



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

August 19, 2022

VIA EMAIL

Kevin Killer, President
Oglala Sioux Tribe
107 West Main Street
P.O. Box 2070
Pine Ridge, SD 57770
KevinK@oglala.org

SUBJECT: NOTICE OF AVAILABILITY OF THE DRAFT SUPPLEMENT TO THE ENVIRONMENTAL ASSESSMENT FOR LICENSE RENEWAL OF THE CROW BUTTE RESOURCES, INC. IN SITU URANIUM RECOVERY FACILITY IN CRAWFORD (DAWES COUNTY), NEBRASKA (DOCKET NUMBER: 040-8943)

Dear President Killer:

The staff of the U.S. Nuclear Regulatory Commission (NRC) has prepared a draft Supplement to the Environmental Assessment (EA) for the renewal of source materials license number SUA-1534 for the Crow Butte Resources, Inc. (CBR) in situ uranium recovery facility in Crawford (Dawes County), Nebraska. This draft Supplement expands upon the cultural resources analysis from the original EA, available at Agencywide Documents and Access Management System (ADAMS) ML14288A517. The draft Supplement describes the NRC staff's efforts to address the deficiencies identified in the Atomic Safety and Licensing Board's partial initial decision (LBP-16-7), which found that the NRC staff did not meet its identification obligations under the National Historic Preservation Act (NHPA) and was deficient under the National Environmental Policy Act (NEPA) "for failing to take a hard look at potential TCPs [traditional cultural properties] within the Crow Butte license area[.]" Specifically, the draft Supplement describes the methodology, implementation, and results of a 2021 tribal cultural survey to identify sites of significance to the Tribe within the CBR license area; the NRC staff's evaluation of the identified sites according to the criteria for listing in the National Register of Historic Places (NRHP); and the NRC staff's assessment of potential impacts of the license renewal on the identified sites under the NHPA (for sites eligible for the NRHP) or NEPA (for other sites of significance to the Tribe). The NRC staff coordinated its efforts with Thomas Brings, the Oglala Sioux Tribe's Tribal Historic Preservation Officer, and Harold Salway, Director of the Natural Resources Regulatory Agency, respectively.

An electronic copy of the draft Supplement is available in ADAMS, which is accessible from the NRC website at <http://www.nrc.gov/readingrm/adams.html> (ML22223A161). A Notice of Availability of the draft Supplement will be placed in the *Federal Register*. The 30-day public comment period ends on September 26, 2022.

Pursuant to 36 CFR 800.8(c)(2), we are requesting comments on the draft Supplement and the NRC staff's preliminary conclusions. Electronic comments on the draft Supplement may be submitted to the NRC by accessing <https://www.regulations.gov/> and searching for Docket ID NRC-2022-0153 or by email to CrowButte-LicRenSEA@nrc.gov. Written comments should be submitted by mail to the NRC at:

ATTN: Program Management, Announcements
and Editing Staff Office of Administration
Mail Stop: TWFN-7A60M
U.S. Nuclear Regulatory Commission
Washington, DC 20555-0001

If you have any questions concerning the staff's draft Supplement for the CBR license renewal, please contact Jean Trefethen by phone at 301-415-0867; or via email at Jean.Trefethen@nrc.gov.

Sincerely,



Signed by Moses, John
on 08/19/22

John M. Moses, Deputy Director
Division of Rulemaking, Environmental,
and Financial Support
Office of Nuclear Material Safety
and Safeguards

Docket No. 040-8943

License No. SUA-1534

cc: via email
Thomas Brings, t.brings@oglala.org
Harold Salway, harold@oglala.org
Andrew Reid, Esq., lawyerreid@gmail.com

Letter to Kevin Killer President Oglala Sioux Tribe RE: Availability of the draft EA Supplement for Crow Butte Resources DATE August 19, 2022

DISTRIBUTION:

- JTrefethen, NMSS/REFS/ERMB
- AWalker-Smith, NMSS/REFS/ERMB
- PBaer, OCFO
- JQuintero, NMSS/REFS/ERMB
- JMoses, NMSS/REFS

ADAMS Accession No.: Ltr ML22229A129

*** via email**

OFFICE	OGC/GCHA/AGCMLE /NLO*	NMSS/REFS		
NAME	LBaer <i>LB</i>	JMoses <i>JM</i>		
DATE	Aug 18, 2022	Aug 19, 2022		

OFFICIAL RECORD COPY