



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

August 2, 2018

Mr. Elgin Crows Breast, THPO  
Mandan, Hidatsa, and Arikara Nation  
Three Affiliated Tribes  
404 Frontage Road  
New Town, ND 58763

SUBJECT: TRANSMITTAL OF THE FULLY EXECUTED AMENDMENT TO THE PROGRAMMATIC AGREEMENT FOR THE STRATA ROSS IN-SITU URANIUM RECOVERY PROJECT IN CROOK COUNTY, WYOMING AND EXPIRATION OF THE SAME AGREEMENT (DOCKET NUMBER: 40-9091)

Dear Mr. Crows Breast:

Enclosed is a copy of the fully executed amendment to the Programmatic Agreement (PA) for the Strata Ross in-situ uranium recovery project in Crook County, Wyoming. This is the first amendment to the PA and it went into effect on July 18, 2018, when the Advisory Council on Historic Preservation (ACHP) signed the document.

The NRC is also informing the signatories and consulting parties that the licensee, Strata Energy Inc., has completed all the activities listed under Stipulations A-D of the Strata Ross PA, including full implementation of the measures in the final Minimization and Mitigation Plan. Stipulation M.1, "Duration of the Agreement," of the amended Strata Ross PA states:

*"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."*

Accordingly, via this letter, the NRC is providing written notification to the signatories and consulting parties that the PA is thereby expired.

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 Agencywide Documents Access and Management System (ADAMS). ADAMS is accessible from the NRC website at <http://www.nrc.gov/reading-rm/adams.html>.

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 at [Jean.Trefethen@nrc.gov](mailto:Jean.Trefethen@nrc.gov).

Sincerely,

**/RA/**

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 w/o Enclosure:  
Mr. Mark Fox, Chairman  
Mr. Peter Coffey, Cultural Resource

SUBJECT: TRANSMITAL OF THE FULLY EXECUTED AMENDMENT TO THE PROGRAMMATIC AGREEMENT FOR THE STRATA ROSS IN-SITU URANIUM RECOVERY PROJECT IN CROOK COUNTY, WYOMING AND CLOSE OUT OF THE SAME AGREEMENT (DOCKET NUMBER: 40-9091)

**DATED:** August 2, 2018

**DISTRIBUTION:** RLinton, NMSS/DUWP

**ADAMS Package Accession No.: ML18201A404**

**\*via email**

<b>OFC</b>	FCSE/ERB	FCSE/ERB	OGC	FCSE/ERB	FCSE
<b>NAME</b>	JTrefethen	AWalker-Smith	*Lbaer	CRomán	CErlanger
<b>DATE</b>	07/11/2018	07/23/2018	07/12/2018	07/24/2018	08/02/2018

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