

URGEISCEmails

From: Pam Viviano [pamelav@vcn.com]
Sent: Wednesday, November 05, 2008 8:16 PM
To: NRCREP Resource
Subject: URANIUM RECOVERY GEIS
Attachments: Comment to NRC - geis.pdf

Chief, Rules Review and Directives Branch
Mailstop T6-D59
U.S. Nuclear Regulatory Commission
Washington D.C. 20555-0001

RE: Draft Generic Environmental Impact Statement for In-Situ Leach Uranium Mining Facilities, NUREG-1910

Thank you for the opportunity to submit concerns and comments on the GEIS for ISL of uranium mining facilities. I appreciate the opportunity to be involved in this critical matter.

I am greatly opposed to the implementation of the GEIS for In-Situ Leaching (ISL) of uranium. Some of my reasons are strictly personal, some revolve around the understatement of the impacts for our area, and others are due to what I see as the extensive short-comings of the GEIS document itself.

Starting with the personal aspect, I would like to say that my husband and I worked and saved for 25 years to buy our dream place in Wyoming. Finally in 2000, we found the place we had been searching for and have been living here since then. To us it has been ideal, due to the clean air, the access to clean groundwater through our domestic well, the abundant wildlife, the low population, the beautiful scenery, the lack of traffic on our local roads, the intensity of the stars due to the lack of lights, and so much more. We planned to live here and be part of this community for many years to come. But, with the possibility of implementation of the G.E.I.S., all that we have worked for stands to be lost now. A uranium company is drilling and testing only 3 miles from our property and our water well. They are exploring and testing within the same aquifer that we draw our water from for domestic and livestock. The way of life that we have come to love is now threatened, and I feel that each of these ISL sites should have an extensively researched site specific environmental impact statement, which the Generic EIS will not provide. Those are my reasons for opposing this GEIS on a personal basis.

I oppose the GEIS in relation to the assumption that the impacts on our area would be the same as those throughout a 9,000 square mile area. We are unique individuals and our local areas are unique; therefore a Generic EIS cannot adequately address the possible impacts for ISL. Apparently nobody from the NRC has actually traveled extensively throughout this region, or they would know that it has an extremely diverse environment which cannot be lumped together in reference to impacts. I also find the GEIS to have a gross understatement for impacts on all resources and topics for this region, showing that the NRC has very little understanding of the diversity of the 9,000 square mile region's people, communities, and environments. Following are just a few examples of the inaccuracy and understatement of the impacts stated within the draft GEIS.

For all phases of ISL, most of the "Land Use" impacts in the GEIS are understated as small. One example of this understatement is that "changes to land use access including grazing restrictions and impacts on recreational activities would be limited due to the temporary nature of restrictions and availability of other land for these activities". The ISL sites can be in place for up to 20+ years. This is not "temporary" in regards to ranching and grazing practices. There is not a great deal of land available for grazing leases, and those who have these leases tend to hang on to them for generations. Ranchers need to maintain a particular herd size to stay financially solvent. For a rancher to lose grazing properties for this length of time would cause them to have to reduce the size of their herds, resulting in financial ruin. This would be a large impact. As far as availability of other land for recreational access, that is simply not true. There are a few sections of state land

in our area for public use, but the majority of the county land is private. To remove the few existing blocks of state land from the public recreational use will be a large impact.

For all phases of ISL, most of the “Transportation” impacts in the GEIS are understated as small to moderate. The impacts refer to dust as a problem for unpaved access roads. All of our county roads are unpaved and therefore highly susceptible to damage and extreme dust conditions when the traffic increases by only a few vehicles. The increased amount of dust particles in the air will also be a health hazard for those who live next to these roads. Also, as we are also the “Whitetail capital of the world”, the increased truck traffic going at high speeds will not only be dangerous to other vehicles, but will have a large impact on the wildlife. The impact from “transportation” will be large.

