

November 15, 2011

MEMORANDUM TO: Bill Von Till, Chief
Uranium Recovery Licensing Branch
Division of Waste Management
and Environmental Protection
Office of Federal and State Materials
and Environmental Management Programs

FROM: Ron Linton, Senior Project Manager **/RA/**
Uranium Recovery Licensing Branch
Division of Waste Management
and Environmental Protection
Office of Federal and State Materials
and Environmental Management Programs

SUBJECT: SUMMARY OF OCTOBER 17, 2011 MEETING AND
TELECONFERENCE WITH HYDRO RESOURCES, INC. TO
DISCUSS LICENSE RENEWAL, LICENSE SUA-1580

On October 17, 2011, U.S. Nuclear Regulatory Commission (NRC) staff met with representatives of Hydro Resources, Inc. to discuss their plans for license renewal of License SUA-1580. The meeting notice was publicly noticed on NRC's public website on October 5, 2011, and is available at NRC's Agencywide Documents Access and Management System (ADAMS) Accession No. ML112720193. A summary of the meeting is enclosed.

Docket No: 040-08968

Enclosure: Meeting Summary

cc: Meeting Attendees
David Mayerson (NMED)

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ML112970177

Office	DWMEP	DWMEP	DWMEP	OGC	DWMEP
Name	RLinton	BGarrett	PSwain	BJones -NLO	RLinton
Date	10/ 24 /11	10/ 25 /11	10/27 /11	11/03 /11	11/ 15 /11

OFFICIAL RECORD COPY

MEETING REPORT

DATE: October 17, 2011

TIME: 1:30 p.m. – 3:30 p.m.

PLACE: U.S. Nuclear Regulatory Commission
Two White Flint North, Rockville, Maryland
Room T8C5

PURPOSE: Discuss Hydro Resources, Inc. License Renewal

ATTENDEES: SEE ATTACHED ATTENDEE LIST

BACKGROUND:

The purpose of this meeting was for Hydro Resources, Inc. (HRI) to discuss its plans for U.S. Nuclear Regulatory Commission (NRC) license renewal for NRC License SUA-1580, Crownpoint Uranium Project (CUP). This meeting was publicly announced on NRC's public webpage on October 5, 2011. The meeting started at 1:30 p.m., eastern daylight savings time in NRC Two White Flint North, 11545 Rockville Pike, Rockville, Maryland, Room T8C5. An opening statement was presented by Ron Linton, NRC. Participants introduced themselves.

DISCUSSION:

The participants discussed the following items:

HRI representatives reviewed the licensing and litigation history and confirmed that, to date, no licensed activities have occurred at the CUP. HRI indicated that the October 14, 2011, NRC request for an Environmental Report (ER) from HRI within 6 months is feasible, but that HRI may request some flexibility with respect to the submittal date. NRC staff indicated that there is flexibility in the submittal date, and that if necessary HRI and NRC staff could establish an alternative, mutually agreed upon submittal due date. HRI discussed the possibility of NRC staff touring the site and conducting a presubmission review for the ER.

HRI discussed that the current application consists of a variety of separate submissions, including, but not limited to: the Consolidated Operations Plan version 2.0; Restoration Action Plans; responses to NRC requests for additional information; the administrative agency record; and federal court decisions. NRC staff asked if HRI was planning to consolidate the application record. HRI indicated it may consider doing so through a new version of the Consolidated Operations Plan. NRC staff stated that the staff's license renewal review will be documented in a safety evaluation report and either an environmental assessment or a supplemental environmental impact statement to NUREG-1910, "Generic Environmental Impact Statement for In-situ Leach Uranium Milling Facilities," depending upon the findings of the NRC staff's environmental review.

Enclosure

NRC staff indicated that environmental data needs to be updated and HRI should use the most current information available that includes, but is not limited to, changes in regulations, locations of sensitive receptors, demographic changes, additional stratigraphic information, threatened and endangered species, and cultural resources and that the basis of statements and information submitted by HRI needs to be supported.

HRI and NRC staff discussed the following issues specific to the CUP and the license:

- Other permits needed by HRI to operate in addition to the NRC license.
- Past National Historic Preservation Act Section 106 consultations done to support licensing.
- Past outreach to the local community and citizens and potential future outreach.
- Commercial byproduct material waste disposal options considered by HRI, such as Envirocare in Utah and Waste Control Specialists in Texas.
- HRI's plan to follow guidance in NUREG-1748 for development of its ER.

HRI suggested that participants should have a license renewal status meeting, possibly in January 2012. Staff agreed that a publicly noticed status meeting would be acceptable. NRC staff indicated that NRC would have a lead safety project manager and a lead environmental project manager and that either could be contacted as questions arise.

NRC staff handed out a worksheet entitled, "GEIS [Generic Environmental Impact Statement] Criteria for Impact Determination" (attached), which can also be found at ADAMS Accession No. ML112690323.

No licensing decisions were made or agreed to by either party during this meeting.

The business portion of the meeting was closed and NRC staff asked for any comments by members of the public who were in attendance.

PUBLIC DISCUSSION:

One member representing Eastern Navajo Dine' Against Uranium Mining (ENDAUM) asked if the NRC staff would make the HRI presentation publicly available. NRC staff indicated the presentation would be publicly available (ADAMS accession number ML112970681). A question was asked if there would be one place for the location of public documents. NRC staff responded that public information related to the CUP can be found in ADAMS using NRC docket number 04008968. There is no longer an active NRC adjudicatory docket.

