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# STATE OF NEBRASKA



## DEPARTMENT OF ENVIRONMENTAL QUALITY

Suite 400, The Atrium  
1200 'N' Street  
P.O. Box 98922  
Lincoln, Nebraska 68509-8922  
Phone (402) 471-2186

**Mike Johanns**  
Governor

January 11, 2001

Mike Layton  
United State Nuclear Regulatory Commission  
11154 Rockville Pike  
Rockville , Maryland 20850

**Re: Crow Butte Resources  
Class III Injection Well Permit Modification & 5-Year Review**

Dear Mr. Layton:

The Nebraska Department of Environmental Quality has completed the 5-year review of the Class III permit and is proposing to modify the Class III Injection Well Permit (#NE0122611) at the Crow Butte facility. Enclosed is a copy of the Public Notice for your review.

If you have any questions or comments concerning this matter, please contact me at (402) 471-4982.

Sincerely,

David L. Miesbach  
UIC Program Coordinator  
Ground Water Unit  
Water Quality Division

ENCLOSURE

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**PUBLIC NOTICE OF PERMIT MODIFICATION**  
**Nebraska Department of Environmental Quality**  
**Water Quality Division**

Pursuant to Title 122, Rules and Regulations for Underground Injection and Mineral Production Wells, Chapter 23, 27, 31,32, and 33, the Nebraska Department of Environmental Quality is proposing to modify permit number NE0122611 to Crow Butte Resources, Inc. (CBR) after a 5-year review was conducted by the Department. CBR operates an in-situ uranium mining facility located in Dawes County, Nebraska.

The Department is proposing to modify the existing permit with the addition of a separate formula to calculate the Upper Control Limits of monitoring wells with baseline concentrations of less than 50 milligrams per liter (mg/l). The restoration limits for cadmium and selenium are proposed to be changed from 0.01 mg/l to 0.005 mg/l and 0.01 mg/l to 0.05 mg/l respectively due to changes in the Federal Drinking Water Act.

Nebraska Title 122, Chapter 27 requires a public notice for a permit, which has been modified. As part of the modification process, only the conditions subject to modification are reopened for public review and comment. Changes to the permit, which qualify as minor modifications, including editorial changes, may be processed without public notice at the discretion of the Director.

Persons may request a fact sheet, may comment upon or object to permit modification, or may request a public hearing by writing to Michael J. Linder, Director, Nebraska Department of Environmental Quality, P.O. Box 98922, Lincoln, Nebraska 68509-8922, prior to February 23, 2001. A request for public hearing shall state the nature of the issues proposed to be raised at a hearing. The Director shall consider all comments prior to making a decision regarding a public hearing. If the Department receives substantive comments regarding these proposed modifications, a public hearing may be scheduled.

Copies of the fact sheet and all information pertaining to the permit modification will be available for viewing and copying at the Department of Environmental Quality, Suite 400, 1200 N Street, The Atrium, in Lincoln between 8:00 a.m. and 5:00 p.m. weekdays, or mailed upon request. Further information may be obtained by contacting David Miesbach, UIC Program Coordinator, (402) 471-0096.

Individuals requiring special accommodations or alternate formats of materials should notify the Department by calling (402) 471-2186. TDD users should call (800) 833-7352 and ask the relay operator to call the Department at (402) 471-2186.