UNITED STATES OF AMERICA

NUCLEAR REGULATORY COMMISSION

+ + + + +

MEETING FOR PUBLIC

COMMENT ON THE DRAFT GENERIC

ENVIRONMENTAL IMPACT STATEMENT

FOR IN-SITU LEACH URANIUM

MILLING FACILITIES

+ + + + +

Tuesday, September 25, 2008

+ + + + +

Best Western Ramkota Hotel

800 N. Poplar Street

Casper, Wyoming

The meeting convened at 7:00 p.m.

PANEL MEMBERS:

FRANCIS X. "CHIP" CAMERON, Facilitator

PATRICE BUBAR, Deputy Director, Division of Waste Management and Environmental Protection

ALAN BJORNSEN, Project Manager, Environmental Review Branch

GREGORY F. SUBER, Chief, Environmental Review Branch

JOHN HULL, Office of General Counsel

PANEL MEMBERS: (Continued)

DAVID McINTYRE, Office of Public Affairs

P R O C E E D I N G S

MR. CAMERON: Good evening, everybody. My name is Chip Cameron, and I work for the executive director for operations at the Nuclear Regulatory Commission, which we'll be referring to tonight as the NRC. And I'd just like to welcome you to the meeting tonight.

And it's my pleasure to serve as the meeting facilitator tonight, and in that role I'll try to help all of you to have a productive meeting tonight. And I just want to go over a few things about meeting process: first of all, the format for the meeting; then secondly, some very simple ground rules to help us to have a productive meeting; and third, I'd like to introduce the NRC staff to you.

In terms of the format for the meeting, it's basically a two-part meeting. The first part of the meeting is to give all of you information on the draft generic environmental impact statement. And we have two NRC presentations that are going to try to do that, to tell you what the purpose of the draft GEIS is, what the preliminary findings that are in the GEIS, and how you can influence the final product, the final GEIS on uranium milling. And

we'll go out to you for questions after that. We have some time for questions.

And the NRC staff is going to be telling you that they're going to take written comments on the draft GEIS, but we wanted to be here tonight in person to talk to you about it. And anything that you say tonight will have the same weight as a written comment. And you may hear things tonight from either the NRC or from others in the audience that prompt you to write in to the NRC, to submit a written comment. Or you may want to amplify on something that you said tonight.

After we're done with questions, we're going to go to the primary objective of the meeting, and that's an opportunity for us to listen to you, to all of your concerns, your advice, your recommendations about the draft GEIS or the process that the NRC is using.

And we asked you to fill out a yellow card when you came in if you want to talk, and that's basically just to give us an idea of how many people want to speak tonight. So we will be looking forward to hearing from you.

In terms of ground rules, I would first

ask that you hold all questions until we're done with both of the NRC presentations, so that we can get all of the information out to you before we go to questions. When we do get to questions, if you have a question, just signal me, and I'll bring you this cordless microphone. And if you could just introduce yourself to us and ask your questions, we'll try to do our best to answer that question.

I would also ask that we only have one person at a time speaking, and the most important reason for that is so that we can give our full attention to whomever has the microphone at the moment, but also so that we could get a -- what I call a clean transcript. And we have Marcene Ness, who is our court reporter, our stenographer, tonight, and she's taking a transcript of everything that's said tonight, and that will be publicly available. It's our record and the public's record of what happened at the meeting tonight.

When we get to the comment period, I would just ask you to try to be brief so that we can make sure that we hear from everyone who wants to comment tonight. And I'm going to ask you to follow a five-minute guideline. And I'm stressing it's a

guideline. Try to hold your comments to five minutes. There's no -- that trapdoor you see in the cartoons where you end up in the street if you go beyond five minutes. That's not going to happen, because we know that you spend a lot of time preparing comments for the meeting, and it's important that we give you the chance to say that. But if we get into the seven- or eight-minute area, I'm just going to have to ask you to sum up for us.

And finally, I would just ask that we all extend courtesy to everyone tonight. You may hear opinions tonight that differ from your own, and let's just respect the person who's giving that particular opinion.

And let me introduce the staff. We have Patrice Bubar, Patty Bubar, who is the deputy director of the Division of Waste Management and Environmental Protection at the NRC. And she's going to give you an overview on what the NRC's responsibilities are in this area and some important points about the draft generic environmental impact statement.

Then we're going to go to Alan Bjornsen, who is going to give you the basic details of the

draft generic environmental impact statement. And Alan is a project manager in Patty's division, and he's responsible for the preparation of this generic environmental impact statement.

So those are our two speakers. We have some other NRC staff here to make sure that we can answer all of your questions. Gregory Subar, right here, and Greg is the branch chief of the Environmental Review Branch, again, within Patty's division. And Greg's staff, for example, Alan, they're responsible for preparing this draft environmental impact statement. We brought one of our senior attorneys, John Hull, with us in case there's any questions where we need some legal expertise.

And we have Ron Linton right here. And Ron is in the -- again, it's in Patty's division, but Ron's expertise is on the site-specific applications for in-situ recovery. And if we have questions about site-specific aspects, we're going to turn to Ron.

We have Irene Yu right here, who is a project manager in the environmental area in Greg Suber's branch.

We have David McIntyre. David's right here, and he's from our Office of Public Affairs back at NRC headquarters, which is in Rockville, Maryland. If there are any members of the press, print or news media, if you have any questions, please see David.

We have two expert consultants with us. One is Patrick LaPlante, who is the head of the Washington, D.C., office of an organization called The Center for Nuclear Waste Regulatory Analyses. And I guess Edgar -- Edgar is not here tonight. Okay.

And we do have another technical expert, Myron Fliegel, who's with us right here from the NRC staff.

And with that, I just thank you all for being here, and we're going to get started with Patty Bubar.

MS. BUBAR: Thank you, Chip.

Good evening, and thanks for being here. As Chip has said, I'm Patty Bubar, and I am the deputy director in the Division of Waste Management and Environmental Protection at the Nuclear Regulatory Commission. That division has many

responsibilities. Amongst them is licensing of uranium recovery facilities, as well as decommissioning of Title 1 and Title 2 oversight sites. The division also decommissions other complex sites, including those that were uranium and thorium processing sites. We work with the Department of Energy on legacy Cold War sites and on a waste classification topic called Waste Incidental to Reprocessing.

But tonight we will focus on activities related to uranium recovery licensing, specifically the environmental review activities. We have the regulatory oversight for uranium recovery, and that includes licensing and then subsequent coordination and inspection activities as well through our NRC regional offices. The Wyoming activities are handled through our Region IV office in Arlington, Texas.

Next slide, please. What I would like to try to do a bit is to describe to you what we have been doing to assess environmental impacts associated with uranium recovery with regards to in-situ leach of uranium. We want to listen to your questions and comments. We want to have dialog with

you about the generic environmental impact statement, or the GEIS.

This is the second in a series of public meetings. We had scoping meetings about this time last year, last August and September, as we were developing the GEIS. And the scoping meetings were to assist us with determining what needed to be included in the GEIS. This particular meeting tonight is the third that we've had in Wyoming. We held similar meetings in New Mexico and South Dakota. And there will be a total -- this is our eighth public meeting associated with this document, the GEIS. So this is our last public meeting on the draft. This meeting tonight is designed to seek more public involvement in the process.

Next slide, please. We are going to cover a number of things tonight. I'm going to talk briefly about our roles and responsibilities as a regulator. The emphasis will be on our responsibilities as it relates to the National Environmental Policy Act, or NEPA. The NEPA process is a process of disclosure, and it is designed to be a public process. The fundamental idea is when an agency is undertaking what is called a major federal

action -- and in this case that would be the potential licensing of a uranium facility -- it is subjected to the laws under NEPA as directed by the Council on Environmental Quality.

We're going to cover the draft GEIS, what is its purpose, what is the approach, and, as Chip said, Alan Bjornsen of our staff, will talk following me to give you some of those specifics. Alan will discuss with you the findings that are reported in the draft GEIS. We will talk with you about the schedule, what the next steps are, and then, of course, turn to public comment.

Next slide. The NRC is an independent federal regulatory agency. What do I mean by that? It means we are not part of the executive branch; rather, we report directly to the oversight committees in the United States Congress. We do not report to the President.

The NRC was created strictly -- to strictly carry out regulatory responsibilities that are of a public health and safety nature. Unlike the Atomic Energy Commission or the Atomic Energy Agency, which used to have a number of responsibilities, some of which were public health

and safety, the AEA was also -- or the Atomic Energy Commission was also responsible for ensuring that the nation procured the necessary uranium that it needed back in the '40s, '50s, and '60s, first for national defense during the Second World War, and then subsequently during the Cold War.

