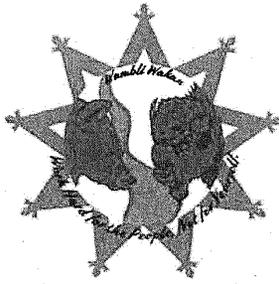


EPA REGION 8'S RESPONSE TO PETITION FOR REVIEW

ATTACHMENT KK

August 2, 2018 letter from Oglala Sioux Tribe
President Bear Runner replying to EPA's July 8,
2019 consultation invitation letter

Administrative Record Document No. 866



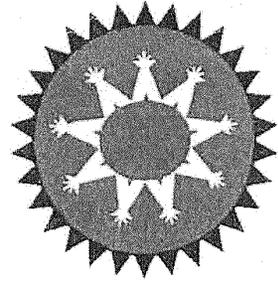
Julian Bear Runner

August 2, 2019

Oglala Sioux Tribe

Office of the President

P.O. Box #2070
Pine Ridge, South Dakota 57770
1(605) 867-5821 Ext. 8420 (O) / 1(605) 867-6076 (F)



Valois Robinson
USEPA REGION 8
1595 Wynkoop St.
Mail Code: 8WD-SDU
Denver, CO 80202-1129

Via email: Robinson.valois@epa.gov

RE: Government-to-Government Consultation – Dewey-Burdock uranium mine

Dear Ms. Robinson,

The Oglala Sioux Tribe is in receipt of the letter dated July 8, 2019 from Ms. Darcy O'Connor, Director, Water Division inviting the Oglala Sioux Tribe to engage in government-to-government consultation regarding the proposed Dewey-Burdock uranium mine in the Southern Black Hills near Edgemont, South Dakota.

As you are no doubt aware, the Oglala Sioux Tribe has been heavily involved in the Nuclear Regulatory Commission licensing process for this project, with a particular focus on the impacts both to water as well as to historic and cultural resources. The Oglala Sioux Tribe does wish to consult with U.S. Environmental Protection Agency (EPA) regarding this project. Indeed, the Oglala Sioux Tribe has at least twice before specifically informed EPA that the Tribe desires to engage in consultation – by letter dated December 11, 2015 and by letter dated June 19, 2017. In the June 19, 2017 letter, which included the Tribe's comments on the last proposed Draft Underground Injection Control (UIC) permits for the proposed Dewey-Burdock project, the Tribe specifically identified and attached for EPA the Oglala Sioux Tribe Ordinance 11-10, which governs consultation processes between the Oglala Sioux Tribe and federal government agencies.

The Oglala Sioux Tribe, along with many other tribes in the region, have a serious and sincere concerns regarding the cultural resource and water quality impacts associated with this proposed project. The Oglala Sioux Tribe believes that government-to-government consultation should occur prior to the issuance of any draft UIC permits by the EPA.

The Tribal agency primarily responsible for matters pertaining to historic and cultural resources is the Oglala Sioux Tribe Office of Cultural Affairs and Historic Preservation; with Mr. Thomas Brings serving as the Tribal Historic Preservation Officer. The Tribal agency primarily responsible for matters pertaining to conservation of water resources is the Oglala Sioux Tribe Water Resources Department; with Mr. Reno L. Red Cloud Sr. serving as the Water Resources Administrator. These two individuals will act as the initial

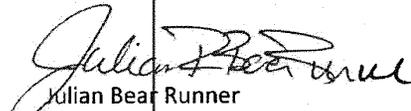
USEPA Region VIII
Consultation letter
Page 2 of 2

points of contact for EPA. It is also worth noting that several other Tribes have expressed interest in this project and the Oglala Sioux Tribe will endeavor to engage and include those other Tribal governments in this process as warranted.

Please confirm receipt of this correspondence with my office through my Legislative Liaison, Michael Catches Enemy at mikece@ogiala.org. Additionally, we would request the names and titles of those attending on behalf of the EPA, at your earliest convenience by postal mail to the above address. Any questions, please call (605) 867-8420 in my office.

Thank you for your prompt attention to this correspondence.

Respectfully,


Julian Bear Runner
President

CC: OST THPO
OST WRD
File