

COMMISSION BRIEFING SLIDES/EXHIBITS

BRIEFING ON URANIUM RECOVERY

DECEMBER 11, 2008

NRC Uranium Recovery Meeting

December 11, 2008

Mitchell Leverette, Chief,

Solid Minerals Division

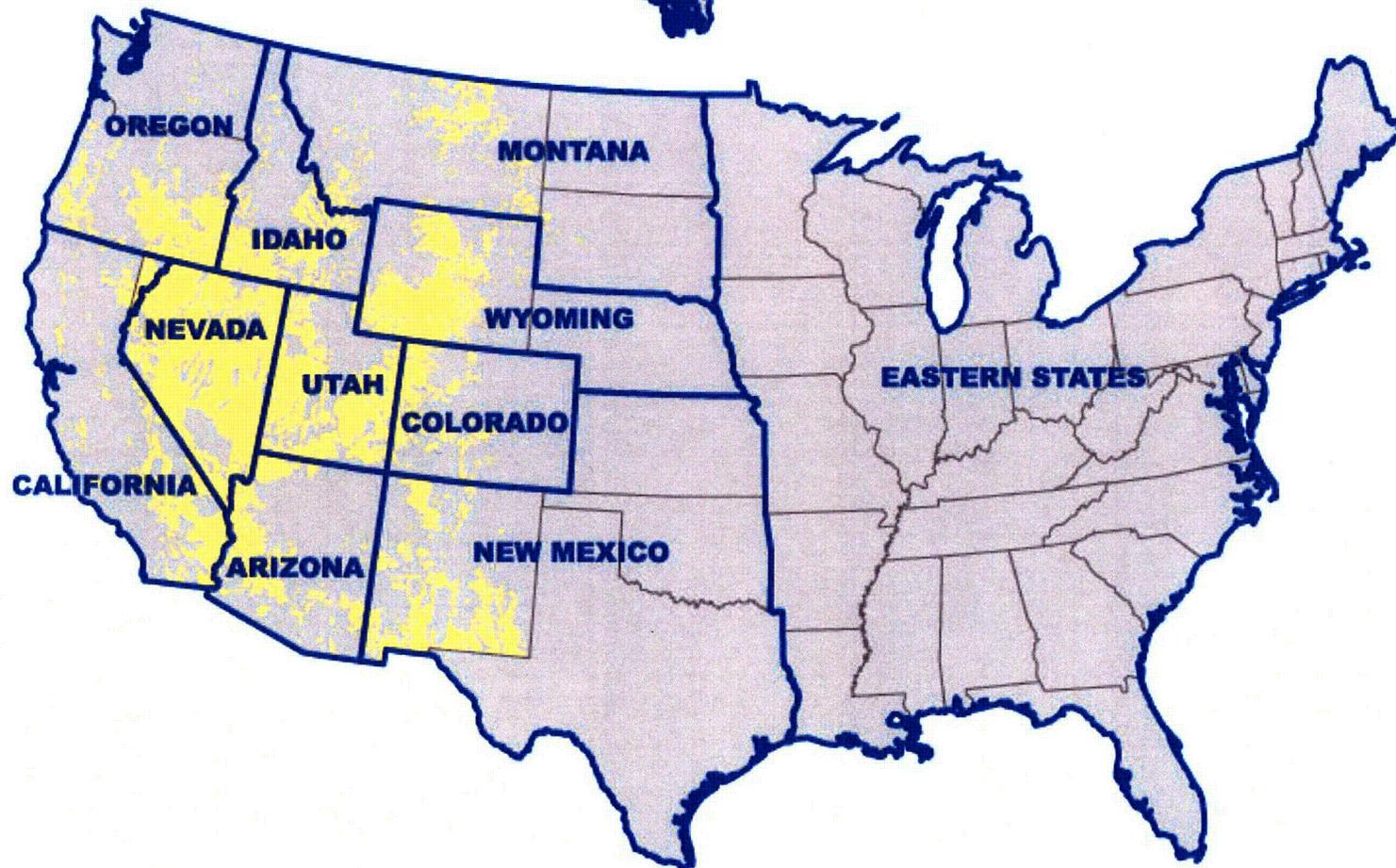
Bureau of Land Management



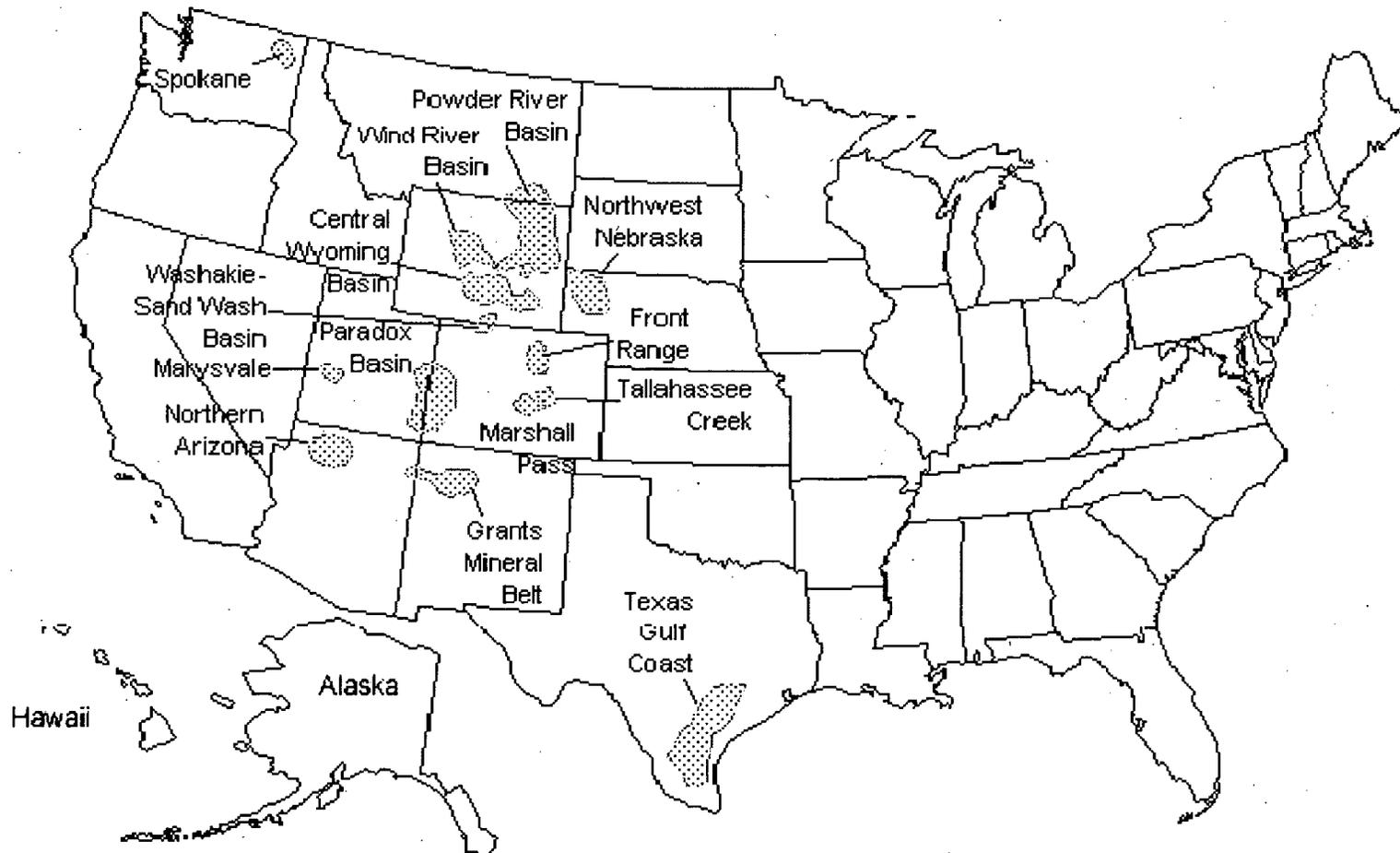
Click on the state jurisdiction to see an enlarged, more detailed jurisdiction map of the state.

For more information on this data, contact Keith Francis at NSTC, keith_francis@blm.gov or 303-236-0113.

-  BLM State Jurisdiction
-  BLM-Administered Lands



Major U.S. Uranium Reserves



Sources: Based on U.S. Department of Energy, Grand Junction Project Office (GJPO), National Uranium Resources Evaluation, Interim Report (June 1979) Figure 3.2; and GJPO data files.



