

September 15, 2019

Alonzo Chalepah, Chairman
Apache Tribe of Oklahoma
P.O. Box 1220
Anadarko, OK 73005

SUBJECT: INVITATION FOR FORMAL SECTION 106 CONSULTATION UNDER NATIONAL HISTORIC PRESERVATION ACT AND REQUEST FOR INFORMATION REGARDING HISTORIC AND CULTURAL RESOURCES REGARDING THE CROW BUTTE RESOURCES, INC. PROPOSED NORTH TREND EXPANSION AREA IN-SITU RECOVERY FACILITY IN DAWES COUNTY, NEBRASKA

Dear Chairman Chalepah:

The U.S. Nuclear Regulatory Commission (NRC) has received an application from Crow Butte Resources, Inc. (CBR) for an amendment to source materials license SUA-1534 to permit CBR to construct and operate an *in-situ* recovery facility at the North Trend Expansion Area in Dawes County, Nebraska. The facility, if licensed, would use an *in-situ* recovery technology to extract uranium at the North Trend Expansion Area site. The proposed project area consists of approximately 2,110 acres located approximately 4.5 miles northwest of the current CBR facility, which is situated approximately 4 miles southeast of the City of Crawford in Dawes County in Nebraska. A map showing the proposed project boundary is enclosed.

The area of potential effect on cultural resources within the North Trend Expansion Area is the 1,190-acre area of anticipated development. Three historic sites and three isolated prehistoric artifacts were located and identified in a cultural resource survey submitted by CBR.

In accordance with Section 106 of the National Historic Preservation Act, as well as the National Environmental Policy Act (NEPA), 36 CFR 800.8(c), the NRC invites the Apache Tribe of Oklahoma to be a consulting party. If the Apache Tribe of Oklahoma would like to participate as a consulting party, please respond to this letter.

In regards to the proposed project, the NRC is also engaged in an environmental review pursuant to the National Environmental Policy Act. As part of the review, the NRC will conduct an analysis of potential impacts to historic and cultural properties. As such, the NRC is in the process of collecting information to facilitate the identification of historic sites or cultural resources that could be affected by the proposed action. Specifically, are there any areas on the North Trend Expansion Area site that the Apache Tribe of Oklahoma believes have cultural significance?

The Crow Butte Resources North Trend Expansion Area Project license application is publicly available in the NRC's Public Document Room located at One White Flint North, 11555 Rockville Pike, Rockville, Maryland 20852, or from the NRC's Agency Wide Documents Access

and Management System (ADAMS). The ADAMS Public Electronic Reading Room is accessible at <http://www.nrc.gov/reading-rm/adams.html>. The accession numbers for the Crow Butte Resources application including the Environmental report are ML071870300, ML071870302, and ML071870307, and these reports are available online through ADAMS.

Please submit the Apache Tribe of Oklahoma request to be a consulting party as well as any information that the Apache Tribe of Oklahoma may have regarding this environmental review within 30 days of the receipt of this letter to NRC, Attention: Mr. Kevin Hsueh, Mail Stop T8F05, Washington, DC 20555. If you have any questions or comments, or need any additional information, please contact Mr. Nathan Goodman of my staff by telephone at 301-415-2703, or email at Nathan.Goodman@nrc.gov.

Sincerely,

/RA/

Kevin Hsueh, Branch Chief
Environmental Review Branch B
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. 40-8943

Enclosure: Figure 1-1

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Sincerely,

Kevin Hsueh, Branch Chief
 Environmental Review Branch B
 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. 40-8943

Enclosure: Figure 1-1

DISTRIBUTION:

DWMEP r/f BKlukan/OGC KHseuh/FSME BVonTill/URLB
 RBurrows/URLB BKlukan/OGC SCohen/URLB

