


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 #: NRC-021-00-BD01
	Admitted: 8/19/2014
	Rejected:
Other:	Identified: 8/19/2014 Withdrawn: Stricken:

NRC-021
Submitted: June 20, 2014

March 19, 2010

Joseph Brings Plenty, Chairman
Cheyenne River Sioux Tribe
P.O. Box 590
Eagle Butte, SD 57625-0590

SUBJECT: INVITATION FOR FORMAL CONSULTATION UNDER NATIONAL HISTORIC PRESERVATION ACT SECTION 106 AS WELL AS REQUEST FOR INFORMATION REGARDING TRIBAL HISTORIC AND CULTURAL RESOURCES POTENTIALLY AFFECTED BY THE POWERTECH INC. PROPOSED DEWEY-BURDOCK IN-SITU RECOVERY FACILITY NEAR EDMONT SOUTH DAKOTA

Dear Chairman Plenty:

The U.S. Nuclear Regulatory Commission (NRC) has received an application from Powertech Inc. (Powertech) for a new radioactive source materials license to develop and operate the Dewey-Burdock Project located near Edgemont, South Dakota in Fall River and Custer Counties. The facility, if licensed, would use an *in-situ* recovery methodology to extract uranium at the Dewey-Burdock site. The proposed project area consists of approximately 10,580 acres (4,282 ha) located on both sides of Dewey Road (County Road 6463) and portions of Sections 1-5, 10-12, 14, and 15, Township 7 South, Range 1 East and Sections 20, 21, 27, 28, 29, and 30-35, Township 6 South, Range 1 East, Black Hill Meridian. A map showing the proposed project boundary is enclosed (Powertech Figure 1.4-1).

The South Dakota State Historic Preservation Officer identified the Cheyenne River Sioux Tribe as potentially attaching religious and cultural significance to historic properties in the project area. By this letter, the NRC invites the Cheyenne River Sioux Tribe to participate as a consulting party in the National Historic Preservation Act Section 106 process. If the Tribe would like to participate as a consulting party, please respond by writing to Mr. Kevin Hsueh.

As established in Title 10 Code of Federal Regulations Part 51 (10 CFR 51), the NRC regulation that implements the National Environmental Policy Act of 1969, as amended, the NRC is preparing a Supplemental Environmental Impact Statement (SEIS) for the proposed action. As part of the environmental review, the SEIS will include an analysis of potential impacts to historic and cultural properties and is therefore requesting input from the Cheyenne River Sioux Tribe to facilitate the identification of tribal historic sites or cultural resources that may be affected by the proposed action. Specifically, the NRC is interested in learning of any areas on the Dewey-Burdock site that you believe have traditional religious or cultural significance. After a careful review and assessment of all the comments received, the NRC will determine what additional actions are necessary to comply with 10 CFR 51 and 36 CFR 800, the implementing regulation for Section 106 of the National Historic Preservation Act.

The Powertech Dewey-Burdock Project license application is publicly available in the NRC Public Document Room located at One White Flint North, 11555 Rockville Pike, Rockville, Maryland 20852, or from the NRC's Agency Wide Documents Access and Management System (ADAMS). The ADAMS Public Electronic Reading Room is accessible at <http://www.nrc.gov/reading-rm/adams.html>. The accession numbers for the Powertech application including the Environmental report is ML092870160.

Please submit your request to be a consulting party as well as any information that you may have regarding this environmental review within 30 days of the receipt of this letter to NRC, Attention: Mr. Kevin Hsueh, Mail Stop T8F05, Washington, DC 20555. If you have any questions or comments, or need any additional information, please contact Ms. Haimanot Yilma of my staff by telephone at 301-415-8029, or email at Haimanot.Yilma@nrc.gov.

Sincerely,

/RA/

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

Enclosure:
Figure 1.4-1

cc w/enclosure:
D. Dupris

The Powertech Dewey-Burdock Project license application is publicly available in the NRC Public Document Room located at One White Flint North, 11555 Rockville Pike, Rockville, Maryland 20852, or from the NRC's Agency Wide Documents Access and Management System (ADAMS). The ADAMS Public Electronic Reading Room is accessible at <http://www.nrc.gov/reading-rm/adams.html>. The accession numbers for the Powertech application including the Environmental report is ML092870160.

