

August 14, 2014

The Honorable Adrian Smith  
United States House of Representatives  
Washington, DC 20515

Dear Congressman Smith:

On behalf of the U.S. Nuclear Regulatory Commission (NRC), I am responding to the July 18, 2014, letter from you and your colleagues regarding the Crow Butte Resources, Inc. (CBR) in-situ uranium recovery (ISR) projects. Specifically, you asked for an update on the status of the applications and identification of any issues that might be delaying final agency decisions.

The existing Crowe Butte ISR site has been operating under a process known as timely renewal. The NRC's timely renewal regulation implements a provision of the Administrative Procedure Act of Congress. If a licensee requests a renewed license within time before its expiration, such as Crowe Butte, the facility is allowed to continue to operate under its existing license until the NRC completes its review and reaches a decision on the request. During the period of timely renewal review of the application, the licensee will have to continue to meet all of the regulations and license conditions to assure continued safe operation. Therefore, operations at the existing Crow Butte facility have not been disrupted by the ongoing license renewal activity.

Nevertheless, please be assured that the NRC is working diligently to ensure that all safety and environmental issues are satisfactorily addressed so that final decisions can be made as promptly as possible. Below is a brief summary of the current status of each of the CBR-related licensing actions. The complete review schedule for each of these actions can be viewed on the NRC's public website at <http://www.nrc.gov/materials/uranium-recovery/license-apps.html>.

Crow Butte License Renewal:

- In January 2014, Cameco Resources requested a change to its draft license, which required a revision to the Safety Evaluation Report (SER) previously issued in December 2012. The revised SER was issued in August 2014.
- NRC staff is finalizing the Environmental Assessment (EA). The final EA is expected in September 2014.
- Final NRC action is expected soon thereafter.

North Trend:

- The SER is completed and NRC staff is preparing the North Trend draft EA.
- As part of EA development, Section 106 of the National Historic Preservation Act requires consultation for any Federal action that may affect historic or cultural resources. For the North Trend project, this process requires negotiation of a

programmatic agreement with affected Native American Indian Tribes. The consultation process is ongoing. Assuming successful and timely completion of this consultation, the final EA is expected in early spring 2015.

- Final NRC action is expected shortly thereafter.

Three Crow:

- In January 2014, Cameco Resources requested that NRC staff cease work on this application and make the Marsland application a priority.

Marsland:

- A six-month schedule adjustment was required due to delays in receiving the applicant's responses to staff's request for additional information. As a result, the SER is currently expected to be completed in August 2015.
- Completion of the EA, which, in part, relies on information collected during development of the SER, is expected to be finalized no later than July 2015.
- Final NRC action is expected shortly thereafter.

I hope this information is useful to you. If you have any questions, please contact me or Eugene Dacus, Acting Director of the Office of Congressional Affairs, at (301) 415-1776.

Sincerely,

***/RA/ (William C. Ostendorff for)***

Allison M. Macfarlane

Identical letter sent to:

The Honorable Adrian Smith  
United States House of Representatives  
Washington, DC 20515

The Honorable Mike Johanns  
United States Senate  
Washington, DC 20510

The Honorable Deb Fischer  
United States Senate  
Washington, DC 20510