



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
FAX (402) 471-2909
website: www.deq.state.ne.us

Ron Burrows
United States Nuclear Regulatory Commission
11154 Rockville Pike
Rockville, Maryland 20850

JUL 28 2010

**Re: Crow Butte Resources, Inc.
Class I Non-Hazardous Injection Well
Proposed Permit**

Dear Mr. Burrows,

The Nebraska Department of Environmental Quality is proposing to issue a permit for a second Class I Non-Hazardous injection well at the above-referenced facility. This injection well is intended to aide in the disposal of restoration fluids. The proposed permit provides conditions and limitations on injection parameters. The Department proposes to use conditions and limitations that are essentially identical to those in the permit for CBR's currently operating Class I non-hazardous injection well. Enclosed is a copy of the corrected Public Notice for your review. This public notice corrects the legal location of the proposed well to the NE ¼ of Section 13, Township 31 North, Range 52 West, Dawes County, Nebraska.

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 PERMIT ISSUANCE
Nebraska Department of Environmental Quality
Water Quality Division

Pursuant to Title 122, Rules and Regulations for Underground Injection and Mineral Production Wells, Chapters 32 and 33, the Nebraska Department of Environmental Quality is public noticing the proposal to issue permit NE0210825 to Crow Butte Resources, Inc. (CBR) for the construction and operation of a Class 1 non-hazardous waste injection well. CBR currently operates a Class 1 non-hazardous waste injection well designed to accept waste fluids generated at its in-situ uranium mining operation, and has applied for an additional Class 1 non-hazardous waste injection well to aide in the disposal of restoration fluids. The proposed injection well is to be located in the Northeast Quarter of the Northeast Quarter of Section 13, Township 31 North, Range 52 West, Dawes County, Nebraska.

The proposed permit provides conditions and limitations on injection parameters. The Department proposes to use conditions and limitations that are essentially identical to those in the permit for CBR's currently operating Class 1 non-hazardous injection well.

The geologic formations receiving injected waste are restricted to the Lower Dakota, Morrison, and Sundance Formations, which have been demonstrated to be located below the lowermost underground source of drinking water. In addition, the Morrison and the Sundance Formations were tested during the drilling of the current operating Class 1 well, and exhibit water quality that is considered unacceptable under State and Federal Regulations as underground sources of drinking water due to naturally high concentrations of total dissolved solids.

The permit requires the operator to monitor concentrations of specific parameters in the injection fluids to insure that only non-hazardous wastes are being injected. In addition, the injection well will be monitored on a continuous basis to record the injection process and ensure compliance with permit conditions.

Persons may request a fact sheet, may comment upon or object to permit issuance by writing to Michael J. Linder, Director, Nebraska Department of Environmental Quality, P.O. Box 98922, Lincoln, Nebraska 68509-8922, prior to September 23, 2010. Public comments should be submitted as early as possible. A public hearing regarding this proposed permit has been scheduled to be held in Crawford, Nebraska beginning at 7:00 pm, September 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. Additionally, an informal information session will be held prior to the public hearing on September 23, 2010, from 5:30 pm to 6:00 pm at the Crawford High School, to provide the public the opportunity to ask questions regarding the proposed additional Class 1 well.

Copies of the fact sheet and all information pertaining to the permit issuance 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, in Chadron between 8:00 am and 5:00 pm weekdays, or mailed upon request. Further information may be obtained by contacting the Department at (402) 471-2186.

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.