

EDO Principal Correspondence Control

FROM: DUE: 09/16/08

EDO CONTROL: G20080591

DOC DT: 09/04/08

FINAL REPLY:

Senator Michael B. Enzi  
Senator John Barrasso  
Representative Barbara Cubin

TO:

Chairman Klein

FOR SIGNATURE OF :

\*\* PRI \*\*

CRC NO: 08-0458

Chairman Klein

DESC:

ROUTING:

In Situ Recovery Uranium Mining  
(EDATS: SECY-2008-0511)

Borchardt  
Virgilio  
Mallett  
Ash  
Ordaz  
Cyr/Burns  
Collins, RIV  
Cyr, OGC  
Schmidt, OCA  
Bagley, OEDO

DATE: 09/05/08

ASSIGNED TO:

CONTACT:

FSME

Miller

SPECIAL INSTRUCTIONS OR REMARKS:

Coordinate with OGC.

Template: SECY-017

E-RAS: SECY-017

# EDATS

Electronic Document and Action Tracking System

**EDATS Number:** SECY-2008-0511

**Source:** SECY

## General Information

**Assigned To:** FSME

**OEDO Due Date:** 9/16/2008 5:00 PM

**Other Assignees:**

**SECY Due Date:** 9/18/2008 5:00 PM

**Subject:** In Situ Recovery Uranium Mining

**Description:**

**CC Routing:** Region IV; OGC; OCA

**ADAMS Accession Numbers - Incoming:** NONE

**Response/Package:** NONE

## Other Information

**Cross Reference Number:** G20080591, LTR-08-0458

**Staff Initiated:** NO

**Related Task:**

**Recurring Item:** NO

**File Routing:** EDATS

**Agency Lesson Learned:** NO

**Roadmap Item:** NO

## Process Information

**Action Type:** Letter

**Priority:** Medium

**Sensitivity:** None

**Signature Level:** Chairman Klein

**Urgency:** NO

**OEDO Concurrence:** YES

**OCM Concurrence:** NO

**OCA Concurrence:** NO

**Special Instructions:** Coordinate with OGC.

## Document Information

**Originator Name:** Sen. Enzi, Sen. Barrasso, Rep. Cubin

**Date of Incoming:** 9/4/2008

**Originating Organization:** Congress

**Document Received by SECY Date:** 9/4/2008

**Addressee:** Chairman Klein

**Date Response Requested by Originator:** NONE

**Incoming Task Received:** Letter

OFFICE OF THE SECRETARY  
CORRESPONDENCE CONTROL TICKET

Date Printed: Sep 04, 2008 15:50

PAPER NUMBER: LTR-08-0458

LOGGING DATE: 09/04/2008

ACTION OFFICE: EDO

AUTHOR: SEN Michael Enzi

AFFILIATION: CONG

ADDRESSEE:

*Chairman Klein*

SUBJECT: Urges the NRC to reconsider the schedule for the GEIS to address programmatic issues with ISR uranium mines...

ACTION: Signature of Chairman

DISTRIBUTION: RF, OCA to Ack

LETTER DATE: 09/04/2008

ACKNOWLEDGED No

SPECIAL HANDLING: Commission Correspondence

NOTES:

FILE LOCATION: DAMS

DATE DUE: 09/18/2008

DATE SIGNED:

EDO --G20080591

**Congress of the United States**  
**Washington, DC 20515**

September 4, 2008

The Honorable Dale E. Klein, Chairman  
U.S. Nuclear Regulatory Commission  
Washington, D.C. 20555-0001

Dear Chairman Klein,

The State of Wyoming is the largest net producer of energy fuel in the United States including oil, gas, coal, coalbed methane and uranium. More directly, Wyoming is the number one producer of uranium in the United States. Over 200 million pounds of uranium have been extracted from Wyoming, and Wyoming has uranium reserves exceeding 360 million pounds. With today's focus on clean energy and energy self-sufficiency, it is important to ensure that safe, environmentally sensitive uranium extraction continues. In situ recovery (ISR) uranium mining is critical to meet this goal.

We understand that in October 2007, the Nuclear Regulatory Commission (NRC) received the first new ISR license application in almost 20 years from a company wishing to conduct uranium mining in Wyoming. NRC now has 4 new ISR applications under review for Wyoming projects.

We have further been informed that the NRC and the State of Wyoming expect to receive up to 20 ISR uranium license applications for projects in Wyoming within the next five to ten years. This includes the four submitted since last October. To streamline the processing of these new uranium projects, the NRC pursued a Generic Environmental Impact Statement (GEIS) to address programmatic issues with ISR uranium mines. In June 2007, we understand that the NRC suggested that the GEIS would be issued in January 2009 and would apply to new applications. As you know, NRC recently announced that the GEIS will not be final until June 2009.

Hoping to avoid delays, the three companies who submitted applications for projects in Wyoming expressed concern about being tied to the GEIS. Some of these companies structured their business plans and financial commitments based on the January 2009 issuance date.

These mining companies are publicly traded. Funding is derived from investors who base their investments on commitments by the company and statements made by the regulatory agencies. Each month of delay by the NRC erodes the funds allocated for the construction of the Wyoming projects. Furthermore, delays could seriously jeopardize further support from the investment community.

The difficulty posed by the June 2009 GEIS issuance is further compounded because it could further delay the start of construction for these projects. Assuming that it will take up to six

Received SECY/C&R

Date: 9-4-08

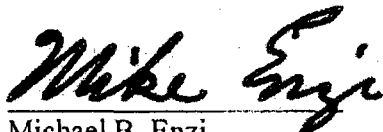
Time: 2:49

months after the GEIS is issued for individual project approval to occur, winter will have arrived in Wyoming. Winter construction in Wyoming is extremely difficult, if not impossible. Thus, six months becomes a substantially longer delay.

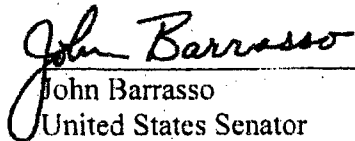
Aside from the detrimental impacts of weakened investor confidence, delay of the GEIS and subsequent license approval could also jeopardize the economic contribution from the uranium industry to the citizens of Wyoming in terms of jobs, livelihoods, and tax base. Importantly, it also denies this nation an increased, secure source of domestic uranium.

We encourage the NRC to reconsider the schedule for the GEIS and to work with the companies who have applications pending to be certain that their projects can move forward in an expeditious manner. Given that time is of the essence, we will appreciate receiving your response as soon as possible.

Sincerely,



Michael B. Enzi  
United States Senator



John Barrasso  
United States Senator



Barbara Cubin  
Member of Congress

cc: Commissioner Gregory B. Jaczko  
Commissioner Peter B. Lyons  
Commissioner Kristine L. Svinicki