

November 8, 2013

Ms. Mary Hopkins  
State Historic Preservation Officer  
Wyoming State Historic  
Preservation Office  
2301 Central Avenue  
Barrett Building, Third Floor  
Cheyenne, WY 82002

SUBJECT: AREA OF POTENTIAL EFFECT REGARDING AUC LLC's PROPOSED RENO  
CREEK IN-SITU URANIUM RECOVERY PROJECT – LICENSE REQUEST  
(DOCKET NO. 040-09092)

Dear Ms. Hopkins:

Continuing with the effort under Section 106 of the National Historic Preservation Act of 1966, as amended (NHPA), the U.S. Nuclear Regulatory Commission (NRC) is consulting with you to determine and document the area of potential effects (APE) as defined in 36 CFR 800.16(d) and request your comments on the application for the proposed Reno Creek In-Situ Uranium Recovery (ISR) Project.

In a letter dated June 13, 2013, the NRC notified you that it had received an application from AUC LLC (AUC) for a source materials license to authorize AUC to construct and operate an ISR facility at the proposed Reno Creek project site in the Powder River Basin near Wright, Wyoming. In that letter, the NRC staff provided notice that in accordance with 36 CFR §800.8©, the NRC is using the NEPA process to comply with the Section 106 of the NHPA requirements in lieu of the procedures set forth in 36 CFR 800.3 through 800.6. The letter also stated that consultation will include participation in the identification of historic properties (as defined in 36 CFR 800.16(l) within the APE for the project; assessment of the effects of the proposed action on any such properties identified; and development of alternatives and proposed measures that might avoid, minimize, or mitigate any adverse effects of the proposed action on such properties.

The NRC staff proposes defining APE for both direct and indirect effects. The direct APE in which potential ground disturbing activities may occur, would comprise an area of 1,609 acres (Enclosed). These 1609 acres defined as direct APE includes: a direct disturbance area (154 acres), a fenced and controlled area (327 acres), a virtually undisturbed buffer zone (1,119 acres), and a pipeline and new road space (8.7 acres). The buffer zone is the land area between the controlled area's perimeter fence and an outer ring of monitoring wells located approximately 400-500 feet outside the fence. The pipeline and road space account for pipelines and new roads and/or power lines that may be constructed between the central processing plant and wellfields and is not included in the controlled area. The NRC staff proposed defining the indirect APE, in which visual, audible and/or atmospheric effects may occur, by the following method. Initially, the NRC staff will conservatively identify any historic properties within a five mile radius of the direct APE by searching the Wyoming State Historic Preservation Office's database and any other sources that may provide similar information. If

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any historic properties are identified, the visual horizon in the direction of the historic property will be delineated to identify the extent of the indirect APE. At that point, the staff will finalize its initial determination of the indirect APE based on the data search and the evaluation of the visual horizon. We believe that the proposed delineation of the direct APE and methodology for determining the indirect APE is in alignment with discussions with Mr. Richard Currit of your staff.

Please submit any comments concerning the delineation of the direct APE or the methodology to develop an indirect APE within 30 days of the date of this letter by mail to the NRC Attn: Mr. Kevin Hsueh, Mail Stop T-8F05, Washington, DC 20555. If you have any questions on the proposed project or need any additional information regarding this issue, please contact Ms. Jill Caverly of my staff by telephone at 301-415-6699, or by e-mail at [Jill.Caverly@nrc.gov](mailto:Jill.Caverly@nrc.gov).

Sincerely,

**/RA/**

Kevin Hsueh, 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.: 40-9092

Enclosure: Map

cc: James Viellanave, AUC LLC

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