

June 21, 2012

Mr. John M. Fowler, Executive Director
Advisory Council on Historic Preservation
Office of Federal Agency Programs
1100 Pennsylvania Ave, NW, Suite 803
Washington, DC 20004

SUBJECT: CROW BUTTE RESOURCES, INC. PROPOSED *IN-SITU* URANIUM
RECOVERY FACILITY NORTH TREND EXPANSION AND LICENSE
RENEWAL OF THE CURRENT OPERATING FACILITY IN DAWES COUNTY,
NEBRASKA (DOCKET 040-08943)

Dear Mr. Fowler:

The U.S. Nuclear Regulatory Commission (NRC) has received an application from Crow Butte Resources, Inc. (CBR) to renew its NRC source materials license SUA-1534 to continue operation of an *in-situ* uranium recovery (ISR) facility for an additional 10 years. CBR's ISR facility is located in Dawes County, Nebraska. Additionally, the NRC has received an application from CBR to amend its materials license to construct and operate an additional ISR facility at the North Trend Expansion Area in Dawes County, Nebraska. CBR's license renewal area encompasses 2,875 acres located approximately 4 miles southeast of the City of Crawford, Nebraska. The proposed North Trend Expansion project area consists of approximately 2,110 acres located approximately 4.5 miles northwest of the current CBR ISR facility. A map showing the proposed projects' boundary is enclosed.

The area of potential effect for the proposed license renewal project is 2,875-acre area of the current project site and its immediate environs. The area of potential effect for the proposed North Trend Expansion is the 2,110-acre area of the proposed project and its immediate environs.

As part of the review of these applications, the NRC staff is conducting an environmental review in accordance with the *Title 10 of the Code of Federal Regulations* Part 51 (10 CFR Part 51), which implements the requirements of the *National Environmental Policy Act of 1969*, as amended (NEPA). The NRC staff is preparing an Environmental Assessment (EA) to assess the environmental impacts of each of the proposed actions.

In accordance with 36 CFR Part 800.8 (Coordination with the National Environmental Policy Act), the EAs will include analyses of impacts to historic properties and cultural resources. The NRC staff is using this process to comply with Section 106 of the *National Historic Preservation Act of 1966*, as amended (NHPA), in lieu of the procedures set forth in 36 CFR 800.3 through 800.6.

To enhance the scope and quality of our review, the NRC staff has initiated consultation with 20 Tribes. The NRC staff invited all interested Tribes to participate in a site visit of CBR's proposed North Trend Expansion project and operating ISR facility on June 7, 2011, and hosted a consultation meeting with Tribes on June 8, 2011. On February 14 and 15, 2012, the NRC staff conducted a second consultation meeting to hear the views of interested Tribes about the general types, descriptions, identification, and evaluation of historic properties of religious and cultural significance that may be affected by the proposed actions. Consultation is currently ongoing and additional meetings and/or site visits are anticipated for both proposed actions.

For additional information regarding the proposed actions, CBR's license applications are publicly available from the NRC's Agency Wide Documents Access and Management System (ADAMS). The ADAMS Public Electronic Reading Room is accessible at:

<http://www.nrc.gov/readingrm/adams.html>. The accession numbers for CBR's North Trend Expansion application are ML071870300, ML071870302, and ML071870307. The accession numbers for CBR's license renewal application are ML073480267, ML073480266, and ML073470645. Information about the proposed actions can also be found in the project's web page at <http://www.nrc.gov/materials/uranium-recovery/license-apps/north-trend.html> and <http://www.nrc.gov/info-finder/materials/uranium/licensed-facilities/crow-butte.html>.

If you have any questions or comments, or need any additional information, please contact Mr. Nathan Goodman of my staff by telephone at 301-415-2703 or e-mail at Nathan.Goodman@nrc.gov.

Sincerely,

/RA/

Andrew Persinko, Deputy Director
Environmental Protection
and Performance Assessment Directorate
Division of Waste Management
and Environmental Protection
Office of Federal and State Materials
and Environmental Management Programs

Docket No.: 040-08943

Enclosure: Map

cc: Crow Butte Resources, Inc.

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Andrew Persinko, Deputy Director
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