

September 20, 2012

Mr. Alvin Windy Boy, Sr.,
Chippewa Cree Tribes
31 Agency Square
Box Elder, MT 59521

SUBJECT: TRANSMITTAL OF: (1) SUPPLEMENT TO THE BASELINE CULTURAL AND PALEONTOLOGICAL RESOURCE SURVEY, (2) INDIRECT AREA OF POTENTIAL EFFECTS MAP, AND (3) DRAFT ETHNOGRAPHIC CONTEXT FOR THE ROSS *IN-SITU* URANIUM RECOVERY PROJECT

Dear Mr. Windy Boy Sr.:

By letter dated January 4, 2011 (Agencywide Documents Access and Management System [ADAMS] Accession No. ML110120055), Strata Energy, Inc. (Strata) submitted a source material license application to the U.S. Nuclear Regulatory Commission (NRC) for the proposed Ross *In-Situ* Uranium Recovery Project (Ross Project) to be located in Crook County, Wyoming. The NRC accepted the application for review in a letter to Strata dated June 28, 2011 (ADAMS Accession No. ML111721948). After reviewing Strata's application, the NRC staff determined that additional information was required in order to complete its review. Therefore, by letter dated January 25, 2012 (ADAMS Accession No. ML113140576), the NRC provided Strata with Requests for Additional Information (RAIs) that identified the information needed for the continued review of Strata's license application.

By letter dated August 8, 2012 (ADAMS Accession No. ML12227A672), Strata provided a response to Environmental Report (ER) RAI Cultural-1(A), which requested additional information related to Strata's "2010 Baseline Cultural and Paleontological Resource Survey, Ross ISR Project Area" (Addendum 3.8-A to the ER). Enclosed with Strata's August 8, 2012 letter was Strata's "Supplement to the Environmental Report, Addendum 3.8-A National Register of Historic Places Evaluation: Testing of Selected Sites at the Proposed Ross ISR project, Crook County, Wyoming." The NRC is enclosing a copy of this supplement for your review and comment. By letter dated August 27, 2012 (ADAMS Accession No. ML12249A188), Strata also provided a "Draft Supplemental Map 'Indirect Area of Potential Effects (APE)' Analysis." This map depicts the prehistoric sites on record within three (3) miles of the Ross Project boundary. The NRC is also enclosing with this letter the map for your review and comment. As a reminder, the Supplement to Addendum 3.8-A and the Indirect APE Analysis Map are sensitive, and the NRC requests the proper storage of these documents, consistent with applicable laws and regulations pertaining to sensitive information.

A. Windy Boy

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With ER RAI Cultural-1(C), the NRC requested that Strata provide an ethnographic context for evaluation of archaeological sites and Traditional Cultural Properties. However, by email dated February 29, 2012 (ADAMS Accession No. ML12062A126), the NRC staff informed Strata that the NRC would use its own consultant to develop the ethnographic context. Enclosed with this letter is the "Draft Ethnographic Context for the Ross *In-Situ* Uranium Recovery Project Area, Crook County, Wyoming." The NRC kindly requests that you review and provide comments on the enclosed documents. Any information you provide will be considered in the preparation of the Final Ethnographic Context.

If you have any questions regarding this letter and its enclosures, please contact Ms. Johari Moore of my staff (via email at Johari.Moore@nrc.gov or via phone at 301-415-7694). You may also contact the NRC's Consultants, Ms. Mary Kenner (via email at Mary.Kenner@respec.com or via phone at 606-394-6528) or Dr. Cheryl Chapman (via email at Cheryl.Chapman@respec.com or via phone at 605-394-6510).

Sincerely,

/RA/

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. 40-9091

Enclosures:

1. Supplement to ER Addendum 3.8-A
(August 8, 2012)
2. Indirect APE Map (August 27, 2012)
3. Draft Ethnographic Context
(August 28, 2012)

cc w/o enclosures: Chairman Bruce Sun Child Sr.,

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Kevin Hsueh, Branch Chief
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|-------------|--------|---------------|--------|----------------|---------|
| OFC | DWMEP | DWMEP | DWMEP | OGC | DWMEP |
| NAME | JMoore | AWalker-Smith | JDavis | MBarkman-Marsh | KHsueh |
| DATE | 9/6/12 | 9/7/12 | 9/7/12 | 9/18/12 | 9/20/12 |

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