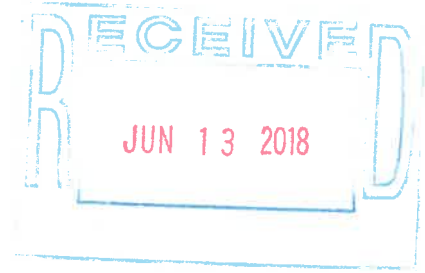




UNITED STATES
NUCLEAR REGULATORY COMMISSION
WASHINGTON, D.C. 20555-0001

June 7, 2018



Ms. Mary Hopkins
State Historic Preservation Officer
2301 Central Avenue
Barrett Building, Third Floor
Cheyenne, WY 82011

SUBJECT: REQUEST FOR SIGNATURE OF THE AMENDED PROGRAMMATIC
AGREEMENT FOR THE ROSS IN SITU URANIUM RECOVERY
PROJECT IN CROOK COUNTY WYOMING (DOCKET NUMBER: 40-9091)

Dear Ms. Hopkins:

The U.S. Nuclear Regulatory Commission (NRC) is requesting your signature on the enclosed Strata Ross Programmatic Agreement (PA) Amendment (Appendix C). Appendix C includes modifications to the PA that were discussed during our June 17, 2016, webinar. Appendix C includes: (1) a simplified accounting of Strata's withdrawal of the Plan of Operations; (2) an accounting of the PA Stipulations that have been completed to date; (3) an updated table of historic properties that were identified; (4) new language to capture the anticipated changes if Wyoming becomes an NRC Agreement State; and (5) clarifications on how the PA can be closed out due to successful implementation of its stipulations. NRC will also append the final Minimization and Mitigation Plan (MMP) to the PA as outlined in Stipulation D.2.g. The MMP was sent via letter dated September 22, 2017 (Agencywide Documents Access and Management System [ADAMS] Accession Number ML17264A626), to all PA parties for their review and comment. The final MMP received concurrence from the Wyoming State Historic Preservation Office via letter dated December 1, 2017 (ADAMS Accession Number ML18155A427).

The PA amendment is being sent for signature concurrently to the Wyoming State Historic Preservation Office, Strata Energy Inc., and the Bureau of Land Management. The NRC will send the Advisory Council on Historic Preservation (ACHP) a copy of the PA amendment that includes all the signed pages. The ACHP will be the last party to sign the PA amendment. With their signature, the PA will go into effect.

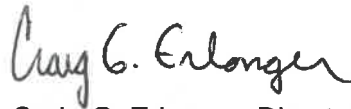
Please sign the enclosed PA amendment and return a copy of the signature page to the NRC within 14 days of receipt of this letter.

If you have any questions regarding the enclosed information or this request, please contact Ms. Jean Trefethen at (301) 415-0867 or via e-mail to: Jean.Trefethen@nrc.gov. Thank you for your continued support and input to the PA implementation process.

In accordance with Title 10 of the *Code of Federal Regulations* Section 2.390 of the NRC's "Agency Rules of Practice and Procedure," a copy of this letter will be available electronically for public inspection in the NRC Public Document Room or from the Publicly Available Records component of NRC's ADAMS.

ADAMS is accessible from the NRC website at: <http://www.nrc.gov/reading-rm/adams.html>.

Sincerely,



Craig G. Erlanger, Director,
Division of Fuel Cycle Safety, Safeguards,
and Environmental Review
Office of Nuclear Material Safety
and Safeguards

Docket No. 40-9091
License No. SUA-1601

Enclosure:
Appendix C: First Amendment to the Ross PA

cc: Mr. Richard Currit, w/o Enclosure



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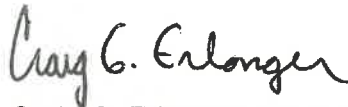
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Appendix C

- b. Stipulations E.1. and E.2. are amended in their first sentences, first word by striking "BLM" and inserting in its place "Strata".
 - c. Stipulation F.2.a. is amended by (1) striking "the BLM Field Office Authorized Officer, the BLM Ranger," and (2) after "Sheriff's Office" inserting "NRC".
 - d. Stipulation F.2.b. is amended by striking it in its entirety.
2. Stipulation M.1, Duration of Agreement, is amended in its entirety to read as follows:

This PA will remain in effect for 20 years from its date of execution by the Signatories (April 24, 2014), unless either (1) Wyoming attains NRC Agreement State status, at which time this PA will expire; or (2) NRC determines that all the activities listed under Stipulations A-D, including implementation of the MMP minimization measures (installation of neutral colored well covers) and mitigation measures (erection of an interpretive sign near the entrance to the mine and creation of a website dedicated to the pre-settlement history of the project area), are completed, at which time this PA will expire; whichever occurs first. NRC shall provide written notification to the other Signatories and Ross Project Consulting Tribes of this PA's expiration, including the circumstances warranting such expiration. Prior to expiration of the PA, the NRC may consult with the other Signatories to reconsider the terms of the PA and amend it in accordance with Stipulation K; however, the expiration of the PA as a result of Wyoming attaining NRC Agreement State status will occur immediately notwithstanding any consultation or amendment in progress.

3. Stipulation O.1. is amended to read as follows:

1. Entirety of Agreement. This PA, consisting of (22) pages, Appendix A, "Description of Undertaking and Area of Potential Effects," consisting of six (6) pages, Appendix B "Ross Project Cultural Resource Inventories," consisting of seven (7) pages, as amended by the amendment set forth in Appendix C, "Amendment One to the Programmatic Agreement," consisting of six (11) pages, and Appendix D, "Minimization and Mitigation Plan," represents the entire and integrated agreement between the parties and supersedes all prior negotiations, representations and agreements, whether written or oral, regarding NRC's compliance with Section 106 of NHPA for this undertaking and for purposes of Strata's compliance with Condition 9.8 of its NRC license.

