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Official Transcript of Proceedings
NUCLEAR REGULATORY COMMISSION

Title: Public GEIS Scoping Meeting

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1 UNITED STATES OF AMERICA

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3 NUCLEAR REGULATORY COMMISSION

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5 PUBLIC GEIS SCOPING MEETING

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7 TUESDAY

8 AUGUST 7, 2007

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10 PARKWAY PLAZA HOTEL AND CONVENTION CENTER

11 123 WEST E STREET

12 CASPER, WYOMING 82602

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P R O C E E D I N G S

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7:01 P.M.

3

MR. CAMPBELL: First of all, I want to welcome everybody here tonight for our Generic Environmental Impact Statement meeting for uranium recovery. This is a public scoping meeting and so this is the initiation of a scoping process for developing a Generic Environmental Impact Statement for uranium recovery facilities.

10

I do ask that everybody who is here to turn off your cell phone or at least put it on buzz so that we're not interrupted while we're speaking.

13

I also ask that when people are speaking that we have one conversation at a time or one person speaking at a time, that you speak directly into the mic and that you identify yourself and your affiliation for the court reporter. If he gives me a funny look, I'll just ask you to repeat your information so that he can record it accurately.

20

I will say this is a transcribed meeting and what that means is we will obtain a transcript from tonight's meeting and if you gave us your email address, we will email that transcript to you. We also intend to ultimately have a website put up with the slides from the presentation that will be

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available on the NRC website.

2 Okay. What I'd like to do is identify myself. I'm Andy Campbell. I'm going to be the facilitator tonight. I'm also the Deputy Division Director for Environmental Protection and Performance Assessment in the Division of Waste Management at the Nuclear Regulatory Commission. And the Division of Waste Management is responsible for uranium recovery licensing, for environmental reviews, and for a number of other activities, low-level waste, decommissioning, and associated activities.

13 So what we're going to focus on tonight is the GEIS for uranium recovery. What I want to do is introduce the NRC staff and some staff from the Center for Nuclear Waste Regulatory Analysis which is our contractor in San Antonio, helping us develop this

19 To my left is Mr. Gregory Suber. Greg is the Branch Chief for Environmental Review. Bill von Till, he's the Branch Chief for Uranium Recovery. And Joan Olmstead, who is with the Office of General Counsel for the NRC. Also Brad Werling, here for the Center for Nuclear Waste Regulatory Analysis. Philip DuBois and Larry Canter, and they

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are helping us, they're here to listen and they're helping us develop the GEIS.

3 Okay, the agenda as we have now is to go over the NRC's roles and responsibilities in uranium recovery GEIS, an overview of uranium recovery facilities. That will be Greg Suber talking about the uranium recovery GEIS. And the overview of uranium recovery facilities will be Bill von Till. There will be a brief question and answer period, just for clarifying questions and then we're going to open it up to public comments on the scoping meeting.

13 So with that, what I'm going to do is I'm going to go ahead and turn it over to Greg. I'll have a couple opening remarks here and I'll be standing here.

17 If you could go ahead and move the slide up one. Okay.

19 So we want to cover our roles and responsibilities at the NRC. Greg will do that with one slide. Greg will talk about the environmental review process. Bill will talk about our safety review process for uranium recovery and then public comments on the proposed GEIS. So I'm going to let Greg introduce himself in more detail.

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1 Go ahead, Greg. Thank you.

2 MR. SUBER: Good evening, everyone.

First of all, I'd like to thank you all for coming out to our scoping meeting. We know that it's important, well, we appreciate the fact that you took time out of your schedule to come and to comment on our scoping process. I was talking to a few people, so I know some of you traveled quite a distance to participate in the scoping meeting. And I just want you to know that all your comments mean something to the NRC and we take them sincerely.

12 My name is Gregory Suber. And as Andy said, I am the Branch Chief for the Environmental Review Section that's responsible for reviewing the uranium recovery licenses.

16 Right now, I'd like to take a few minutes to just basically outline where I'm going in my presentation. First, I'm going to discuss the environmental regulations that the NRC itself has to follow. Then I'm going to give you details about the environmental review process that we're going to undergo in producing this Generic Environmental Impact Statement. And I'll end with describing ways that all members of the public can participate in our scoping process.

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1 Next slide, please.

2 The first point I would like to make is the NRC is an independent agency. And what that means⁴is that the NRC reports only to the Congress of the United States. As an independent agency, we do not own or operate any of the utilities that we regulate. We don't own mills. We don't own mines. We don't own nuclear power plants. We regulate people who do. And in that, our priority in fulfilling our regulatory responsibilities is health and safety of human beings and protection of the environment.

13 And so the key message is that we regulate. We are a regulatory body. Actually, it is the Department of Energy's job to promote the use, ~~the~~ civilian use of nuclear materials. It is the NRC's job to make sure that anyone who uses that material, uses it in a safe manner that protects human⁹health and protects the environment.

20 Next slide, please.

21 The National Environmental Policy Act, also²known as NEPA, was enacted in 1969. NEPA requires that all federal agencies use a systematic approach to consider the environmental impacts of major⁵federal actions. It is what we call a

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disclosure tool. And by that, what we mean is the Agency, the NRC, uses NEPA to communicate to the public what considerations are being evaluated when we analyze a licensing action. What we do is we disclose to the public the exact things that we're looking for and then we invite the public to communicate to us and to comment on our process, to comment on the elements of our analysis that you think are important.

10 Next slide.

11 NEPA also established the Council on Environmental Quality within the Executive Office of the President. Now the Council on Environmental Quality, or CEQ, has two major responsibilities. The first is to advise the President on environmental matters. And the second is to coordinate the development of environmental policies and initiates. Now the CEQ regulations allow federal agencies, like the NRC, to do several things and one of those is to combine related actions and to a single course of action and evaluate them in a single EIS. And that is what is known from the NRC's perspective as a Generic Environmental Impact Statement.

25 Now other federal agencies do something

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similar and most of the time it's just nomenclature. They call their reviews a Programmatic EIS. But what a Generic Environmental Impact Statement allows us to do is take related topics, whether they're related geographically or whether they're related by subject matter, and group them so that you can have an analysis that encompasses a majority of the resource areas and the impacts that are going to occur due to those actions. And the NRC has done this several times in the past. One of the most recent examples was the Generic Environmental Impact Statement for license renewals of operating nuclear power plants.

14 Next slide, please.

15 I'm going to use the next few slides to explain how the NRC plans to develop and use the GEIS, or Generic Environmental Impact Statement, for uranium recovery licensing. First, I will discuss the purpose of the uranium GEIS, and importantly, discuss how the NRC plans to use it. I'm going to describe the proposed scope of the GEIS. And I'm going to identify what resource areas we're going to look at in our evaluation. And lastly, I'm going to explain to you how you can comment on our process.

25 The purpose of our uranium recovery GEIS

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is to address generically the environmental issues common to in situ leach milling. The GEIS will analyze environmental impacts of in situ leach milling and compare them to other feasible alternatives to that process. We plan to use the GEIS as the basis for site-specific license applications when those applications are submitted to the NRC.

9 The NRC will adopt the conclusions of the GEIS where they're appropriate and perform additional site-specific analysis in cases where there are unique attributes at the site that cannot be covered generically by the GEIS. In this way, the NRC fulfills its obligation to NEPA in that you have a generic evaluation supplemented by a site-specific evaluation that addresses areas that cannot be covered under the generic EIS.

18 Next slide, please.

19 In the environmental scoping process, we tried to identify issues that should be addressed in the GEIS. It's one of the most important parts of our evaluation because first of all, it's at the beginning of evaluation and what it does it sets the bounds for our evaluation. And also, it allows the public to participate in that and what public

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participation does is it helps us focus on things that are important. There are a lot of things we're going to evaluate, but what we want to do is we want to find out what you think is important so that we can focus our evaluation on those issues. In that way, we get your buy-in on our process. And the information that you give us will add to the quality of our environmental review because it will make it more relevant.

