



May 8, 2009

Mr. Charles L. Miller, Director
Office of Federal and State Minerals and
Environmental Management Programs
U.S. Nuclear Regulatory Commission
Two White Flint North, Mailstop T8F5
11545 Rockville Pike
Rockville, MD 20852

RE: Nichols Ranch ISR Project Source Material License Application Affidavit to
Withhold Cultural and Paleontological Information from Public Disclosure in Response to
NRC Request for Additional Information Dated March 12, 2009.

Dear Mr. Miller,

Uranerz Energy Corporation (Uranerz) is requesting by this affidavit that the cultural information submitted with the Nichols Ranch ISR Project Source Material License Application responses to the NRC Request for Additional Information dated March 12, 2009 under the cover letter dated May 8, 2009 be considered confidential information under 10 CFR 2.390 and withheld from public disclosure. The specific information is contained in the following Wyoming Cultural Properties Forms 48CA6474, 48CAJO2951, 48CA6146, 48CA6147, 48CA6148, 48CA6149, 48CA6748, 48CA6749, 48CA6750, 48CA6751, 48CA6752, 48CA6753, and 48CA6754 that will be included in the confidential Addendum 3C of the Environmental Report. Accompanying this request is information required by 10 CFR 2.390 (b)(1)(i) and (ii). This affidavit has been notarized by a certified Notary of the Public.

Each page of the applicable cultural and paleontological resource information contained in the Wyoming Cultural Properties Forms has been marked as follows:

Confidential Information Submitted under 10 CFR 2.390

The cover pages for each of the Wyoming Cultural Properties Forms have been marked with a more detailed statement as follows:

Confidential Information Submitted under 10 CFR 2.390

Disclosure is Limited Under the National Historic Preservation Act, Section 304 (16 U.S.C. 470w-3(a)).

Information required by this affidavit in accordance with 10 CFR 2.390 (b)(1)(ii) is listed on the next page.

A. DOCUMENT OR PART SOUGHT TO BE WITHHELD:

Wyoming Cultural Properties Forms 48CA6474, 48CAJO2951, 48CA6146, 48CA6147, 48CA6148, 48CA6149, 48CA6748, 48CA6749, 48CA6750, 48CA6751, 48CA6752, 48CA6753, and 48CA6754, Environmental Report Addendum 3C, all applicably marked pages.

B. NAME AND OFFICIAL POSITION OF THE PERSON MAKING THE AFFIDAVIT:

Michael P. Thomas – Environmental, Safety, and Health Manager

C. BASIS FOR PROPOSING THE INFORMATION WITHHELD:

In accordance with the National Historic Preservation Act Section 304 (16 U.S.C. 470w-3(a)) information on the nature or location of archeological and historical sites shall not be made available to the public. Accordingly, disclosure is specifically exempted by statute as specified in 10 CFR §2.390(a)(3).

D. STATEMENT OF HARM THAT WOULD RESULT IF THE INFORMATION SOUGHT TO BE WITHHELD IS DISCLOSED TO THE PUBLIC:

Federal agency policies hold that public disclosures of information on the nature or location of archaeological and historical sites will increase the likelihood of trespassing, vandalism and theft, and will contribute to illegal traffic in antiquities.

E. LOCATION IN THE DOCUMENT OF ALL INFORMATION SOUGHT TO BE WITHHELD:

The cultural resource information sought to be withheld is located in Addendum 3C of the Nichols Ranch ISR Project Source Material License Application Environmental Report responses to the NRC request for additional information submitted under the cover dated May 8, 2009.

Uranerz appreciates your attention to this request. If you or your staff has any questions regarding this affidavit, please contact me at our Casper, Wyoming office at 307-265-8900.

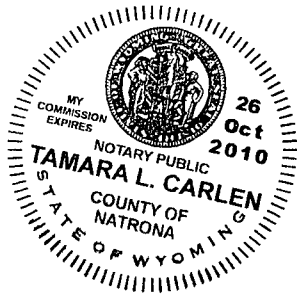
Sincerely,

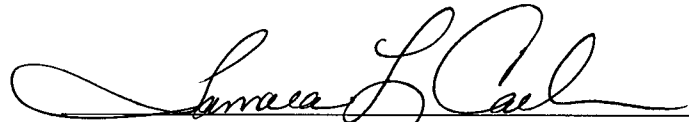


Michael P. Thomas
Uranerz Energy Corporation
Environmental, Safety, and Health Manager

STATE OF Wyoming)
) ss.
COUNTY OF Natrona)

On May 8, 2009, personally appeared before me, a Notary Public, Michael P. Thomas personally known or proved to me to be the person whose name is subscribed to the above instrument who acknowledged to me that he executed the above instrument on behalf of the herein named corporation.





Notary Public

Do not make corrections to this form after printing. Forms bearing strikeouts, ink changes, etc will not be accepted.

