

From: Paul Michalak
To: pri_jmccarthy@vcn.com
Date: 09/12/2006 1:14:30 PM
Subject: Reynolds Ranch Amendment Issue - 110-8964

John,

Based on the NRC staff's review of Appendix D3-2 of PRI's Reynolds Ranch Amendment, it appears that a Class III Cultural Resource Inventory Survey was not performed for the following proposed permit application areas:

T36N R73W Sec 5 W1/2, Sec 7 W1/2, Sec 17, and Sec 18
T36N R74W Sec 11 S1/2
T36N R74W Sec 12 S1/2, Sec 13 N1/2, and Sec 14 N1/2
T37N, R73W Sec 30, NW1/4 of NE1/4 and SW1/4 of NE1/4

As a result, I am proposing the following amendment (italicized) to License Condition 9.9 of Source Materials License SUA-1548:

9.9 Before engaging in any developmental activity not previously assessed by the NRC, the licensee shall administer a cultural resource inventory. All disturbances associated with the proposed development will be completed in compliance with the National Historic Preservation Act (as amended) and its implementing regulations (36 CFR 800), and the Archaeological Resources Protection Act (as amended) and its implementing regulations (43 CFR 7).

In order to ensure that no unapproved disturbance of cultural resources occurs, any work resulting in the discovery of previously unknown cultural artifacts shall cease. The artifacts shall be inventoried and evaluated in accordance with 36 CFR Part 800, and no disturbance of the area shall occur until the licensee has received authorization from the NRC to proceed.

For the Gas Hills Project, the licensee shall comply with the stipulations for cultural resource protection in the Programmatic Agreement provided in the NRC letter to the Advisory Council on Historic Preservation, dated December 16, 2003.

For the Reynolds Ranch Project, prior to any developmental activity conducted in the following list of Sections, the licensee shall administer a cultural resource inventory in any area of the Section not previously inventoried: T36N R73W Sec 5, Sec 7, Sec 17, and Sec 18; T36N R74W Sec 11, Sec 12, Sec 13, and Sec 14; and T37N, R73W Sec 30.

The proposed amendment does not appear to impact any of your proposed mine units (Plate 1, dated February 2006) except Mine Unit 25, which looks to be directly adjacent to the areas of T37N, R73W Sec 30 that were not surveyed (i.e., NW1/4 of NE1/4 and SW1/4 of NE1/4.)

Let's setup a conference call to discuss this issue. I'm available any time tomorrow, late afternoon MST (4:00 pm+) on Thursday or Friday this week and anytime next week except Wednesday 9/20.

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