Bureau of Land Management

- **Created in 1946 merger **Grazing Service (1934) and General Land Office (1812)****
- **Manages 263 million acres of public lands (1/8 of U.S. landmass) and 700 million acres of subsurface mineral estate**
- **Approx. \$2 billion budget**

Bureau of Land Management

- **Earns \$1.1 billion in revenues from Energy and Minerals royalties (economic impact of \$24.7 billion)**
- **10,000 employees nationwide**

**Bureau of Land Management
Table of Organization**

7-29-08

(A) - Denotes Acting

**Director
WO-100
Jim Caswell**

Director's Staff

- o Executive Assistant- Julie Kale (A)
- o Executive Assistant- Pam Johansen
- o Deputy Director (Operations)- Henri Bisson
- o Deputy Director (Programs & Policy)- Luke Johnson
- o Chief of Staff- Janet Lin

**Office of National Landscape
Conservation System and
Community Programs**

**Director
Elena Daly**

Deputy- Jim Murkin

- o National Landscape Conservation System- Jeff Jarvis
- o Education, Interpretation, and Partnerships- Mary Tisdale

**Office of Law Enforcement
and Security**

Director

**William Woody
Deputy-Keith Aller**

**National Operations Center
Director**

**Lynda Stelzer
Deputy-Vacant**

- o Division of Resources Services- Roxanne Falise
- o Division of IRM Support Services- Bruce Downes
- o Division of Human Resources Services- Annette Martinez
- o Division of Business Services- Vacant
- o Program Management- Malenia Rhinhardt (A)

**Renewable Resources
and Planning**

WO-200

**Assistant Director
Ed Robertson
Deputy-Brad Critchley**

- Decision Support, Planning and NEPA- Deb Ravshouser
- Rangeland Resources- Rob Roschubush (A)
- Fish, Wildlife & Plant Conservation- Dwight Fisher
- Cultural, Paleontological Resources and Tribal Consultation- Jerry Cordova (A)
- Recreation and Visitor Services- Bob Recliffe
- Wild Horses and Herds- Don Glenn (A)
- Forests and Woodlands- Scott Linschme
- Environmental Quality and Protection- Nancy Dean

**Minerals & Realty
Management**

WO-300

**Assistant Director
Mike Nadd
Deputy-Bob Anderson**

- Fluid Minerals- Tim Spisak
- Solid Minerals- Mitch Lovorn
- Lands, Realty and Cadastral Survey- Jeff Holden (A)

**** Energy Policy Act
Implementation Team-
Ray Brady**

**Office of Fire &
Aviation Policy**

WO-400

**Assistant Director
Jim Douglas
Deputy-Lynda Boody (A)**

- National Interagency Fire Center (NIFC)- Deputy- Tim Murphy
- Support Services- Gary Bowers
- Fire Operations- John Glass
- Aviation- Kevin Hamilton
- Fire Planning and Fuels Management- Adam Schmitt
- External Affairs- Don Samurivaita
- National Radio Communications- Vacant

**Information Resources
Management**

WO-500

**Assistant Director
Renee Levine
Deputy-Scott MacPherson**

- Investment Management- Theresa Coleman
- Information Resources Management Governance- Keel Ross
- Business and Technology Alignment- Vacant
- Information Technology Security- Lisa Lindholm (A)

Communications

WO-600

**Assistant Director
Celia Boddington
Deputy-Craig Laff**

- Public Affairs- Jeff Kraus
- Legislative Affairs and Correspondence- Andrea Nelson (A)
- Regulatory Affairs- Ian Senio

**Human Capital
Management**

WO-700

**Assistant Director
James Velasco
Deputy-Linda Bahlin**

- Workforce and HR Policy- Ann Aldridge
- Civil Rights- Bobbie Moore
- Special Initiatives and Recruitment- Sybil Felder
- Safety and Occupational Health- Louis Rowe
- Medical Training Center- Don Champin

**Business and Fiscal
Resources**

WO-800

**Assistant Director
Mike Ferguson
Deputy-Laura Cepanby**

- Evaluations and Management Services- Sue Richardson
- Business Resources- Ruth Welch
- Budget- Carl Rountree

Solid Minerals Programs

Mining Law

Mineral Materials

Non-Energy Leasables

Coal

Oil Shale/Tar Sands

Solid Minerals Budget

(2008 – Approx. \$60 million)

