



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

November 3, 2022

Randall J. Scott  
President and CEO  
Rare Elements Resources, Inc.  
P.O. Box 271049  
Littleton, CO 80217

SUBJECT: U.S. NUCLEAR REGULATORY COMMISSION ACCEPTANCE OF SOURCE  
MATERIAL LICENSE APPLICATION FROM RARE ELEMENT RESOURCES FOR  
ITS PILOT PROJECT IN UPTON, WYOMING

Dear Randall Scott:

The U.S. Nuclear Regulatory Commission (NRC) staff has completed its acceptance review of the Rare Element Resources (RER) license application for its Pilot Project in Upton, Wyoming, along with supplemental information submitted by letters dated: May 4, June 22, August 26, and September 13 and 30 2022. The NRC has determined that the RER application is acceptable for technical review.

The detailed technical review along with the rest of the licensing process should take less than one year. The detailed technical review will take place during the end of 2022 and the first half of calendar year 2023, resulting in a Safety Evaluation Report (SER). If additional technical information is required, it will be identified early, and a Request for Additional Information (RAI) will be sent around March 2023. The environmental review will also take place during the end of 2022 and the first half of calendar year 2023, resulting in an Environmental Assessment (EA). If additional environmental information is required, it will be identified early, and an RAI will be sent around February 2023. Barring delays, this process should conclude in a complete SER and EA in early July 2023 with a license to be issued in late July 2023. It is estimated that the detailed technical review as well as the rest of the licensing process should total to around 600 hours of staff time.

Please note that the RER license application will be made publicly available in the NRC's Agencywide Document Access and Management System (ADAMS), except for Appendix C, and the Facility Process Layout. The NRC has identified these documents as containing Sensitive Unclassified Non-Safeguards Information and is withholding them from public disclosure under 10 CFR 2.390(4). The ADAMS public documents collection is available at <https://www.nrc.gov/reading-rm/adams.html#web-based-adams>.

Per 10 CFR Part 2, Subparts A and C, a Notice of Opportunity to Request a Hearing and Petition for Leave to Intervene regarding the Pilot Project will be published in the *Federal Register*, specifying a 60-day request period, starting from the date of publication of the notice. In addition, the Pilot Project license application request will be listed for the same 60-day period

R. Scott

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under the heading *Hearing Opportunities and License Applications* on the NRC's public website at <https://www.nrc.gov/about-nrc/regulatory/adjudicatory/hearing-license-applications.html>. In accordance with 10 CFR 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 <https://www.nrc.gov/reading-rm/adams.html#web-based-adams>

If you have any questions regarding this matter, please contact me at 301-415-3285, or by email at [Brittany.Bolz@nrc.gov](mailto:Brittany.Bolz@nrc.gov).

Sincerely,



Signed by Bolz, Brittany  
on 11/03/22

Brittany C. Bolz, Project Manager  
Uranium Recovery and Materials  
Decommissioning Branch  
Division of Decommissioning, Uranium Recovery  
and Waste Programs  
Office Of Nuclear Material Safety  
and Safeguards

Docket No. 04038415

cc: Jay Pickarts (RER)

U.S. Nuclear Regulatory Commission Acceptance of Source Material License Application from rare element resource for it pilot project in Upton, Wyoming DATE November 3, 2022

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Burrows, Ronald (rab10)

**ADAMS Accession No.: Ltr ML22307A184**

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| NAME   | BBolz <i>BB</i>     | RVon <i>RV</i>      | BBolz <i>BB</i>     |  |
| DATE   | Nov 3, 2022         | Nov 3, 2022         | Nov 3, 2022         |  |

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