

Programmatic Agreement for the Power Resources, Inc., Satellite *In Situ* Leach Facility

Power Resources, Inc., (PRI) submitted an application to develop and operate a satellite *in situ* leach (ISL) uranium extraction facility in the Gas Hills region of Wyoming. During the development of the associated environmental assessment required by 10 CFR Part 51, the staff determined that the cultural resource documentation called for by 36 CFR Part 800, "Protection of Historic Properties," had not been sufficiently addressed. These regulations call for survey, evaluation, and protection of significant historic and archeological sites prior to any disturbance. Approximately 50% of the project area has been surveyed for archeological sites. Two sites are considered eligible for listing in the National Register and seven sites have not yet been tested sufficiently to determine their eligibility status and must therefore be treated as if they were eligible. A portion of one mine unit may require an additional survey before any proposed activities can begin. To address such sites and to ensure the protection of all cultural resources within the proposed ISL facility, the staff developed a "Programmatic Agreement" in accordance with the Part 800 requirements. A Programmatic Agreement is used to document agreement among the consulting parties on how potential adverse impacts to cultural resources will be avoided, minimized, or mitigated. NRC's role is one of regulatory oversight to ensure that the licensee complies with the Agreement, and that this Agreement does not commit the Agency to any additional expenditure of resources. The parties to this Agreement are: PRI (i.e., the licensee); the Wyoming State Historic Preservation Office; the Bureau of Land Management of the U.S. Department of the Interior; and the NRC. The Programmatic Agreement was developed in consultation with each of these agencies, as well as the licensee, and was signed by NRC and made effective on December 16, 2003.

January 16, 2004