

August 5, 2011

Mr. John P. Schmuck  
Senior Permitting Manager  
Cameco Resources  
2020 Carey Avenue, Suite 600  
Cheyenne, WY 82001

SUBJECT: INFORMATION REQUIRED BY THE U.S. NUCLEAR REGULATORY COMMISSION STAFF TO CONTINUE TO PURSUE ITS OBLIGATIONS PER SECTION 106 OF THE NATIONAL HISTORIC PRESERVATION ACT REGARDING THE PROPOSED CROW BUTTE NORTH TREND EXPANSION AND THE LICENSE RENEWAL OF THE CURRENT OPERATING CROW BUTTE FACILITY

Dear Mr. Schmuck:

The U.S. Nuclear Regulatory Commission (NRC) has received an application from Crow Butte Resources, Inc. (CBR) for the renewal of NRC source material license SUA-1534 to permit CBR to construct and operate an *in-situ* recovery (ISR) facility in Dawes County, Nebraska. The facility, if relicensed, would use an ISR technology to extract uranium at the site. Additionally, the NRC has received an application from CBR to amend SUA-1534 to permit CBR to construct and operate an ISR facility at the North Trend Expansion Area in Dawes County, Nebraska. As part of its review of both of the applications filed by CBR, the NRC is required to comply with Section 106 of the National Historic Preservation Act (NHPA) and its implementing regulations (36 CFR Part 800). In regards to the NRC staff's (Staff) evaluation per Section 106 of the NHPA, the intent of this letter is to alert CBR to what information, not currently in the possession of the Staff, that the Staff has determined necessary in order to reasonably and in good faith identify historic properties within the areas of potential effects for both of the applications. To that end, this letter discusses the Staff's need for information regarding potential traditional cultural properties.

In order to comply with Section 106 of the NHPA regarding the two applications filed by CBR, the Staff is required to employ reasonable and good faith efforts to identify historic properties within the areas of potential effects for the applications. Historic properties include those properties of traditional religious and cultural importance to one or more Indian tribes. Based on information gathered during a meeting between six Indian tribes and the NRC in June 2011, the Staff has determined that, beyond the archeological surveys already submitted by CBR in support of the applications, NRC needs additional information regarding properties which may be of religious and cultural significance to Indian tribes. The Staff believes that traditional cultural property surveys of the areas of potential effects are an effective method to identify these properties. Such surveys could include site visits by tribal representatives, analysis of potential properties by tribal representatives, and ethnographic interviews of tribal representatives.

The Staff hereby requests that CBR submit to the Staff in writing by August 19, 2011 a proposal of how CBR intends to acquire the foregoing required information. Upon receipt of this proposal, the Staff will make a determination as to whether the actions outlined by the proposal

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will generate the information required by the Staff to continue to pursue its obligations per Section 106 of the NHPA regarding the two applications filed by CBR.

Attached to this letter for your use in preparing the requested proposal is a list of those Indian tribes that have expressed interest in a traditional cultural significance evaluation.

Please submit the proposal to the 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/ JMoore for KHsueh***

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

cc: See Attached List

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Sincerely,

Kevin Hsueh, Branch Chief  
Environmental Review Branch  
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

cc: See Attached List

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<b>OFC</b>	DWMEP	DWMEP	OGC	DWMEP
<b>NAME</b>	NGoodman	AWalker-Smith	BKlukan by email	JMoore for KHseuh
<b>DATE</b>	8/3/11	8/4/11	8/3/11	8/05/11

**OFFICIAL RECORD COPY**

Crow Butte Tribal List:

Alonzo Chalepah, Chairman  
Apache Tribe of Oklahoma  
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Anadarko, OK 73005

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

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

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

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

Mr. Dana Q. Dupris, Acting THPO  
CRST Preservation Office  
P.O. Box 590  
Eagle Butte, SD 57625

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

Jimmy Arterberry, THPO  
Comanche Nation  
P.O. Box 908  
Lawton, OK 73502

Cedric Black Eagle, Chairman  
Crow Tribal Council  
P.O. Box 169  
Crow Agency, MT 59022

Dale Old Horn, THPO  
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Crow Agency, MT 59022

Lester Thompson, Chairman  
Crow Creek Sioux Tribal Council  
P.O. Box 50  
Fort Thompson, SD 57339

Ivan Posey, Tribal Chairman  
P.O. Box 538  
Fort Washakie, WY 82514

Don Tofpi, Chairman  
Kiowa Indian Tribe of Oklahoma  
P.O. Box 369  
Carnegie, OK 73015

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

Harvey Spoonhunter, Chairman Arapaho  
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Fort Washakie, WY 82514

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Pine Ridge, SD 57770

cc: Oglala Attorney

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Rosebud Sioux Tribal Council  
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Rosebud, SD 57570

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Thelma Thomas, THPO  
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Niobrara, NE 68760

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Standing Rock Sioux Tribal Council  
P.O. Box D  
Fort Yates, ND 58538

Waste'Win Young, THPO  
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Fort Yates, ND 58538

Marcus D. Wells, Jr., Chairman  
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404 Frontage Road  
New Town, ND 58763

Perry Brady, THPO  
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New Town ND 58763

Robert Cournoyer, Chairman  
Yankton Sioux Tribal Business & Claims  
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