



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

August 19, 2022

**VIA EMAIL**

Kenneth Graywater  
Tribal Historic Preservation Officer  
Spirit Lake Tribe of Fort Totten  
P.O. Box 198  
Fort Totten, ND 58335  
[thpo@gondtc.com](mailto:thpo@gondtc.com)

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: 40-8943)

Dear Kenneth Graywater:

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, 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 the 2021 tribal cultural survey to identify sites of significance to the Oglala Sioux Tribe within the CBR license area. It also documents 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).

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](mailto: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 via phone at 301-415-0867; or via email at [Jean.Trefethen@nrc.gov](mailto: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. 40-8943

License No. SUA-1534

Letter to Mr. Bobby Komardley, Chairman, Apache Tribe of Oklahoma; Re., Crow Butte Supplement to the 2014 Environmental Assessment for Public Review and Comment DATE August 19, 2022

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ADAMS Accession No.: Ltr ML22230A385

\* via email

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