


United States Nuclear Regulatory Commission Official Hearing Exhibit	
In the Matter of: CROW BUTTE RESOURCES, INC. (License Renewal for the In Situ Leach Facility, Crawford, Nebraska)	
	ASLBP #: 08-867-02-OLA-BD01
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Generic Environmental Impact Statement for In-Situ Leach Uranium Milling Facilities

Chapters 1 through 4

Final Report

Office of Federal and State Materials and
Environmental Management Programs

Wyoming Department of Environmental Quality
Land Quality Division

incorporate by reference the relevant sections of the GEIS into the site-specific environmental review document. Secondly, the NRC staff will use the GEIS to help determine the significance of site-specific environmental impacts. The GEIS provides criteria for each environmental resource area to help determine the significance level of potential impacts (e.g., SMALL, MODERATE, or LARGE). The NRC staff will apply these criteria to site-specific conditions to determine the significance of potential impacts. Finally, the NRC staff will compare the conditions of the proposed site and activities under review to the conditions and aspects identified and discussed in the GEIS to see whether the conclusions for the environmental impact to a particular resource area can be adopted in the site-specific environmental review document. The NRC staff may determine that the GEIS conclusions for a specific resource area can be adopted in full, only in part, or not at all. The determination of the extent to which the GEIS conclusions can be adopted will be discussed in detail in the site-specific review, including the supporting information and data that form the basis for that determination. Additionally, the NRC staff will also determine the significance of environmental impacts for resource areas where the GEIS conclusions can be adopted only in part or not at all. The NRC staff will document the basis for that determination in the site-specific evaluation. The site-specific review will incorporate by reference and adopt significance conclusions from the GEIS, as appropriate. This process of using the GEIS in site-specific environmental reviews is consistent with the concept of tiering, discussed previously (see Section 1.8).

1.8.4 Public Participation Activities

As stated in Section 1.8.2, upon acceptance of a license application for detailed technical review, NRC publishes in the *Federal Register* a notice of opportunity for hearing on the application. Individuals or entities that may be affected by the potential issuance of the site-specific ISL license may request a hearing under the NRC formal hearing process. 10 CFR Part 2 provides the requirements that must be met to be granted a hearing.

As discussed previously, the NRC staff will prepare an environmental review document in support of its review of ISL-related licensing actions (i.e., new license, renewal or amendment). For new ISL license applications, the NRC staff will prepare a SEIS. The NRC staff will follow the public participation procedures outlined in 10 CFR Part 51, which can include requests for public input on the scope of the SEIS and for public comment on the draft SEIS.

Before taking a licensing action on a licensee's proposal to amend or renew its existing NRC license, the NRC may prepare an environmental assessment and if so, also may make the draft EA and the accompanying draft Finding of No Significant Impact (FONSI) available for public comment. The decision to do so would take into account the provisions in 10 CFR 51.33 concerning the similarity of the proposed action to actions normally requiring preparation of an EIS and the precedent-setting nature of the proposed action. Additionally, NRC may consider the level of public interest and the contentious nature of the proposed action in determining whether to publish a draft EA/FONSI for public comment. The NRC staff would address public comments received on the draft environmental assessment/FONSI in the staff's final environmental review document. This approach is consistent with NRC regulations.

1.8.5 The NRC Final Environmental Review Document and Findings

The NRC staff will issue the final environmental review document as part of the licensing review documentation for each site-specific licensing action (i.e., new license, renewal, amendment). The final document will provide the NRC staff's site-specific environmental review determinations that consider public input and the evaluations in the GEIS, to the extent