We have no responsibility of that nature. We are strictly regulatory. We are focused on health and safety. Our mission is to protect public health and safety and the environmental and to promote common defense and security.

We have responsibility along with agreement states. And agreement states are states that have -- that we have imparted certain of our regulatory authority to via an agreement signed by the governor. So agreement states have similar responsibility to NRC if they have become an agreement state. We have responsibility for licensing radioactive materials covered by the Atomic Energy Act, including uranium recovery.

Openness and soliciting comments, like we are doing tonight, is one of the core values of the agency. It is a very important part of our process.

Our regulations covering environmental reviews are set forth in the Code of Federal Regulations, 10 CFR. And you see it in the slide, 10 CFR, Part 51. That is where we lay out the requirements for coming into -- or following the NEPA law. These regulations are built around guidance from the Council on Environmental Quality, and this is our regulation for ensuring that NEPA is satisfied.

Next slide. Regarding the licensing review process itself, a license is submitted to our agency for review. In this case, we're talking about a license application for uranium recovery. The decision to grant or deny a license is based upon satisfying the regulatory requirements that we have for safety and for protection of the environment. There is no foregone conclusion that a license will be granted or that it will be denied. Rather, it is a decision based upon a review of the merits of that particular application.

We do this review in two parts. The first is called an acceptance review. We put together a team of technical people, such as health physicists, engineers, groundwater hydrologists, and

we subject that application to a 90-day acceptance review to determine if the application is of such quality that it warrants proceeding with the full-blown comprehensive technical review.

If accepted, we then conduct a detailed technical review, and this review has two parts: a site-specific safety review and a site-specific environmental review. Both parts of these are required. They are complementary. We cannot issue a license until both of these reviews are completed. In the case of uranium recovery it takes about two years to complete both components of the review.

Next slide. Regarding the environmental review process for in-situ recovery of uranium, we have developed this generic environmental impact statement. The word "generic" is an NRC term. Typically in NEPA space it's referred to as a programmatic environmental impact statement. And fundamentally the idea in a programmatic impact statement is to look at all the technical issues or all the common environmental consequence issues for a particular modality, and then we do a site-specific analysis for issues that are particularly unique to a given site.

The GEIS provides the foundation for review of numerous in-situ recovery applications by reviewing the impact of a broad set of actions related by subject matter and geography. And Alan will talk much more about that in detail.

Next slide, please. In preparing for this meeting, I went back and reviewed the transcripts from the scoping meetings that we had last fall, and it struck me that there were certain issues that surfaced again and again in comments in all of the meetings. And I thought it was worthwhile to take a few minutes to try to clarify some of these issues.

The first is the use of the generic environmental impact statement. Frankly, I wish that we did not use the term "generic." As I mentioned, "programmatic" is more appropriate. "Generic" causes confusion, because folks will say, This is not generic; sites are different. And they are absolute right, but there are components of in-situ recovery that are common no matter where the site is. So the GEIS is a document we are developing consistent with NEPA requirements or Council on Environmental Quality guidelines. And

this document will be used as a first step. It is a first-step bounding document that we will use in reviewing the applications that we receive for in-situ recovery here in Wyoming or elsewhere in the United States.

And at the same time we are developing the GEIS, I would draw your attention to the box on the left called the Applicant's Environmental Report. The applicant is required to collect data specific to the site they want a license for, and they have done analyses specific to that particular site. We evaluate that data. We verify the findings. We go to the site, conduct inspections. We collect data ourselves. We conduct an examination of that environmental report. It is another cornerstone in the ultimate conduct of a site-specific review.

The box on the right says, Other Relevant Information and Data. I mentioned a few moments ago that an important part of our review process is the safety review. Well, that box represents the safety review. At the same time we are reviewing the environmental report, we are also looking at the safety information that the applicant

has provided. This -- it is a broad spectrum of information that is required, and the requirements are set forth in 10 CFR, Part 40. 10 CFR, Part 40, sets forth the safety requirements for uranium recovery, whether it would be conventional milling or in-situ recovery. And then last but not least, we conduct a site-specific environmental review.

All this information -- the bounding information in the GEIS, the environmental report, and the safety review -- all come together as a part of an individual environmental review for each and every site that an application is presented to us for.

In NEPA space, that environmental review is called an environmental assessment. When you step through the process of conducting an environmental assessment, you can reach one of two conclusions about a given site. Either you reach a finding called a FONSI, a finding of no significant impact; or you determine that you must conduct a full-blown site-specific environmental impact statement for that particular site. We don't know the outcome until we work our way through that process.

If a site-specific draft -- I'm sorry. The site-specific environmental assessments will be issued for public comment, and this will allow us -- or will allow -- or allow us to maximize opportunities for citizens to be involved.

Should there be a determination that there needs to be a full-blown site-specific environmental impact statement, then the process starts all over again. There would be more scoping meetings, a new EIS, a site-specific EIS, would be developed, and further public involvement would take place.

Next slide. The next issue that kept coming up was drinking water. Drinking water is very precious in the United States, we understand that, and particularly in the western United States. And I can readily understand the questions and the concerns that were raised. And I thought it was important to point out for in-situ recovery of uranium to take place, it can only take place in an aquifer or a portion of an aquifer that has been exempted by the Environmental Protection Agency. I cite the regulation there, 40 CFR, Part 146.4, which comes from the EPA's Underground Injection Control

Program Regulations.

I think it's a very important point to stress this type of activity can only take place in an exempted aquifer. What is an exempted aquifer? Well, as the slide depicts, it's an aquifer that does not currently serve as a source of drinking water and cannot now, or will not in the future, serve as a source of drinking water. Or it contains too many total dissolved solids. It has to meet at least one of these criteria to be exempted by the EPA.

Next slide. Another issue that came up a lot was restoration of groundwater or in-situ restoration. And a point I would make regarding the aquifer: Once an in-situ recovery is authorized, should it be, we have regulations, as do the agreement states, that say even though it was an -- it is an exempted aquifer, it has to be restored. It has to be restored to baseline, which means what it was prior to the uranium recovery activity, to maximum concentration limits that align with the Safe Drinking Water Act or to an alternate concentration limit.

And what this slide shows you is the

status of two pilots, and those are shown at the bottom of the slide. There were a number of other pilots that were done. They were on a smaller scale, four or five acres. We just highlight two of the pilots here, and they were fully remediated through an approved plan. What you see is the three at the top that are commercial sites. And this information comes from completed and approved remediation or restoration plans.

What's in the fourth column entitled, Percent of Constituents Returned to Baseline, you see two numbers, the first one, for example, 23 out of 34. What that means is that 23 out of 34 constituents were returned to baseline conditions. The remainder were remediated or restored to an approved standard, which in this case was baseline values plus a pre-mining class of use. And that pre-mining class of use is a state-by-state parameter, so it would vary from state to state.

So what you see is that remediation or restoration has occurred either to baseline values or to an alternate concentration limit for the three commercial sites that are shown in the slide. So I was hoping to give you some idea of what restoration

has taken place.

Next slide. Another topic that has come up in previous meetings has been government-to-government meetings. And what this slide shows you is the government-to-government meetings that we have had this week. We actually met with the Oglala Sioux earlier on in the week. We have spent the last few days meeting with four different Bureau of Land Management Offices, which has been extremely helpful to talk more fully with them about coordinating on the environmental reviews and having them share information with us that will help our site-specific environmental assessments be more robust, particularly with respect to cumulative impacts.

And at several of these meetings, there were other federal agencies represented: Fish and Wildlife Service, Department of Agriculture, as well as other state agencies, including the Wyoming Department of Environmental Quality. And we hope to actually meet with the Governor's Office tomorrow, as we're heading out of town.

So in summary, why are we here tonight? In a nutshell, we would like to provide more

information to you about the contents of the GEIS. And Alan Bjornsen will go into more detail. But more importantly, we want to continue the listening process and have more public dialog about the contents of the GEIS. And, of course, we want to answer any questions that you have about the GEIS.

And I want to conclude with just one final thought. We're going to move into comments at some point in the meeting, and all comments are invited. And we know comments will range all over the board, and we will listen to all of them and we are recording all of them. But I encourage you to focus your comments, to the extent that you can and feel comfortable, on the contents of the GEIS. And the reason I emphasize that is to maximize your opportunity to influence the document as we proceed to finalize it.

Thank you for your time, and I'm going to turn it over to Alan now to talk about some of the specifics in our review.

MR. BJORNSEN: Thank you, Patty.

And good evening, ladies and gentlemen. My name is Alan Bjornsen, and I am a project manager for the NRC, and specifically for this GEIS

project, I am the deputy project manager.

Next slide. My purpose here tonight is to talk to you about the GEIS, give you a brief overview of what in-situ leach is, the need for the generic environmental impact statement, the purpose of that document, the scope of that document, the approach that was taken in preparing the document, some general conclusions that were arrived at, and then how you can submit comments on this document.

