

# The SHOSHONE-BANNOCK TRIBES

FORT HALL INDIAN RESERVATION  
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FORT HALL BUSINESS COUNCIL  
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January 22, 2020

David Alley, Branch Chief  
Division of Materials Safety, Security, State, and Tribal Programs  
Office of Nuclear Material Safety and Safeguards,  
Mail Stop T-5B-60  
Nuclear Regulatory Commission  
Washington, DC 20555-0001

**RE: RESPONSE TO NRC'S LETTER DATED DECEMBER 4, 2019, AND  
PREPARATION FOR FUTURE GOVERNMENT-TO-GOVERNMENT  
CONSULTATION**

On behalf of the Fort Hall Business Council of the Shoshone-Bannock Tribes ("Tribes"), we invite the Nuclear Regulatory Commission (NRC) to a government-to-government consultation meeting here in Fort Hall Idaho. To date, the Tribes have had limited interactions with the NRC, mainly staff-to-staff meetings on the Wyoming State Agreement comment letter and the Carbon Free Power Project at the INL (Small Modular Reactors). But given the increase in NRC-related matters that affect the Tribes and the continued development of our Tribal Department of Energy and Tribal Office of Emergency Management, we seek to build a government-to-government relationship by addressing a number of key issues that go beyond consultation for the Wyoming Agreement, which was the main subject of the NRC's December 4, 2019, letter. These issues include the following:

**Technical Assistance to Improve Notifications.** The Tribal Office of Emergency Management (TOEM) staff engages at a staff-to staff level with NRC on the Advanced Notification Program on behalf of the Tribes. The Tribes are highly interested in the shipments, both locally through the Fort Hall Reservation and in the national concerns of shipment and storage. It is absolutely necessary to have open and honest lines of communication between the TOEM and regulatory agencies. Issues of concern include tribal preparedness and response times, and appropriate advanced notifications to TOEM, which may be addressed with technical assistance from the NRC.

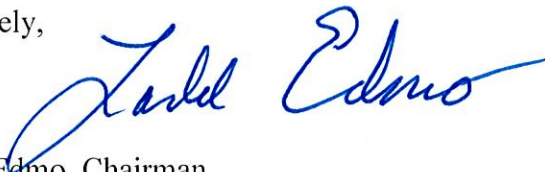
**UAMPS/NuScale Small Modular Reactor in Idaho.** Within a year, this SMR project will move beyond the Design Certification Application phase, which is now before the NRC, and into the Combined License Application phase. We are eager to hear from the NRC on timely consultation before NEPA involvement is required for agency consultation with the Tribes. We

are particularly interested in when and where are our opportunities for Tribal involvement in the NRC's regulatory COLA process.

**Potential for a Memorandum of Agreement (MOA).** During the Tribal staff's conference call with the NRC on December 2, 2019, there was discussion as to how the Tribes and the NRC might advance or formalize a government-to-government relationship, and the topic of a Memorandum of Agreement (MOA) was mentioned. Our Tribes' involvement with the NRC has continued to increase over the last few years, and given the projects before us, we expect our interactions will continue to rise into the foreseeable future. Accordingly, the Tribes need to establish points of contact and clear lines of communication with the NRC. So, we would like to discuss the option of developing a MOA with the NRC.

The Fort Hall Business Council looks forward to meeting with the NRC on these issues. We hope this meeting will help improve our relationship in a way that is mutually beneficial. Please contact Tribal DOE Director, Talia Martin at [tamartin@sbtribes](mailto:tamartin@sbtribes) or 208-236-1079 as soon as possible to arrange the meeting. We appreciate the NRC taking time to develop our government-to-government relationship.

Sincerely,



Ladd Edmo, Chairman  
Fort Hall Business Council  
Shoshone-Bannock Tribes

CC:

S. Talley, Senior Liaison Project Manager, NRC