



Department of Environmental Quality

RULES AND DIRECTIVES
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To protect, conserve and enhance the quality of Wyoming's environment for the benefit of current and future generations.

2007 SEP 18 AM 9:08

Dave Freudenthal, Governor

John Corra, Director

RECEIVED

September 11, 2007

Chief, Rules Review and Directive Branch
Mail Stop T-6D59
U.S. Nuclear Regulatory Commission
Washington, D.C. 20555-0001

7/24/07
72 FR 40344
380

RE: Generic Environmental Impact Statement (GEIS) – Uranium Recovery Operations

Dear Sir or Madam:

Wyoming not only is the country's leading producer of uranium but also has the largest reserves of uranium. Wyoming also has a long history of uranium mining including both conventional and in situ methods. With the increase in the price of uranium, Wyoming has seen a sharp increase in exploration activity and is expecting a similar increase in applications of new uranium mining operations. Effective and efficient regulation of uranium operations is of great importance to Wyoming.

As you are aware, the State of Wyoming has requested Cooperating Agency status for this GEIS. Wyoming has experience which can assist the NRC in producing a quality GEIS. To that end, Wyoming participated in the public meeting held in Casper, Wyoming on the evening of August 7, 2007 and looks forward to working with the NRC on the document. We submit the following comments concerning the scope of the GEIS.

1. The GEIS needs to recognize the effectiveness of regulatory requirements of non-agreement states such as Wyoming. It also should anticipate and strongly encourage the NRC to enter into Memorandum of Understanding with non-agreement states to avoid duplication and prevent conflicting requirements.
2. The federal register notice states the primary purpose of the GEIS is to assess the potential environmental impacts associated with uranium recovery at milling facilities employing the in situ mining method. It goes on to state that the GEIS may also assess the environmental impacts from conventional mining and milling process (emphasis added). Several commenters at the Casper meeting requested the GEIS concerning milling at in situ mining facilities be separated from any GEIS concerning milling from conventional mining methods. Wyoming fully supports this separation.

SUNSI Review Complete

E-KEDS = ADM-03
@adm = J Park (JRP)

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The environmental impacts from milling employing in situ mining methods are vastly different from those impacts from milling facilities associated with surface or underground mining. The latter results in large waste streams and tailing impoundments and has potential for groundwater contamination. The former has the “milling” occurring underground and results in significantly less waste material. Wyoming law requires the groundwater in the mining zone to be restored to its previous uses. This restoration requirement and the methods to be used in the restoration effort are included in the mining permit before mining is initiated. This results in a significantly smaller environmental footprint than conventional milling.

3. The role of the United States Environmental Protection Agency should be recognized, particularly the Underground Injection Control Program which has been delegated to many states. This program allows the controlled injection of fluids into the groundwater resulting in known and reversible impacts.
4. The federal register notice does not mention the need for financial assurance to ensure groundwater restoration at in situ sites. This need should be discussed in the GEIS. The role of state programs that may require such assurances needs to be addressed and how duplication of effort in this area may be avoided.
5. An important component of the restoration and reclamation of in situ mines is the proper disposal of contaminated wastes that must be sent to a NRC licensed facility for disposal. Currently, the number of facilities licensed to accept this type of wastes is limited. This may be alleviated if additional conventional mills are licensed and built. The GEIS should address the disposal of radiological contaminated wastes.

Thank you for the opportunity to comment on the GEIS and look forward to the NRC’s response to our request for Cooperating Agency status.

Sincerely,



Richard A. Chancellor
Administrator
Land Quality Division

RAC/bb

cc: Governor’s Planning Office
John Corra