But before I go any further, I just want to make a point that even though it says it's a draft document, that doesn't mean that it's not complete. It is complete in every sense. And the only reason that it is draft is because you, as the general public, have not reviewed it. And so that's why we're here tonight to accept your comments on the draft generic environmental impact statement.

Next slide. So first I would like to give a brief explanation of what in-situ leach really is for many of you that don't know. I think a lot do know what in-situ leach is, but in general, it is very different than commercial uranium mining. It doesn't involve open pits or underground workings. It doesn't involve crushing or grinding

of material. But what it does do, it increases the concentration of uranium in the groundwater, specifically in the aquifer that it is milled in or that it is drawn from. What it also does is it releases some potentially toxic heavy metals as well. So that needs to be remediated.

There are three components to the ISL process, and the first is mobilization of the uranium underground, specifically in the aquifer. Secondly, it's the processing of the uranium above the ground. And then lastly, it's the restoration of that aquifer from which the uranium was taken out.

Next slide. This is a picture of the Smith Ranch-Highland project near Douglas. This is what you see on the surface. The white canisters there are actually well covers. They're connected by pipes underground, usually buried from four to six feet, depending on the depth of the frost. They're connected to that brown building that you see in the back. And that's called a header house. And the header house basically monitors and coordinates the flow that the pipes from these wells go into.

These pipes also carry the solution to dissolve the uranium, and that comes from the main plant. There are miles and miles of this pipe in a particular -- in any given well field. Well fields generally are about 20 acres in size. So therefore, there is a potential for leaks that can occur, and so it needs to be monitored. And I'll get into that later.

We had some prong-horned antelope pose for this picture to give you a general scale for the size of what you're looking at.

Next slide. Okay. What you saw previously was above ground. This would be a picture of what you would see below the ground, if you could. It's a slice that covers hundreds of feet. It's a simplified diagram, but basically it shows what's going on underground. The yellow is the water-bearing unit that the uranium is found in. And the uranium is that gray -- it's kind of like a backward C shape.

And then there is clay layers above and below the aquifer. These are confining layers. And the GEIS specifically talks about mining or milling the uranium in a confined aquifer.

Now, how does this process work? Well, first water is drawn from the aquifer, and it goes up through the -- you see the red arrows. That goes to the central processing facility. When the water reaches there, it's fortified with oxygen and carbon dioxide, and then it's pumped down into the aquifer. That combination or that solution releases or mobilizes the uranium that's in the deposit. Then it's drawn back up into the central processing facility. The uranium is removed from solution. There is a small amount of wastewater, about 1 to 3 percent that goes to waste. The remaining water, 97 to 99 percent, is re-fortified, and the process continues and so -- until the uranium is depleted or until it's no longer economically feasible to withdrawn from the aquifer.

You also see other wells there. These are monitoring wells. And those monitoring wells monitor any possible -- what they call excursion from the actual area of withdrawal. They're in the area above the aquifer. They're drilled below the aquifer, and they're also drilled within the aquifer.

And if we go to the next slide, now

you're looking at an aerial view of a well field. Granted, it's a graphic display, but if you were in an airplane and you flew over, this is what you would see. Basically, the central part is the well field itself. And what you see is what's called a five-spot pattern, where you have four wells that are injection wells.

Around the entire well field is a monitoring ring. And those monitoring wells are in the area above the aquifer, in the area below the aquifer, and then also in the aquifer and surrounding. This is very site-specific. And the distances between the monitoring wells can vary depending on the site.

And as I said before, if anything gets out of the well field and reaches the monitoring well, it's what's called an excursion. And it's a licensee's responsibility to respond to that excursion. First he has to verify, number one, that it is an excursion. And then, number two, if it occurs more than once, then he has to take corrective action to prevent anything from going beyond that monitoring ring.

Next slide. This again is the Smith

Ranch facility that you saw before. The large building is the central processing plant. The building to its left is the administration building.

In the processing building, I talked before about some wastewater that's withdrawn, about 1 to 3 percent. That's also called production bleed. And this wastewater can be treated three different ways: It can go to an evaporation pond; or it can go to a deep-well injection, which is literally thousands of feet into the ground, and an NEPA permit is required for that; or it can be applied to the land. Those are the three types of treatment.

In the central processing facility, there is also equipment that they use for the restoration of the aquifer. They just use the same equipment but without the fortification of the actual water itself.

Next slide. What does the NRC actually license? Well, we look at this basically four phases to an ISL facility, and that's construction, which is, you know, the installation of wells, roads, any piping and surface facilities; and then the operation, which would be the injection, the

recovery, the processing of the uranium; and then eventually the yellow cake, which is the final product from the central processing plant.

The restoration is when uranium is no longer economically feasible to extract. And then the process continues. And as Patty explained before and you saw on the previous slides, to restore that aquifer to pre-operation conditions.

And then the last thing is decommissioning, which is really a deconstruction of the site itself, taking the buildings down, taking the pipes up, plugging the wells, reclaiming the land, and then seeding.

Next slide. There are other permits and approvals that are necessary in addition to the NRC license. And so -- and a lot of them are overlapping. And I draw your attention, again, to the first item, which is the aquifer exemption. A licensee -- or a licensee applicant cannot even submit an application until the aquifer is determined to be exempt by the EPA. So that's really the most important one there.

Next slide. Okay. Why did the NRC thinks it needs a GEIS? Patty went through that

before, but basically there -- in the next couple of years, there are going to be -- we know that there are 14 applications that are going to be coming in from industry. Letters of intent have been sent to the agency for new facilities, as well as restarts of existing facilities and expansion of existing facilities. Altogether, there's 22 potential applications. And because of this, the Commission decided that a programmatic or a generic environmental impact statement would be the way to go.

And it will do the following: It will ensure that the NRC focuses its resources in both a rigorous and thorough review of each application; and secondly, it will afford a consistent approach to environmental reviews.

Next slide, the purpose of the GEIS. Because the ISL process is standardized throughout the U.S., there is some commonality among the types of potential impacts that can be expected. So therefore, the GEIS prepares the NRC for site-specific reviews.

Next slide. What does the GEIS include? The GEIS addresses the life cycle of an ISL

facility. I explained that before, the four phases. It addresses the activities that are conducted by a licensee. And these are under conditions of the license and permits that are issued or granted by the NRC, the EPA, and other agencies.

Next slide. I'd like to talk a little bit about the approach that the NRC took to developing the GEIS. The development was a four-step process, and I will go through each step in detail. The first was to define the milling regions.

Next slide. Like I said, this was the first step that the NRC took to how are we going to handle this document. It was neither realistic nor practical to consider the whole western region in one document, so to accomplish the purpose here, we looked at what states the NRC has authority in, the non-agreement states essentially. We looked at locations of present and past ISL facility operations. We looked at potential future sites. And then we also looked at locations where uranium deposits are located. And from these, four milling regions were determined.

This map shows the four regions. Two of

them lie entirely within the state of Wyoming. One straddles Wyoming, South Dakota, and Nebraska. And the fourth one is in northwestern New Mexico. The process that we used is described in detail in Chapter 1 of the GEIS.

Next slide. This is an enlargement of the Wyoming West Region. I don't know if you can see the triangles on there, but the triangles represent both past and potential ISL facilities.

Next slide. Number two was to describe the process. Okay. This is the second step in our approach, and we wanted to address the life cycle of an ISL facility. I just gave you an overview of what an ISL facility is like. The -- in Chapter 2 of the document, there's a detailed description of what an ISL facility is and how it is operated.

In addition, we talk about, in Chapter 2, financial assurance, and that's the surety or the money that's set aside for site restoration, for reclamation, and for decommissioning. And it's based on costs of an independent third party to do this work. It's updated annually.

Chapter 2 also includes a summary of particular aspects of the NRC licensed ISL

facilities over the past 30 years.

Next slide. The third step in our approach was to describe the environmental, and to do this, we use a document called NUREG-1748. That's the guidance document that the NRC uses to evaluate ISL facilities in its environmental reviews.

The details of the description of the environment is presented in Chapter 3. It's presented for each region separately.

Next slide. These are the categories of resources that were evaluated or assessed in the documents. They were taken from NUREG-1748. We believe that it represents a thorough and wide-ranging description of the environment in each region. Recognize, though, that it's a regional description and not a site-specific description. That will be done later on a site-specific basis.

Next slide. The fourth step in our approach was to assess the potential effects that an ISL facility would have on each resource. Actually, it's on each resource. It's on each phase of the ISL activity. And it's in each of the four regions. And once we accomplished this, the potential

impacts were categorized. And the categories that we used are on the next slide.