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Sincerely,

Kevin Hsueh, Branch 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

Enclosure:
Figure 1.4-1

cc w/enclosure:
D. Dupris

DISTRIBUTION:

DWMEP r/f JHull/OGC
AKock/FSME BVonTill/URLB
BShroff/FSME RBurrows/URLB
BKlukan/OGC SCohen/URLB

IDENTICAL LETTER SENT TO ATTACHED LIST

Marian Atkins
Field Office Manager
South Dakota Field Office
310 Roundup Street
Belle Fourche, SD 57717-1698

ML100331999

OFC	DWMEP	DWMEP	DWMEP	OGC	DWMEP
NAME	HYilma	TMoon	WFord	BKlukan via email	KHseuh
DATE	02/3/10	02/4/10	02/ 12/10	03/12/10	03/19/10

OFFICIAL RECORD COPY

IDENTICAL LETTERS SENT TO:

1. Chairman: Lester Thompson Jr.
Crow Creek Sioux Tribe
PO Box 50
Ft. Thompson, SD 57339-0050

2. Chairman: Josh Weston
Flandreau-Santee Sioux Tribe
PO Box 283
Flandreau, SD 57028-0283

3. Chairman: Michael Jandreau
Lower Brule Sioux Tribe
PO Box 187
Lower Brule, SD 57548-0187

Cultural Resources: Clair Green
Lower Brule Sioux Tribe
PO Box 187
Lower Brule, SD 57548-0187

4. President: Theresa Two Bulls
Oglala Sioux Tribe
PO Box 2070
Pine Ridge, SD 57770-2070

cc with enclosure:

Cultural Resources: Michael Catches Enemy
Oglala Sioux Tribe
US Hwy 18
Behind Tribal Building
PO Box 320
Pine Ridge, SD 57770

5. Chairman: Rodney Bordeaux
Rosebud Sioux Tribe
PO Box 430
Rosebud, SD 57570-0430

cc with enclosure:

THPO: Russell Eagle Bear
Rosebud Sioux Tribe
Tribal Historic Preservation Office
PO Box 658
Rosebud, SD 57570-0658

6. Chairman: Mike Selvage
Sisseton-Wahpeton Oyate
PO Box 509
Agency Village, SD 57262-0509

cc with enclosure:

THPO: Dianne Desrosiers
Sisseton-Wahpeton Oyate
PO Box 907
Sisseton, SD 57262

7. Chairman: Ron His Horse Is Thunder
Standing Rock Sioux Tribe
PO Box D
Ft. Yates, ND 58538-0522

cc with enclosure:

THPO: Waste' Win Young
Standing Rock Sioux Tribe
Tribal Historic Preservation Office
PO Box D
Fort Yates, ND 58538

8. Chairman: Robert Cournoyer
Yankton Sioux Tribe
PO Box 248
Marty, SD 57361-0248

9. Chairman: Marcus Levings
Mandan, Hidatsa & Arikara Nation
Three Affiliated Tribes
404 Frontage Road
New Town, ND 58763

cc with enclosure:

THPO: Perry Brady
Mandan, Hidatsa & Arikara Nation
Three Affiliated Tribes
404 Frontage Road
New Town, ND 58763

10. Chairperson: Twila Martin-Kekabah,
Turtle Mountain Band of Chippewa
P.O. Box 900
Belcourt, ND 58316

cc with enclosure:

THPO: Brady Grant
Turtle Mountain Band of Chippewa
PO Box 900
Belcourt, ND 58316

11. Chairperson: Myra Pearson
Spirit Lake Tribe
PO Box 359
Fort Totten, ND 58335

12. President: Jean Stacy
Lower Sioux Indian Community
PO Box 308
39527 Res Hwy 1
Morton MN 56270

cc with enclosure:

THPO: Pam Halverson
Lower Sioux Indian Community
PO Box 308
39527 Res Hwy 1
Morton MN 56270

13. Chairman: A T Rusty Stafne
Fort Peck Tribes
PO Box 1027
Poplar, MT 59255

cc with enclosure:

THPO: Curley Youpee
Fort Peck Tribes
PO Box 836
Poplar MT 59255

14. Tribal President: Leroy Spaug
Northern Cheyenne Tribe
PO Box 128
Lame Deer, MT 59043

cc with enclosure:

THPO: Conrad Fisher
Northern Cheyenne Tribe
PO Box 128
Lame Deer, MT 59043

15. Chairman: Richard Brannan
Northern Arapaho Tribe
PO Box 217
Fort Washakie, WY 82514

cc with enclosure:

THPO: Jo Ann White
PO Box 1182
Fort Washakie, WY 82514

16. Chairman: Ivan Posey
Eastern Shoshone Tribe
PO Box 538
Fort Washakie, WY 82514

cc with enclosure:

THPO: Arlen Shoyo
PO Box 538
Fort Washakie, WY 82514



POWERTECH (USA) INC.

