



UNITED STATES  
NUCLEAR REGULATORY COMMISSION

REGION IV  
URANIUM RECOVERY FIELD OFFICE  
BOX 25325  
DENVER, COLORADO 80225

DEC 18 1992

Docket No. 40-8968

Navajo Nation Department Of Justice  
ATTN: Peg Rogers  
Natural Resources Unit  
P.O. Drawer 2010  
Window Rock, Arizona 86515

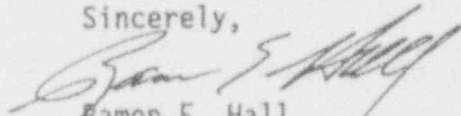
Dear Ms. Rogers:

In our work preparing an Environmental Impact Statement (EIS) for the Church Rock/Crownpoint uranium project, it has become apparent that the Navajo Nation has not been informed of Federal regulations regarding preparation of EISs involving Indian lands. In NRC's rules, Title 10 CFR, Part 51, any Indian tribe may become a "cooperating agency" in preparing an EIS where an Indian reservation is involved. Considering the amount of Tribal interest in this proposal, we feel the Navajo Tribal government should consider being a "cooperating agency" for this project. The Bureau of Indian Affairs shares our view in this regard.

The Nation's rights include being actively or passively involved in preparing the EIS. Cooperating status allows the Nation to be informed of the proceedings leading to a draft EIS, or to actually participate in the review and assessment. Therefore, the Tribal government would be involved not only in defining review issues, but also in resolving them. This status does not negate the right of Tribal agencies to comment upon the EIS's contents and findings.

In any case, we intend to continue interacting with Navajo Nation representatives, and will keep them informed and involved in licensing activities. I suggest we schedule a meeting to discuss a role the Nation may play in this undertaking. It would help us if you could identify the appropriate representatives that we should be contacting. We appreciate your input to our review, and if you have further questions regarding these matters, please call Joel Grimm at (303) 231-5806.

Sincerely,

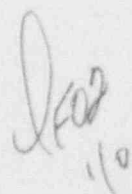
  
Ramon E. Hall  
Director

cc:

D. Sitzler, BLM  
G. Farris, BIA  
B. Garcia, RCPD, NM  
E. Montoya, NMED

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Navajo Nation Department  
of Justice

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DEC 18 1992

bcc:  
Docket No. 40-8968  
PDR/DCS  
URFO r/f  
LJCallan, RIV  
LLUR Branch, LLWM, 5E2  
RVirgilio, OSP, 3D23  
JPGrimm  
O:\JPG\8968RGRS.LEG

PM:URFO	DD:URFO <del>PLX</del>	D:URFO:RIV	<i>Coordinated w/ R. Virgilio</i>
JPGrimm/lv <i>lv</i>	EFHawkins	REHall	<i>of State Programs</i>
12/17/92	12/17/92	12/18/92	<i>JA</i>

*Coordinated  
w/ all 6 mm.  
JA*