10 Next slide, please.

11 This is a list of some of the resource areas that we look at when we're doing our environmental impact statement. One thing I would like to note is that this is just a general generic list. There may be other things in a site-specific analysis that we need to look at and we don't necessarily look at all of these issues at the same depth. For instance, if noise is not an issue, then we're not going to concentrate on noise. If air quality is not an issue, then we won't concentrate on air quality. What we concentrate on, what we focus on are the things that from a technical standpoint are important and things from a public perspective viewpoint are also important.

25 So when you look at this list, realize

that it's not all inclusive. That it's just a generic list to try to give you an idea of the areas where we look.

4 Next slide, please.

5 This slide gives you the schedule that we have for the completion of the GEIS. As you know, presently the scoping period which started on the 24th, opened on July 24th with the publishing of the Federal Register notice, goes until September 4th. So from now until September 4th, you have an opportunity to communicate with the NRC in a number of ways which I will explain to you on the next slide to give us your input.

14 This is not the only opportunity you will have, however. We will also have a draft environmental impact statement meeting with you where we will come to you and we will show you your comments and we will show you our evaluation. You will be able to review what we wrote in our draft EIS and once again comment on our process. So if you think even after the scoping meeting and we have our draft document, if there's an area where you still think we're deficient, you'll have another opportunity to comment on that area. And the final issuance we predict at this time will be

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January of 2009.

2 Next slide.

3 Okay, there's a number of ways that you can communicate your scoping comments to us. First of all, as Andy said, this meeting is being transcribed. And I would like to emphasize the point that every comment made at this meeting is going on a transcript and will be reviewed for us, by us and incorporated into our review. So something that you say at this meeting tonight carries as much weight as it would as if you wrote us a letter or as if you sent us an email.

13 Your comments tonight are important to us and they count. But if you don't want to comment tonight, that's not a problem. You can write to us. You can send us your comments in a letter with the address here, and by the way this information is also on a handout paper that's outside on the table. So if you don't have it now when you leave, you can get a contact list. So you can write to us to submit your comments, or you can send your comments by email.

Either way you choose is fine because all your comments will carry the same weight.

25 Next slide.

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1 The key staff to contact at the NRC if you have questions for the environmental review is Mr. James Park. He actually works for me and he is the project manager for the Generic EIS. And also, Mr. Bill von Till who is here this evening and who will speaker after I do, after I get his name right, is also here and you can contact him by the contact information that you see on the screen.

9 In conclusion, I'd like to thank you all for coming and I'd like to re-emphasize that scoping comments are important to us and we take our responsibility in protecting human health and protecting the environment very seriously and it's important for you to understand that we are a regulatory body and that our emphasis is protecting you. 16

17 Thank you very much.

18 (Applause.)

19 MR. CAMPBELL: Thank you. Our next speaker is Bill von Till from the Uranium Recovery Branch.

22 MR. VON TILL: Again, welcome. I see a lot of familiar faces out there. My name is Bill von Till. I'm the Chief of the Uranium Recovery Licensing Branch. I've been working in this program

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for about eight years. I'm familiar with all of the facilities here in Wyoming and New Mexico, Nebraska.

3 Our branch handles all of the policy and oversight issues with these facilities. We handle the technical and safety reviews for individual applications. As Greg mentioned before, Greg's branch handles the review of the environmental part, the NEPA part of these applications. And our office in Region 4 in Texas handles the inspections of these facilities.

11 What I want to do is just open it up by going through what exactly is covered here. The NRC regulates these facilities under the Atomic Energy Act and the facilities in question are conventional uranium and thorium mills in situ leach uranium extraction facilities. I want to make a distinction that conventional uranium mines are not regulated under the Atomic Energy Act. They're not regulated by the NRC. They're regulated by the states, Mineral Divisions, Mine, Mineral and Resources. They're regulated by the Mine Safety Health Administration. But they're not regulated by the NRC. 23

24 Over the years, the NRC has mainly dealt with conventional uranium mill tailing sites. These

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facilities create a large amount of tailings from waste and they also have involved the uranium mines. Nowadays, most of the industry would rather in America go with in situ leach uranium extraction facilities if the site conditions would permit that. And so in the next three years, we're expecting on the order of 14 new applications for brand new facilities in a number of states here in the western United States. Eleven of those facilities are in situ leach facilities. So that's one of the reasons we're concentrating on that particular technology as far as the scoping.

13 I'm just going to go through what happens when the NRC receives a site-specific application for a mill. The first thing, even before this process begins, as I said, we're anticipating about 14 of these new applications. We've been meeting with companies, some companies we've met with over five or six times, pre-application meetings to make sure that when the applications come into us they're of high quality and they're complete.

23 So the first thing we do when the applications come in our door is we perform an acceptance review. The purpose of that is to make

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sure that these applications are complete and that they are of high quality. Because we've had to try to ramp up with our resources with this new resurgence in the industry, we have a limited number of resources and we're going to be very stringent with our acceptance reviews. If the applications are not of high quality and are not complete, we will send them back to the companies and have them try again. So we've been working with the companies ahead of time to make sure that these applications are complete.

12 Then what happens is once we deem that the application is acceptable for full technical review, it goes into two separate reviews which are parallel. One is in my branch which is the safety and technical review, the actual license application for these mills. And the other is the environmental review handled by the Environmental Review Branch with Greg Suber.

20 I wanted to point out that when we deem the license application acceptable, we put a notice of opportunity for hearing on our website. This enables the public, if they choose, to try to petition for a hearing for this particular application.

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1 I also want to point out that we work with stakeholders on a site-specific basis. We always work with the states and in Wyoming, of course, we work with the State of Wyoming DEQ. We're going to work with BLM, US EPA, EPA regional offices. There's some people here tonight from EPA and EPA Region 8; and Indian Tribes.

8 Once the facilities have been granted a license, we continue our oversight with monitoring reports and licensing reviews and our Arlington, Texas office conducts inspections. These inspections can be yearly or they can be twice a year. They can be every two years, depending on a particular facility. Now I just want to go through and what do these things look like?

16 I apologize for the lighting. It's kind of hard to see some of these photographs, but this is a typical conventional mill site. It's a pretty large facility. It's a typical industrial-looking facility. What you don't see here is the actual waste products for this operation which is called the tailings. Now one distinction between the conventional sites and the ISL sites is that for conventional mill sites they're going to be handed over to either the state or the Department of Energy

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for long-term care in perpetuity. We have to make sure that these tailings piles are safe to the public health and the environment for a thousand years. With the in situ leach operations, they're decommissioned and reclaimed and restored for unrestricted release. So there's a big difference on these two facilities.

8 Now I'm just going to go over the ISL process. Here's just a schematic of a typical operation with an ISL facility. As you can see here, this is the aquifer that they would actually extract the uranium from. Whoops, let me use another laser pointer.

14 Most of the aquifers that people are mining or people are extracting uranium from in the United States are low-grade ore bodies that were formed by oxidation reduction and they're these roll front deposits as depicted here. Now you have to have the right conditions to conduct ISL extraction. You have to have a situation where there's actually ground water in the aquifer. You have to have the right permeability for these aquifers and you have to have confining layers above and below.

24 What the companies do is inject some chemicals, small amount of chemicals like oxygen and

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bicarbonate or carbon dioxide to loosen up the uranium out of the formation and put it in solution and then pump it up for processing. This goes into header houses which I'll show in a second here and that is pumped into either satellite plants or central processing plants for continued processing.

7 One thing I wanted to point out too is there's a lot of monitoring involved. With these type of facilities, the main potential environmental impact is groundwater. There's very little surface disruption. And so most of the potential environmental impacts are groundwater. Because of that, the NRC and the states require a lot of monitoring and we require restoration once the companies have finished extracting the uranium.

16 Here's the monitoring wells, here horizontally. We also require monitoring above and below the confining layers here to make sure that there's not an excursion of the contamination to other aquifers that are used for drinking water or livestock purposes.

22 This is hard to see, but this is a typical look at one of these facilities. These little things here are the actual well heads and there are actual covers for the well heads. Some of

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these1facilities have almost 10,000 wells or more. These2wells are a number of production wells, injection wells, and monitoring wells. These all are tied into these little houses here which are called header houses. The header houses are then -- the product is then pumped into either a satellite operation or a central processing plant.