Now, these are the significance categories that the NRC uses. They are described in, again, NUREG-1748. And these were done for each region, for each phase, and for each of the 13 resource areas. They represent a rigorous and lengthy analysis. There were subject-matter experts, 15 to 20 of them, whose sum, if you add up, would total hundreds of years of experience, and they spent literally thousands of hours doing this analysis. And we summarize the results with small, moderate and large impacts.

Next slide. Now, this is the same slide that you saw before. Patty explained it in detail. But it shows how the GEIS will be integrated into a site-specific review. I don't want to repeat what she said before, but in addition to the GEIS and the applicant's environmental report, the NRC will also gather information from other agencies, such as the BLM, you know, other federal agencies or state agencies, tribal authorities, and local agencies for site-specific data.

In addition, and this is most important,

there will be an opportunity for public review on each site-specific EA, on each site-specific document.

Next slide. Now I just want to transition into the more specific aspects of the Wyoming West Region. And the following slides summarize what our subject-matter experts found when they assessed the potential effects that an ISL facility would have in the various regions.

Next slide. Again, this is a picture or a map of the Wyoming West Region. It's just to give you an idea of what we looked at for the following.

Next slide. The GEIS found that basically four resource areas, the ones that are shown here, were the least affected by a proposed ISL facility in the Wyoming West Region. Now, if you recall from the previous slide, the definition of a small impact is one that was either not detectable or was so minor that it didn't affect the normal functioning of that resource. For example, under aquatic ecology, if there is no surface water on the site, there would be a small impact on aquatic ecology.

Next slide. Resources shown here, most

of the time, would be minimally affected by an in-situ leach facility, but under certain conditions and under certain situations, there could be a potential for a moderate impact. Now, again, if you recall from that previous slide, the definition of a moderate impact is one that does noticeably alter the resource but it doesn't alter any important aspects or the functioning of that resource. For example, under transportation, for short periods of time, particularly during construction, you know, vehicle traffic could be increased on local roads. So that could be a moderate impact.

Next slide. The resources shown here, again, for the most part, would be minimally impacted. However, under certain conditions, there is a potential for moderate or even very large impacts, if not mitigated. And the key here is mitigation.

Again, the definition of a large impact is one that has a clearly noticeable effect on that resource and does alter the normal functioning aspects of that resource. For example. If there's a threatened and endangered species that's known to be located on a site, then there is a potential for

a large impact on that site.

Now, recognizing these potentially large impacts, the NRC's going to focus its attention on the unique aspects of each specific site.

Now I know many of you tonight are from the Wyoming East Region. And there may have been some confusion about, you know, why we're holding the Wyoming West here in Casper. Well, the main reason is Casper's the largest city in the vicinity of the Wyoming West Region.

The presentation that was given in Gillette on Tuesday night was for Wyoming East, and it's very similar to what you see here tonight, what you've heard tonight. While the specific potential impacts on each resource differ, because the resources themselves differ, the category of impact is the same. In other words, for example, if we take aquatic resources, there may be different aquatic resources in Wyoming East than West, the end result was still a small impact. The details of those impacts are found in Chapter 4 of the GEIS.

Okay. After that clarification, what I'd like to do now, is go over the general environmental impact statement schedule, where we

have been, where we are now, where we're going, where we're heading. And then finally I want to tell you how you can be a part of the review, how you can comment, and where you can send your comments, and in what form you can send your comments.

Next slide. This is the overall schedule. Began back in July of 2007. In August and September of 2007, public hearing -- public scoping sessions were held. They were held in Casper; they were held in Albuquerque and Gallup. We collected comments through the end of November of 2007. Those comments, in addition to the data that was collected by subject-matter experts, went into the development of the generic environmental impact statement.

That document was released for public review on July 28, and this is the last of the public meetings, as Patty mentioned before, that we're holding on that. It's the eighth one. And the comment period is scheduled to close on October 7. And as Patty mentioned before, we plan to issue a final environmental impact statement in June of 2009.

Next slide. Written comments can be submitted either by regular mail or by email. They'll be treated equally and fairly. Additionally, tonight there is an opportunity to comment orally. And as mentioned before, your comments will be recorded. You need not copy this information down; it's available on the table outside of this room. So as you leave tonight you can pick up a copy.

Next slide. If you have any additional questions, say, after you leave tonight, say, Oh, I should have asked that particular question -- if it's relating to an environmental issue, James Park, who is the project manager for the GEIS, can answer those questions for you. If it's related to a safety issue, Steve Cohen, who is a team leader for the uranium recovery licensing branch, will be happy to answer your questions. Again, you need not copy this down. It's on the table, and you can pick it up as you leave.

Next slide. And with that, I will turn the meeting back over to Chip. I thank you for your attention, and I thank you for being here tonight.

MR. CAMERON: Okay. Thank you very

much, Alan. Thank you, Patty.

(Applause)

MR. CAMERON: Thank you. Before we go to you for questions, there are some additional NRC staff that I'd like to introduce who were out here on a -- actually on an inspection of a uranium facility. And first of all, there's Linda Gersey. And Linda is an inspector out of our Region IV region in Arlington, Texas.

And next we have Elise Striz, who's a hydro-geologist. She's in the uranium recovery licensing branch with Ron.

And then we have Doug Mandeville, who's a geo-technical engineer. And he's also in the uranium recovery licensing branch.

So let's go out to you for questions. This was a broad overview of a pretty complex process. Are there questions about the GEIS or how it's going to be used? Anything? Yes. And please introduce yourself to us.

MS. ANDERSON: Shannon Anderson with Powder River Basin Resource Council. I just had a question about the restoration data that was presented earlier. Of those constituents that

aren't restored to baseline, what do they consist of? Are they heavy metals? And what sort of impact do they have on water quality?

MR. CAMERON: Okay. Thank you, Shannon. I think that that's a pretty straightforward question, and we're going to go to one of our site-specific experts.

Ron, do you understand the question?

MR. LINTON: They were various different constituents in there. I can get you the data. You've got my phone number. I can get you the data as to what each one was. I don't remember off the top of my head exactly what those different constituents were.

MR. CAMERON: Ron, you may want to just explain to the audience, when we talk about "constituent," what do we mean by "constituent"?

MR. LINTON: Well, that would be the individual elements that were -- different ions, different chemicals, the different constituents could be uranium, radium, calcium carbonate, selenium, any other types of metals. Alkalinity might be another one, different constituents that we would be looking at.

One of the things we would do is look at the background and get that background -- have that background data at an ISL facility. And then we can compare when we go into restoration. We can compare what they've actually achieved to that background, which is the -- as the speakers were talking about before, you've got either the background or MCLs as your primary goal and primary restoration target. And then we have the alternate concentration limit as our secondary.

And you saw up there the class of use, and that was a consideration that was done in the past, the class of use. We're now looking at it more as an alternate concentration limit, which class of use is a consideration of the alternate concentration limit, but it actually is an ACL.

MR. CAMERON: Okay. Thank you very much, Ron.

Other -- anybody else have a question? Yes, sir.

MR. HEILI: Wayne Heili, with Ur Energy. In the previous presentation for regions were shown on the map -- if a proposed project falls outside of, but perhaps near, those regions and within the

state, say, within the state of Wyoming or Nebraska, how will those proposed projects be treated? Will they be treated under the GEIS, will they be considered for treatment under the GEIS, or will they be simply ruled out?

MR. CAMERON: That's a good question, one that I don't think we've heard before.

And, Alan, do you want to take a first crack at that?

MR. BJORNSEN: Sure. It's one that we have considered. The boundaries were arbitrarily drawn around clusters of existing and potential sites. If one is close to it, it would be considered in that region.

MR. CAMERON: Does that answer your question?

MR. HEILI: Yes.

MR. CAMERON: Okay. Anybody else? Yes, sir.

MR. GARRETT: Thank you. My name is Richard Garrett. I'm with the Wyoming Outdoor Council. Could you step us through the process for reporting on an excursion? You said one step -- or one excursion -- could you clarify that? I didn't

capture it all. Thank you.

MR. CAMERON: Okay. Let's -- thank you. Let's go to Ron.

Can you explain the whole excursion reporting process?

MR. LINTON: The licensee has a -- what's called an upper -- a UCL, an upper control limit for each one of those wells in the monitoring well ring for different constituents. It's primarily three constituents that we would look at. Might be chloride, alkalinity, and what would -- I can't think of the other one off the top of my head -- conductivity. That's it.

And so what would happen is is those are sampled every two weeks. So they're sampled on a regular basis in a production unit, every two weeks. And if they -- one of those constituents -- and it's outlined in the license exactly, you know, what it is. And if one of those constituents is over, that -- then they have to go and taken another sample within a 24-hour period -- I think it's 24-hour period, or 48-hour period -- take another sample. And if that's one over, so that's two, then it's a confirmed excursion. They have to report

that to us within 24-hours.

