

CROW BUTTE RESOURCES, INC.

**86 Crow Butte Road
P.O. Box 169
Crawford, Nebraska 69339-0169**



**(308) 665-2215
(308) 665-2341 - FAX**

October 29, 2004

40-8943

U. S. Nuclear Regulatory Commission
Mr. John Lusher – ADDRESSEE ONLY
Fuel Cycle Licensing Branch
Mail Stop T-8A33
Washington, DC 20555

Dear John:

Thursday, October 28, 2004, at 1330 hours, Casper Well Products was delivering a truckload of drilling mud to the mine. The driver was traveling west on the county road near the Mayfield farm when he suffered an apparent heart attack. Two of our employees removed the driver out of the truck to the ground, administered aid, and called an ambulance. Upon its arrival, the driver was taken to Chadron Community Hospital where he was pronounced dead.

I reported the incident immediately to MSHA and the county authorities. Their investigation is complete and a short narrative is attached explaining the incident in more detail.

If you have any questions, please do not hesitate to call me at 308.665.2215

Sincerely,

Jim Stokey
Mine Manager

Attachments

NMSSOI
Read At DCD
11/12/04

Operation Name:

Crow Butte Resources

Date of Event:

October 28, 2004

Time of event:

Approximately 1330 hours.

Name of person reporting:

Jim Stokey Mine Manager Crow Butte Resources

Site Name and specific location of event:

Site: Crow Butte Mine Operation.

Location of event: At the Mayfield farm, north of the mud shed on the north side of the county road.

Brief description of event, including initial actions taken or proposed:

Casper Well Products was delivering a truck load of drilling mud to the mine. The driver was traveling west on the county road near the Mayfield farm when he suffered an apparent heart attack. Vernon Stokey was at the farm opening the mud shed and waiting for the truck to arrive. He saw the truck stop at the county road and thought the driver wanted to unload from there. Vern drove a loader to the truck but could not find the driver. Wade Beins arrived at the same time to help with the truck and together they looked for the driver. Subsequently they found him slumped over the gear shift and into the passenger side of the trucks cab. Wade and Vern took the driver out of the truck to the ground and Wade called an ambulance on his cell phone. Upon its arrival the driver was taken to Chadron Community Hospital where he was pronounced dead.

The area has been photographed, fenced off and warning lights placed around its perimeter to warn motorists traveling on the road of the trucks presence. MSHA was notified and an investigator was dispatched from Rapid City, SD. He arrived sometime around 2130 hrs Thursday night. Laura Beverage of Jackson and Kelly law firm (Denver, Co.) was called for legal advice on reporting the incident. She indicated that the truck was not on mine property and that we proceed with the MSHA inspection. Mike Griffin was notified in Las Vegas of the incident. He called in with guidance on how to complete all remaining agency reporting requirements. Steve Collings was notified in Denver at 1415 hrs.

The county sheriff has completed his investigation and contacted the victims wife. John Cash and myself waited at the mine for the MSHA investigator. He arrived around 2230 hrs. and completed a preliminary investigation of the truck and surrounding area. We left at 0030hrs Friday morning and returned with the investigator at 0700hrs to finish the MSHA investigation. The MSHA investigation was completed at approximately 1000hrs. The investigator indicated he would call back on Monday November first to give us his findings.

If there are any questions I can be contacted at the mine at 308 665 2215 