

**From:** David Frankel  
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**Cc:** [Cylkowski, David](#); [Allen, Sabrina](#)  
**Subject:** [External\_Sender] RE: NRC Proceeding "Powertech USA 40-9075-MLA"  
**Date:** Friday, January 19, 2018 8:13:34 PM

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To: NRC Staff

Cc: Powertech Counsel  
OST Counsel

From: Consolidated Intervenor

Dear Sir/Madam:

Thank you for your letter dated December 6, 2017 regarding NRC Staff's plan for fulfilling its National Environmental Policy Act (NEPA) obligations with respect to a cultural resources survey for the proposed Dewey-Burdock in situ leach uranium mine. In general, Consolidated Intervenor is pleased with the NRC Staff's proposal.

The NRC Staff's proposal rightly identifies a physical survey of the site with the participation of the affected Tribal governments and tribal members as a necessary element for proper identification of traditional cultural properties and resources. Further, the proposal appropriately acknowledges that the only practical way for NRC to design, conduct, and document the physical survey in compliance with NEPA is with the active participation and coordination of a professional contractor with adequate expertise and experience.

The NRC Staff's commitment as set forth in its proposal to engage both the Tribal elders and the Tribal councils of multiple Tribes is also appropriate and welcome.

Lastly, the proposed time line presented by NRC Staff appears achievable but some flexibility should be preserved to account for finalization of the methodology and any unforeseen circumstances.

Sincerely,

David C. Frankel  
Counsel for Consolidated Intervenor



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