



UNITED STATES
NUCLEAR REGULATORY COMMISSION

WASHINGTON, D.C. 20555-0001

September 1, 2000

U.S. Bureau of Land Management
Attn: Ms. Karla Swanson
1300 N. Third Street
Rawlins, Wyoming 82301

SUBJECT: CONSULTATION UNDER SECTION 106 OF THE NATIONAL HISTORIC
PRESERVATION ACT OF 1966, AS AMENDED

Dear Ms. Swanson:

The U.S. Nuclear Regulatory Commission (NRC) staff is reviewing a license application from Rio Algom Mining Corp. (RAMC) for continued operations at its Smith Ranch Uranium Project. The facility, an in-situ leach uranium solution mine, is located in Converse County, Wyoming, approximately 17 air miles northeast of Glenrock. Solution mining operations are currently permitted within an approximately 6475-hectare (16,200-acre) area, with mining activities likely to affect approximately 200 ha (500 acres) in Sections 25, 26, 27, 33, 34, 35, and 36 of Township 36N, Range 74W and Sections 2, 8, 16, 17, 18, and 21 of Township 35N, Range 74W. The NRC staff is preparing an Environmental Assessment (EA) to document its review of RAMC's license renewal application.

Under Section 106 of the National Historic Preservation Act of 1966, as amended (NHPA), and the implementing regulations at 36 CFR Part 800, the NRC is required to consult with the appropriate entities so that the effects of a federally-licensed undertaking on sites eligible or potentially eligible for listing on the National Register of Historic Places may be taken into account. I am contacting you, because a portion of RAMC's permit area is administered by the U.S. Bureau of Land Management (BLM).

Extensive cultural resource surveys have been conducted previously of the site area. A Class III Cultural Resource Inventory of the mining permit area, which was completed in November 1985, identified several sites eligible for the National Register of Historic Places. As a result, the NRC consulted with the BLM, the Wyoming State Historic Preservation Officer (SHPO), and other interested parties to assess the potential effects of site operations on the identified sites. In accordance with 36 CFR 800, the NRC issued a finding of No Effect and of No Adverse Effect to the Wyoming SHPO on September 11, 1991.

In cooperation with the BLM, the NRC staff also prepared an EA and issued a Finding of No Significant Impact (FONSI) in March 1992 to document its review of RAMC's original 1988 license application, as amended, for commercial-scale operations at the Smith Ranch facility. By letter dated April 1, 1992 (Enclosure 1), the BLM transmitted a copy of its FONSI and Decision Record providing approval of in-situ mining at the Smith Ranch facility, subject to the terms and conditions found in 43 CFR Parts 3809 and 3814, and 36 CFR Parts 60 and 800.

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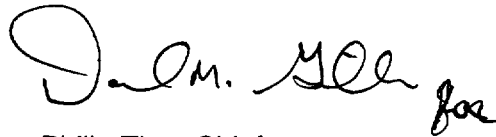
Ms. Karla Swanson

For the purposes of the present license renewal review, the NRC staff considers that there is no need for additional archaeological or historical surveys of the permit area. However, the NRC staff considers that the issue of traditional cultural properties was not addressed fully by the surveys conducted to date, as required under the NHPA and its current implementing regulations. The staff is aware that for another project, the Sweetwater Uranium Mill Project, that the BLM has agreed to take a leading role in contacting the Native American tribes in the region regarding this issue. As the Federal licensing authority, it has been NRC's practice to require its licensees to conduct the necessary surveys.

In accordance with 10 CFR 2.790 of the NRC's "Rules of Practice," a copy of this letter will be available electronically for public inspection in the NRC Public Document Room or from the Publicly Available Records (PARS) component of NRC's document system (ADAMS). ADAMS is accessible from the NRC Web site at <http://www.nrc.gov/NRC/ADAMS/index.html> (the Public Electronic Reading Room).

If you have any questions on this matter, please contact John H. Lusher of my staff at 301-415-7694 or e-mail to jhl@nrc.gov. Thank you for your assistance.

Sincerely,

A handwritten signature in black ink, appearing to read "Philip Ting" followed by a stylized flourish.

Philip Ting, Chief
Fuel Cycle Licensing Branch
Division of Fuel Cycle Safety and Safeguards
Office of Nuclear Material Safety and
Safeguards

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Ms. Karla Swanson

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Sincerely,



Philip Ting, Chief
Fuel Cycle Licensing Branch
Division of Fuel Cycle Safety and Safeguards
Office of Nuclear Material Safety and
Safeguards

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