

## StrataRossLAPem Resource

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**From:** Bjornsen, Alan  
**Sent:** Saturday, August 13, 2011 11:32 AM  
**To:** 'kevin@oglala.org'  
**Cc:** Moore, Johari; Saxton, John  
**Subject:** Ross ISR Tribal Site Visit and Meeting  
**Attachments:** Ross Accept Ltr ML1117219481.pdf

Mr. Mesteth,

The following letter was mailed to you with the accompanying enclosure. In addition, the Class II Cultural Inventory, which is also contained in the package mailed to you, can be accessed through NRC ADAMS at ML1121501670. Because of its large size (12MB), it could not be attached, directly, to this e-mail. The mailed package should reach you by Monday, August 15.

If you need financial assistance (travel expenses) for this event, you may place your request to:

Mr. Michael Butcher  
Business Manager  
Strata Energy, Inc.  
P.O. Box 2318  
Gillette, WY 82716  
(307) 686-4066

Please note that your response is due by Friday, August 26, 2011.

Thank you.

*Alan B. Bjornsen*

Environmental Project Manager  
FSME/DWMEP/EPPAD/ERB  
U.S. Nuclear Regulatory Commission  
11545 Rockville Pike  
Rockville, MD 20852  
(301) 415-1195  
alan.bjornsen@nrc.gov

August 11, 2011

Mr. Wilmer Mesteth  
Tribal Historic Preservation Officer  
Oglala Lakota Tribe  
P.O. Box 2070  
Pine Ridge, SD 57770

SUBJECT: INVITATION FOR SITE VISIT AND SECTION 106 CONSULTATION FOR THE  
PROPOSED ROSS URANIUM RECOVERY PROJECT, CROOK COUNTY,  
WYOMING

Dear Mr. Mesteth:

By letter dated February 9, 2011, the U.S. Nuclear Regulatory Commission (NRC) notified your office that it had received a source materials license application from Strata Energy, Inc. to construct and operate a uranium *In-Situ* Recovery (ISR) facility in Crook County, Wyoming. The proposed Ross Project is approximately 11 miles west of the Devils Tower National Monument. Also in this letter, the NRC formally invited you to be a Section 106 consulting party and offered to conduct a government-to-government meeting with tribes. This letter is to inform you that the NRC has accepted the license application for detailed technical review, and to invite you to participate in a site visit and consultation meeting for the proposed Ross Project (See Enclosure 1).

Section 106 of the National Historic Preservation Act (NHPA) requires Federal agencies to take into account the effects of their projects and programs on historic properties. The Advisory Council on Historic Preservation's regulations implementing Section 106 (36 CFR Part 800) set forth this review process, whereby the Federal agency consults with the State Historic Preservation Officer (SHPO), Tribal Historic Preservation Officers (THPOs) and Indian Tribes to determine if the proposed project will have an effect on a property listed on or eligible for listing on the National Register of Historic Places, and if so, what measures might be appropriate to avoid, minimize, or mitigate that effect. The proposed federal undertaking is issuance of an NRC license.

As part of the environmental review, the NRC is preparing a Supplemental Environmental Impact Statement (SEIS) to the *Generic Environmental Impact Statement for In-Situ Leach Facilities* (NUREG-1910). This SEIS will be prepared in accordance with the regulatory provisions in Title 10 of the Code of Federal Regulations Part 51 (10 CFR Part 51). These regulations implement the requirements of the National Environmental Policy Act of 1969. In accordance with 36 CFR Part 800.8, the SEIS will also include analyses of impacts to historic properties. The NRC staff is using this process to comply with its obligations under Section 106 of the NHPA in lieu of the procedures set forth in 36 CFR 800.3 through 800.6.

The NRC seeks to identify historic properties that may be of religious and cultural significance to the Oglala Lakota. To facilitate your review, we have enclosed the Class III Cultural Resource Inventory of Strata Energy's Proposed Ross ISR Uranium Project, Crook County, Wyoming, prepared by GCM Services, Inc. for Strata (See Enclosure 2). Additionally, a site walkover will be held for all interested tribes on Tuesday, September 13, 2011. On Wednesday, September 14, 2011, Section 106 consultation will take place at the Best Western Tower West Lodge in Gillette, Wyoming.

You are cordially invited to attend this site visit and consultation meeting. Associated travel and per diem costs will be reimbursed by the applicant, Strata Energy, Inc. The details of this event will be formalized at a later date.

If you are interested in attending, please notify the following member of my staff, in writing, by August 26, 2011:

Alan B. Bjornsen, Environmental Project Manager  
U.S. Nuclear Regulatory Commission  
11545 Rockville Pike, M.S. T-08F05  
Rockville, MD 20852

If you have any specific questions or comments on the proposed project, or need any additional information regarding the license application and the environmental review process, please contact Mr. Alan Bjornsen of my staff by telephone at 301-415-1195, or by email at [Alan.Bjornsen@nrc.gov](mailto:Alan.Bjornsen@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.: 40-9091

Enclosures:

1. NRC Acceptance Letter to Strata
2. Class III Cultural Resources Inventory

cc: w/o enclosures:

John Yellow Bird Steele, President  
T. Simpson, Strata  
B. Schiffer, WWC  
D. Furguson, GCM  
C. Pugsley, Thompson and Pugsley  
R. Currit, WYSHPO  
A. Tratebas, BLM  
R. Nation, BIA