And then at that point then, there's another reporting requirement that within 30 days they have to report to us again, and they have to immediately to begin to try to withdraw that excursion back. You know, so they -- and then at that point, they also start into a different regime of sampling at that point too. It's no longer every two weeks; I think it's every week at that point. And that's all outlined in the license.

So that's how they work with -- that's what would happen in a case of an excursion.

MR. CAMERON: Does that answer your question, Richard?

MR. GARRETT: Fundamentally.

MR. CAMERON: Okay. Thank you.

Anybody else? Okay. Let's go back to Sharon.

MS. ANDERSON: It's actually Shannon, just so you have that for the record.

MR. CAMERON: I'm sorry.

MS. ANDERSON: No problem. I understand that the NRC's proposing new regulations for ISL groundwater regulations, and I was just wondering if

you could give us an update on that process and how that works with the GEIS.

MR. CAMERON: Who wants to tackle the rule-making and -- if you could just explain what the rule-making is intended to do and what the implications are for the GEIS for site-specific.

MR. LINTON: There is a rule-making which is specifically centered on groundwater issues at ISLs, so it's groundwater protection at ISLs. That's what the Commission specifically told us to look at. We're in the process of writing a rule, going through the rule-making process. We've been meeting with a team of people in D.C. We've been meeting with EPA. And we are near the point of getting that rule to upper management and going to the Commission. We're looking at -- I believe it's a January date for a possible draft rule -- to the Commission at the end of October, but then out to the public.

It's really up to the Commission at that point as to what point they want to go forward with it. But that's where we're at in the process.

Does that answer your question? Okay.

MR. CAMERON: Okay. And this rule, I

take it, will go out as a -- ultimately as a proposed rule for the public to be able to comment on.

MR. LINTON: Yes.

MR. CAMERON: Okay. It will go out.

I should add at this point that at some of the other public meetings we've received requests to extend the comment period. And since the comment -- since that date is drawing near, I would just advise you to check the NRC website to see if there has been an extension that would give you so many extra days' time to submit your comments on this.

Okay. Let's go to an opportunity to listen to all of you. And I would ask each commenter to come up the podium to address us. And we're first going to go to state legislators, first of all to Senator Jim Anderson. And then we're going to go to Representative Bob Brechtel. And this is Senator Anderson.

SEN. ANDERSON: Thank you. And in order to expedite things, I'll limit my comments to about three minutes tonight. I will probably submit a written comment in a more extended form.

But my name is Jim Anderson. I'm currently the vice-president of the Wyoming Senate. I represent Senate District 2, which encompasses most of Converse County and the west side of Platte County. Both counties, especially Converse, have demonstrated considerable uranium reserves, and most persons -- as most persons already know.

Converse County is home of one of the most successful in-situ mining operations in the country, that being the Smith Ranch-Highlands. I live only a few miles south of that operation, and I have a sizeable number of constituents that are currently employed there.

The mining of uranium provides a considerable boost to the economy of my district, provides significant number of jobs, and revenues to the state. Over 200 million pounds of uranium have been extracted from Wyoming, and it's estimated to have some 360 million pounds of uranium that could be successfully produced under today's price index.

Any delay of the GEIS or subsequent license approval would only serve to delay the economic benefits of the United States and the people of Wyoming. In 2005, it is estimated that

the industry made indirect economic contributions of nearly $20 million from one mine.

The issuance of the GEIS from which the Wyoming applications would be licensed has been recently delayed by six months from January 2009 to June 2009. I believe that coupled with the current financial market unrest and the instability that prevails throughout the stock market and the investment community, the delay of the issuance of the GEIS will only further contribute to the difficulty of finding investment capital for future mining operations. This delay, while weakening investor confidence, would also take away from the industry's ability to provide jobs, along with the addition tax revenue, to Wyoming tax communities.

Our country is currently wrestling with how to provide the necessary energy resources to carry it safely and securely into the future. Regardless of anyone's belief as to how that can best be done, we nearly most all agree that nuclear power must be included in that scenario.

Energy challenges are foremost in the minds of both U.S. citizens and their leadership. Americans expect actions, both immediate and in

long-term policy, to ensure reliable, affordable energy for the future. We must move forward. I feel that this can be done responsibly as outlined in the oversight procedures that were previewed here tonight. I would respectfully request the schedule of the issuance of the GEIS be revisited and be allowed to move forward on the January '09 date.

Thank you very much.

MR. CAMERON: Okay. Thank you. Thank you, Senator.

(Applause)

MR. CAMERON: And next we're going to go to Representative Bob Brechtel.

REP. BRECHTEL: Thank you for the opportunity. I've been requested by the co-chairman of the Wyoming Minerals, Economic and Business Committee to present their thoughts, since they couldn't be here tonight, Senator Grant Larson and Representative Tom Lockhart -- I am Bob Brechtel, House District 38, Natrona County, and I also serve on their committee. And the letter that they asked me to read is dated September 25, 2008, and you'll see that it's -- obviously many of us think in the same vein as Senator Anderson.

It's addressed to the Dale E. Klein, Chairman of the U.S. Regulatory Commission, Washington, D.C.:

Dear Chairman Klein, As co-chairman of the Joint Minerals, Business and Economic Development Interim Committee of the Wyoming Legislature, we are acutely aware of Wyoming's role in providing the resources necessary to meet the ever-increasing energy demands of our customers both within and outside the United States. The State of Wyoming holds claim as the greatest producer in the energy field in the United States, including oil, gas, coal, coalbed methane and uranium.

Because the Nuclear Regulatory Commission (NRC) is seeking comments on the issuance of general environmental impact statement (GEIS), we will focus our remarks on uranium, the importance of the uranium industry to Wyoming. The State is, has been, and hopefully will continue to be the number one producer of uranium in the United States. More than 200 million pounds of uranium have been extracted from Wyoming, and the State has reserves of 360 million pounds of uranium remaining. In fact, there is a 35-year history of in-situ recovery

(ISR) uranium mining in Wyoming and under NRC licenses.

In October of 2007, the NRC received the first new ISR license application in almost 20 years from a company wishing to conduct ISR uranium mining in Wyoming. Now, the NRC has four new ISR applications under review for Wyoming projects.

In an effort to streamline the processing of these new uranium projects, the NRC issued a GEIS to address programmatic issues with ISR uranium mines. However, instead of streamlining the process, the result has been a delay of at least six months, from January 2009 to June 2009 for early applicants.

Although these three companies that submitted the applications for projects in Wyoming asked not to be tied to the GEIS to avoid delays, they were given assurances that the process would move forward in a timely manner with an issue date of January 2009 for the GEIS. These companies are publicly traded, with the funding that is derived from investors who have based their investments on commitments by the company and statements made by the regulatory agencies. Each month of delay erodes

the funds allocated for the construction of these Wyoming projects and seriously jeopardizes further support from the investment community.

Additionally, the delay of the GEIS and subsequent license approval impacts the associated economic contribution from the uranium industry in terms of direct and indirect jobs, infrastructure and services, and all associated tax revenues. Further, addressing the original schedule of January 2009 does not affect the NRC's regulatory authority and emphasis on safety.

I would like to note that the general -- the Joint Minerals, Business and Economic Development Interim Committee of the Wyoming Legislature devoted time during the two meetings this summer to learn more about Wyoming's uranium industry and how the University of Wyoming School of Energy Resources can assist an industry that is experiencing a rebirth with planned construction of numerous power plants worldwide.

Therefore, it is with all due respect that we strongly urge the NRC to adhere to the original schedule of January 2009 for the GEIS.

I thank you for the opportunity to

express my views on this important issue.

Sincerely, Senator C. Grant Larson and Representative Thomas A. Lockhart.

And I might just add, as member of the Minerals, Business and Economic Committee, I strongly support my co-chairmen in this recommendation that the NRC should stay on its original schedule.

Thank you very much.

MR. CAMERON: Okay. Thank you.

(Applause)

MR. CAMERON: Thank you, Representative Brechtel. And please thank Senator Larson and Representative Lockhart for us.

We're going to go next to Mark Moxley, Wyoming Department of Environmental Quality. And then we're going to go to Shannon Anderson from Power River Basin Resources Council, and then Tom Foust, Citizens for Uranium Resource Education.

And this is Mark Moxley.

MR. MOXLEY: My name is Mark Moxley. I work for the Wyoming Department of Environmental Quality, Land Quality Division, in the Lander office. Land Quality Division regulates mining

operations, including ISL uranium. I've been employed there for over 30 years. I've been involved with permitting, regulating, and restoring ISL operations.