Another member of the public representing ENDAUM asked about the process for evaluating cultural resources and was told that NRC staff would be available to further discuss the process outside of this meeting.

One member of the public representing Uranium Watch asked about how the Environmental Protection Agency's 40 CFR 192 rulemaking would impact the HRI license. NRC staff indicated that the regulations in place at the time the licensing action occurs will be followed. The same member asked how the NRC interim guidance on 10 CFR 20.1301 would impact the HRI

license. NRC staff indicated that all current applicable regulations and guidance will be used during the license renewal review.

ACTION ITEMS:

NRC will provide a detailed summary of the meeting.

The meeting and teleconference ended at approximately 3:00 p.m.

ATTACHMENTS:

1. Attendee list
2. Meeting agenda
3. GEIS Criteria for Impact Determination
4. Hydro Resources Presentation



MEETING ATTENDEES

Date: October 17, 2011
Topic: Discuss HRI License Renewal

NAME	AFFILIATION
Ron Linton	NRC
James Biggins	NRC
Patti Swain	NRC
Doug Mandeville	NRC
Kevin Hsueh	NRC
Haimanot Yilma	NRC
Brett Klukan	NRC
James Park*	NRC
Tracey Stokes*	NRC
John Saxton*	NRC
Mark Pelizza	HRI
Rick Van Horn*	URI
Chris Pugsley	Thompson & Pugsley
Tony Thompson	Thompson & Pugsley
Ben Schiffer	WWC
Sarah Fields*	Uranium Watch
Leona Morgan*	ENDAUM
Eric Jantz*	ENDAUM
Manuel Quinones*	Greenwire

*Attended via phone

MEETING AGENDA
Hydro Resources, Inc.
October 17, 2011

MEETING PURPOSE: To discuss license renewal for the Crownpoint Uranium Project, Crownpoint, New Mexico.

MEETING PROCESS:

<u>Time</u>	<u>Topic</u>	<u>Lead</u>
1:30 p.m.	Introductions	All
	Discussion on License Renewal	HRI
	Environmental Report Considerations	HRI
	Public Comments/Questions	
3:30 p.m.	Adjourn	

GEIS Criteria for Impact Determination

Resource Area

Criteria

Land Use

Changing and disturbing existing land uses
Restricting access or establishing right-of-way for access
Affecting mineral rights
Restricting livestock grazing areas
Restricting recreational activities

Transportation

Numbers of cars on the roads (main roads vs. local roads)
Related impacts: noise, dust, incidental livestock kills

Geology and Soils

Area affected by earthmoving
Duration of earthmoving activity
Removal of rock matrix or structure
Subsurface faults affected (pressure increases)
Spills and leaks
Wastewater salinity (land application)

Surface Water

Water quality degradation (from runoff or spills and leaks)
Increased sedimentation in water bodies
Reduced flow in waterbodies where fills have occurred
Fill and destruction of wetland areas
Erosion and headcutting from discharge

Groundwater

Stream and spring flow affected
Water levels affected in surrounding wells
(consumptive groundwater use)
Introduction of drilling fluids and muds
Spills of fuels and lubricants, leaks
Changes to water quality
Potential MODERATE to LARGE impact

Depth to groundwater table
 Shallow aquifer important domestic or agricultural water supply
 Hydraulic connection between local and regionally important aquifers
 Excursions (see discussion of hydraulic conductivity in GEIS, pages 4.2-22 to 4.2-25)
 Well Abandonment

Ecological Resources - Vegetation	<p>Removal of vegetation during construction (i.e., removal of habitat and forage productivity, increased risk of soil erosion and weed invasion) Modification of existing vegetative communities Loss of sensitive species and habitats Spread of invasive species and noxious weed populations Less than 20 percent of vegetation removed with respect to proposed license area Removal of wooded habitat</p>
Wildlife	<p>Habitat loss or alteration and incremental habitat fragmentation Displacement of wildlife from project construction Direct and/or indirect mortalities from project construction and operation</p>
Aquatic	<p>Short-term physical disturbances to stream channels Short-term increases in suspended sediments from in-stream activities and erosion from adjacent disturbed lands Spills and leaks Effects from water appropriations Removal of riparian vegetation</p>
Threatened & Endangered Species	<p>Habitat loss or alteration and incremental habitat fragmentation Displacement /stress from human activity Direct and indirect mortalities from project construction and operation</p>
Air Quality	<p>Evaluate on a site-specific basis Compare to NAAQS</p>

Noise	Nearest resident, communities, or sensitive areas located within 300 m (1,000 ft) of noise sources Distance from transportation thoroughfares [360 m (1,180 ft)] Daily traffic counts
Historic and Cultural Resources	NRHP-eligible or potentially NRHP-eligible historic properties and TCPs potentially affected by earth-moving activities
Visual / Scenic	Developed vs. undeveloped area Earthmoving activities VRM classification of the area and location with respect to Class I areas Location of PSD areas
Socioeconomics	Size of workforce Duration of activity Location of workforce
Public and Occupational Health and Safety Normal Operations Accidents Nonradiological	Dose from Fugitive dust emissions 0.4 to 31.7 mrem (GEIS Table 4.2-2) Variable Compare to minimum reporting requirements in GEIS Table 4.2-3
Waste Management	Permit Requirements Disposal Capacity