



February 24, 2010

Attn: Document Control Desk  
Ron Linton  
Project Manager  
Uranium Recovery Licensing Branch  
Division of Waste Management and  
Environmental Protection  
Office of Federal and State Materials and  
Environmental Management Programs  
U.S. Nuclear Regulatory Commission  
Two White Flint North, MS T8F5  
11545 Rockville Pike  
Rockville, MD 20852

Re: Responses to the Open Issues to the Safety Evaluation Report for the Nichols Ranch ISR Project License Application (TAC J00553, Docket No 040-09067)

Dear Mr. Linton,

In a letter dated October 13, 2009 the Nuclear Regulatory Commission (NRC) staff presented open issues to Uranerz regarding the NRC Nichols Ranch facility Safety Evaluation Report (SER). By this letter, Uranerz is submitting responses to the NRC open issues and confirmatory items. The responses include:

- ☞ A detail response to each open issue including reference to the applicable section of the Technical Report for those open issue responses that require revisions to be made to the Technical Report along with supporting information for each detailed response.
- ☞ 4 copies of all responses and attachments for the open issues. All attachments have been separated based upon the section of the SER open issue.

Additional information that was not part of the NRC open issue responses has also been provided that includes revisions to Section 2.4 of the Technical Report and Section 3.8 of the Environmental Report. This information was revised based upon conversations with staff regarding the Technical Report Table of Contents and also the concurrent environmental review. These revisions include the following information:

- ☞ Six copies of a revised Table of Contents that includes all appendices and what is contained in each of them.

- ☞ Six copies each of text revisions to Section 2.4 of the Technical Report (pgs. 17-22) and for Section 3.8 of the Environmental Report (pgs. 58-62).
- ☞ An affidavit for withholding the cultural resource information from public disclosure (Exhibit 2-1 and Exhibit 3-1).
- ☞ Six copies of revised Exhibit 2-1 of the Technical Report. The exhibits are contained in the confidential folders (enclosed red folders).
- ☞ Six copies of revised Exhibit 3-1 of the Environmental Report. The exhibits are contained in the confidential folders (enclosed red folders).

If you have any questions regarding the open issue response submittal, please contact me at 307-265-8900 or by email at: [mthomas@uranerz.com](mailto:mthomas@uranerz.com).

Sincerely,



Mike Thomas  
Environmental, Safety, and Health Manager  
Uranerz Energy Corporation

Attachments

cc: Irene Yu, Environmental Project Manager, NRC (via Email)

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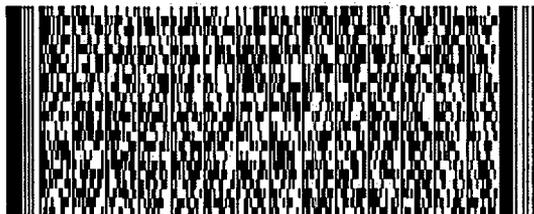
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**U.S. Nuclear Regulatory Commission**  
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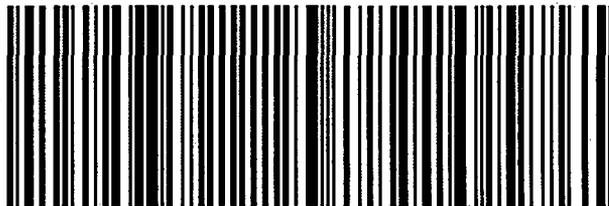


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