



**UNITED STATES
NUCLEAR REGULATORY COMMISSION**
WASHINGTON, D.C. 20555-0001

March 16, 2018

Consolidated Intervenor
P.O. Box 2508
Rapid City, SD 57709

**SUBJECT: U.S. NUCLEAR REGULATORY COMMISSION'S APPROACH TO IDENTIFY
HISTORIC, CULTURAL, AND RELIGIOUS SITES AT THE DEWEY-BURDOCK
IN SITU URANIUM RECOVERY PROJECT IN FALL RIVER AND CUSTER
COUNTIES, SOUTH DAKOTA (DOCKET NUMBER: 40-9075)**

Dear Messrs. Frankel, Ballanco, and Ellison:

The U.S. Nuclear Regulatory Commission (NRC) staff appreciates the Consolidated Intervenor's response dated January 19, 2018 (Agencywide Documents Access and Management System [ADAMS] Accession Number ML18024A812), in response to the NRC staff's December 6, 2017, proposal (ADAMS Accession Number ML17340B365) to identify sites of historic, cultural, and religious significance to the Lakota Sioux Tribes and gather information to supplement the final supplemental environmental impact statement (FSEIS) for the Dewey-Burdock in situ (ISR) uranium recovery project in Fall River & Custer Counties, South Dakota.

Based on the Oglala Sioux Tribe's statements that the NRC's December 2017 proposal would provide a reasonable likelihood of satisfying the National Environmental Policy Act (NEPA) and resolving Contention 1A, the NRC staff's selected approach incorporates the essential components of the December 2017 proposal. The selected approach includes: (i) onboarding a contractor to facilitate implementation of the approach; (ii) involving the Lakota Sioux Tribes; (iii) holding meetings with Tribal Leaders of the Lakota Sioux Tribes, to the extent possible; (iv) conducting oral history interviews with Tribal Elders of the Lakota Sioux Tribes; (v) providing an opportunity for a field survey of the Dewey-Burdock ISR project site; and (vi) supplementing the analysis in the FSEIS to account for information obtained concerning sites of historic, cultural, and religious significance to the Lakota Sioux Tribes.

The details of the NRC's selected approach are presented in the enclosed letters to the Oglala Sioux Tribe and Powertech (ADAMS Accession Numbers ML18074A393 and ML18074A403, respectively). If you have any additional information you would like to share regarding this approach, the NRC staff requests that you provide it no later than March 30, 2018.

In accordance with 10 CFR 2.390, 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 ADAMS. ADAMS is accessible from the NRC Web site at <http://www.nrc.gov/reading-rm/adams.html>.

If you have any questions or comments, please contact Ms. Kellee Jamerson of my staff. Ms. Jamerson can be reached at (301) 415-7408 or via e-mail at Kellee.Jamerson@nrc.gov.

Sincerely,

/RA/

Cintha I. Román, Chief
Environmental Review Branch
Division of Fuel Cycle Safety, Safeguards,
and Environmental Review
Office of Nuclear Material Safety
and Safeguards

Docket No. 40-9075
License No. SUA-1600

Enclosures:

1. NRC Letter to Oglala Sioux Tribe
Regarding NRC's Approach to Identify
Sites of Historic, Cultural, and Religious Sites
at the Dewey-Burdock ISR Project
2. NRC Letter to Powertech (USA) Inc.
Regarding NRC's Approach to Identify
Sites of Historic, Cultural, and Religious Sites
at the Dewey-Burdock ISR Project

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***via email**

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