8 What does a central processing plant look like? Here's a typical facility. Just a typical industrial-looking operation. This is a central processing plant that receives the water, production water from the well fields. And it goes on to3further processing the end product, this yellow4cake which then goes on to other uranium field cycle5facilities with conversion, for enrichment, and then fuel fabrication on its way to nuclear power7plants for fuel rods.

18 This slide, I just want to point out a couple of things here. As I mentioned before, there's a lot of monitoring involved with these operations. And this is a typical well field operation here. You have a monitoring well ring that2surrounds this extraction operation. These are normally about 400 to 500 feet apart from one another.

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1 And the other thing I want to point out is that before -- the NRC has its own process with licensing these facilities, but the EPA also requires that these aquifers where they're going to extract uranium are exempted under the Safe Drinking Water Act before they can ever come in and extract uranium. These aquifers or portions of these aquifers already have elevated levels of radionuclides, of metals, and so what the EPA does is look at criteria to exempt this aquifer in perpetuity for particular use. In this case here, the aquifer exemption boundary, this is the well field and this is monitoring well ring.

14 One other thing I wanted to point out is again, after the facility is licensed, the NRC continues its oversight out of our branch for licensing reviews and we inspect the facilities on a yearly or every two years or twice a year we inspect it for safety and health and environment. We also work with in this state, the Wyoming DEQ that also regulates these facilities under the underground injection control program.

23 That's the end of my slides. So what we're going to do now is turn it over to Andy and turn it to your comments.

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1 MR. CAMPBELL: Can everybody hear okay?
My voice booms out, but if you need the mics turned
up a little bit, we can turn them up. It's just we
were getting some feedback.

5 What I would like to do now is I have
people who filled out the yellow cards. I've kind
of sorted through them and more or less spread them
out in terms of some of the areas of interest. I
will introduce very briefly the person just to let
you know who is going to speak next and then I'll
just say the next person after that will be so and
so, just so you don't get hit cold.

13 I do ask that you identify yourself at
the microphone and your affiliation and I think we
have time for certainly five minutes. There will be
probably some time at the latter part of the meeting
if you had not requested to speak, there may be some
time for that, but before we get started on that,
what I wanted to ask is if there are any specific
questions for either of the speakers that would
clarify your understanding of what they've
presented?

23 (No response.)

24 If not, why don't we go ahead and get
started with the public comments. The first speaker

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will be Nancy Hunter.

2 Nancy, please introduce yourself, identify yourself and speak clearly in the mic. And let's hope it's on. Sounds like it.

5 MS. HUNTER: Good evening. My name is Nancy Hunter and I am with United States Congresswoman Marilyn Musgrave's office of Loveland, Colorado. Congresswoman Musgrave represents the Fourth Congressional District of Colorado. We cover the eastern plains where agriculture indeed is king. And I have a letter here from the Congresswoman that I wanted to read this evening and Mr. Campbell, I'll present you with a copy of that.

14 MR. CAMPBELL: Thank you.

15 MS. HUNTER: This is directed to the Chairman, Dr. Dale Klein for the U.S. Nuclear Regulatory Commission.

18 "Dear Dr. Klein: I write today to express my concerns and strong opposition to any effort to degrade water quality standards by the Nuclear Regulatory Commission as it prepares a Generic Environmental Impact Statement for uranium milling facilities. Many of my constituents have contacted me to express their concerns over proposed in situ uranium mining site in Weld and Laramie

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Counties. Chief among their concerns is the potential impact this proposed mining could have on our groundwater resources in northern Colorado. I oppose any effort by the NRC to usurp the authority of state health departments and the Environmental Protection Agency over water quality, and it is my firm conviction that any effort to impose inferior water quality standards by the NRC would undoubtedly impact public health, the environment and local agriculture. Therefore, in situ mining operations must not be allowed under any circumstances to flaunt either state or EPA water quality standards. Colorado and the Rocky Mountain west are blessed with an abundance of natural resources and as stewards of these resources we are required to ensure that resource development is done in a responsible way that ensures the health and safety of the public. On behalf of my constituents and the Colorado Fourth Congressional District I again reiterate my strong opposition to any actions during this CEI process that in any way lowers water quality standards. Sincerely, Marilyn Musgrave, Congresswoman from Colorado's Fourth Congressional District."

25 MR. CAMPBELL: Thank you, Nancy. I

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appreciate that.

2 MS. HUNTER: Thank you, sir.

3 MR. CAMPBELL: Next speaker is Rick
Chancellor from the State of Wyoming, Department of
Environmental Quality.

6 After Rick, would be Wayne Heili of
Ur-Energy, USA, Inc.

8 MR. CHANCELLOR: Good evening. I'm Rick
Chancellor of the Wyoming DEQ. Welcome to Wyoming.
I'd like to say that thank you for inviting us here
but I can't say that because you didn't contact us
in advance and we like to cooperate with the NRC in
this process, but so far we need to have a two-way
street there. So please contact us when you come to
the state. We'd be happy to show you around and
work with you.

17 The Governor's office has asked that we
be a cooperating agency in this process. A formal
letter was sent from this office to NRC. Wyoming is
very interested in this process because of those 14
new facilities you talk about over half, three
quarters of those will be in Wyoming. So Wyoming is
very very interested in their process. We want to
cooperate in the permitting of these new facilities
and want to work with you to that effort.

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1 I'd like you to think about the possibility of opening an office in the west. In the past, there was an office in Denver that we cooperated with very closely in the past and with all these facilities in the west coming up, maybe you should be thinking about that also.

7 We're very interested in how you view the groundwater cleanup. In the past, NRC was not involved with the groundwater cleanup at in situ sites. That position has now changed and we'd be interested in how you plan to do that in the future. Thank you.

13 MR. CAMPBELL: Okay. We do apologize to Wyoming. We normally would have done a little bit of a heads up contacting the State of Wyoming prior to the release of the July 24 Federal Register notice. Because of the rush of things, we did not - - that did not happen. We will make use that does not happen in the future with Wyoming or any other states that are involved in this process.

21 And we did receive the request from the State of Wyoming to be a commenting agency, a cooperating agency, excuse me, on the EIS process and the NRC is considering that. That has to work its way through the NRC system and we'll be talking

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to the State of Wyoming about that.

2 Thank you, Rick.

3 The next speaker is Wayne Heili. Please
identify yourself and your association.

5 MR. HEILI: On behalf of Ur-Energy USA,
I'd like to express my appreciation to the NRC staff
for considering the adoption of the Generic
Environmental Impact Statement for uranium mining
and milling facilities.

10 My name is William Heili and I am the
Vice President of Mining for Ur-Energy. I've been
involved in conventional uranium milling and ISR
uranium mining for nearly 20 years. Ur-Energy is
actively developing license application documents
for a new ISR facility in Wyoming with the
expectation of submitting that application to the
NRC later this year. If market conditions remain
favorable, it's likely that Ur-Energy would be
submitting additional applications for additional
facilities in coming years. With the current
activities centered around licensing, Ur-Energy has
a full appreciation of the rigorous nature of the
regulatory requirements for modern uranium recovery
facilities.

25 Ur-Energy strongly supports this GEIS

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initiative. We believe that an industry-wide standard environmental impact statement can be a comprehensive and robust document that fully addresses all of the foreseeable environmental impacts of this growing, yet mature, industry. Ur-Energy is committed to ensuring that the GEIS rigorously addresses the common environmental aspects and impacts from ISR facilities.

9 While supporting the GEIS effort, we also recognize that each facility will have unique aspects that will require site-specific review. Ur-Energy believes that with a broad-based environmental report in place, the regulatory community and the public will be enabled to better focus on reviewing the critical site-specific aspects of the application.

17 The end result will be a more efficient and more thorough license application review process with ample opportunity for public involvement. Thank you again for your time and consideration of these comments.

22 MR. CAMPBELL: Thank you, Wayne. The next two speakers would be Suzanne Lewis of the Biodiversity Conservation Alliance. Suzanne. And after Suzanne would be Donna Wichers of the Energy

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Metals Corporation.

2 MS. LEWIS: Good evening. My name is Suzanne Lewis. I'm with Biodiversity Conservation Alliance, a small nonprofit conservation organization based in Laramie, Wyoming. We are a watchdog group that works hard to protect wildlife and wild places in this great State of Wyoming.

