March 22, 2013

Mr. John Robinson, Tribal President
Northern Cheyenne Tribe
P.O. Box 128
Lame Deer, MT 59043-0128

SUBJECT: NOTICE OF AVAILABILITY AND REQUEST FOR COMMENTS ON THE DRAFT ENVIRONMENTAL IMPACT STATEMENT FOR THE ROSS IN-SITU RECOVERY PROJECT IN CROOK COUNTY, WYOMING, SUPPLEMENT TO THE GENERIC ENVIRONMENTAL IMPACT STATEMENT FOR IN-SITU LEACH URANIUM MILLING FACILITIES

Dear Tribal President Robinson:

The U.S. Nuclear Regulatory Commission (NRC) staff is reviewing a source materials license application submitted by Strata Energy, Inc. (Strata), for the construction, operation, aquifer restoration, and decommissioning of the proposed Ross In-Situ Recovery (ISR) Project (Ross Project). The facility is proposed to be located in Crook County, Wyoming.

As part of the review of the application, the NRC staff has prepared a Draft Supplemental Environmental Impact Statement (SEIS) (NUREG-1910, Supplement 5). The Draft SEIS includes an analysis of relevant environmental issues and documents the NRC staff's preliminary determinations regarding the environmental impacts from the construction, operation, and decommissioning of the proposed in-situ uranium recovery site.

The NRC staff is complying with its obligations under Section 106 of the *National Historic Preservation Act of 1966*, as amended (NHPA), using the process set forth in Title 36 of the *Code of Federal Regulations* (36 CFR) 800.8(c). Pursuant to 36 CFR 800.8(c), the NRC staff is using the preparation of the SEIS required by the National Environmental Policy Act of 1969, as amended (NEPA), to comply with its obligations under Section 106 of the NHPA. The NRC staff is using 36 CFR 800.8(c) in lieu of the procedures set forth in 36 CFR 800.3 through 36 CFR 800.6.

In the context of NEPA, under which the Draft SEIS has been prepared, the NRC staff's determination is that the impact on historical and cultural resources from the construction, operation, aquifer restoration, and decommissioning of the proposed Ross Project would be SMALL to LARGE. This range of impact finding is due, in part, to the NRC staff's ongoing consultation with interested Native American tribes regarding historic properties of religious and cultural significance that might be impacted by the Ross Project. Results of this ongoing consultation will be documented in the Final SEIS.

The NRC staff is enclosing the Draft SEIS for your review and comment. Please provide any information, comments, or concerns you may have on the Draft SEIS during the comment period, which ends on 5/13/2013 (or 45 days after the date of publication of the *Federal Register* notice). Comments should be submitted in writing either by mail to Cindy Bladey, Chief, Rules and Directives Branch, Division of Administrative Services, Office of Administration, Mailstop: TWB-05-B01M, U.S. Nuclear Regulatory Commission, Washington, DC 20555-0001 (include Docket ID NRC-2011-0148 in the subject line) or under Docket ID NRC-2011-0148 at *http://www.regulations.gov* after 3/29/2013. The NRC staff will address your comments in the Final SEIS.

The NRC Agencywide Documents Access and Management System (ADAMS) (http://www.nrc.gov/reading-rm/adams.html) accession number for the Draft SEIS is ML13078A036. The Draft SEIS also may be accessed on the internet at http://www.nrc.gov/reading-rm/doc-collections/nuregs/staff/sr1910/.

In addition, copies of the Draft SEIS will be available at the Hulett Branch and the Moorcroft Branch of the Crook County Public Library. Additional documents related to this application may be accessed on the Ross Project licensing website: http://www.nrc.gov/materials/uranium-recovery/license-apps/ross.html.

If you have any questions, or require additional information, please contact Ms. Johari Moore, Project Manager, by phone at (301) 415-7694 or by e-mail at Johari.Moore@nrc.gov.

Sincerely,

/RA/

Larry Camper, Director
Division of Waste Management
and Environmental Protection
Office of Federal and State Materials
and Environmental Management Programs

Docket No.: 40-9091

Enclosure: Draft SEIS

cc: Conrad Fisher, THPO
William Walksalong

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If you have any questions, or require additional information, please contact Ms. Johari Moore, Project Manager, by phone at (301) 415-7694 or by e-mail at Johari.Moore@nrc.gov.

Sincerely,

Larry Camper, Director
Division of Waste Management
and Environmental Protection
Office of Federal and State Materials
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