**Hearing Identifier:** StrataEnergyRoss\_LA\_Public  
**Email Number:** 288

**Mail Envelope Properties** (C070F82E831E1C44879BFA258CF960C97CAA74649A)

**Subject:** Ross ISR Tribal Site Visit and Meeting  
**Sent Date:** 8/13/2011 11:31:49 AM  
**Received Date:** 8/13/2011 11:31:00 AM  
**From:** Bjornsen, Alan

**Created By:** Alan.Bjornsen@nrc.gov

**Recipients:**

"Moore, Johari" <Johari.Moore@nrc.gov>  
Tracking Status: None  
"Saxton, John" <John.Saxton@nrc.gov>  
Tracking Status: None  
"kevin@oglala.org" <kevin@oglala.org>  
Tracking Status: None

**Post Office:** HQCLSTR01.nrc.gov

<b>Files</b>	<b>Size</b>	<b>Date &amp; Time</b>
MESSAGE	5727	8/13/2011 11:31:00 AM
Ross Accept Ltr ML1117219481.pdf		105476

**Options**

**Priority:** Standard  
**Return Notification:** No  
**Reply Requested:** No  
**Sensitivity:** Normal  
**Expiration Date:**  
**Recipients Received:**

June 28, 2011

Mr. Anthony Simpson  
Chief Operating Officer  
Strata Energy, Inc.  
P. O. Box 2318  
Gillette, WY 82716

SUBJECT: ACCEPTANCE FOR REVIEW OF MATERIALS LICENSE APPLICATION,  
STRATA ENERGY, INC., ROSS IN SITU RECOVERY URANIUM PROJECT,  
CROOK COUNTY, WYOMING (TAC J00640)

Dear Mr. Simpson:

By letter dated January 4, 2011, Strata Energy, Inc. submitted to the U.S. Nuclear Regulatory Commission (NRC) a materials license application for the Ross In Situ Recovery (ISR) Uranium Project in Crook County, Wyoming. The application was publicly available in NRC's Agencywide Documents Access and Management System (ADAMS) on January 13, 2011. Due to resource constraints, the start of NRC staff's acceptance review was delayed until May 2, 2011. The staff has now completed the acceptance review and found the application sufficient for a detailed technical and environmental review. Please note that the detailed technical and environmental review may identify issues that require additional information.

Because the application was found acceptable for technical review, pursuant to 10 CFR Part 2, Subparts A and C, a Notice of Opportunity for Hearing regarding the Ross ISR Uranium Project will be published in the *Federal Register*, specifying a 60-day request period, starting from the date of publication of the notice. In addition, the Ross ISR Uranium Project materials license application will be listed for the same 60-day period under the heading *Opportunities to Request a Hearing or Petition to Intervene* on the NRC's Public Website at the following web address: <http://www.nrc.gov/about-nrc/regulatory/adjudicatory/hearing-license-applications.html#4>.

In accordance with 10 CFR 2.390 of NRC's "Rules of Practice for Domestic Licensing Proceedings and Issuance of Orders," a copy of this letter will be available electronically for

A. Simpson

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public inspection in the NRC Public Document Room or from the Publicly Available Records component of ADAMS. ADAMS is accessible from the NRC Web site at <http://www.nrc.gov/reading-rm/adams.html>.

If you have any questions, please contact me at [john.saxton@nrc.gov](mailto:john.saxton@nrc.gov) or (301) 415-0697.

Sincerely,

*/RA/*

John L. Saxton, Project Manager  
Uranium Recovery Licensing Branch  
Decommissioning and Uranium Recovery  
Licensing Directorate  
Division of Waste Management  
and Environmental Protection  
Office of Federal and State Materials  
and Environmental Management Programs

Docket No.: 04009091

cc:

Glenn Mooney (WDEQ)

Miles Bennett (WDEQ)

James Brashor (BLM)

Ben Schiffer (WWC)

Chris Pugsley (Thompson & Pugsley, LLC)

A. Simpson

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public inspection in the NRC Public Document Room or from the Publicly Available Records component of ADAMS. ADAMS is accessible from the NRC Web site at <http://www.nrc.gov/reading-rm/adams.html>.

If you have any questions, please contact me at [john.saxton@nrc.gov](mailto:john.saxton@nrc.gov) or (301) 415-0697.

Sincerely,

*/RA/*

John L. Saxton, Project Manager  
Uranium Recovery Licensing Branch  
Decommissioning and Uranium Recovery  
Licensing Directorate  
Division of Waste Management  
and Environmental Protection  
Office of Federal and State Materials  
and Environmental Management Programs

Docket No.: 04009091

cc:  
Glenn Mooney (WDEQ)  
Miles Bennett (WDEQ)  
James Brashor (BLM)  
Ben Schiffer (WWC)  
Chris Pugsley (Thompson & Pugsley, LLC)

**(CLOSES TAC J00640)**

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**ML111721948**

OFC	DWMEP	DWMEP	DWMEP	DWMEP	DWMEP	DWMEP
NAME	JSaxton	BGarrett	SCohen	BVonTill	KMcConnell	JSaxton
DATE	06/22/11	06/22/11	06/23/11	06/23/11	06/23/11	06/27/11

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