8 We certainly don't oppose extraction of minerals or any resources in the state. Our goal is to do what we can to make sure that that's done in a responsible manner and that when folks leave the state it's the groundwater, the land, the wildlife and the other resources are about the same as they were when people came. So that's our mission.

15 We're disappointed that this is a Generic EIS, but we can't change that at this point. So there are a number of requests that we have while you're preparing this Generic EIS. One is that you take the time and I think it's particularly crucial in the scoping process to take the time to get to know the individual sites where these mines are going to be placed. It's not enough to sit in Washington and make regulations and do business.

24 I encourage you to get out here on the land to meet the people, talk with them. This meeting

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tonight and the others that you're holding are a good starting point and I thank you for having the opportunity to be here, but you really need to get out and meet the people in the communities that are going to be impacted by this. And you need to see the area where these mines are going to be. I grew up and lived in the East for many years and lived in Washington, D.C. for a number of years, so I know what it's like there, but the west is completely different. And that's where most of this is going to occur. So I would ask that you extend the scoping period. It's just a little over 30 days and that really isn't adequate time, I don't think, for the public to be able to have input, particularly those citizens in areas that are going to be impacted the hardest. So I would ask that you extend the scoping period.

18 I would also ask that you get as much input as you can from the people and not just from industry. There are always at least two sides and frequently more than two sides to every issue and so it's important to get a broad-based look at what's going on and what the impacts really will be for those communities involved.

25 I would ask that you identify the issues

with regard to restoration of sites when the mining is complete and you shouldn't streamline this part of the Generic EIS. That's a very critical part. As I said earlier, we want to be sure that when those folks leave this State that the State is in at least the same position, if not a better position, than when they came here.

8 It's important to recognize that ISL is not a one size fits all, that there are all definitely mining sites that are not appropriate for that and that you take a very careful and close look at each application and each site. I know that's not necessarily part of the GEIS process, but I encourage you to take the time to make it part of that process.

16 Again, get out on the ground, look around, see what's happening. See what's there and what we as citizens want to protect in our great State.

20 Groundwater, unlike in the east, is the bloodline of the west. Water for us is what enables to be here and exist here at all. If it's contaminated, we can't go on. So I think you need to understand that it's a very different situation here in the west, that it's a critical resource that

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has to be protected and if it costs a little more to do that, then that's the price that needs to be paid for the right to come in and take the resources.

4 I encourage you also to acknowledge in your Generic EIS, talk about the history of what has gone on in the past, what the legacy of that has been. 7 Be candid and forthcoming about what wasn't done right the first time around and how we're going to do it better this time around.

10 I think the NRC needs to make a special effort to be aware of what technology is out there and this will take time and take work. But that's critical because if you don't know what's available, you can't require the best available technology. So I encourage you again to take the time to learn what you need to learn in this process, so that you can do the best job that you can for protecting the other resources out there.

19 I encourage you also to address what the cumulative impacts will be from any mining site. Among other things, what about depleted uranium, hardened metals, nuclear waste. Take a look at the unique geology of each place, the hydrology, the culture of the place, because the west isn't all the same. 25 Each place is unique.

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1 Look at what the current land uses are
for that area. What do the people here value? What
do they want to see protected?

4 And I guess I would close with saying
that I think the NRC, it behooves you to have as
broad a knowledge as possible going into this
permitting process so take the time now to learn
what you need to know to do the best job that you
can because when we get in the middle of it, it's
too late to be learning at that point. It's better
to know ahead what you're getting into and plan well
and act well.

13 Thank you again for the opportunity to
be here.

15 MR. CAMPBELL: Thank you. I think
Greg can address the question about the time frame
for the public comments.

18 MR. SUBER: Actually, thank you for
those comments. There are actually a couple of
things that I'd like to address. First of all, this
is a scoping meeting and it is the beginning of our
process, but one thing we need to realize is that
most of the things are still on the table, so we
don't have to rigidly go with the present schedule
that we have with respect to scoping comments. We

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can take that and we can go back and we can look at that and reevaluate whether September 4th is a realistic date for scoping comments.

4 But I would like to make one clarification. When we were talking about the GEIS review, every site-specific application will receive another environmental review. And if I didn't make that clear in my presentation, I apologize. The GEIS is a bounding review, but when an application comes in, the NRC will perform a site-specific environmental review and a site-specific safety review for that particular location. And during that review, we always have site visits and we always come out to check out the lay of the land and to examine local features and look for things that are particularly unique to that site so that we can include those in the review. And I just wanted to make that point that there are two reviews, the generic review which is a bounding review, but a site-specific review that are going to look at those unique issues that everyone here seems to be interested in.

23 MR. CAMPBELL: What we're going to do is I see a hand up, but what I'd like to do is go through the people who have submitted cards. There

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will be time for questions from the audience at that point. Thank you.

3 Donna Wichers.

4 MS. WICHERS: Wichers.

5 MR. CAMPBELL: Thank you. From Energy Metals Corporation.

7 MS. WICHERS: My name is Donna Wichers. I am the Senior Vice President of Energy Metals Corporation, a publicly-owned energy company listed on both the New York Stock Exchange and the Toronto Stock Exchange.

12 Energy Metals' corporate strategy is to become the premiere uranium producer in the United States through the acquisition, development and production of our multi-million pound uranium resources, most of which are amenable to the low-cost environmentally acceptable in situ recovery process.

This would be within the States of Wyoming, Texas, New Mexico, Colorado, and Utah.

21 We've assembled one of the most experienced operational teams of ISR uranium mining professionals in the U.S. Currently have a full-time staff of more than 60 geologists, engineers, environmental managers, land specialists and

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operational personnel. We've reached almost \$2 billion in market capitalization and we feel that we're ideally poised to take advantage of the current market demand for uranium.

5 Our first uranium production center will be in south Texas at the Palangana ISR satellite which will feed our existing Hobson Central Processing Plant also in south Texas. Licensing with the State, the TECQ in Texas is well under way and we expect first production in late 2008.

11 Our second planned production center is the Moore Ranch ISL property located here in Wyoming in Campbell County. Later this summer, we will be submitting our environmental and technical reports to the NRC in support of a new source material license for uranium production at Moore Ranch.

17 Energy Metals Corporation is supportive of the NRC's initiative to prepare a Generic Environmental Impact Statement for in situ recovery operations, as we believe that a document such as this would be beneficial for informing the general public of the small impact from ISR mining and also because it could reduce the costs and time involved in assessing the common aspects of these facilities. A document such as this would also be valuable

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reference for NRC non-agreement states such as Wyoming, as well as agreement states such as Texas.

3 However, we do have concerns that the overall NEPA process and preparation of the Generic EIS for both the conventional and ISR facilities could take away valuable staff time from their review of pending and future licensing actions including our Moore Ranch submittal to be turned in this summer. We would therefore ask that NRC use to the extent possible contract sources for the GEIS preparation. I see the center is here so I guess that would be considered contract source. And this would allow current NRC staff to continue their review of pending and future licensing actions.

15 In all probability, the GEIS for ISR uranium recovery will not be issued in time or be available to us as a resource for the review and approval of Energy Metals' Moore Ranch license application. We therefore strongly encourage NRC to continue its 20-year long practice of licensing new ISR facilities under an environmental assessment or EA which still falls under the NEPA process and public scrutiny.

24 Energy Metals does not agree with NRC's new policy that equates ISR to milling because

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milling is crushing, grinding, and processing rock for its uranium content above ground with the ultimate surface disposal of large volumes of radioactive mill tailings that must be deeded over to the U.S. Government or the state for long-term surveillance, and none of these things occur in the ISR process.

8 So we can understand why NRC requires the full EIS to issue the milling licenses, but we do not understand the need for an EIS for individual ISR facilities when clearly the potential environmental impacts are much smaller and more manageable than for a true milling operation.

14 So we are hopeful that the Generic EIS for ISR facilities will conclude that an EA is sufficient for the continued licensing of ISR projects. So thank you again for the opportunity to present our comments.

19 MR. CAMPBELL: And did you want to go ahead and submit that to the NRC?

21 MS. WICHER: Yes.

22 MR. CAMPBELL: Thank you very much. Our next speaker will be Mike O'Brien, Cook County Land Use Planning and Zoning Commission.

