

# CROW BUTTE RESOURCES, INC.

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



(308) 665-2215  
(308) 665-2341 – FAX

---

March 21, 2006

Mr. Robert C. Pierson  
Director  
Division of Fuel Cycle Safety and Safeguards  
United States Nuclear Regulatory Commission  
Mail Stop T8F42  
Washington, D.C. 20555

Subject: MSHA Jurisdiction at Crow Butte Uranium Mine

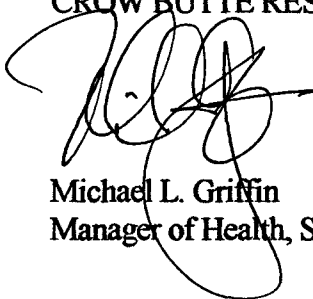
Dear Mr. Pierson:

By letter dated January 10, 2006, Mr. James D. Wiesbeck, Supervisor of the Rapid City Field Office for the Mine Safety and Health Administration (MSHA) notified Crow Butte Resources, Inc. (CBR) that the Field Office had determined that MSHA would no longer exercise jurisdiction over the Crow Butte Uranium Mine and that our Mine Identification Number 25-01034 had been entered as “permanently abandoned” on agency records. The basis of this conclusion was a Federal Mine Safety and Health Review Commission Administrative Law Judge decision<sup>1</sup> made in 2001 concerning the application of the definition of a mine from the Federal Mine Safety and Health Act of 1977 to solution mines.

As a result of this decision, the Crow Butte Uranium Mine will fall under the jurisdiction of the Occupational Safety and Health Act of 1970. CBR has retained legal counsel and a consultant specializing in OSHA regulatory programs to assist in compliance issues and completing the transition of our safety program to OSHA standards.

If you have any questions, please do not hesitate to call me at (308) 665-2215, extension 116.

Sincerely,  
CROW BUTTE RESOURCES, INC.



Michael L. Griffin  
Manager of Health, Safety, and Environmental Affairs

---

<sup>1</sup> Rio Algom Mining Corporation, FMSHRC Sep. 2001.

**CROW BUTTE RESOURCES, INC.**



---

Mr. Robert Pierson  
March 21, 2006  
Page 2

cc: Mr. Leonard D. Wert, Jr.  
Director  
Division of Nuclear Materials Safety  
United States Nuclear Regulatory Commission  
Region IV  
611 Ryan Plaza Dr., Suite 400  
Arlington, Texas 76011-4005

U.S. Nuclear Regulatory Commission  
Mr. Stephen Cohen - ADDRESSEE ONLY  
Fuel Cycle Licensing Branch  
Mail Stop T-8F42  
Washington, DC 20555