I have two comments to make. One is that I think it's incumbent on us as regulators -- and I include myself in that, but also the NRC and the BLM -- I think it's incumbent on the regulators and the regulated industry to achieve more timely restoration of these well fields. There was a slide presented that showed five restored well fields. And I think that for an industry that's been in operation for more than 20 years, that's not a very impressive statistic. I think we need to be a lot more diligent, a lot more aggressive in achieving groundwater restoration. It can be done. It's been demonstrated that it can be done. We just need to do a little more timely job of it.

Second, I think that in order for NRC to effectively regulate ISL mining, most of which is going to occur in Wyoming, I think we need an NRC office in Wyoming. We used to have an NRC office in Denver; however, that was closed in the mid-'80s. So I think for the sake of efficiency and

effectiveness, the NRC should seriously consider putting an office in Wyoming.

Thank you.

MR. CAMERON: Thank you. Thank you very much, Mark.

(Applause)

MR. CAMERON: And next we have Shannon Anderson.

MS. ANDERSON: Thank you and good evening. My name is Shannon Anderson, with the Powder River Basin Resource Council. We're a grassroots, citizen-based organization based in northeast Wyoming. Most of our members are landowners in the Power River Basin who have been impacted by energy development one way or another, on their lands or in lands neighboring their property.

I will be submitting written comments, and I spoke in Newcastle, so I'll try and keep this short tonight. Basically, you know, given what we've seen in this presentation, you know, I think this document leaves one of two options. The first is, you know, complex analysis of a whole host of issues that are either left out of this GEIS or

glossed over in this document. These issues must be considered at the site-specific level and, in fact, NRC has promised this in previous public meetings.

The second option is arbitrarily made significance determinations from a process that inappropriately streamlines NEPA in a way that violates both the letter and the spirit of one of our most important and fundamental environmental laws.

Our members and other Wyoming citizens are concerned that NRC has chosen the second path before the final GEIS has even been completed. For instance, I came across a letter from NRC to the U.S. Fish and Wildlife Service requesting Section 7 consultation under the Endangered Species Act for a site in Wyoming that clearly states that NRC will be preparing an environmental assessment without even indicating that an EIS is possible for that site.

We wonder how the NRC could make a finding of no significant impact determination before the GEIS is final, before technical review of the application has been completed, and before agency-to-agency consultation has even occurred.

We hope that NRC chooses that, you know,

first route, the route that will not only comply with NEPA, but will best promote NEPA's goals of involving the public in the process.

You know, as mentioned earlier, you know, they said that basically this document is complete, just, you know, we need some public input, and we'll get that from you, and we'll issue this document. You know, how will the public's input really be considered in this process? That's what NEPA requires, and that's what the people of Wyoming expect for these sites. So I hope the NRC will take that into consideration and that, you know, there's a role for the people of this state -- landowners, industry, you know, whoever it is, representatives, the legislature -- you know, we're the folks that are going to be impacted, and we should be involved.

Thank you.

MR. CAMERON: Okay. Thank you, Shannon.

(Applause)

MR. CAMERON: And is Tom here, Tom Foust? This is Tom. And then we're going to go to Oscar Paulson and Wayne Prindle.

MR. FOUST: Good evening. My name's Tom Foust. I live in Riverton. I represent Citizens

for Uranium Resource Education, and we appreciate the Nuclear Regulatory Commission's holding this public meeting to encourage stakeholder involvement in the development of a generic environmental impact statement to assess the potential environmental impacts associated with uranium recovery at milling facilities employing the in-situ recovery process. CURE is a newly formed Wyoming-based organization of private citizens supporting the uranium recovery industry. CURE will be involving itself in uranium recovery issues to promote safe and environmentally sound uranium recovery.

This statement is meant to be a general discussion of the generic environmental impact statement for in-situ leach uranium milling facilities. CURE may submit specific and detailed comments in writing.

CURE strongly supports the preparation of the GEIS. It is increasingly clear that the NRC will be receiving many new license applications for uranium recovery projects, the vast majority of which will be for ISR projects. Given NRC's resource constraints, expeditious review of these applications can only be achieved through a

streamlined licensing process.

Since the advent and development of NRC's statutory and regulatory program for management of uranium recovery facilities, the ISR method of recovering uranium has become the most prevalent form of uranium recovery in the United States. As the ISR method evolved, the ISR uranium recovery industry and NRC began to accumulate more data and to conduct further analyses into ISR methods, its application to deposits of uranium in the United States, and its potential impacts to public health and safety and the environment.

Sorry. I'm not a very good public speaker. Bear with me. Thank you.

Over time, these data and analyses have lead to the creation of a robust repository of knowledge and experience. All of this information gathering over the last 30 years shows that a streamlined licensing process is particularly suitable for ISR uranium recovery since IRS projects are essentially cookie-cutter, as both the subsurface and surface operations at each individual ISR project are substantially similar.

Using a GEIS to approach a particular

process operation is nothing new in the context of environmental impact assessments conducted pursuant to the National Environmental Policy Act. The Council on Environmental Quality, the nation's interpretive body regarding compliance with NEPA requirements, has specifically recognized the appropriateness of the programmatic/generic EIS approach to streamlined environmental impact reviews. By following this CEQ recommendation, NRC can focus on the site-specific aspects of a proposed ISR project without expending unnecessary time and resources to reinvent the wheel by assessing issues that have already been assessed, barring particular site-specific circumstances.

It is equally clear, however, that a GEIS will not preclude consideration of site-specific environmental impacts that were not considered in the GEIS. Indeed, NRC's regulations and guidance prohibit the issuance of ISR uranium recovery licenses for new projects without some form of site-specific technical and environmental assessments to address any issues not assessed adequately in the GEIS.

The public will have opportunities to be

involved in site-specific analyses. The point of a generic or programmatic assessment is to promote the efficient use of time and resources by focusing detailed attention on the site-specific circumstances and issues that differ significantly from the ISR GEIS' evaluations and conclusions regarding such issues. The ISR GEIS in no way detracts from the ability of the public to provide input on issues related to specific licensing actions.

The draft GEIS confirms that ISR uranium recovery is one of the lowest risk activities in the nuclear fuel cycle. Chapter 4 of the draft GEIS provides NRC's preliminary evaluation of the potential environmental impacts of the construction, operation, aquifer restoration and decommissioning at an ISR facility. NRC characterizes the majority of impacts as small and only identifies potential large impacts in the areas of groundwater, endangered species, and cultural resources.

The conclusion that the majority of ISR impacts are generally small is borne out by the 30 years of data compiled on ISR activities in the United States well field balancing, including the

process bleed, monitoring, the pump tests at ISR uranium recovery sites have been highly successful in assuring that recovery solutions are contained within the ore or recovery zone.

Before monitoring ceases, restoration is completed to minimize or eliminate the potential risk of post-operation excursions that could result in the migration of contaminants from the exempted recovery zone portion of the aquifer to adjacent, non-exempt portions of the aquifer.

Finally, the GEIS will help promote the availability of domestic sources of uranium to fuel our nation's expanding fleet of nuclear reactors. Uranium is an excellent example of the United States' increasing reliance on foreign sources of minerals to meet our country's strategic and critical metals and minerals requirements, even for minerals with adequate domestic resources. This increased import dependency is not in our national interest, particularly for commodities such as uranium that are critical to pending strategic programs such as reducing greenhouse gas emissions or undertaking energy efficiency efforts.

The United States currently consumes

about 56 million pounds of uranium each year, yet we only produce 4-1/2 million pounds. We have the world's largest fleet of reactors which operate at the world's highest average capacity factor and produce 20 percent of our country's electricity. The price for uranium has recently climbed to an historic high, and yet new U.S. production is still lagging, at least in part because of uncertainty over the regulatory environment for new production here.

At a time when energy costs are rising and all available sources of energy must be utilized to meet increased demand, streamlining the licensing process for uranium recovery, while at the same time providing needed protections for the environment and the public, is simply good policy.

CURE strongly urges NRC to act expeditiously to complete the GEIS and not extend the comment period past October 7, 2008. NRC's resources will be well spent on this effort given the impending license applications that will be submitted over the next three years and beyond and will serve as a useful tool for licensees, NRC, and the public at large in evaluating ISR uranium

recovery projects.

Thank you.

(Applause)

MR. CAMERON: Okay. Thank you. Thank you very much, Tom.

Oscar Paulson?

MR. PAULSON: Good evening. My name is Oscar Paulson, and I am the facility supervisor for Kennecott Uranium Company's Sweetwater uranium project located about 42 miles northwest of Rawlins, Wyoming. Kennecott Uranium Company appreciates the Nuclear Regulatory Commission's holding this public meeting to encourage stakeholder involvement in the development of a generic environmental impact statement to assess the potential environmental impacts associated with uranium recovery at milling facilities employing the in-situ recovery process. Kennecott Uranium Company is the owner and operator of the Sweetwater Mill, the sole remaining conventional uranium mill in Wyoming.

