



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

December 9, 2020

Mr. Harold Salway
Tribal Historic Preservation Office
Oglala Sioux Tribe
P.O. Box 320
Pine Ridge, SD 57770

SUBJECT: CULTURAL RESOURCES IDENTIFICATION EFFORTS REGARDING THE
CROW BUTTE IN SITU URANIUM RECOVERY LICENSE RENEWAL
PROCEEDING (DOCKET NO. 40-8943)

Dear Mr. Salway:

The U.S. Nuclear Regulatory Commission (NRC) staff is re-initiating its discussions with the Oglala Sioux Tribe regarding the efforts to address deficiencies in the staff's cultural resources review that were identified by the Atomic Safety and Licensing Board in the license renewal proceeding for the Crow Butte Resources (CBR) in situ uranium recovery (ISR) facility in Crawford, Nebraska. Specifically, these efforts focus on the identification of sites of historic, cultural, and religious significance to the Oglala Sioux Tribe that could be affected by the continued operation of the CBR ISR facility under the renewed license.

As a first step, we would like to meet with you (and other representatives from the Oglala Sioux Tribe, if appropriate) to introduce the NRC staff members who will be working on this effort and to hear from the Tribe regarding cultural resource information-gathering approaches that would inform the development and implementation of a reasonable and timely approach to resolve the identified deficiencies. Although we recognize the preference for face-to-face meetings, given the current COVID-19 public health emergency the meeting will have to be conducted via videoconference (using Cisco Webex, which is an approved platform at the NRC) or by teleconference.

Taking into consideration the holiday season, we are available to meet any day during the weeks of December 14, 2020, or January 4, 2021. Please propose a specific date and time within these weeks that is convenient for you. Also, if you feel it would be useful to have the licensee attend at the beginning of the meeting to provide an overview of the site and its operations, please let us know and we will coordinate with the licensee accordingly.

For background purposes, the CBR ISR facility is located approximately 4 miles southeast of the City of Crawford in Dawes County, Nebraska. The license area consists of approximately 3,300 acres, of which approximately 1,300 acres are disturbed or used for ISR operations (see enclosed figure in Enclosure 1). On November 5, 2014, the NRC staff issued the renewed license (Agencywide Documents Access and Management System (ADAMS) [Accession No. ML18268A212](#)). During the license renewal period (through November 5, 2024), CBR is authorized to perform ISR operations including aquifer restoration and reclamation. Decommissioning and surface reclamation would occur at the end of the project. In support of

the NRC's review of CBR's license renewal application, including the staff's review of potential impacts to cultural resources, the staff prepared an environmental assessment (EA) in 2014 ([ADAMS Accession No. ML14288A517](#)).

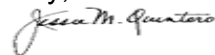
At this time, all mine units at the site have been developed and no further development is anticipated during the current license renewal period. In February 2018, CBR announced plans to cease operations at the Crow Butte ISR facility, and on April 2, 2018, provided information to the NRC about the steps being taken as a result of that decision ([ADAMS Accession No. ML18093A186](#)). None of the mine units at the site is currently in active production. In December 2019, CBR requested an alternate decommissioning schedule, which it revised in August 2020 (ADAMS Accession Nos. [ML19353A473](#), [ML20234A424](#)). The August 2020 revision provides a summary of the restoration activities at each of the mine units.

We look forward to meeting with you and starting a discussion on approaches to identify cultural resources of significance to the Tribe.

In accordance with 10 CFR 2.390, 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>.

If you have any questions or concerns, please contact Ms. Jean Trefethen or Ms. Diana Diaz-Toro of my staff. Ms. Trefethen can be reached at (301) 415-0867 or via e-mail at Jean.Trefethen@nrc.gov. Ms. Diaz-Toro can be reached at (301) 415-0930 or via e-mail at Diana.Diaz-Toro@nrc.gov.

Sincerely,



Signed by Quintero, Jessie
on 12/09/20

Jessie M. Quintero, Chief
Environmental Review Materials Branch
Division of Rulemaking, Environmental,
and Financial Support
Office of Nuclear Material Safety
and Safeguards

Docket No. 40-8943
License No. SUA-1534

Enclosure:
Crow Butte License Area and Mine Units Figure

cc:
Andrew Reid, Esq., Counsel for the Oglala Sioux Tribe

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DATED: December 9, 2020

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ADAMS Accession Number: ML20343A038

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