For all phases of ISL, most of the “Soil” impacts in the GEIS are understated as small, because it “would be temporary and small – approximately 10% of the total site area”. Soil disturbances lasting up to 20+ years are not temporary. As far as the sites encompassing small areas, the Smith-Highlands site in Wyoming encompasses over 770 acres and is planning to expand. With a possibility of three or more sites in our county alone, the area of soil disturbance would be over 2,200 acres for 20+ years. This impact for our county will be large.

For all phases of ISL, most of the “Surface Water” impacts in the GEIS are understated as small to moderate. Our rivers and creeks in this area are extremely low, due to extensive drought. Any contamination flowing into these bodies of water will have a large impact. The likelihood of this occurring is also quite high, as rainfall is extremely unpredictable. In the last few springs we have had unusual downpours of up to 7” in one hour, causing extreme flooding conditions. It would be extremely difficult to contain the contaminated water in the waste ponds under these circumstances. The potential impact for contamination of our limited surface waters is large.

For the operation phase of ISL, the “Water-Groundwater” impacts in the GEIS are understated as possibly being small. Impacts during operation are stated as small, because the aquifer would: “1) be confined, 2) not be a potential drinking water source, and (3) be expected to be restored within statistical range of preoperational baseline water quality during the restoration period”. Without a careful and in-depth site specific study, this simply cannot be substantiated. Our area has hundreds of old exploration holes that were left open or inadequately plugged in the 1970’s, making it impossible to say that any parts of any aquifer could be confined. Also, the companies are testing and exploring within the aquifer that dozens of landowners draw from. This water has been tested, and has been found to meet all EPA standards for drinking water at this time. As far as restoring the water to baseline standards; this has never been accomplished in the history of ISL. Also, the potential for depletion of our aquifers is extremely large. Many people in this area already have difficulty with their wells keeping up with demand. The wasting of millions and millions of gallons of precious water during the operation and restoration phases will have a large impact, and those of us who lose our water will have no recourse if the NRC allows this to happen.

For the operation, aquifer restoration, and decommissioning phases of “Ecology-Terrestrial” impacts in the GEIS are understated as small. We are fortunate to have large herds of White-tail deer, Mule deer, antelope, as well as smaller populations of mountain lion, bobcats, coyotes, and others too numerous to mention. In our area are over 400 species of birds consisting of Bald Eagles, Golden Eagles, turkeys, Sandhill Cranes, and numerous waterfowl. The construction phases will have a large impact on all of the wildlife, due to the increased traffic and resultant road kills, the stress from the increased noise, and the considerable disruption of the surface areas. During the operational phase, the waste water ponds will have a large impact, as the fencing on these ponds is completely inadequate for keeping out anything other than large livestock. Perimeter fencing will not deter wildlife from large to small, amphibians, reptiles, insects, or birds. I can find no record or pictures of existing ponds that have “netting” referred to in the mitigating measures. Sickness and death could easily occur on a daily basis from direct consumption of contaminated waste water, as well as exposure through the food chain. The potential impact to our wildlife community is extremely large.

For all phases of ISL, all of the “Air Quality” impacts in the GEIS are understated as small. As mentioned above, any additional traffic, from any of the phases, on our dirt roads contributes hugely to excessive dust particles in the air, and especially impacts homes close to the roads. During the operation, the GEIS states

that “radiological impacts can result from dust releases from drying of lixivate pipeline spills, radon releases from well system relief valves, and emissions from yellowcake dryers”. In our area, it is not uncommon for wind gusts of 70+ mph to occur at various seasons of the year. These particles could be carried long distances and affect the health of those living in our area through lung disease, cancer, and other adverse health affects of radiation. The particles can fall onto surface water causing contamination of the water and aquatic life. They can fall onto plant surfaces causing contamination of the plants as well as the wildlife and livestock that eat them. Although even the smallest risk with so hazardous of a material is unacceptable, the potential impact from radioactive dust to our health through all these means is extremely large.

