

October 3, 2008

Brian T. Kelly, Field Supervisor
U.S. Fish and Wildlife Service
Mountain-Prairie Region
Wyoming Field Office
5353 Yellowstone Road
Cheyenne, WY 82009

SUBJECT: REQUEST FOR INFORMATION REGARDING ENDANGERED OR
THREATENED SPECIES AND CRITICAL HABITAT FOR THE PROPOSED
LICENSE APPLICATION FOR LOST CREEK ISR, LLC'S LOST CREEK
URANIUM RECOVERY PROJECT (Docket 040-09068)

Dear Mr. Kelly:

The U.S. Nuclear Regulatory Commission (NRC) received an application from Lost Creek ISR, LLC for a new radioactive source materials license to develop and operate the Lost Creek Uranium Recovery Project (an *in-situ* leach operation) located in Sweetwater County, WY. The project area consists of approximately 4,200 acres of public land, administered by the U.S. Bureau of Land Management (BLM) and the State of Wyoming. The project area lies within Township 25 north and ranges 92 and 93 west of the Sixth Principal Meridian, and is centered approximately at 42 degrees 8 minutes North latitude and 107 degrees 51 minutes West longitude. A map showing the proposed project location is enclosed.

As established in Title 10 *Code of Federal Regulations*, Part 51 (10 CFR 51) is the NRC regulation that implements the National Environmental Policy Act of 1969, as amended. The agency is currently preparing an environmental assessment (EA) for the proposed action that would tier off a Generic Environmental Impact Statement currently undergoing public review. In accordance with Section 7 of the Endangered Species Act, the EA would include an analysis of potential impacts to endangered or threatened species or critical habitat in the proposed project area. To support the environmental review, the NRC is requesting information from the U.S. Fish and Wildlife Service to facilitate the identification of endangered or threatened species or critical habitat that may potentially be affected by the Lost Creek Uranium Recovery Project license application. Any information you provide would be used to enhance the scope and quality of NRC staff's review in accordance with 10 CFR 51 and 50 CFR 402. After reviewing all the information collected, the NRC will determine what additional actions are necessary to comply with Section 7 of the Endangered Species Act.

Lost Creek ISR, LLC's Lost Creek Uranium Recovery Project license application is publicly available in the NRC Public Document Room located at One White Flint North, 11555 Rockville Pike, Rockville, Maryland 20852, or from the NRC's Agency Wide Documents and Management System (ADAMS). The ADAMS Public Electronic Reading Room is accessible at <http://www.nrc.gov/reading-rm/adams.html>. The accession number for the application is ML073190550.

B. Kelly

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Please submit any comments/information that you may have regarding this environmental review within 30 days of the receipt of this letter to the US Nuclear Regulatory Commission Attn: Mr. Gregory Suber, Mail Stop T-8F05, Washington, DC 20555. If you have any questions, please contact Mr. Alan Bjornsen of my staff by telephone at 301-415-1195 or by email at alan.bjornsen@nrc.gov. Thank you for your assistance.

Sincerely,

/RA/

Gregory F. Suber, Chief
Environmental Review Branch
Environmental Protection and Performance
Assessment Directorate
Division of Waste Management
and Environmental Protection
Office of Federal and State Materials
and Environmental Management Programs

Docket No.: 040-09068

Enclosure:
Lost Creek ISR, LLC Proposed Area

B. Kelly

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Gregory F. Suber, Chief
Environmental Review Branch
Environmental Protection and
Performance Assessment Directorate
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Enclosure:
Lost Creek ISR, LLC Proposed Area

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