25 Mike. And then after Mike will be Glenn

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Catchpole.

2 MR. O'BRIEN: Hi, I'm Mike O'Brien. I'm representing the Crook County, Wyoming Land Use Planning and Zoning Commission. I'm the Vice Chairman.

6 We currently have some exploratory drilling going on in Crook County for in situ mining and our main concern is the possibility of water, groundwater contamination. I'm not a geologist or a hydrologist so I don't fully understand all of the potential ramifications, but just looking at your slides up there I can see potential for groundwater contamination.

14 We, as a county, we have no mechanism to protect the groundwater per se, and so we were very glad to get this announcement and see that you guys were going to produce a Generic Environmental Impact Statement. We plan on commenting on the process throughout it and want to be as involved as practicable.

21 Our main concern again is groundwater and we hope that in the monitoring of the ISL process that it's not just the mining company that's doing the monitoring. That is kind of like the fox guarding the henhouse. So we hope that in your

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process you detail some third party monitoring or oversight of the monitoring and also there be sufficient bonding required of the mining company so that if there is contamination that the land owners and other water users of that area are compensated sufficiently. And I don't know how you do that. If the water is contaminated, I would think that they would send up having to supply groundwater for quite some period of time or providing drinking and stock water.

11 But our concern is making sure that our groundwater is protected. We want to see the mining. We want to see the development. We just want to make sure it's done in a very responsible manner and that there are avenues for compensation if the unfortunate happens and there's contamination.

18 MR. CAMPBELL: Thank you, Mike.

19 MR. VON TILL: Thank you for comments. I just want to make one clarification that I didn't include in my slides, but for an NRC licensed uranium milling facility, we do require financial assurance. We require enough financial assurance so that we can come in and have a third party do all the work that the actual licensee would do which

would be the decommissioning and reclamation of the site and also groundwater restoration. So I just wanted to make that distinction. And we do agree that groundwater, the groundwater monitoring and restoration part is very important. And that's why I was pointing out on the slides that we have quite a lot of monitoring wells for these facilities. Thank you.

9 MR. CAMPBELL: Thank you, Bill. I was just checking with the court reporter, again, reminding people to please speak clearly in the mic. The mic is adjustable a little bit, if it's too low or too tall, and we're going to put up on the screen also the information for contacting us. I think I can do that, just by hitting a button. Let me see. Yes. 16 Okay.

17 And so I'm going to leave that up there. Again, if you don't get a chance tonight or you don't want to tonight, make a comment, you can certainly submit comments to us.

21 Glenn Catchpole. And after Glenn will be Jill Morrison.

23 MR. CATCHPOLE: This is the first time I've ever had to raise a mic, so I feel pretty good.

25 (Laughter.)

1 Good evening. My name is Glenn Catchpole and I'm the President and CEO of Uranerz Energy Corporation. Uranerz is a U.S. public corporation, traded on the American Stock Exchange and our offices are here in Casper, Wyoming. Our company has uranium properties in Wyoming that we plan to bring into production using the in situ recovery method of extraction. And we have informed the U.S. Nuclear Regulatory Commission of our plans to submit a source material license application to them by the end of this year.

12 To begin with, I want to thank the NRC and their staff that is here today for allowing our company to make a few brief comments on the initiative by the NRC to prepare a Generic Environmental Impact Statement for in situ recovery and conventional milling facilities. Before going further, I want to state that my remarks pertain to just in situ recovery method of mining and not conventional milling and my comments are as follows.

21 First, our company is concerned with the statement in the NRC news release that this GEIS is intended to address the common issues associated with environmental reviews of ISL and conventional facilities located in the western United States.

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It's our opinion and contention that there are only a limited number of common issues related to the aforementioned methods of uranium extraction and processing and that industry and the public would be better served if the NRC prepared separate GEISs for each.⁶ The operational and environmental issues associated with these two types of production facilities are substantially different and therefore it is our recommendation that the GEIS process should not lump conventional milling facilities and in situ recovery facilities into the same document.

12 Second, we question why the NRC has decided that planned, new in situ recovery facilities in Wyoming must go through the full environmental impact statement process in order to receive a source material license.

17 Wyoming has had continuous uranium in situ recovery operations for about 30 years. And while the first operations were required to go through the full EIS process for licensing, the NRC must have determined that based on the demonstrated compliance of these early operations, including groundwater restoration, it was not necessary for the later projects to go through the full EIS process.

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1 It's our understanding that a recent change in federal regulations on 11(e) (2) material may have prompted the NRC to require a full EIS on new in situ recovery projects. If this is the case, then we would like to suggest that any GEIS on in situ recovery facilities focus just on the 11(e) (2) issue which should significantly shorten the process.

9 Third, this comment does not relate directly to the purpose of the meeting, but Uranerz, and most likely other companies are concerned whether the NRC will have a large enough professional staff to timely review the source material license applications for in situ recovery facilities that are expected to be submitted over the next couple of years and on into the future.

17 We recognize that the NRC is a large, regulatory body that has grown up around the nuclear powerplant industry. And there is a concern that the growing human resources' needs on the reactor side of the Agency may leave the uranium recovery sector of this Agency understaffed. It is requested that the Commission be informed of our concerns on this issue. Nuclear reactors are not of much value if they cannot get the uranium they need for fuel.

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1 I have a couple of additional comments I would make that are not written, but I would encourage the NRC and the DEQ to resume their discussions on a possible Memorandum of Understanding regarding the regulation of in situ recovery mines. As it exists today, there's duplicity between these agencies, occasionally conflicting, that the Applicant has to sort out and deal with, and we think it would be a much more efficient process if somehow those two agencies could get together and decide and to eliminate the duplicity that we have right now.

13 I want to thank you very much for organizing and conducting this meeting and especially for holding the meeting in a city that once was the uranium capital of the world and in the state that has the largest uranium resource. Thank you.

19 MR. CAMPBELL: Thank you very much.

20 Greg, did you want to say anything?
 21 Okay, we'll take these as comments.

22 Jill Morrison of the Powder River Basin Resource Council.

24 After Jill, Marion Loomis, of the Wyoming Mining Association.

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1 MS. MORRISON: Thank you very much. My name is Jill Morrison. I work with the Powder River Basin Resource Council. It's been around since 1973. It's an organization of citizens and ranchers, land owners concerned about resource development in Wyoming and ensuring that that development is done in a responsible manner, protects health and safety of the public, involves the public in our democratic process to the fullest extent and arrives at good stewardship of our beautiful state and important resources.

12 And I thank you very much for your time and for the effort you made to come here and involve the public.

15 I would like to ask first off that you do extend the scoping comment period. I do know that we just found about this very recently and we try to watch for these things, to act as a sort of clearinghouse or outreach to the general citizen, landowner, public in Wyoming that might not know. We have recently been contacted by a lot more landowners who are very concerned about uranium mining in their backyard, on their land, around their communities, and those impacts. And I think the word needs to go out in a much greater public

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outreach effort. I do appreciate the notice that I saw in the paper, but I think we need to get a few more of those out in the smaller newspapers in the state and just try to involve the general public as much as possible, particularly those people that are going to be directly affected.

7 I would also like to address -- I'm a little confused about a Generic Environmental Impact Statement. Although I think when you compare it to a programmatic statement I do have a little better understanding, although I don't think I've ever seen a programmatic EIS cover the entire western U.S.

13 I'm not sure if you're biting off more than you can chew. Maybe it's important to do this great big one for some particular reason, which I haven't had enough time to think about and explore, but I'd like you to possibly delineate those in this document in some way why we're looking at a huge document covering the entire western U.S.

20 I do think it's very important to have an environmental impact statement that covers the cumulative impacts of many of these projects. I want to ask that you disclose the numbers of projects that are being proposed that you are aware of, their exact locations, and as much as you know

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about those facilities at this time in this document.

3 I also ask that you disclose how these properties are leased, how the split estate or surface landowner can have a say at what points because I think there's a lot of confusion among the landowning public what their rights are as surface land owners in the uranium mining staking or leasing or however that whole process works.