4. Appendix A is amended on page 1 by inserting at the end of the section entitled "Undertaking," a new paragraph that reads as follows:

"Subsequent to the execution of the Programmatic Agreement of which this Appendix A is a part, Strata amended its mine plan for the Ross Project and withdrew its Plan of Operations from the BLM's Newcastle Field Office, such that no operations will occur on federally-administered land."

5. Appendix B, Tables 1-A, 1-B, 1-C, 1-D, and 3, are replaced with the following updated table:

Table C - 1 Summary Table of NRC Determinations of Eligibility

Site Number	Criterion A	Criterion B	Criterion C	Criterion D
48CK1603	Not Eligible	Not Eligible	Not Eligible	Eligible (1995**)
48CK2070	Eligible (2015*)	Not Eligible	Not Eligible	Not Eligible
48CK2071	Not Eligible	Not Eligible	Not Eligible	Not Eligible
48CK2072	Not Eligible	Not Eligible	Not Eligible	Not Eligible
48CK2073	Not Eligible	Not Eligible	Not Eligible	Not Eligible
48CK2074	Not Eligible	Not Eligible	Not Eligible	Not Eligible
48CK2075	Not Eligible	Not Eligible	Not Eligible	Not Eligible
48CK2076	Eligible (2015*)	Not Eligible	Not Eligible	Not Eligible
48CK2077	Not Eligible	Not Eligible	Not Eligible	Not Eligible
48CK2078	Not Eligible	Not Eligible	Not Eligible	Eligible***
48CK2079	Not Eligible	Not Eligible	Not Eligible	Not Eligible
48CK2080	Eligible (2015*)	Not Eligible	Not Eligible	Not Eligible
48CK2081	Not Eligible	Not Eligible	Not Eligible	Eligible
48CK2082	Not Eligible	Not Eligible	Not Eligible	Eligible
48CK2083	Not Eligible	Not Eligible	Not Eligible	Eligible (2013**)
48CK2084	Not Eligible	Not Eligible	Not Eligible	Not Eligible
48CK2085	Not Eligible	Not Eligible	Not Eligible	Not Eligible
48CK2086	Not Eligible	Not Eligible	Not Eligible	Not Eligible
48CK2087	Eligible (2015*)	Not Eligible	Not Eligible	Not Eligible
48CK2088	Not Eligible	Not Eligible	Not Eligible	Not Eligible
48CK2089	Eligible (2015*)	Not Eligible	Not Eligible	Not Eligible
48CK2090	Not Eligible	Not Eligible	Not Eligible	Not Eligible
48CK2091	Not Eligible	Not Eligible	Not Eligible	Not Eligible
48CK2092	Not Eligible	Not Eligible	Not Eligible	Not Eligible
48CK2093	Not Eligible	Not Eligible	Not Eligible	Not Eligible
48CK2214	Eligible (2015*)	Not Eligible	Not Eligible	Not Eligible
48CK2215	Eligible (2015*)	Not Eligible	Not Eligible	Not Eligible
48CK2216	Not Eligible	Not Eligible	Not Eligible	Not Eligible
48CK2217	Not Eligible	Not Eligible	Not Eligible	Not Eligible
48CK2218	Eligible (2015*)	Not Eligible	Not Eligible	Not Eligible
48CK2219	Eligible (2015*)	Not Eligible	Not Eligible	Not Eligible
48CK2220	Eligible (2015*)	Not Eligible	Not Eligible	Not Eligible
48CK2221	Not Eligible	Not Eligible	Not Eligible	Not Eligible
48CK2222	Eligible (2015*)	Not Eligible	Not Eligible	Not Eligible
48CK2223	Not Eligible	Not Eligible	Not Eligible	Not Eligible
48CK2224	Not Eligible	Not Eligible	Not Eligible	Not Eligible
48CK2225	Not Eligible	Not Eligible	Not Eligible	Not Eligible

**SIGNATURE PAGE
Appendix C**

**FIRST AMENDMENT TO THE
PROGRAMMATIC AGREEMENT
AMONG
THE U.S. NUCLEAR REGULATORY COMMISSION,
THE ADVISORY COUNCIL ON HISTORIC PRESERVATION,
THE WYOMING STATE HISTORIC PRESERVATION OFFICE,
THE BUREAU OF LAND MANAGEMENT-NEWCASTLE FIELD OFFICE,
AND
STRATA ENERGY, INC.,
REGARDING
THE ROSS IN SITU URANIUM RECOVERY PROJECT
IN CROOK COUNTY, WYOMING**

The U.S. Nuclear Regulatory Commission

By: Craig G. Erlanger Date: 6-7-18
Title: Craig G. Erlanger, Director, Division of Fuel Cycle Safety, Safeguards,
and Environmental Review

SIGNATURE PAGE
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Approval as to Form:

Wyoming Attorney General's Office

By:  #180745 Date: 6/20/18
Title: Tyler M. Renner, Assistant Attorney General

SIGNATURE PAGE
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Wyoming State Historic Preservation Officer

By: Mary Hopkins Date: 6/20/18
Title: Mary Hopkins, SHPO



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Department of State Parks and Cultural Resources
State Historic Preservation Office
2301 Central Avenue
Barrett Building, 3rd Floor
Cheyenne, WY 82002

U.S. Nuclear Regulatory Commission
Attn.: Jean Trefethen

TO: Washington, DC 20555-0001

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