



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

September 22, 2021

**VIA EMAIL ONLY**

Mr. Richard Begay  
Tribal Historic Preservation Officer  
Navajo Nation  
P.O. Box 4950  
Window Rock, AZ 86515  
[r.begay@navajo-nsn.gov](mailto:r.begay@navajo-nsn.gov)

SUBJECT: CHURCH ROCK MILL SITE LICENSE AMENDMENT: UPDATED  
RECOMMENDATION OF ELIGIBILITY FOR HISTORIC PROPERTIES IN  
MCKINLEY COUNTY, NEW MEXICO (DOCKET NUMBER: 040-8907)

Dear Mr. Begay:

General Electric (GE)/United Nuclear Corporation (UNC) submitted an application in September 2018 to the U.S. Nuclear Regulatory Commission (NRC) to amend its source material license (SUA-1475) in which they propose to excavate mine waste from the Northeast Church Rock Mine Site and dispose of it at the adjacent UNC Mill Site. Included in that application were Historic and Cultural Resources Reports that identified cultural resources at and around the project location.

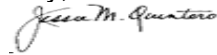
Consistent with the National Historic Preservation Act, as described in Title 36 of the *Code of Federal Regulations* (CFR) § 800.14, NRC is developing a programmatic agreement in coordination with the Navajo Nation Historic Preservation Department (NN THPO), New Mexico State Historic Preservation Office (SHPO), Environmental Protection Agency (Regions 6 and 9), Bureau of Indian Affairs (Navajo Region), and GE for the eligible sites at the Church Rock Mine Site and the UNC Mill Site.

By letter dated April 6, 2020 (available under NRC's Agencywide Documents Access and Management System (ADAMS) Accession No. ML20091G278), NRC staff provided for your review and concurrence determinations of eligibility to the National Register of Historic Places for four historic properties within the Area of Potential Effect (APE). Those sites included: NM-Q-20-69, NM-Q-20-70, NM-Q-20-71, and NM-Q-20-72. You provided concurrence on the NRC's eligibility determinations on May 26, 2020 (ADAMS Accession No. ML20167A115).

In May 2021, GE/UNC notified the NRC of an error in the land status of a parcel of land within the Church Rock Mine Site (Enclosed). Sixty-one acres of the Church Rock Mine site, located on Section 34, is actually owned by UNC, though was initially evaluated as tribal lands. Site NM-Q-20-69 falls within this parcel of private land and was previously recommended as eligible by the NRC and concurred on by the NN THPO. Since Site NM-Q-20-69 falls within private land, and not tribal land, the NRC wanted to inform you it is now requesting concurrence on its site determination from the NM SHPO.

The NRC intends to issue the draft Programmatic Agreement for public comment in October 2021. If you have any concerns regarding the above changes, please let us know within 30 days of receipt of this letter. Should you have questions or require additional information, please contact Ms. Ashley Waldron by telephone at (301) 415-7317 or by email at [Ashley.Waldron@nrc.gov](mailto:Ashley.Waldron@nrc.gov).

Sincerely,



Signed by Quintero, Jessie  
on 09/22/21

Jessie M. Quintero, Chief  
Environmental Review Materials Branch  
Division of Rulemaking, Environmental,  
and Financial Support  
Office of Nuclear Material Safety  
and Safeguards

Docket No. 040-8907  
License No. SUA-1475

Enclosure:  
GE/UNC Erratum (ML21144A008)

cc w/enclosure:  
Tamara Billie, Senior Archeologist [tbillie@navajo-nsn.gov](mailto:tbillie@navajo-nsn.gov)

cc w/o enclosure:  
Jeff Pappas, State Historic Preservation Officer, [jeff.pappas@state.nm.us](mailto:jeff.pappas@state.nm.us)  
Michele Ensey, Deputy State Historic Preservation Officer  
and State Archaeologist [michelle.ensey@state.nm.us](mailto:michelle.ensey@state.nm.us)  
Lance Hauer, GE [lance.hauer@ge.com](mailto:lance.hauer@ge.com)  
Sara Jacobs, EPA, Region 9 [jacobs.sara@epa.gov](mailto:jacobs.sara@epa.gov)  
Janet Brooks, EPA, Region 6 [brooks.janet@epa.gov](mailto:brooks.janet@epa.gov)