

July 27, 2015

Mr. Robert Flying Hawk, Chairman
Yankton Sioux Tribe
100 Main Avenue, S.W.
P.O. Box 1153
Wagner, SD 57380

SUBJECT: NOTIFICATION AND INVITATION FOR FORMAL SECTION 106
CONSULTATION PURSUANT TO THE NATIONAL HISTORIC
PRESERVATION ACT REGARDING STRATA ENERGY INC.'S PROPOSED
KENDRICK EXPANSION AREA OF THE ROSS IN SITU URANIUM
RECOVERY SITE LOCATED IN CROOK COUNTY, WYOMING
(DOCKET NO.: 40-9091)

Dear Chairman Flying Hawk:

The U.S. Nuclear Regulatory Commission (NRC) received a license amendment application from Strata Energy Inc. (Strata), dated March 20, 2015, for License SUA-1601 requesting authorization to expand its Ross in situ leach uranium recovery (ISR) project to include the Kendrick Expansion Area. The license amendment, if granted, would allow Strata to construct and operate additional ISR wellfields at the Kendrick expansion area, which covers 7,873 acres adjacent to the Ross site. A map showing the proposed project location in Crook County, Wyoming is enclosed (Enclosure 1).

Upon completion of the NRC's acceptance review of the license amendment application, and if the license application is accepted, then a detailed technical review would take place, consisting of both an environmental and safety review. The environmental review will be conducted in accordance with the regulatory provisions in Title 10 of the *Code of Federal Regulations* Part 51 (10 CFR Part 51), which implement the requirements of the National Environmental Policy Act of 1969, as amended (NEPA). The NRC's environmental review assesses the potential environmental impacts of major Federal actions that may significantly affect the human environment.

In accordance with 36 CFR Part 800.8 (Coordination with the National Environmental Policy Act), the NRC staff is using the NEPA process to comply with its obligations under Section 106 of the National Historic Preservation Act of 1966, as amended (NHPA). The environmental review will also include analyses of potential impacts to historic and cultural resources.

Your Tribe is currently a consulting party to the Programmatic Agreement to resolve NHPA Section 106 issues related to the Ross project site. Through this letter, the NRC staff invites you to participate as a consulting party under Section 106 of the NHPA and assist in the identification and evaluation of historic properties that may be affected by this proposed action and development of proposals to address adverse effects that may be identified during the evaluation process.

Please indicate whether or not you wish to participate as a consulting party by completing the enclosed form (Enclosure 2). The NRC requests that the form be returned within 30 days of receipt of this letter. You may also contact us if you want to discuss concerns about the confidentiality of information that may be provided to the NRC. Please note that according to NRC policy, correspondence provided to the NRC, including emails, may be made publicly available. Therefore, the NRC recommends that the Tribe avoid including any information in its submission that Tribal officials do not want to be publically disclosed (e.g., personal email address).

For additional information, documents related to the Kendrick amendment application are available on the project's webpage at <http://www.nrc.gov/materials/uranium-recovery/license-apps/kendrick.html>. Documents are also publicly available from the NRC's Agency Wide Documents Access and Management System (ADAMS), which can be accessed online at <http://www.nrc.gov/reading-rm/adams.html>. If you would like a copy of the application or any other publically available documents, please contact the NRC staff identified below.

The NRC appreciates the opportunity to consult with you on issues regarding this license amendment application. For the purposes of meeting with Tribal leaders, the Division of Fuel Cycle Safety, Safeguards, and Environmental Review's Division Director, Deputy Division Director, or Environmental Review Branch Chief will represent the NRC.

If you have any questions or need any additional information regarding the license amendment application or environmental review process, please contact Mrs. Jessie Muir Quintero by telephone at 301-415-7476, or via email at Jessie.Muir-Quintero@NRC.gov.

Sincerely,

/RA/

Marissa G. Bailey, Director
Division of Fuel Cycle Safety, Safeguards,
and Environmental Review
Office of Nuclear Material Safety
and Safeguards

Docket No.: 40-9091
License No.: SUA-1601

Enclosures:

1. Map of Proposed Kendrick
Expansion Area
2. Consultation Questionnaire

cc: Terri Little, THPO

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/RA/

Marissa G. Bailey, Director
Division of Fuel Cycle Safety, Safeguards,
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Docket No.: 40-9091
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cc: Terri Little, THPO

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NAME	JMuir-Quintero	AWalker-Smith	LChang	E. Monteith	MBailey
DATE	06/ /2015	06/17/2015	06/18/2015	06/30/2015	07/27/2015

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