ML101730194

OFC	DWMEP	DWMEP	DWMEP	OGC	DWMEP
NAME	NGoodman	AWalker-Smith	JDavis	BKlukan	KHseuh
DATE	06/22/10	06/23/10	07/29/10	08/19/10	09/15/10

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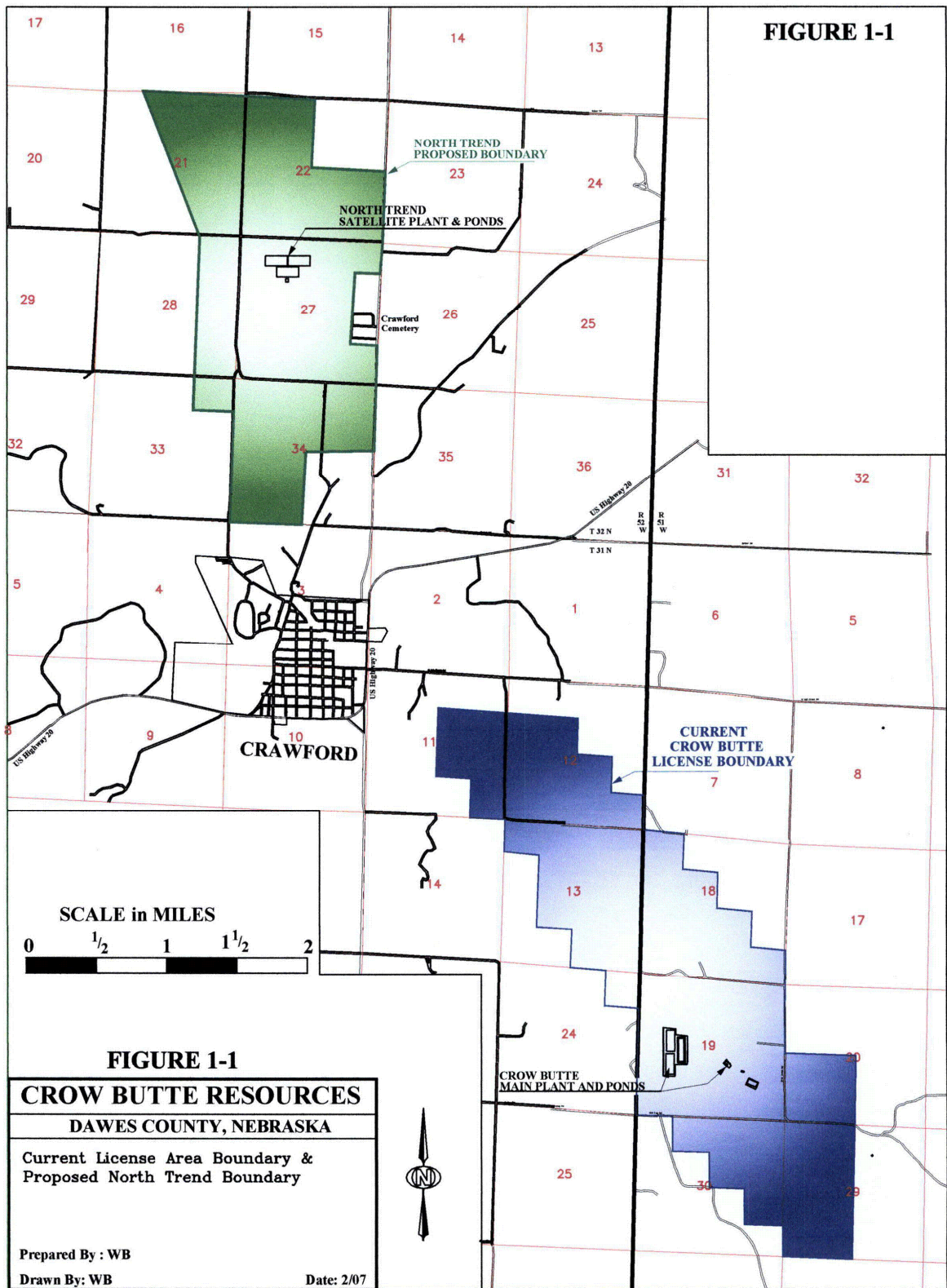