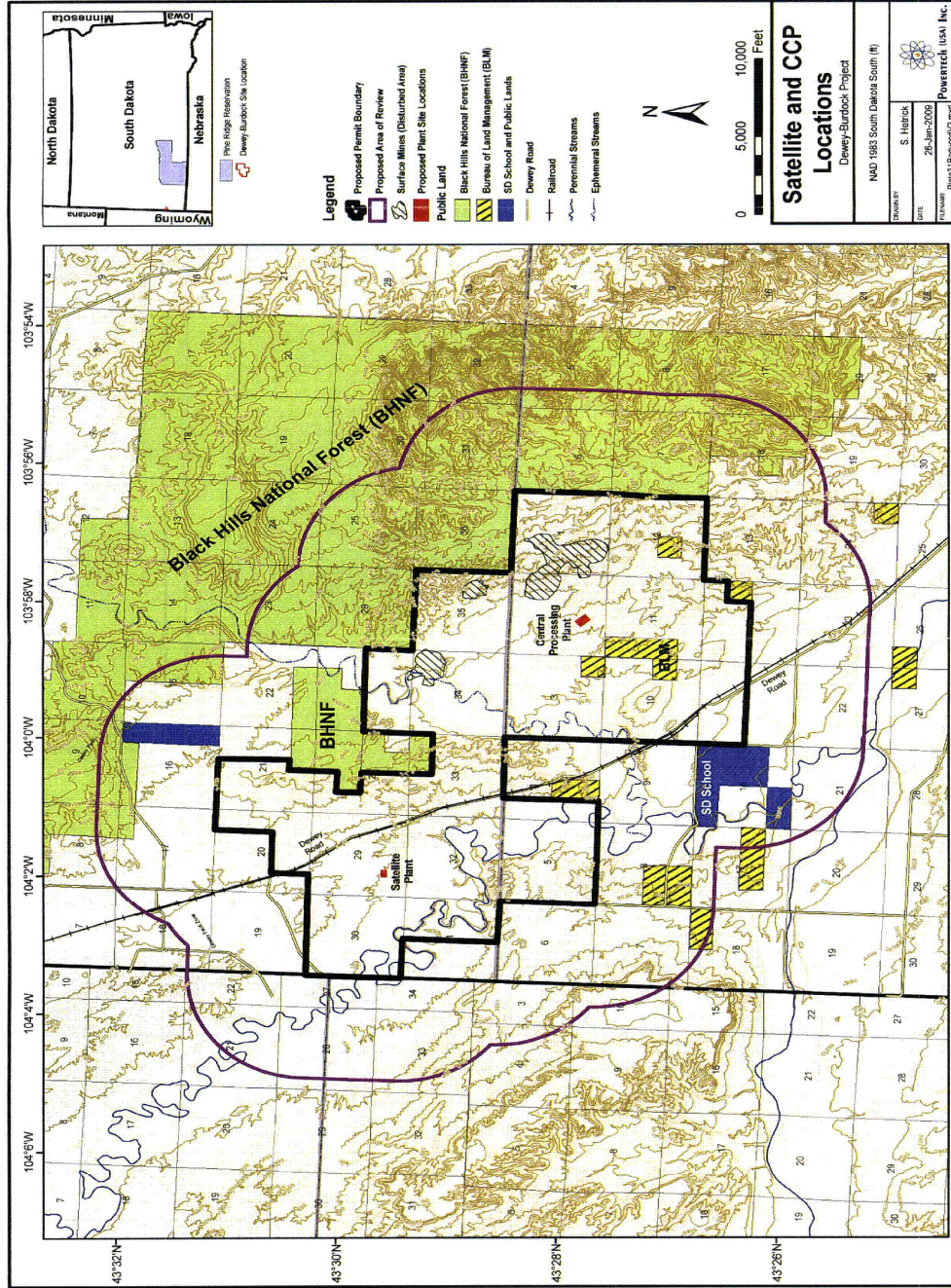


Figure 1.4-1: Satellite and CPP Locations

1-28

DV102.00279.01
Dewey-Burdock Environmental Report

February 2009