

April 9, 2009

Mr. Michael P. Thomas
Environmental, Safety, and Health Manager
Uranerz Energy Corporation
1701 East E Street
PO Box 50850
Casper, WY 82605-0850

SUBJECT: ACKNOWLEDGMENT OF RECEIPT OF RESPONSES TO THE REQUEST FOR
ADDITIONAL INFORMATION FOR NICHOLS RANCH ISR PROJECT LICENSE
APPLICATION AND AFFIDAVIT TO WITHHOLD CULTURAL AND
PALEONTOLOGICAL INFORMATION FROM PUBLIC DISCLOSURE

Dear Mr. Thomas:

By letter dated March 11, 2009, Uranerz Energy Corporation (Uranerz) submitted responses to the Nuclear Regulatory Commission (NRC) staff's request for additional information (RAI) relating to safety issues for the Nichols Ranch *In Situ* Recovery Uranium Project in Campbell and Johnson Counties, Wyoming (Agencywide Document Access and Management System (ADAMS) Accession Number ML090820539). The NRC staff received six copies of your responses via FedEx delivery on March 17, 2009. The RAI responses, application page changes, and supplemental information submitted by Uranerz are being replicated and placed in ADAMS, except for those parts that have been withheld from public view.

Uranerz also submitted an affidavit dated March 11, 2009, to withhold cultural and paleontological information from public disclosure (ADAMS Accession Number ML090840181). The affidavit indicated that confidential information is being submitted under 10 CFR 2.390, citing the National Historic Preservation Act, Section 304 (16 U.S.C. 470w-3(a)), as the basis for withholding this information from public view. The NRC staff agrees that the cultural and paleontological information submitted with the application is confidential and will be withheld from public view as requested in your affidavit.

NRC staff is reviewing your responses to the safety RAI and will notify you if there are any open issues that remain unresolved.

M. Thomas

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In accordance with 10 CFR 2.390 of the NRC's "Rules of Practice for Domestic Licensing Proceedings and Issuance of Orders," a copy of this letter will be available electronically for public inspection in the NRC Public Document Room or from the Publicly Available Records component of ADAMS. ADAMS is accessible from the NRC Web site at <http://www.nrc.gov/reading-rm/adams.html>.

If you have any questions, please contact me at ron.linton@nrc.gov or (301) 415-7777.

Sincerely,

/RA/

Ron C. Linton, Project Manager
Uranium Recovery and Licensing Branch
Division of Waste Management
and Environmental Protection
Office of Federal and State Materials
and Environmental Management Programs

Docket No.: 04009067

cc: G. Mooney, WDEQ
D. McKenzie, WDEQ

M. Thomas

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Sincerely,

Ron C. Linton, Project Manager
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cc: G. Mooney, WDEQ
D. McKenzie, WDEQ

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KMcConnell

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OFC	FSME/DWMEP	FSME/DWMEP	FSME/DWMEP	FSME/DWMEP
NAME	RLinton	BGarrett	SCohen	RLinton
DATE	04/07/09	04/0709	04/09/09	04/09/09

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