

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

Phone (402) 471-2186

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MAY 11 2004

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

**Re: Crow Butte Resources, Inc.
Class I Injection Well Permit**

Dear: Gary Janosko

The Nebraska Department of Environmental Quality is proposing issue Class I Injection Well Permit (#NE0210457) at the Crow Butte facility. This proposed permit would replace the current permit (#NE0206369). 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 "D. Miesbach".

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

ENCLOSURE

DLM/rd
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PUBLIC NOTICE OF PERMIT ISSUANCE
Nebraska Department of Environmental Quality
Water Quality Division

Pursuant to Title 122, Rules and Regulations for Underground Injection and Mineral Production Wells, Chapters 32, and 33, the Nebraska Department of Environmental Quality is proposing to issue permit number NE0210457 to Crow Butte Resources, Inc. (CBR). CBR operates a Class I non-hazardous waste injection well designed to accept waste fluids generated at its in-situ uranium mining operation. The injection well is located in the Northwest Quarter of Section 19, Township 31 North, Range 51 West, Dawes County, Nebraska.

The injection well has been operational under the current permit (NE0206369) since September 30, 1994 and permit NE0210457 would replace permit NE0206369 when it expires in September 2004. The Department is proposing to utilize existing permit conditions as the basis for the proposed permit. No new Class I injection well is to be drilled at this location under proposed permit NE0210457.

The geologic formations receiving injected waste fluids are restricted to the Morrison and Sundance Formations, which have been demonstrated to be located below the lowermost underground source of drinking water. In addition, the Morrison and the Sundance Formations exhibit water quality that is considered unacceptable under State and Federal Regulations as underground sources of drinking water due to naturally high concentrations of total dissolved solids. The Department believes that the proposed permit limitations will fully protect the injection zone against formation fractures.

The permit requires the operator to monitor concentrations of specific parameters in the injection fluids to insure that only non-hazardous wastes are being injected. In addition, the injection well will be monitored on a continuous basis to record the injection process and ensure compliance with permit conditions.

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 June 18, 2004. A request for public hearing shall state the nature of the issues proposed to be raised at a hearing. The Director prior to making a decision regarding a public hearing shall consider all comments. 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 (800) 833-7352 and ask the relay operator to call the Department at (402) 471-2186.