Tribal Historic Preservation Office
P.O. Box 359
Fort Totten, ND 58335

SUBJECT: TRANSMITTAL OF SUMMARY REPORT REGARDING HISTORIC AND
CULTURAL PROPERTIES FOR THE PROPOSED POWERTECH (USA), INC.
DEWEY-BURDOCK IN-SITU URANIUM RECOVERY PROJECT

Dear Mr. Smith:

With this letter, the U.S. Nuclear Regulatory Commission (NRC) is providing you with the "Summary Report Regarding the Tribal Cultural Surveys Completed for the Dewey-Burdock Uranium In-Situ Recovery Project" (Enclosure 1) for your review and comment.

Representatives of Native American Tribes with historical- and traditional-use ties to the Dewey-Burdock In-Situ Uranium Recovery (ISR) Project area conducted a field reconnaissance survey for properties of religious and cultural significance to Tribes (otherwise referred to as Traditional Cultural Properties (TCPs)) in 2013. The purpose of this field survey was for the Tribes to: (a) identify TCP resources within the 10,580-acre Dewey-Burdock Project area; (b) evaluate the TCPs for National Register of Historic Places (NRHP) eligibility; and (c) make recommendations for mitigation of the adverse effects of TCPs considered NRHP-eligible by the respective Tribes.

By letter dated February 8, 2013, the NRC offered each consulting Tribe the opportunity to participate in a field survey for the proposed Dewey-Burdock ISR facility. The field survey was conducted in two phases between April 2, 2013 and May 23, 2013, during which representatives from the Crow, Northern Cheyenne, Crow Creek Sioux, Northern Arapaho, Turtle Mountain Band of Chippewa Indians, Cheyenne and Arapaho Tribes of Oklahoma, and Santee Sioux Tribes participated.

The enclosed report (Enclosure 1) summarizes the combined findings of the respective Tribes and provides recommendations for NRHP eligibility and resource management of the TCP sites identified in the Dewey-Burdock Project area. Based on the Tribal recommendations, Enclosure 1 also includes the NRC's determinations of eligibility and assessments of effects on the TCP sites in accordance with 36 CFR 800.5. The NRC's overall determinations of eligibility and assessments of effects including TCP sites listed in Enclosure 1 and archeological sites previously made available for review and comment are documented in Enclosure 2 for your information.

D. Smith

In accordance with 10 CFR 2.390 of the NRC's "Agency Rules of Practice and Procedures," a copy of this letter will be available electronically for public inspection in the NRC Public Document Room or from the Publicly Available Records component of NRC's Agencywide Documents Access and Management System (ADAMS). ADAMS is accessible from the NRC website at <http://www.nrc.gov/reading-rm/adams.html>.

If you have any comments on the enclosed summary report including NRC's determinations on the TCP sites (Enclosure 1) or further information related to NRC's overall determinations (Enclosure 2), please contact Ms. Haimanot Yilma of my staff within 30 days of receipt of this letter. Ms. Yilma can be reached via email at Haimanot.Yilma@nrc.gov or by phone at (301) 415-8029.

Sincerely,

/RA/
JCaverly for KHsueh

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

Docket No.: 40-9075

Enclosures:

1. Summary Report Regarding the Tribal Cultural Surveys Completed for the Dewey-Burdock Uranium In-Situ Recovery Project
2. NRC's Overall Determinations of Eligibility and Assessments of Effects

cc: Chairperson Roger Yankton Sr.

D. Smith

In accordance with 10 CFR 2.390 of the NRC's "Agency Rules of Practice and Procedures," a copy of this letter will be available electronically for public inspection in the NRC Public Document Room or from the Publicly Available Records component of NRC's Agencywide Documents Access and Management System (ADAMS). ADAMS is accessible from the NRC website at <http://www.nrc.gov/reading-rm/adams.html>.

If you have any comments on the enclosed summary report including NRC's determinations on the TCP sites (Enclosure 1) or further information related to NRC's overall determinations (Enclosure 2), please contact Ms. Haimanot Yilma of my staff within 30 days of receipt of this letter. Ms. Yilma can be reached via email at Haimanot.Yilma@nrc.gov or by phone at (301) 415-8029.

Sincerely,

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

Docket No.: 40-9075

Enclosures:

1. Summary Report Regarding the Tribal Cultural Surveys Completed for the Dewey-Burdock Uranium In-Situ Recovery Project
2. NRC's Overall Determinations of Eligibility and Assessments of Effects

cc: Chairperson Roger Yankton Sr.

DISTRIBUTION: RBurrows/DWMEP

ML13357A311

OFFICE	DWMEP	DWMEP	OGC	DWMEP
NAME	HYilma	AWalkerSmith	PJehle	JCaverly for KHsueh
DATE	10/04/13	10/09/13	10/28/13	12/23/13

OFFICIAL RECORD COPY