10 I also ask that you very clearly disclose and describe the history of uranium mining and disclosure of the environmental impacts to extreme and particular interests is groundwater and surface water; people's water resources that have been impacted and how and potentially will be impacted and how.

17 I think there's a lot of documentation studies. I ask that you cite in document studies that show the extent of groundwater contamination, the extent of that existing contamination to aquifers that are or were used in the past for livestock and domestic use.

23 One of the things that we have here in Wyoming are overlapping impacts of other resource development and something that a couple of

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geologists have mentioned, one being the late and very famous Dr. David Love is the impact of uranium in situ mining and cold bed methane dewatering operations. And I'd like to see some analysis and disclosure of potential impacts between those two types of resource mining industries and any others that we might not currently be aware of that you may or others may. I think you have a big job ahead of you in terms of volume of information that exists and the need to pull that together in this document so that we can fully understand the implications of the potential development.

13 I would like to make sure -- I didn't see it on your incomplete list. I want to make sure because it's a very important resource in Wyoming is our wildlife. Impacts to wildlife, impacts to habitat fragmentation, impacts in relation to the mobilization of other contaminants that can affect wildlife like selenium or that can affect livestock. I know there have been some problems in the past and I'd like to see those disclosed and discussed in the document.

23 I think the cleanup and restoration is an area of much confusion to the public. We hear that yes, contamination occurs with the in situ

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uranium mining, but we are able to go in and clean this up. Could you please describe how that's conducted, how that's done, how it's worked in the past, if it's been successful or not, what the differences are within the state regulatory bodies in terms of how much cleanup has to take place or at what level do we have to come back to because I know here in Wyoming we've relaxed some of those regulations for restoration groundwater and I think that needs to be fleshed out.

11 Please clarify bonding and bonding requirements in the document and disclosure of those. I think those are the basic concerns and issues we hope to see addressed.

15 One of the things I don't understand and I haven't seen and maybe you want to discuss a little bit, there's a lot of interest by foreign corporations primarily in many foreign corporations in mining uranium in the United States and in Wyoming. I'd like to know what regulations govern foreign corporations when they come to mine in our country. Do we prohibit certain companies and allow others? Can we have China mining uranium? Is it just Canadian companies? Is it Russian companies? How do we -- how is that determined and decided?

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1 I'd also like to know more about how --
what's the completeness criteria for applications
that are submitted, so those are some of the other
questions that came up.

5 There were a lot of citizens that wanted
to be here tonight that are actually in Crook County
at a Commissioner meeting about some proposed
development in that area, so I do again want to
emphasize the need to extend the comment period so
that we can get the word out to more folks who are
going to dealing with this directly. Thank you very
much

13 MR. CAMPBELL: Okay, thank you, Jill.
14 I think Greg wants to make some clarifying
comments.

16 MR. SUBER: Thanks a lot for those
comments. There are two issues that I wanted to
address just quickly because they've come up a
couple of times. This concept of cumulative
impacts, I just wanted to reiterate or maybe state
for the first time that cumulative impacts are
evaluated in our environmental reports. We're going
to do it at the initial stage for the GEIS and of
course we're going to do it on a site-specific basis
because that's one of the analyses where the

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cumulative impacts are going to change from location to location so I just wanted to make that clarification, that cumulative impacts are going to be evaluated in a GEIS.

5 I also wanted to make a statement about decommissioning because when a licensee wants to get rid of his license, they have to come to have that license amended. And when they try to amend that license they have to apply again to the NRC to have decommissioning -- they have to have a decommissioning plan. They have to have that decommissioning plan approved. And the NRC is active in ensuring that they meet our decommissioning criteria. So I just wanted to make those two clarifications that cumulative impacts are going to be evaluated and it is the licensee's responsibility to meet NRC's regulations for decommissioning.

19 MR. CAMPBELL: Joan, did you want to address the applicability of our regulations to companies, whatever country they come from?

22 Joan is from our Office of General Counsel.

24 MS. OLMSTEAD: Yes, I'll have to get back to you on that because that's not an area I've

dealt with right now, but I'm sure I can find somebody in the office that has.

3 MR. VON TILL: One thing I wanted to point out, most of these companies are United States companies. They may have parent companies that are French or Canadian, but again, Joan can get back on the details of our exact review from a foreign corporation standpoint, but most of these companies are American companies here in Casper, Wyoming and Denver, Colorado and throughout the United States they may have parent companies, like Chemeco or Kojima, French, Canadian-type companies, Australian companies, but we do look at that. Thank you.

14 MR. CAMPBELL: And I will say that our regulatory framework, I don't believe distinguishes between foreign ownership or U.S. ownership in terms of what regulations apply. Our regulations apply to a particular process, apply to a nuclear power plant, applies to materials facility, fuel cycle facility, a number of other operations that we regulate or the states regulate through the agreement state programs. Those regulations apply across the board regardless of where that company is located, if that was the issue. The details of how we would address a foreign company, I think Joan can

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probably provide some more information, but let me make clear. Our regulatory framework applies to actions occurring within the United States.

4 MS. OLMSTEAD: I just want to clarify. I think your question was how a foreign company takes over another company or gets permission to come in?

8 MR. CAMPBELL: Why don't we take this up afterwards, separately, so that we don't interrupt the other people who wanted to provide comments at this point in time.

12 Marion Loomis from the Wyoming Mining Association.

14 MR. LOOMIS: Thank you. It's a pleasure to be here and I appreciate your coming to Wyoming. I am Marion Loomis, the Executive Director of the Wyoming Mining Association. We represent the bentonite, coal, trona and uranium companies in Wyoming. As you probably know, Wyoming leads the nation in the production of uranium with about two million pounds of production. Since the increase in the price of uranium the last two years, we've seen a tremendous increase in activity in uranium exploration in Wyoming and we feel it's very important that the United States use more uranium

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produced from secure sources here in the United States, rather than from foreign countries.

3 And it's already been mentioned, but Wyoming has the largest reserves of uranium in the United States and we feel that that resource needs to be developed. If we're ever going to reduce our reliance on foreign sources of energy, it's going to be imperative that we produce significant portion of the 50 million pounds of uranium used in U.S. nuclear power plants from domestic sources. In order to do that, it is critical and the permitting of new facilities proceed in a logical and timely manner.

14 Many of the comments I have here have already been stated, so I'll be brief on them, but we support the NRC's initiative to prepare a Generic Environmental Impact Statement for ISR uranium mining. There are a number of pending projects in Wyoming and other states that will benefit from these efforts to assess a common environment aspect and impacts of these low-impact facilities on a generic basis. We feel that could reduce the cost and time involved in licensing of the projects and will allow the staff to concentrate on the site-specific aspects of each project.

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1 We also support updating the 1980 Generic EIS for conventional uranium milling. There are several existing facilities that have announced plans to resume production at a future date and at least one new milling facility has been announced. The 1980 GEIS is out of date, but could be updated to assess new milling techniques and technologies and their environmental impacts.

9 We believe that an update to the conventional uranium milling GEIS should be performed independent of the preparation of the Generic EIS and that comment has been made before and we certainly support those companies that have stated that.

15 We're concerned that an effort to prepare a Generic EIS for conventional milling and ISR mining may adversely affect the progress by the staff on pending and future license applications, therefore we would encourage the NRC, as much as you can, to use outside sources to supplement the NRC staff in preparing the draft documents to avoid the adverse impacts to NRC review of pending license applications.

24 We believe that a Generic EIS for in situ recovery and updated GEIS for conventional

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uranium milling will provide potential licensees with up-to-date guidance and information on environmental impacts of ISR and uranium milling that will further improve future baseline environmental evaluations and license applications.

6 I thank you for the opportunity to comment and look forward to working with you in the future.

9 MR. CAMPBELL: Thank you very much.

10 At this point I have three cards from people who weren't quite sure if they wanted to say anything. If you don't mind I'll call out your name. 13 If you don't want to say anything just say no. 14

15 Mark Hollingbach?

16 MR. HOLLINGBACH: It's been said.

17 MR. CAMPBELL: Okay. Linda Layman.

18 MS. LAYMAN: Kind of bear with me, I kind of knew about being around people. My name is Linda Layman and my husband worked in Lucky MC Mine in 1976 and in May 27th of 2002 he passed away from uranium poisoning in his right lung. I'm here to try to help a lot of these people have come up dying or being sick. I got letters from people around Wyoming. I want to read you one of them.

