

June 28, 2016

Ms. Sarah C. Stokely
Advisory Council on Historic Preservation
Office of Federal Agency Programs
401 F Street NW, Suite 308
Washington, DC 20001-2637

SUBJECT: AUC LLC's PROPOSED RENO CREEK IN SITU RECOVERY FACILITY IN
CAMPBELL COUNTY, WYOMING (DOCKET NUMBER: 040-09092)

Dear Ms. Stokely:

The U.S. Nuclear Regulatory Commission (NRC) has received an application from AUC LLC for a source and byproduct materials license to authorize construction and operation of an in situ uranium recovery (ISR) facility at the proposed Reno Creek ISR Project in Campbell County, Wyoming. The facility, if licensed, would use an ISR technology to extract uranium at the Reno Creek ISR Project site located near Wright, Wyoming. The proposed project area consists of 6,057 acres and is located in Campbell County, Wyoming between the communities of Wright, Edgerton, and Gillette. The application states that the total area of disturbed lands will be 154 acres and the remaining land will be a combination of controlled, restricted and unrestricted access areas. The area of potential effect for this review is the area at the Reno Creek site and its immediate environs, which may be impacted by activities associated with the construction and operation of the proposed facility. The site is located 8 miles outside of the Pumpkin Buttes Traditional Cultural Properties area. A map showing the proposed project location is enclosed.

As part of the environmental review, the NRC will prepare a Supplemental Environmental Impact Statement (SEIS) to the Generic Environmental Impact Statement for *In-Situ* Leach Facilities (NUREG-1910). The SEIS would be prepared in accordance with the regulatory provisions in Title 10 of the *Code of Federal Regulations* (10 CFR) Part 51. These regulations implement the requirements of the National Environmental Policy Act (NEPA) of 1969, as amended (42 U.S.C. § 4321, *et seq.*), which requires the Federal government to assess the potential environmental impacts of major federal actions that may significantly affect the human environment. In accordance with 36 CFR Part 800.8 (Coordination with the NEPA), the SEIS will also include analyses of impacts to historic and cultural properties and our preliminary determinations that none of the identified sites are eligible for listing on the National Register of Historic Places (NRHP). The NRC staff is using the NEPA process to comply with its obligations under Section 106 of the National Historic Preservation Act of 1966, as amended, in lieu of the procedures set forth in 36 CFR 800.3 through 800.6.

To enhance the scope and quality of our review and facilitate the identification of tribal historic sites and/or cultural resources, specifically, sites that may have traditional religious or cultural significance to Native American Tribes that may be interested in and/or affected by the

proposed action, the NRC sent consultation letters to 22 Tribes. The NRC invited all interested Tribes to a site visit and tribal consultation meeting in March 2014. All interested Tribes were invited to participate in a tribal site survey in June and July 2014. After reviewing the recommendations and considering all comments received from the Tribes, the NRC staff made preliminary determinations that the sites identified, including the additional sites and isolates identified during the tribal survey, are ineligible for listing in the NRHP.

The NRC staff submitted its preliminary determinations to Wyoming State Historic Preservation Office for concurrence, received comments and is currently addressing those comments. The NRC staff's preliminary determinations will be included in the draft SEIS for the Reno Creek ISR Project.

The NRC plans on issuing the draft SEIS in summer 2016; when the draft becomes available, a copy will be sent to your office for your review and comment. The NRC will also notify all of the Tribes when the draft SEIS is available and request their comments. Availability of the draft SEIS and a 45 day comment period will be noticed in the *Federal Register* shortly after issuance.

For additional information regarding the proposed undertaking, AUC's license application is publicly available from the NRC's Agencywide Documents Access and Management System (ADAMS). The ADAMS Public Electronic Reading Room is accessible at: <http://www.nrc.gov/reading-rm/adams.html>. The accession number for the package for AUC's source materials application is ML122890785 and is available online through ADAMS.

If you have any specific questions or comments on the proposed project, or need any additional information regarding the license application and the environmental review process, please contact Ms. Jill Caverly of my staff by telephone at 301-415-7674, or via e-mail at: Jill.Caverly@nrc.gov.

Sincerely,

/RA/

Lydia W. Chang, Chief
Environmental Review Branch
Division of Fuel Cycle Safety, Safeguards,
and Environmental Review
Office of Nuclear Material Safety
and Safeguards

Docket No.: 040-09092

Enclosure: Map

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ADAMS Accession Number: ML16154A113

OFC	FCSE/ERB	FCSE/ERB	OGC	FCSE/ERB
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DATE	6/2/16	6/28/16	6/27/16	6/28/16

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