For all phases of ISL, all of the “Noise” impacts in the GEIS are grossly understated as small to moderate. During the construction phase the GEIS states that noise from “construction equipment such as trucks, bulldozers, compressor, would be localized”. During operation the traffic noise from commuting workers, truck shipments, and facility equipment would also be considered small. The GEIS also states that “noise from pumps and other field equipment will decrease at distances more than 1,000’ and return to background.” Once again, these statements clearly show that staff members of the NRC have never spent any time in our area. They have no idea of what intense quiet and silence can be. They do not know that we can hear a neighbor, who lives a half mile away, speaking in their yard. They do not know that we can hear a neighbor running a tractor in their fields over three miles away. They have no idea how the sound can travel in an area this open and this quiet. The peace and quiet are some of our main benefits of living out, and the noise from construction, operation, and decommissioning of these sites would totally destroy the quality of life in our area, and therefore the impacts would be large.

For all phases of ISL, most of the “Visual and Scenic” impacts in the GEIS are grossly understated as small to moderate. The GEIS states that “because of the rolling topography of the region, most visual impacts during construction would not be visible from more than .6 miles”. There are views from our property in which we can see over 50 miles into Montana. These sites will be built directly in this view. Several areas that uranium companies are looking at right now are open prairie, where people living there can see even further than 50 miles. The views from these people’s properties will be completely destroyed by the buildings and power lines that will be constructed. Also, in these areas there are very few lights at night, which allow for beautiful night skies. Again, the lighting from these buildings and well fields will completely destroy some of the reasons that people live out in these rural settings. The impacts in regards to “Visual and Scenic” will be large.

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The GEIS has understated the impacts to our area in all phases and all topics and resources referred to.

Finally, I oppose the implementation of the draft GEIS because of the extensive short comings of the document itself, some of which are listed below.

1. The GEIS looks at ISL projects on an individual basis and does not take into account the fact that several sites may be found in close areas. The impacts of sites in close proximity and the cumulative effects of these sites need to be addressed.
2. The GEIS does not specify when an individual site specific assessment will be done and why. This needs to be clearly stated for the protection of the public.

3. The GEIS looks at the impacts of each phase of the process as if that phase were occurring by itself. Construction, operation, aquifer restoration, and decommissioning should all be occurring simultaneously, and the effects of these phases upon each other need to be addressed.
4. The GEIS does not take into account that other industries may be implementing other types of processes nearby. Coal bed methane, oil drilling, bentonite mining, and others may be occurring near these ISL sites. The cumulative impacts of these other industries must be addressed.
5. The GEIS is being proposed due to a lack of sufficient staff in the NRC for adequate review of the permitting process. Staffing levels and needs at the NRC, as well as environmental impacts that could occur due to insufficient oversight need to be addressed.
6. The GEIS is unclear as to whether the public will be involved in the less strict site specific environmental assessments that are proposed. Public input is essential to good decision making, and it needs to be clear on how and when the public will be involved.
7. Disregarding significant impacts in the interest of streamlining the permitting process is not compliant with the spirit of our most important and fundamental environmental laws.
8. Current NRC regulations for ISL are inadequate and outdated. These should be reviewed to determine whether new regulations are needed.
9. The NRC should consider limiting the number of licenses in one particular geographic area to ensure proper water and land restoration for existing projects before new projects can occur.
10. The GEIS lists voluntary "best management practices" as a means of reducing impacts of ISL. Voluntary practices are not substitutes for enforceable license requirements, and the GEIS need to include enforceable mitigation measures.

The "NRC's mission is to regulate the Nation's civilian use of by product, source, and special nuclear materials to ensure adequate protection of the public health and safety, to promote the common defense and security, and to protect the environment". This protection of public health and environment can only be provided if the licensing process involves extensive research and site specific consideration of each permit. It cannot be provided by streamlining and fast tracking the licensing process.

I hope these comments will be useful in making the decision not to implement the GEIS for ISL of uranium mining. The public and the environment deserve the protection of extensive, well-researched, site specific environmental impact statements for each of these proposed ISL sites.

Sincerely
Pamela Viviano
Landowner of Crook County Wyoming

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