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1 "Dear Mrs. Layman, I was told about you and your wanting to change the laws on the time dates³that are involved in getting the money on this uranium issue. I am all for you and also willing to help change these rules. I also have cancer, T-cell lymphoma. I worked in the uranium mine in mill for Union⁷Carbide in the gas hills for a long time. This has caused me a lot of money, hardship, and much pain as I will have the rest of my life take very¹⁰expensive treatments for the rest of my life. However, lung, that is my main cancer, doctor is in Houston, Texas at a cancer center in the hospital which³the cost is astronomical. I also would like to get involved in helping change the rules as my dates⁵also fall just short of receiving any money from¹the fund, even though I worked in very dangerous and dirty and hot uranium active places. I will¹ need to get the government to work with us as well¹⁸as increasing amount of the paycheck money we should^d have already gotten which would not be much now. ²¹I have already spent a lot of more money than they²are talking about as well as many hardships to do so³ I am willing to go to Cheyenne or Washington, D.C. to help change these rules. Thank you. ²⁵Larry Schroeder from Riverton, Wyoming."

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1 I've checked into a lot of people that
have passed away in Wyoming from working in the
mill.³ That's what my husband was working. I'm here
to hopefully help all these people to make sure that
they won't come up sick. And this is why I'm here.

6 I'm not post-testing anything, but
there's a lot of people that are coming up dying and
being sick. And I'm wondering about their safety in
the mill when you start over again in starting the
mines.⁰ Can you give me an answer on that?

11 MR. CAMPBELL: I think that what we can
do is² if you would like you can submit the letters
or we'll be happy to take copies of the letters, if
you'd⁴ like. There is an extensive safety review
that goes on during the licensing process. We do
that through the environmental -- not the
Environmental Review Branch, the Uranium Recovery
Branch and I think we can take those as comments.
I'm not sure what the specific question is.

20 MS. LAYMAN: What I'm worried about is
the people that are working in the mill today. Are
they² going to come up sick from working in the mill
around the yellowcake?

24 MR. VON TILL: Let me address one thing.
We are aware that in the past there was a lot of

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exposure from people working in the uranium mines, the conventional uranium mines. Today, we have stringent regulations with these facilities, these uranium mill facilities. We just toured one of the facilities today. They have a lot of environmental monitoring, radiological monitoring and the NRC performs inspections and licensing reviews to make sure that these workers are safe from these operations.

10 These facilities, anything that's regulated by the NRC is particularly -- has a lot of oversight relative to other facilities like chemical facilities because it includes radiation exposure. So I just want to assure you that today in modern times, the NRC does look out for the workers at these plants. They look out for the people that surround these plants and we feel that the operators in the industry right now are doing a good job of trying to protect the workers of these plants. Thank you for your comments.

21 MS. LAYMAN: You're welcome.

22 MR. CAMPBELL: Thank you very much. We had one more person, Echo, did you want to comment? I can't pronounce your last name, if you could pronounce it for me that would be great.

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1 MR. MOORE: Good evening. My name is Echo Moore-Klaproth and I think you heard the Moore Ranch³over here. Our ranch is a little south of the particular area that's being explored now and as a landowner our questions are very similar to all of the ones that have already been mentioned this evening, so I don't intend to reinvent the wheel here.⁸ However, I do want to stress the significance of our⁹ concern for water.

10 As a rancher, my dad always said to us, you are not in the livestock business. You're in the grass and water business because without them you are not in the livestock business. And on our particular small place it's in southern Campbell County,¹⁷ northern Converse County. We straddle the border.¹⁸ And in our particular situation, as a child we had several, like eight or nine natural springs on our¹⁹ land, just on our place alone. Those are now all dried up. And it's due, in part, to all the beautiful resources that are underneath that soil that²⁰ has raised our livestock. First, it was the oil.²² And now it's methane. And they are now in the upper²³ nine mile.

24 Our place is called Nine Mile, on upper Nine²⁴ Mile, on a cousin's ranch and here we go again,

55
taking more water out of the precious aquifer in the Powder River Basin.

3 So please be very, very aware of our concerns about water. Not only the aquifers, but of course, the contamination part of it and I just wanted to reiterate that.

7 We're such a small voice, we ranchers here in the west. We're just totally outnumbered, but we do appreciate the opportunity to have our voices heard at meetings like this.

11 I also have a question. Can land owners stop licensing? And I think I know the answer to that because we've been watchdogs for a number of years with the other companies that have come in and while it has taken a younger brother of mine who is out there and he does it full-time now, he monitors all the activity that is on our place because the damage to our surface, to our grass, to our livelihood is extensive. And even though you say that these little pods are a few hundred feet apart, it just involves roads and more acreage and more grass eaten up and I want to be sure that you examine and be sure that these people who are asking for licenses understand that they're involving another lifestyle and another person's business and

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that there needs to be compensation. It never does compensate totally because our grass so low, such a short3powered stuff and the soil is so hard it doesn4t recover, not quickly and not easily. And particularly in these days we're suffering a terrible drought here. And it could be 50 to 75 years7 I'm serious about this, before our soil and our land ever recovers.

9 So on top of that, we're going to add one more impact so please be very aware of the licensees need to be aware that we've had imminent domain12 threatened, condemnation threatened for the other3minerals that are underneath our land. I hope we don't have to keep hiring attorneys just to protect. We're four generations on this grass and we will keep hiring as long as we're financially able170, but hopefully an Agency like you can help protect us by trying to assure the licensee people that10compensation does need to be made to people.

20 And I also wanted to thank Jill Morrison from2the Powder River Resource. I applaud you, ma'am2 for all of your questions and comments. You're right on as is the lady from the Biodiversity Conservation Group. Thank you both very much for all that you do to protect this previous state that

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we call Wyoming and my home.

2 I thank you very much for letting me
speak

4 MR. CAMPBELL: Thank you very much,
Echo.5 I think there was at least one person who
wanted to speak.

7 Could you come to the mic and identify
yourself and your affiliation?

9 MR. BLEIZEFFER: Dustin Bleizeffer, the
Casper Star Tribune.

11 MR. CAMPBELL: Can you get a little
closer to the mic?

13 MR. BLEIZEFFER: Dustin Bleizeffer, the
Casper Star Tribune. I was just curious if after
you complete the Generic EIS and you do the
individual reviews, is there a chance for public
comment in those individual reviews?

18 MR. CAMPBELL: Okay, I think Greg can
address that.

20 MR. SUBER: Presently, we are looking at
our process and we are, like I said, we're at the
first stages of the -- we're at the first stages of
the review and we're trying to design our process to
maximize public interaction. So what we're doing is
we're taking your comments here and we're seeing to

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what extent we're going to have public involvement during the other phases of the review. But I'd like to reiterate that not only at this meeting, but at the draft stage for the GEIS, we'll come back and have another public meeting so the public has several opportunities to input into the decisions that are being made.

8 MR. CAMPBELL: Greg, I think that also if an environmental assessment is developed, that is derived from a GEIS. There is also public comment period and maybe you can address that as well.

12 MR. SUBER: That is correct. Presently, the way -- like I said, there are going to be two reviews done. The first, of course, is the GEIS. And the second is a site-specific environmental review. Now that site-specific environmental review will start off as what we call an environmental assessment. And in an environmental assessment we look at -- we look at the effects of all the attributes that are under evaluation and we come out with one or two things. We either come up with a finding of no significant impact or we come out with a finding that we need to do a full-blown EIS. And if we decide that we need to do an full-blown EIS, then we'll have another scoping meeting and we'll

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have another draft environmental impact statement meeting.

3 So there's the potential that at the stage of the site-specific reviews we will have one or more additional public meetings. Does that answer your question?

7 MR. CAMPBELL: And I believe that a finding of no significant impact is also subject to public comment.

10 MR. SUBER: It is subject to public comment, yes.

12 MR. CAMPBELL: Do we have other questions? Please step to the mic and identify yourself.

15 MS. ELDER: Hi, I'm Deirdre Elder. I'm a graduate student at Colorado State University and I have a question for Bill. You had a slide and you talked about an aquifer exemption for perpetuity and I want to know more about how that works because does that assume that there's no movement within the aquifer, if there's any contamination within that exemption that it's not going to move or how does that work so that the groundwater for people who are outside of that will be protected?