FIGURE 1-1

FIGURE 1-1
CROW BUTTE RESOURCES
DAWES COUNTY, NEBRASKA
 Current License Area Boundary &
 Proposed North Trend Boundary

Prepared By : WB
 Drawn By: WB
 Date: 2/07

IDENTICAL LETTERS SENT TO:

Apache Tribe of Oklahoma

Alonzo Chalepah, Chairman
Apache Tribe of Oklahoma
P.O. Box 1220
Anadarko, OK 73005

2. Assiniboine and Sioux Tribes of the Fort Peck Indian Reservation, Montana

A.T. Stafne, Chairman
Fort Peck Tribal Executive Board
P.O. Box 1027
Poplar, MT 59255

3. Cheyenne and Arapaho Tribes

Darrell Flyingman, Governor
Cheyenne and Arapaho Tribes
P.O. Box 38
Concho, OK 73022

4. Lynette Gray, THPO

Cheyenne and Arapaho Tribes
100 Red Moon Circle
Concho, OK 73022

5. Cheyenne River Sioux Tribe of the Cheyenne River Reservation, South Dakota

Joseph Brings Plenty, Chairman
Cheyenne River Sioux Tribe
P.O. Box 590
Eagle Butte, SD 57625

6. Mr. Dana Q. Dupris, Acting THPO

CRST Preservation Office
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Eagle Butte, SD 57625

7. Comanche

Wallace Coffey, Chairman
Comanche Nation
HC32 – Box 1720
Lawton, OK 73502

8. Jimmy Arterberry, THPO

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9. Crow

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10. Dale Old Horn, THPO

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11. Crow Creek Sioux Tribe of the Crow Creek Reservation, South Dakota

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Crow Creek Sioux Tribal Council
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12. Eastern Shoshone Tribe

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13. Kiowa Indian Tribe of Oklahoma

Don Tofpi, Chairman
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14. Lower Brule Sioux Tribe of the Lower Brule Reservation, South Dakota

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15. Northern Arapaho

Harvey Spoonhunter, Chairman Arapaho Business Committee
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Fort Washakie, WY 82514
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16. Darlene Conrad, THPO

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17. Northern Cheyenne

Leroy Spang, President (Term ends November 2012)
Northern Cheyenne Tribal Council
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18. Linwood Tallbull, THPO

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Website: www.cheyennenation.com

19. Oglala Sioux Tribe of the Pine Ridge Reservation, South Dakota

Theresa Two Bulls, President
Oglala Sioux Tribal Council
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Fax: 605-867-6076

Cc: Oglala Attorney

20. Wilmer Mesteth, THPO

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21. Pawnee

George Howell, President
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Fax: 918-762-6466

22. Ponca

Larry Wright, Jr., Chairman
Ponca Tribe of Nebraska
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23. Gary Robinette, THPO

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24. Rosebud Sioux Tribe of the Rosebud Indian Reservation, South Dakota

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Rosebud Sioux Tribal Council
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Rosebud, SD 57570
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25. Russell Eagle Bear, THPO

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26. Santee Sioux Nation, Nebraska

Roger Trudell, Chairman
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27. Thelma Thomas, THPO
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28. Standing Rock Sioux Tribe of North and South Dakota
Ron His Horse Is Thunder, Chairman (Term ended October 2009 – call to verify contact)
Standing Rock Sioux Tribal Council
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29. Waste'Win Young, THPO
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30. Three Affiliated Tribes Business Council – (Fort Berthold Sioux)
Marcus D. Wells, Jr., Chairman
Three Affiliated Tribes Business Council
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32. Yankton Sioux
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33. Kip Spotted Eagle Collins, THPO
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