

STATE OF NEBRASKA



Mike Johanns
Governor

DEPARTMENT OF ENVIRONMENTAL QUALITY

Michael J. Linder

Director

Suite 400, The Atrium

1200 'N' Street

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Lincoln, Nebraska 68509-8922

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November 24, 2003

Please docket

Gary Janosko
United State Nuclear Regulatory Commission
11154 Rockville Pike
Rockville, Maryland 20850

Re: **Crow Butte Resources - 40-8943**
Class III Injection Well Permit Modification

Dear Mr. Ting:

Sorry Gary! gm

The Nebraska Department of Environmental Quality has completed a review of the Class III permit and is proposing to modify the Class III Injection Well Permit (#NE0122611) at the Crow Butte facility. The review was initiated by a request for modification from Crow Butte Resources. 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,

A handwritten signature in black ink, appearing to read "David L. Miesbach".

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

ENCLOSURE

DLM/rd

word/dave/cbr/letter/neighbor.doc

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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 30, 32, and 33, the Nebraska Department of Environmental Quality is proposing to modify permit number NE0122611 to Crow Butte Resources, Inc. (CBR) after a permit modification was requested by CBR. CBR operates an in-situ uranium mining facility located in Dawes County, Nebraska.

The Department is proposing to modify the existing permit with the removal of Sodium and Sulfate from the biweekly sampling of mining formation monitor wells. The restoration limits for barium, copper, and lead are proposed to be changed from 1.0 mg/l to 2.0 mg/l, 1.0 mg/l to 1.3 mg/l, and 0.05 mg/l to 0.015 mg/l respectively due to changes in Title 118, Ground Water Quality Standards and Use Classification.

Nebraska Title 122, Chapter 32 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 January 3, 2004. 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 Nebraska Department of Environmental Quality, Suite 400, 1200 N Street, The Atrium, in Lincoln and the Nebraska Department of Environmental Quality, 430 East Second, in Chadron 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) 471-4982.

Individuals requiring special accommodations or alternate formats of materials should notify the Department by calling (402) 471-2186. TDD users should call 711 and ask the relay operator to call the Department at (402) 471-2186.