25 MR. VON TILL: Sure. Thank you for your

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comment. Let me first state that the aquifer exemption process is not done by the NRC. But it's done by the Environmental Protection Agency or the state that handles that for them. The State of Wyoming, well, the EPA does the aquifer exemption. The state also does an underground injection control permit.

8 Now the EPA, when they exempt that portion of the aquifer and it's only a portion of the aquifer where you're going to have mining. They have to satisfy particular criteria. One of the criteria is that that aquifer, that portion of the aquifer is not being used presently for drinking water purposes.

15 The goal is to make sure that the operation does not exceed EPA Safe Drinking Water Act maximum concentration limits outside that aquifer exemption boundary. So the goal is to protect the US DWA or the U.S. drinking water which is outside the aquifer-exempted area. There are some EPA folks in the room tonight. What I would say is maybe after the meeting ends, you might want to approach one of them and get more information on that

25 Thank you.

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1 MR. CAMPBELL: Not to put anyone on the
spot, but did the EPA, did anybody from the EPA want
to make a comment?

4 MR. SETLOW: I'm Loren Setlow. I'm with
the U.S. EPA Office of Radiation and Indoor Air in
Washington, D.C.

7 I will probably make a more formal
statement at the Albuquerque meeting, but we
certainly would be available to discuss with anybody
who has questions after this session is completed
regarding groundwater protection issues under the
Safe Drinking Water Act as well as the Uranium Mill
Tailings Radiation Control Act which has not really
been discussed at any length here today.

15 MR. CAMPBELL: Thank you. Are there any
other questions at this point? Anybody else wishing
to make comments, statements, provide us with
further input?

19 Yes, sir. Please identify yourself and
your affiliation.

21 MR. KUNERTH: I'm Bill Kunerth from
Crook County, Wyoming and there is some exploration
going on in that area. And I would like -- a couple
of persons who commented or your experts to comment
on a couple of things.

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1 One statement that there are certain
sites²that are not appropriate for ISL and I
wondered if there's any general or specific
explanation of that. And the second did refer to
contamination of a couple of aquifers and I just
would like some more specific information about
that.⁷

8 MR. VON TILL: Thank you very much.
Your first question, when I did my presentation, I
pointed out that some formations are not amenable to
in situ leach recovery operations. For example, if
you don't have water in a particular unit, they
won't be able to do in situ leach operations.
They'll have to use conventional mining and milling.
If the permeability of the sand units where the low
front deposits are located are not adequate for
pumping out the formations, they won't be able to do
that.¹⁸ If they don't have the right confining units
above⁹or below, let's say you have a situation where
you have an aquifer unit that has the uranium
deposit and right above it is a drinking water
aquifer with a confined layer, that would not be a
good²situation for in situ leach recovery.

24 So as we move forward with this
resurgence, you're always going to have some

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facilities and some ore bodies that it will have to be -- will have to use, utilize conventional mining and milling. That's why out of the 14 applications that we're expecting to receive in non-agreement states, this doesn't include Texas, Utah, and Colorado, most of them are in in situ leach operations because the companies feel that's a cheaper way to go and also more environmentally friendly way to go, but as I said before, some of the formations are not amenable to that kind of technology.

12 MR. KUNERTH: Can these issues be explored by exploration?

14 MR. VON TILL: Absolutely, yes. Right now as we speak some of the companies in some of these states are doing exploration drilling to look into that very issue. Is this an appropriate aquifer for in situ leach recovery, or is it more appropriate for conventional mining and milling?

20 Your other question referred to groundwater contamination and that is one of our -- a lot of people voiced that concern. We're very aware in the western United States that groundwater is sold out here and that's why I've got four hydro-geologists on my staff that do nothing but look at

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groundwater monitoring and restoration reports to make sure these operations are conducted in a manner that cleans up the aquifers after they've finished their exploration and extraction and also that the aquifers surrounding the extraction are protected, a lot of monitoring wells in these operations. So I hope I answered your questions.

8 MR. CAMPBELL: Any other questions that anybody else in the audience would like to raise tonight? Okay, if not, if you feel that after this evening's meeting you would like to provide comments, you can send your comments to us by email. You can send a letter or even a report to us at that address. We at this point in time are asking that you postmark by September 4. We certainly will take into consideration a possible extension of the comment period. We've done that in many other cases. I hope we've answered questions that were directed straight to us and I certainly hope that those that may have hesitated to provide comments will do so.

22 I see one hand up here. Did you want to say something, sir? Yes, please come to the mic.

24 MR. BAUMGARDNER: Yes, my name is Enoch Baumgardner, I'm a land owner here in Wyoming.

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1 MR. CAMPBELL: Could you speak into the
mic, please?

3 MR. BAUMGARDNER: I have a three-part
question or two parts. What's the -- you mentioned
that there would be 14 different companies applying
for a license. What's the standard period of time
to issue those licenses? How long a process?
That's the first part of the question.

9 The second, these companies that do the
ISL mining, once the ore is extracted and it has to
be turned into the yellowcake form, the plants that
do that, is that ore transported to those plants or
are those plants typically built near the mining
site or the extraction site itself?

15 MR. VON TILL: Thank you for your
questions. Yes, I mentioned earlier that we're
anticipating based on conversations with the
companies in the industry 14 new applications in
non-agreement states and that's not 14 companies,
but that's actually 14 new applications.

21 The number of companies is less than
that 22 Some companies have multiple sites that
they're interested in.

24 How long does the review process take?
We anticipate that once we begin the review process

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with one of these applications that it would take approximately two years. Now with this GEIS effort, we're hoping to gain efficiencies with our review process and have that shortened process to maybe a year and a half or so. It depends on the site-specific application and what's necessary as far as what stakeholders need to deal with, but approximately two years.

9 Let me see, the second question was --

10 MR. BAUMGARDNER: Once the ore is extracted --

12 MR. VON TILL: Right. And you're talking about in situ leach operations?

14 MR. BAUMGARDNER: Yes.

15 MR. VON TILL: The paradigm with how these companies operate is changing somewhat, but basically the facilities that we're regulating right now that are operating right now have a situation where a central processing plant is near the actual ore bodies. Now they also have a situation where they may have ore bodies that are some distance away from the central processing plants and those are called satellite operations where they have the well fields that go into the groundwater, extract the uranium and then feed it to satellite operations

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where they run it through the ionic exchange resins and then the resins are trucked from those satellite facilities to the central processing plant.

4 So under the new paradigm shift, you might have companies that only extract the uranium to the resin point in time and then they take it to an actual mill that then takes the resin and processes it to yellowcake. You may have situations where people only have a central processing plant and they take resins from other companies.

11 So the paradigm with how these operations, the business plans is changing, but to answer your questions, normally the central processing plant is nearest to the biggest ore body, but they do have satellite operations that can be even 10 miles away from that particular plant. It's truck. The resins are then trucked to the central processing plant.

19 MR. BAUMGARDNER: Well, then the third part of that question would be if you have 14 different new applications in this Rocky Mountain region, it would be safe to assume then that probably the companies will be building these processing plants in addition to the extraction itself? Is that correct?

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1 MR. VON TILL: Some of the applications
would have central processing plants and some of the
applications would have only the well fields and the
satellite part of the operation, so it varies.

5 MR. BAUMGARDNER: Thank you.

6 MR. VON TILL: Thank you.

7 MR. CAMPBELL: I think at that unless
there are any other questions, I want to thank
everybody here for coming out. For those that made
comments I want to thank you for making comments. I
do want to thank Greg Suber, Bill von Till, Jill
Olmstead and you haven't seen Carol Walls, Carol did
a lot of the work to set this meeting up. She's our
licensing assistant. She's been very helpful. I
want to thank the Center Staff for coming out here
and so again, thank you all for coming. We
appreciate your comments and again, if you want to
provide further comments, we would be happy to
receive those.

20 So thank you and have a very good
evening. Good night.

22 (Whereupon, at 8:48 p.m., the public
scoping GEIS meeting was concluded.)

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