

Dave Heineman
Governor

STATE OF NEBRASKA

DEPARTMENT OF ENVIRONMENTAL QUALITY
Michael J. Linder

Director
Suite 400, The Atrium
1200 'N' Street
P.O. Box 98922
Lincoln, Nebraska 68509-8922
Phone (402) 471-2186
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Ron Burrows
United States Nuclear Regulatory Commission
11154 Rockville Pike
Rockville, Maryland 20850

JUL 01 2010

**Re: Crow Butte Resources, Inc.
North Trend Expansion Area
Aquifer Exemption**

Dear Mr. Burrows,

The Nebraska Department of Environmental Quality is proposing to exempt a portion of the Chadron Formation for the North Trend Expansion Area associated with Crow Butte Resources, Inc. You are receiving this letter because you own land that is adjacent to or within the proposed exemption boundary or you are an interested party. Enclosed is a copy of the Public Notice for your review.

If you have any questions or comments concerning this matter, please contact me at (402) 471-4290.

Sincerely,

Jennifer L. Abrahamson
UIC Program Coordinator
Groundwater Unit
Water Quality Division

ENCLOSURE

PUBLIC NOTICE OF AQUIFER EXEMPTION
Nebraska Department of Environmental Quality
Water Quality Division

Notice is hereby given, pursuant to Title 122, Rules and Regulations for Underground Injection and Mineral Production Wells, Chapters 32 and 33, that a petition has been filed by Crow Butte Resources, Inc. for designation of an exempted aquifer. The legal description of the aquifer to be exempted is: Township 32 North, Range 52 West, Section 21, W $\frac{1}{2}$ of the NW $\frac{1}{4}$, NE $\frac{1}{4}$, NW $\frac{1}{4}$ of the SE $\frac{1}{4}$, NE $\frac{1}{4}$ of the SE $\frac{1}{4}$, SE $\frac{1}{4}$ of the SE $\frac{1}{4}$; Township 32 North, Range 52 West, Section 22, NW $\frac{1}{4}$, SW $\frac{1}{4}$, SE $\frac{1}{4}$; Township 32 North, Range 52 West, Section 27, NW $\frac{1}{4}$, SW $\frac{1}{4}$, NW $\frac{1}{4}$ of the NE $\frac{1}{4}$, SW $\frac{1}{4}$ of the NE $\frac{1}{4}$, NW $\frac{1}{4}$ of the SE $\frac{1}{4}$, SW $\frac{1}{4}$ of the SE $\frac{1}{4}$, NE $\frac{1}{4}$ of the NE $\frac{1}{4}$, SE $\frac{1}{4}$ of the SE $\frac{1}{4}$; Township 32 North, Range 52 West, Section 28, NE $\frac{1}{4}$ of the NE $\frac{1}{4}$, SE $\frac{1}{4}$ of the NE $\frac{1}{4}$, NE $\frac{1}{4}$ of the SE $\frac{1}{4}$, SE $\frac{1}{4}$ of the SE $\frac{1}{4}$; Township 32 North, Range 52 West, Section 33, NE $\frac{1}{4}$ of the NE $\frac{1}{4}$; Township 32 North, Range 52 West, Section 34, NW $\frac{1}{4}$, NE $\frac{1}{4}$, SW $\frac{1}{4}$. The aerial extent of the aquifer to be exempted is approximately 2,100 acres.

The petition for aquifer exemption provides documentation that the basal and middle members of the Chadron Formation: 1) do not currently serve as a source of drinking water; and 2) cannot and will not serve as a source of drinking water because it is mineral-bearing with production capability and it would be economically or technically impractical to render that water fit for human consumption.

Persons may request a fact sheet, may comment upon or object to the proposed aquifer exemption by writing to Michael J. Linder, Director, Nebraska Department of Environmental Quality, P.O. Box 98922, Lincoln, Nebraska 68509-8922, prior to August 10, 2010. Public comments should be submitted as early as possible. A public hearing regarding this petition has been scheduled to be held in Crawford, Nebraska beginning at 7:00 pm, August 23, 2010 in the auditorium at the Crawford Public High School and continuing as necessary. The public hearing will be conducted in accordance with Chapter 5, Title 115 – Rules of Practice and Procedure.

Copies of the fact sheet and all information pertaining to the petition for aquifer exemption will be available for viewing and copying at the Nebraska Department of Environmental Quality, Suite 400, 1200 N Street, The Atrium, in Lincoln and the Nebraska Department of Environmental Quality, 430 East Second Street, in Chadron between 8:00 am and 5:00 pm weekdays, or mailed upon request.

Individuals requiring special accommodations or alternate formats of materials should notify the Department by calling (402) 471-2186. TDD users should call (800) 833-7352 and ask the relay operator to call the Department at (402) 471-2186.

STATE OF NEBRASKA

DEPARTMENT OF ENVIRONMENTAL QUALITY

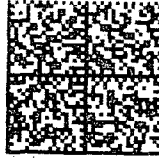
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Lincoln, Nebraska 68509-8922

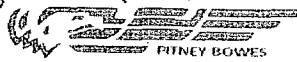
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