


United States Nuclear Regulatory Commission Official Hearing Exhibit	
In the Matter of:	POWERTECH USA, INC. (Dewey-Burdock In Situ Uranium Recovery Facility)
	ASLBP #: 10-898-02-MLA-BD01 Docket #: 04009075 Exhibit #: APP-052-00-BD01 Admitted: 8/19/2014 Rejected: Other:
	Identified: 8/19/2014 Withdrawn: Stricken:

APP-052



In Reply Refer To:
8100
BAS

United States Department of the Interior

BUREAU OF LAND MANAGEMENT
South Dakota Field Office
310 Roundup Street
Belle Fourche, South Dakota 57717-1698
www.blm.gov/mt



Date: January 10, 2014

Mr. Jay D. Vogt
South Dakota State Historic Preservation Office
South Dakota State Historical Society
900 Governors Drive
Pierre, South Dakota 57501-2217

RE: Cultural Resource review of Bureau of Land Management (BLM) administered surface lands in the proposed Dewey-Burdock Uranium Recovery Project, Fall River and Custer Counties, South Dakota.

Dear Mr. Vogt:

The Bureau of Land Management (BLM), South Dakota Field Office would like to present National Register of Historic Places (NRHP) status determination for 9 cultural resource sites located inside the proposed Dewey-Burdock In-Situ Uranium Mine boundary, Fall River and Custer Counties, South Dakota. The BLM is in cooperation with the lead federal agency, the Nuclear Regulatory Commission (NRC); however, we need to make determinations for the cultural resource sites on BLM administered lands.

We have reviewed the appropriate volumes of the National Historic Preservation Act, Section 106 cultural compliance reports presented by Archeology Laboratory, Augustana College for the proposed Dewey-Burdock project area. The reports reviewed document Level III cultural resource survey and evaluative testing of archaeological sites inside the project are of potential effect that included 240 acres of land administered by the BLM.

The Augustana College reports reviewed include:

Kruse, Jason M., Timothy V. Gillen, John R. Bozell, Linda Palmer, and Austin A. Buhta,
L. Adrien Hannus
2008

A Level III Cultural Resources Evaluation of Powertech (USA) Incorporated's Proposed Dewey-Burdock Uranium Project Locality within the Southern Black Hills, Custer and Fall River Counties, South Dakota. Cultural Resources Reports Volumes I, II, III, IV, and V: (6.205-6.209).

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Palmer, Linda
2008

A Level III Cultural Resources Evaluation of Powertech (USA) Incorporated's Proposed Dewey-Burdock Uranium Project Locality within the Southern Black Hills, Custer and Fall River Counties, South Dakota. Addendum 1, Volume 1: Evaluative Testing Report

Palmer, Linda and Jason Kruse
2008

A Level III Cultural Resources Evaluation of Powertech (USA) Incorporated's Proposed Dewey-Burdock Uranium Project Locality with the Southern Black Hills, Custer and Fall River Counties, South Dakota, Addendum 2, Volume 1 and 2.

Palmer, Linda
2009

Evaluative Testing of Four Sites within Powertech (USA) Incorporated's Proposed Dewey-Burdock Uranium Project Locality with the Southern Black Hills, Custer and Fall River Counties, South Dakota, Volume 1 and 2.

Palmer, Linda and Jason Kruse
2012

Evaluative Testing of 20 Sites in the Powertech (USA) Inc. Dewey-Burdock Uranium Project Impact Areas: Volumes 1 and 2. For the Dewey-Burdock Uranium Recovery Project, Fall River and Custer Counties, South Dakota.

The following nine cultural resource sites are known to be located on land administered by the BLM inside the Dewey-Burdock Uranium Recovery Project Boundary in Fall River and Custer Counties, South Dakota. Sites 39FA96, 39FA0269, 39FA0578, and 39FA1896, are partially located on BLM land and partially on private land. Sites 39FA1893, 39FA1894, 39FA1897, 39FA1922, and 39FA1923 are documented entirely on BLM Land.

Sites 39FA578, 39FA1893, and 39FA1894 are prehistoric isolated find sites and site 39FA1897 is a late prehistoric artifact scatter that were evaluated and determined to be not eligible for nomination to the NRHP under criteria D due to severe erosion. The BLM agrees with these determinations and no further work or protection is recommended for these locations.

39FA96 is a multi-component prehistoric occupation and artifact scatter with a historic nonfarm ruins; dump; and possible burial. Evaluative testing of the prehistoric component of site 39FA0096 demonstrated the prehistoric component is a deflated surface scatter of artifacts and hearths that lack integrity based on the deflated or eroded state and therefore is recommended not eligible for listing on the NRHP, under Criterion D (Palmer and Kruse, 2012).

The evaluative testing also determined the possible burial was a recent fire hearth with chicken bones. The BLM agreed with this finding and determination of Not Eligible in a letter dated July 20, 2012 to Powertech. NRC received preliminary information from tribal members indicating areas within site 39FA96 contain important cultural and religious significance. Tribal consultation regarding the nature of the features and cultural deposits located at site 39FA96 and the cultural importance is on-going. The BLM recommends site 39FA96 remains unevaluated for the NRHP until further information can be obtained to support criteria A.

39FA0269 is an unevaluated multicomponent prehistoric artifact scatter site located on BLM and private land. Portions of the site located on the BLM administered land must be avoided by all project related activities and all potential future projects with a standard 200 feet buffer surrounding the site boundary.

39FA1896 is a multicomponent prehistoric and historic artifact scatter site with potential for consideration to the NRHP. It is located on BLM and private land. Portions of the site located on the BLM administered land must be avoided by all project related activities and all potential future projects with a standard 200 feet buffer surrounding the site boundary.

Sites 39FA1922 and 39FA1923 are prehistoric rock alignment and artifact scatter sites located on BLM administered land. Both sites are located inside the project area but are not in an area of potential effect (APE). The BLM will require the site boundaries be avoided by all project related activities and all potential future projects with a standard 200 foot buffer surrounding the site boundary.

Sites 39FA578, 39FA1893, 39FA1894, 39FA1897 are prehistoric isolated find and artifact scatter sites the BLM recommends as not eligible for nomination to the NRHP and no further work or protection is recommended for these locations.

Sites 39FA96, 39FA0269, 39FA1896, 39FA1922 and 39FA1923 are unevaluated for the NRHP. The BLM requires a 200 feet avoidance buffer around the site boundaries as a protection measure to ensure all the unevaluated sites are avoided by proposed project activities and all potential future planned projects.

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We request your review and concurrence on our findings for the BLM administered land. If you have any questions please contact our Archeologist, Brenda Shierts at (605) 723-8712 or Brenda_Shierts@blm.gov.

Sincerely,



Marian M. Atkins
Field Office Manager

cc: Haimanot Yilma, NRC, Project Manager Environmental Review Branch
Gary Smith, BLM MSO Historic Preservation Officer
Mark Sant, BLM MSO Tribal Coordinator
Mr. Greg R. Fesko, P.G., BLM MSO Solid Minerals