

October 5, 2009

Ms. Melissa Bautz
Wyoming Department of Environmental
Quality - Lander Office
510 Meadowview Dr.
Lander, WY 82520

SUBJECT: LOST CREEK ISR, LLC, DRAFT ENVIRONMENTAL ASSESSMENT FOR AN
EXEMPTION TO THE COMMENCEMENT OF CONSTRUCTION
REQUIREMENTS IN 10 CFR 40.32(E), LOST CREEK IN SITU RECOVERY
FACILITY, SWEETWATER COUNTY, WYOMING (TAC J00595)

Dear Ms. Bautz:

By letter dated July 2, 2009, Lost Creek ISR, LLC (LCI) submitted an application for an exemption to the commencement of construction requirements in 10 CFR 40.32(e) to the U.S. Nuclear Regulatory Commission (NRC) staff. Specifically, LCI presented 10 activities that are the subject of this exemption request, including road construction, grading, support building construction, fence construction, and utility installation. The NRC staff has reviewed this request and intends to approve this request with exceptions. The staff will not approve construction of the central processing plant building or the installation of the disposal wells.

To support its decision, the staff has prepared the enclosed draft Environmental Assessment (EA) for your review. Please review the enclosed draft EA and provide your comments to the staff within 30 days of the date of this letter. The enclosed draft EA is pre-decisional information and is limited to use by the Wyoming Department of Environmental Quality and staff and should not be disclosed without prior NRC permission.

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 NRC's Agencywide Documents Access and Management System (ADAMS). ADAMS is accessible from the NRC Web site at <http://www.nrc.gov/reading-rm/adams.html>.

Sincerely,

/RA/

Stephen J. Cohen, Project Manager
Uranium Recovery Licensing Branch
Decommissioning and Uranium Recovery
Licensing Directorate
Division of Waste Management
and Environmental Protection
Office of Federal and State Materials
and Environmental Management Programs

Docket No.: 40-9068

Enclosure:
Draft Environmental Assessment

cc: Mark Thiesse, WDEQ
Don McKenzie, WDEQ

M. Bautz

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Stephen J. Cohen, Project Manager
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Don McKenzie, WDEQ

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