This statement is meant to be a general discussion of the generic environmental impact statement for in-situ leach uranium milling facilities. Kennecott Uranium Company plans to

submit specific and detailed comments in writing by October 7 -- by the October 7, 2008, deadline.

Kennecott Uranium Company strongly supports the preparation of the GEIS. It is increasingly clear that the NRC will be receiving a number of new license applications for uranium recovery projects, the vast majority of which will be for ISR projects. Given NRC's resource constraints, expeditious review of these applications can best be achieved through a streamlined licensing process.

Kennecott Uranium Company believes that the preparation of the final document should be completed without delay, since license applications prepared by Wyoming applicants are awaiting its completion in order to be reviewed. Kennecott Uranium Company supports the prompt completion of the GEIS, since the Sweetwater Mill could be modified to elute loaded ion exchange resins from in-situ uranium recovery facilities in the future, and this potential feed stream is dependent upon the commencement of operations by in-situ uranium recovery operators.

In addition, the GEIS will reduce the

Commission's workload regarding the review of in-situ uranium recovery license applications. The GEIS will not preclude consideration of site-specific environmental impacts that were not considered in the GEIS. Indeed, NRC's regulations and guidance prohibit the issuance of ISR uranium recovery licenses for new projects without some form of site-specific technical and environmental assessment to address any issues not assessed adequately in the ISR GEIS. The public will have opportunities to be involved in site-specific analyses. The ISR GEIS in no way detracts from the ability of the public to provide input on issues related to specific licensing actions.

The draft GEIS confirms that ISR uranium recovery is one of the lowest risk activities in the nuclear fuel cycle. Chapter 4 of the draft GEIS provides NRC's preliminary evaluation of the potential environmental impacts of the construction, operation, aquifer restoration and decommissioning of an ISL facility. NRC characterizes the majority of impacts as small.

Kennecott Uranium Company urges the NRC to act expeditiously to complete the GEIS. NRC's

resources will be well spent on this effort given the likelihood of impending license applications that will be submitted over the next three years and beyond and will serve as a useful tool for licensees, NRC, and the public at large in evaluating ISR uranium recovery projects.

Thank you.

(Applause)

MR. CAMERON: Thank you, Oscar.

Is Wayne -- Wayne Prindle? And then we're going to go to Marion Loomis and Wayne Heili.

And this is Wayne Prindle.

MR. PRINDLE: Hi. Thank you, NRC. My name is Wayne Prindle. I'm a staff member of the BCA, Biodiversity Conservation Alliance, out of Laramie, Wyoming. We're not an anti-energy development group, but we are concerned with wildlife impacts and wild land and landscape impacts. In the GEIS, there is a few figures from Wyoming Fish and Game Department that show past or potential ISL facilities on or in the vicinity of crucial winter and year-long habitat for big game species such as antelope, elk, moose, and deer species.

And also a species of special concern is sage-grouse, and there are multiple leks and some of the potential or past facilities on some of the maps of the Wyoming Fish and Game. And it's not that this type of energy development can't coexist with wildlife without having a major impact. There's other examples in other energy-development industries, coalbed methane, projects that have made concessions to have -- coexist with wildlife.

We all saw, you know, the picture of the antelope in the facility. You know, if -- depending on -- I don't know this site specifically, but depending on the fencing that surrounds it, it could be wildlife-friendly, where an antelope could get though the -- go through the site or migrate.

So our main concern is that each -- if there is a potential for wildlife impacts, that the NRC work with the companies and look at a site-specific level, the -- any possible or potential impacts on wildlife. And there could be design changes in the actual facilities such as roads, power-line differences, different constructions of power lines where they don't have raptors perched on power lines killing the sage-grouse. And as far as fencing goes, they can -- like I mentioned, they could be wildlife-friendly.

So our main concern is the wildlife, as far as the big game migration winter ranges, and the sage-grouse lek habitat, nesting habitat. And each of these, if there's a potential for an ISL facility to have an impact, should be looked at on a site-specific level.

Thank you.

(Applause)

MR. CAMERON: Thank you. Thank you, Wayne.

Marion? Marion Loomis.

MS. LOOMIS: Good evening. I am Marion Loomis. I'm the executive director of the Wyoming Mining Association. First of all, I want to thank the Nuclear Regulatory Commission for coming out and holding these public meetings and hearing the comments of the public.

The Wyoming Mining Association is made up of mining companies, suppliers, vendors, contractors, including a number of Wyoming uranium operators. We have the last operating mill, as Oscar Paulson has stated. We have a number of operations that hope to open in-situ recovery operations. We have operations that are in the reclamation process.

I would ask you to consider some phraseology changes. As you've heard from the industry, the term that industry is using is in-situ recovery, not in-situ leach.

That might create some confusion in the public eye if you're not using the same nomenclature that is used by the industry.

Most of the comments that I have in my paper have all been made, and so I've stricken a number of them. So I'll -- but I would like to make a couple, three comments. First of all, I'd like to thank the Senator Anderson and the representative from Natrona County here for their comments and reading of the statement from the Joint Minerals Committee. I think that was great. And certainly we support everything they said and thank them for that.

Just to kind of reaffirm some of the things that have already been stated, you heard that there are several operations that have already submitted their applications for in-situ recovery operations that now have the potential to be held up because of the delay in issuing the -- finishing the generic environmental impact statement. And I would encourage you, and the association would encourage you, to go forward to the extent that you can with those operations and not force them to wait until this is completed.

I also am somewhat concerned that I hear about a new set of rules and regulations that are coming

out, and are those operations -- I guess, I question for you. I should have asked it during the question-and-answer portion. Are those operations have already submitted their complete application, or hopefully they're complete, and you should be in a technical review, all of a sudden going to be required to go back and adhere to a new set of rules and regulations which we don't even know what they are. I would hope that would not be the case, that you would review those applications with the -- under the rules and regulations that were in place at the time that they were submitted.

While we're concerned about the -- those license applications that are already in the review process, we're very supportive of you continuing to finalize and adopt this generic environmental impact statement as quickly as you can. You've heard all of the great reasons why it should be done. I'll just make a comment on a couple of them that -- to reiterate the ones that I think are very important for the public to hear.

First, that this is not going to preclude a site-specific environmental analysis for each operation. And I think that's important to reaffirm every time you talk to the public; and that there will be ample opportunities for the public to comment on each and every

operation. It's not going to be one comment about every operation; they'll have opportunities to comment on each one.

Also, it's clear from the comments that have been made that the industry has been successful in restoration of well fields. You know, part of the reason you might not restore a well field as quickly as you might is if you're still getting some uranium from it. You know, if it's still producing something, then the -- then I would hope that we would continue to produce that as long as we could and get that uranium out of there.

With that, I think all the other comments that I've had have been made, the importance of this industry to the nation. Twenty percent of the electricity for this nation comes from nuclear energy. We're getting it from our friends in Russia and other places, but mostly it is coming from friendly countries, I guess, Canada and Australia and inventories. But we have the resources here in the United States to handle this and produce, and we need to make sure that our industries go forward to produce this critical commodity and allow our nation to become more energy independent.

Thank you.

MR. CAMERON: Thank you.

(Applause)

MR. CAMERON: Thank you very much, Marion.

And I think if we have time, I think Marion raises a good point that we might be able provide a little bit more information on in terms of what are the implications of this -- what is a draft proposed rule now for license applications that are submitted. And I may go to John Hull or perhaps Mike to address those issues when we get done with public comment.

We have Wayne -- Wayne Heili. Hi, Wayne.

MR. HEILI: Good evening. I'm Wayne Heili with Ur Energy. If I can, I'd like to offer a little analogy. I really, really like my old truck. But somebody came along and offered me a more efficient truck, pretty sleek looking, and I thought, How soon can I drive it? This is our concern.

I'd like to thank the Nuclear Regulatory Commission for holding these meetings and offering the public an opportunity to give comment on the draft and generic environmental impact statement. There's four reasons why Ur Energy supports this draft statement preparation, or this preparation. First, industry's risks are well understood, but the license process is in need of improvement.

The in-situ industry is over 30 years old, and the technical processes and associated risks are well understood by both regulators and practitioners. And the regulatory regime is generally mature and robust. However, the current license application process is unnecessarily burdensome because it requires redundant reviews of common programmatic environmental issues.

Second, and very importantly, the GEIS delivers on public expectations. Using a programmatic GEIS approach to assess common environmental concerns is fully consistent with the public's expectations for government action. For decades, we the public have been demanding the streamlining of governmental regulations and an increased efficiency from our federal regulatory bodies. We demanded that our rules and regulations be written in plain English. This document before us delivers on those public demands.

