



UNITED STATES
NUCLEAR REGULATORY COMMISSION
REGION IV
1600 EAST LAMAR BOULEVARD
ARLINGTON, TEXAS 76011-4511

January 26, 2023

Tate Hagman
Restoration Manager
Crow Butte Resources, Inc.
86 Crow Butte Road
Post Office Box 169
Crawford, NE 69339-0169

SUBJECT: CROW BUTTE RESOURCES, INC., RESPONSE TO NOTICE OF VIOLATION
AND NRC INSPECTION REPORT 040-08943/2022-001

Dear Mr. Hagman:

On December 15, 2022, the U.S. Nuclear Regulatory Commission (NRC) cited Crow Butte Resources, Inc., for two violations of NRC requirements associated with a failure to submit a license-required report to the NRC in a timely manner and failure to revise or generate a new safety and environmental review panel evaluation to reflect a change in operations in accordance with license requirements.

The NRC Inspection Report 040-08943/2022-001 with enclosed Notice of Violation (Notice) required you to respond in writing within 30 days (Agencywide Documents Access Management System [ADAMS] Accession No. ML22341A205). By letter dated December 29, 2022, you provided a response to the Notice of Violation (ML22363A391).

After reviewing the information provided in your response to Violations 040-08943/2022-01-01 and 2022-01-02, we have concluded that your completed and proposed corrective actions appear to adequately address the regulatory non-compliances identified in the inspection report. We will review your implementation of these corrective actions during a future inspection to determine whether full compliance has been restored and whether compliance will be maintained.

The NRC continues to review Unresolved Item 040-08943/2022-01-03 involving your operational method for processing equivalent feed material as compared to the guidance provided in the NRC's Regulatory Issue Summary 2012-06, "NRC Policy Regarding Submittal of Amendments for Processing of Equivalent Feed At Licensed Uranium Recovery Facilities," dated April 16, 2012. The NRC staff will notify you if we need additional information to support our review.

In accordance with 10 CFR 2.390 of the NRC's "Rules of Practice," a copy of this letter will be made available electronically for public inspection in the NRC Public Document Room or from the NRC's Agencywide Documents Access and Management System (ADAMS), accessible from the NRC Web site at <http://www.nrc.gov/reading-rm/adams.html>.

Should you have any questions concerning this matter, please contact Dr. Robert Evans, Senior Health Physicist, at (817) 200-1234, or the undersigned at (817) 200-1249.

Sincerely,



Signed by Warnick, Gregory
on 01/26/23

Gregory G. Warnick, Chief
Decommissioning, ISFSI and Operating
Reactor Branch
Division of Radiological Safety and Security

Docket No. 040-08943
License No. SUA-1534

cc:
Becki Harisis, Nebraska DHHS
Bryan Miller, Nebraska DHHS

CROW BUTTE RESOURCES, INC., RESPONSE TO NOTICE OF VIOLATION AND NRC INSPECTION REPORT 040-08943/2022-001 – DATED JANUARY 26, 2023

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cc:

Tate_Hagman@cameco.com
 Tami_Dyer@cameco.com
 Becki.Harisis@nebraska.gov
 Bryan.Miller@nebraska.gov

ADAMS ACCESSION NUMBER: **ML23026A228**

<input checked="" type="checkbox"/> SUNSI Review By: <i>RJE</i>	ADAMS <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	<input checked="" type="checkbox"/> Non-Sensitive <input type="checkbox"/> Sensitive	<input checked="" type="checkbox"/> Publicly Available <input type="checkbox"/> Non-Publicly Available	Keyword: NRC-002
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