INDEX SHEET FOR SOURCE MATERIAL LICENSE AMENDMENTS OR REVISIONS

Page 1 of 3
 Date 8 May 2009
 Docket No: 040-009067, TAC J00553
 License No: _____

MINE COMPANY NAME: Uranerz Energy Corporation
 MINE NAME: Nichols Ranch ISR Project

Statement: I, Michael P Thomas, an authorized representative of Uranerz Energy Corporation declare that only the items listed on this and all consecutively numbered Index Sheets are intended as revisions to the current license document. In the event that other changes inadvertently occurred due to this revision, those unintentional alterations will not be considered approved. Please initial and date. rlp/pt 08 May 2009

NOTES:

- 1) Include all revision or change elements and a brief description of or reason for each revision element.
- 2) List all revision or change elements in sequence by volume number; number index sheets sequentially as needed.

Volume Number	Page, Map or other License Entry to be REMOVED	Page, Map or other License Entry to be ADDED	Description of Change
<u>Volume III, Environmental Report</u>	<u>Table of Contents</u>	<u>Table of Contents, May 2009</u>	<u>Table of Contents updated to reflect revisions per NRC ER RAI's dated March 12, 2009. Please note that the majority of the page numbers in the ER has changed.</u>
Volume III, Environmental Report	Section 2.3.3 pg ER-12	Section 2.3.3, pg ER-12, May 2009	Section revised per ER RAI CUM-1 dated March 12, 2009.
Volume III, Environmental Report	Section 3.6, pgs ER-36-41	Section 3.6, pg ER-36 -54, May 2009	Section revised to include new meteorological write up that was submitted with the NRC TR RAI's dated March 2009.
Volume III, Environmental Report	Section 3.7, pg ER-46	Section 3.7, pg ER-57, May 2009	Section revised per ER RAI NOI-1 dated March 12, 2009
Volume III, Environmental Report	Section 3.8, pg ER-51	Section 3.8, pg ER-61, May 2009	Section revised per ER RAI CR-1 Section 3.8 d) dated March 12, 2009
Volume III, Environmental Report	Section 4.1.1, pg ER-65	Section 4.1.1, pg ER-76, May 2009	Section revised per ER RAI LU-3 dated March 12, 2009
Volume III, Environmental Report	Section 4.4.1.1, pg ER-77	Section 4.4.1.1, pg ER-88, May 2009	Section revised per ER RAI SW-1a) TR Section 2.7.1 a) dated March 12, 2009.
Volume III, Environmental Report	Section 4.4.1.3, pg ER-80	Section 4.4.1.3, pg ER-91, May 2009	Section 4.4.1.3 revised per ER RAI LU-1a) dated March 12, 2009
Volume III, Environmental Report	Section 4.7.1.1.2.7, pg ER- 84	Section 4.7.1.1.2.7, pg ER-96, May 2009	Section 4.7.1.1.2.7 revised per ER RAI ECO-3 dated March 12, 2009
Volume III, Environmental Report	Section 4.9.1, pgs ER-89-90	Section 4.9.1, pg ER-101, May 2009	Section 4.9.1 revised per ER RAI NOI-2

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Volume Number	Page, Map or other Permit Entry to be REMOVED	Page, Map or other Permit Entry to be ADDED	Description of Change
Volume III, Environmental Report		Figure 4-4, ER Chapter 4, May 2009, pg ER-102	New figure added per ER RAI NOI-2
<u>Volume III, Environmental Report</u>	_____	Exhibit 2-1, May 2009 (map pocket)	Exhibit added to ER per ER RAI CUM-1
Volume III, Environmental Report	_____	Exhibit 2-2, May 2009 (map pocket)	Exhibit added to ER per ER RAI CUM-1
<u>Volume III, Environmental Report</u>	_____	Exhibit 4-1, May 2009 (map pocket)	Exhibit added to ER per ER RAI LU-3
Volume III, Environmental Report	_____	Exhibit 4-2, May 2009 (map pocket)	Exhibit added to ER per ER RAI LU-3
<u>Volume III, Environmental Report</u>	_____	Exhibit 4-3, May 2009 (map pocket)	Exhibit added to ER per ER RAI LU-1 a)
<u>Volume III, Environmental Report</u>	_____	Exhibit 4-4, May 2009 (map pocket)	Exhibit added to ER per ER RAI SW-1 a)
<u>Volume III, Environmental Report, Addendum 5B</u>	<u>Addendum 5B</u>	<u>Addendum 5B, March 2009</u>	<u>Updated surety estimate that was included with March 2009 NRC TR RAI response submittal.</u>
<u>ER Confidential Binder</u>	_____	Site Forms: 48CA6474 and 48CAJO2951	<u>Site Forms added per ER RAI CR-1 b) and c)</u>
<u>ER Confidential Binder</u>	_____	Site Forms: 48CA6146, 48CA6147, 48CA6148, 48CA6149, 48CA6748, 48CA6749, 48CA6750, 48CA6751, 48CA6752, 48CA6753, and 48CA6754	<u>Site Forms added per request by NRC.</u>

*Bold denotes new item added to license application.