The GEIS has appropriate regulatory basis. The programmatic GEIS approach is not new in the context of environmental impact assessments. The Council on Environmental Quality, the nation's interpretative body regarding compliance with the National Environmental Policy Act requirements has specifically recognized the appropriateness of programmatic EIS approaches.

Finally, industry understands it's not being

given a free pass. It's clear to industry that even with the ISL GEIS -- and I use your language there -- we do say ISR -- a very important aspect of each license review will be the evaluation of a site-specific -- of the site-specific environmental impacts that were not considered in the GEIS.

As stated by the National Mining Association's Generic Environmental Report, the NRC's regulations and guidance prohibit the issuance of an ISR uranium recovery license for new projects without site-specific technical and environmental reviews.

So finally, Ur Energy supports this effort. Given the NRC's stated resource constraints, efficient review of license applications can only be achieved through a streamlining or streamlined process as envisioned by this GEIS. Completion of the GEIS will result in this streamlined process, and that meets the public's desire for environmental protection. Therefore, Ur Energy strongly supports the development of the GEIS and urges the NRC to complete the GEIS process without further delays.

We, too, hope the NRC takes appropriate comments into consideration in the final GEIS. Our detailed comments will be submitted as a portion of the NMA's comments on or before October 7, 2008.

MR. CAMERON: Thank you very much, Wayne.

(Applause)

MR. CAMERON: Thank you.

Ted Huss, did you want to say anything?

VOICE: He left.

MR. CAMERON: Okay. I guess that takes care of that.

I don't know whether John or Mike wants to say anything about Marion's question about what the implications of this draft proposed rule -- I mean, assuming it goes proposed and then final, what are the implications for license applications that might be submitted during that period, John?

MR. HULL: Let me take a crack at it, Chip. I feel constrained, because we still are in the -- it's all pre-decisional at this point. We don't have even a proposed rule yet. We're still working with the EPA, working through various issues. As I think somebody mentioned earlier tonight, we still need to go through both the NRC internal concurrence process and then submit the proposed rule to the Commissioners for their consideration before it can be published as a proposed rule in the Federal Register. So I really don't feel I can comment on anything regarding the preliminary contents of the rule,

since we're -- you know, it's all pre-decisional at this point.

MR. CAMERON: Okay. That's fair. I guess the most important thing for all of you, including Marion and his organization, is to monitor the development of this rule and to submit comments on it when it does go proposed.

MR. HULL: Yes. I didn't make clear when I was just talking a minute ago. You know, the public, including, of course, the industry, will have an opportunity to comment on the proposed rule after it's published.

MR. CAMERON: Okay. Thank you.

Mike or Ron, do you want to add anything on that? This is Myron Fliegel.

MR. FLIEGEL: One of the things to recognize is that in the past, the NRC licensing process for ISLs or ISRs, as the industry calls it, has been based upon individual reviews, because our regulations really weren't very specific to ISLs. And so we go through a process, and because we didn't have specific regulations, we would tie licensees with license conditions. And as we developed that process, we also developed guidance documents that described the kinds of things that we thought we needed to license and operate an ISL in a safe and environmentally

sound manner.

And so our licensees could look at our guidance documents, and then when we did a review, we would document that in a license so they'd be tied to it. Well, the rule is taking -- most of what you'll see in the rule comes from what we've done in the past. So it's not -- you're not going to see something that you've never seen or heard of before. It's now going to put it in a regulation so that, you know, we can do this consistently, and the public and the industry can see exactly what the requirements are. So in that sense, it's not going to be something drastically new.

In addition, as we're reviewing the new applicants, those of us who are reviewing it know what's in the rule. So we're not going to -- we're -- in the same sense that in the past, when we looked at an application, we pushed our licensees to do what we thought was protective to public health, safety and the environmental, well, now we know what we're proposing in the rule, so we'll push our license -- or applicants in that direction.

Now, hopefully that helps.

MR. CAMERON: That's useful clarification. Thank you, Mike.

And the NRC staff is going to be here after

the formal close of the meeting to answer any questions, have discussions with you. Before I ask Patty Bubar, as our senior official, to close the meeting for us, is there any other burning issues anybody wants to bring up before we close? Okay.

MR. GARRETT: I apologize.

MR. CAMERON: That's okay.

MR. GARRETT: I think it's an easy question. There is some -- Richard Garrett with Wyoming Outdoor Council. There is some ambiguity in my mind now. I thought that I understood that the GEIS may or may not allow for a site-specific review. It doesn't preclude it, but it does not necessarily require it. Is that correct or not?

MR. CAMERON: I think that this is important to just answer, clarify that in terms of what is -- what will happen or might happen at the site-specific stage in terms of environmental review.

Patty, do you want to do that for us?

MS. BUBAR: Yes. Thank you for the question. The generic environmental impact statement lays the foundation and will help focus us when we do go to do the site-specific review. We will do a site-specific review for every application that is accepted by the NRC. As I

had mentioned in my opening remarks, that review -- if we begin with an environmental assessment, if a finding of no significant impact results from that environmental assessment, that will be the level of review for that application. And it will have tiered off of the generic environmental impact statement.

If we cannot have a finding of no significant impact, then we will do a site-specific EIS. So there will be additional site-specific review for every application.

MR. CAMERON: And did you also mention that even if it's an environmental assessment, that we would request public comment?

MS. BUBAR: Yes. I think I said that in my opening remarks, but I'll reiterate that. Yes. Every site-specific environmental assessment that we do will be put out for public comment.

MR. CAMERON: Okay. Thank you.

Shannon, did you have something on this?

MS. ANDERSON: Would NRC be willing to put that promise in writing in the form of regulation that an EA would be required to be submitted for public comment?

MS. BUBAR: Well, I can't make that commitment right here. If -- I mean, the rule-making process begins with a -- you know, a petition can be

submitted by someone asking that something like that be turned into a rule. But we do absolutely intend to do a site-specific environmental assessment and put it out for public comment for these applications.

MR. CAMERON: And I think the most important concern behind Shannon's question is that there be some documentation at least, perhaps not in a rule, but documentation that the --

MS. ANDERSON: From a regulatory requirement.

MR. CAMERON: Okay. But you would at least document this in the final environmental impact statement.

Go ahead, John.

MR. HULL: Chip, I'd just add to what Patty just said. We feel under our present regulations we certainly have the flexibility to do these site-specific environmental assessments. But as Patty said, you know, if there is a desire to put that into a regulation somehow, you know, there is the petition for rule-making process that would need to be followed. But to my knowledge, the NRC does not plan to initiate any such rule-making.

MR. CAMERON: Okay. Thank you.

Did you want to say something?

MR. McINTYRE: I just wanted to say I think we're on public --

MR. CAMERON: Wait. We have to --

MR. McINTYRE: Sorry.

Patty, aren't we on record publicly in writing as saying that we would do that for public comment on these environmental assessments, I believe in our letter to Governor Richardson last year?

MS. BUBAR: Yes. And also, I believe, in a Federal Reg. notice. Yes. Greg can give the specifics.

MR. CAMERON: Greg Suber.

MR. SUBER: Yes. As a result of the -- of some of the comments we had at our initial scoping meeting, when we issued the extension for the scoping process, we also officially made a commitment to issue every EA associated with the GEIS for public comment.

MR. CAMERON: Okay. Thanks for raising that clarification, Dave. Thank you, Greg.

Patty, do you want to close the meeting out for us?

MS. BUBAR: Yes. Thank you, Chip.

And thank you, everyone, for all the comments and the insights.

Before I close, I do want to say, as I mentioned in some of the opening remarks, the process associated with reviewing the safety report and the

environmental report and deciding whether to issue a license or not is generally a two-year process.

So I know there have been a lot of comments made tonight about the schedule for the generic environmental impact statement. But we still anticipate, even with this delay in -- or as people say, this delay from the January to June time frame, we still anticipate to be able to stay within that two-year time frame for completing the review and deciding whether to issue a license. So I just wanted to make that clarification.

I guess I would like to just thank everyone. I mean, it's been very helpful to hear the various viewpoints and be able to understand the issues and the concerns. Given that all of this is being documented or recorded, we take these very seriously, and we will address all of the comments that we receive, either tonight in these public meetings or other public meetings, or if you submit them in writing. So that's part of our process.

So I just would really like to thank everyone. I encourage you, if you did not speak up tonight and have comments, to please submit those comments. And if you have suggestions on things that we either missed or need to do to make the document a more robust final EIS, please provide us those comments.

So with that, I guess we will close the meeting, unless anybody has anything that they did not have an opportunity to say.

MR. CAMERON: Thank you.

MS. BUBAR: Okay. Well, thank you very much.

(Applause)

(Whereupon, at 9:00 p.m., the public hearing was concluded.)