January 13, 2011

Michael Jandreau, Chairman
Lower Brule Sioux Tribe
187 Oyate Circle
Lower Brule, SD 57548

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 LICENSE RENEWAL OF THE *IN-SITU* RECOVERY FACILITY IN DAWES COUNTY, NEBRASKA

Dear Chairman Jandreau:

The U.S. Nuclear Regulatory Commission (NRC) has received an application from Crow Butte Resources, Inc. (CBR) for a license renewal of the source materials license SUA-1534 to permit CBR to continue operation of the *in-situ* recovery facility in Dawes County, Nebraska. The facility, if relicensed, would use an *in-situ* recovery technology to extract uranium at the project site. The proposed renewal project area is situated approximately 4 miles southeast of the City of Crawford in Dawes County, Nebraska. A map showing the proposed project boundary is enclosed.

The area of potential effect for the license renewal review is the 1,190-acre areas of the current project site. Three historic sites and three isolated prehistoric artifacts were located and identified in a cultural resource survey conducted 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 Lower Brule Sioux Tribe of South Dakota to be a consulting party. If the Lower Brule Sioux Tribe of South Dakota 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 project site that the Lower Brule Sioux Tribe of South Dakota believes have cultural significance?

The Crow Butte Resources license renewal 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 ML0734802670, ML0734802660, and ML0734706451, and these reports are available online through ADAMS.
Please submit the Lower Brule Sioux Tribe of South Dakota request to be a consulting party as well as any information that the Lower Brule Sioux Tribe of South Dakota may have regarding this environmental review within 30 days of the receipt of this letter to NRC, Attention: Larry W. Camper, 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/

Larry W. Camper, Director
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

Resources application including the Environmental report are ML0734802670, ML0734802660, and ML0734706451, and these reports are available online through ADAMS.
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Sincerely,

Larry W. Camper, Director
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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ML110130202

OFC	DWMEP	DWMEP	DWMEP	OGC	DWMEP	DWMEP
NAME	NGoodman	AWalker-Smith	JDavis	BKlukan	KHsueh	LCamper
DATE	01/06/11	01/07/11	01/12/11	01/10/11	01/12/11	01/13/11

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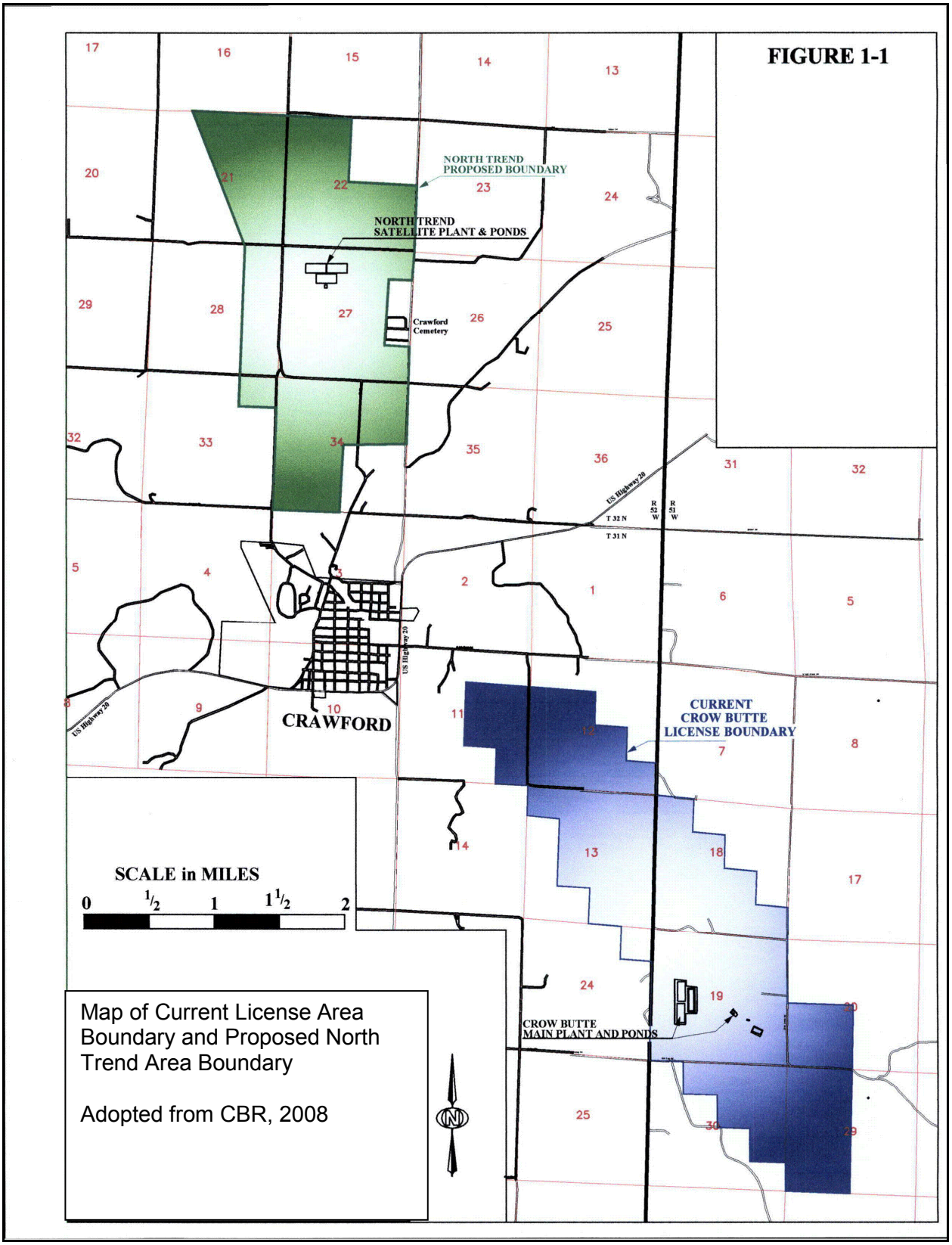

Map of Current License Area Boundary and Proposed North Trend Area Boundary

Adopted from CBR, 2008

Enclosure