

URGEISCEmails

From: Nancy Hilding [nhilshat@rapidnet.com]
Sent: Saturday, November 08, 2008 1:30 AM
To: NRCREP Resource
Cc: Shannon Anderson
Subject: "Uranium Recovery GEIS"-- PHAS # 2 letter
Attachments: %Uranium GEIS-PHAS.doc; %Uranium GEIS-PHAS.rtf

Nancy to NRC

I am sending this letter as attached docs, saved on a MacIntosh as MSW and RTF Files.
I have also copied into the text of the e-mail below. Formatting may be changed when copying to e-mail text.

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November 7, 2008

Michael Lesar
Chief, Rulemaking, Directives and Editing Branch
U.S. Nuclear Regulatory Commission
Mail Stop T6-D59
Washington, DC 20555-0001
NRCREP.Resource@nrc.gov

RE: Draft Generic Environmental Impact Statement for In-Situ Leach Uranium Milling Facilities, NUREG-1910
Letter # 2 - Inadequate Range of Alternatives

Dear Mr. Lesar,

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In addition, the Agency may not fail to analyze alternatives that only address part of the project's purpose. "[An] EIS must . . . consider alternatives to the proposed action as may partially or completely meet the proposal's goal and it must evaluate their comparative merits." *Natura Resources Defense Council v. Callaway*, 524 F.2d 79, 93 (2nd Cir. 1975); see also *North Buckhead Civic Association v. Skinner*, 903 F.2d 1533, 1542 (11th Cir. 1990), citing *North Buckhead Civic Association v. Skinner*, no. 88-2477 at 27 n. 5 (N.D. Ga. 1989) (alternatives "partially satisfying purpose and need of the proposed project" need to be considered if they are "reasonable"). Furthermore, "a discussion of alternatives that would only partly meet the goals of a project may allow the decisionmaker to conclude that meeting part of the goal with less environmental impact may be worth a tradeoff with a preferred alternative that has greater environmental impact." *Id.*

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605-787-6779 phone best to call me on
605-787-6466 phone and fax and voice mail and internet hook up
I have call waiting and "no answer" may mean both "land lines" in use
(call before faxing)
cell phone 605-430-9230, I don't check cell messages regularly, thus do not rely on for ASAP calls

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Federal Register Notice: 73FR43795
Comment Number: 1301

Mail Envelope Properties (p06240806c53ae127ff9f)

Subject: "Uranium Recovery GEIS"-- PHAS # 2 letter
Sent Date: 11/8/2008 1:29:47 AM
Received Date: 11/9/2008 12:09:36 AM
From: Nancy Hilding

Created By: nihilshat@rapidnet.com

Recipients:
"Shannon Anderson" <sanderson@powderriverbasin.org>
Tracking Status: None
"NRCREP Resource" <NRCREP.Resource@nrc.gov>
Tracking Status: None

Post Office: [208.34.15.43]

Files	Size	Date & Time
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%Uranium GEIS-PHAS.rtf	21217	

Options
Priority: Standard
Return Notification: No
Reply Requested: No
Sensitivity: Normal
Expiration Date:
Recipients Received:

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