

September 15, 2010

Rodney Bordeaux, President  
Rosebud Sioux Tribe  
P. O Box 430  
Rosebud, SD 57570-0430

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 President Bordeaux:

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 Rosebud Sioux Tribe to be a consulting party. If the Rosebud Sioux Tribe 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 Rosebud Sioux Tribe 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 Rosebud Sioux Tribe request to be a consulting party as well as any information that the Rosebud Sioux Tribe 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](mailto: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

cc: w/enclosure:  
Russell Eagle Bear  
Rosebud Sioux Tribe  
Tribal Historic Preservation Office  
P.O Box 658  
Rosebud, SD 57570-0658

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Sincerely,

Kevin Hsueh, Branch Chief  
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Environmental Protection and Performance  
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**ML102530484**

<b>OFC</b>	DWMEP	DWMEP	DWMEP	OGC	DWMEP
<b>NAME</b>	NGoodman	AWalker-Smith	JDavis	BKlukan	KHsueh
<b>DATE</b>	06/22/10	06/23/10	07/29/10	08/19/10	09/15/2010

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**FIGURE 1-1**

