

May 27, 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
ENVIRONMENTAL REPORT 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 May 8, 2009, Uranerz Energy Corporation (Uranerz) submitted responses to the Nuclear Regulatory Commission (NRC) staff's March 12, 2009 request for additional information (RAI) relating to environmental issues for the Nichols Ranch *In Situ* Recovery Uranium Project in Campbell and Johnson Counties, Wyoming. The NRC staff received six copies of your responses via FedEx delivery on May 19, 2009. The RAI responses, application page changes, and supplemental information submitted by Uranerz are being replicated and placed in NRC's Agencywide Documents and Management System (ADAMS).

Uranerz also submitted an affidavit dated May 8, 2009, to withhold cultural and paleontological information from public disclosure. 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 in the ADAMS system 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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/RA/

Ron C. Linton, Project Manager
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D. McKenzie, WDEQ

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DATE	05/26/09	05/26/09	05/27/09	05/27/09

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