Mining Law 34.6 million

Mineral Materials & Non-Energy 10.4 million

Coal 9.7 million

Oil Shale/Tar Sands 4.4 million

Mining Law Program



Mining Law Authority

Mining Law of 1872, as amended

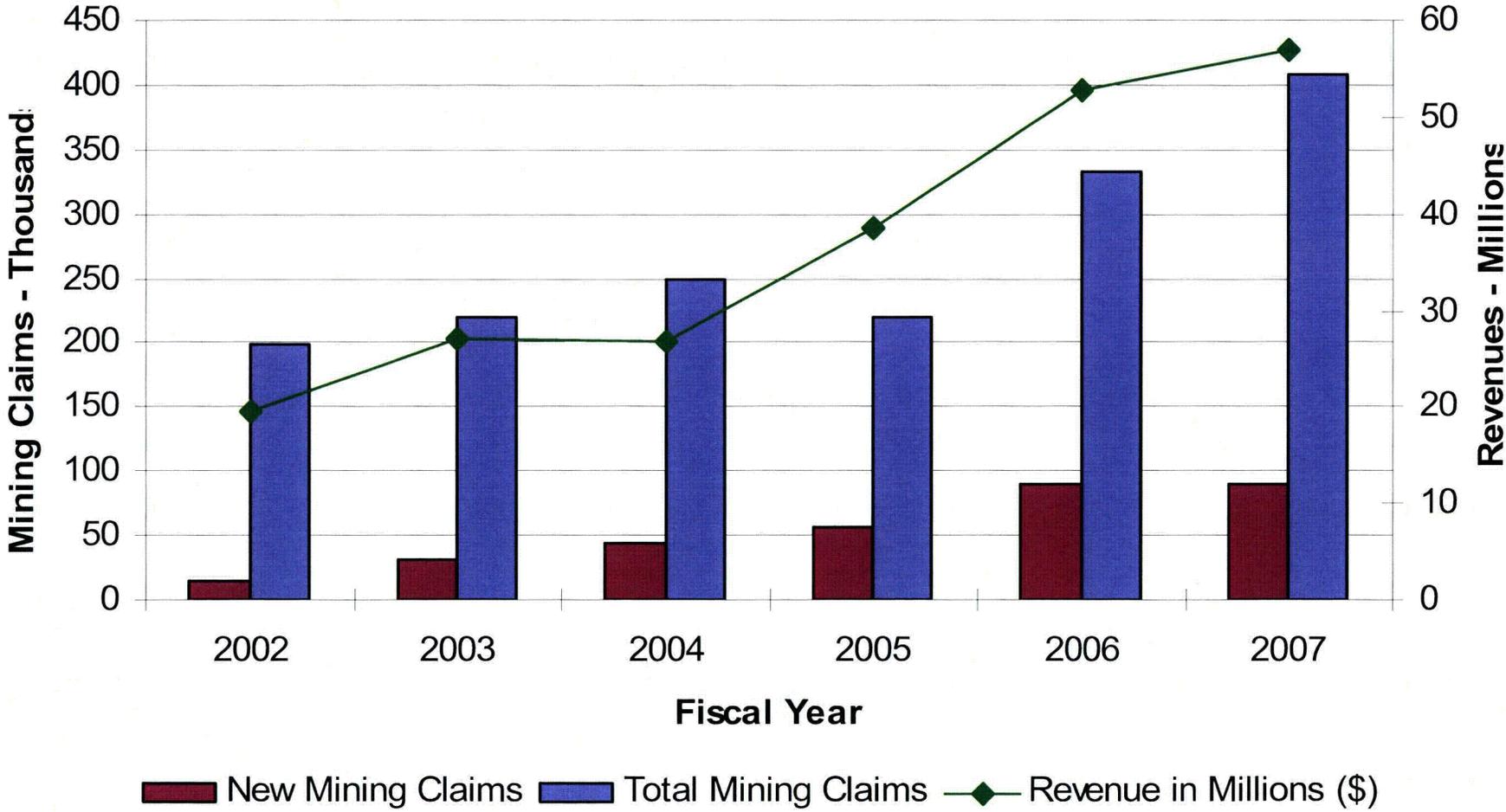
Allows citizens of the United States the opportunity to explore for, discover, and purchase certain valuable mineral deposits on those Federal lands that are open for mining claim location and patent (open to mineral entry). These mineral deposits include most metallic mineral deposits and certain nonmetallic and industrial minerals

Mining Law Program Components

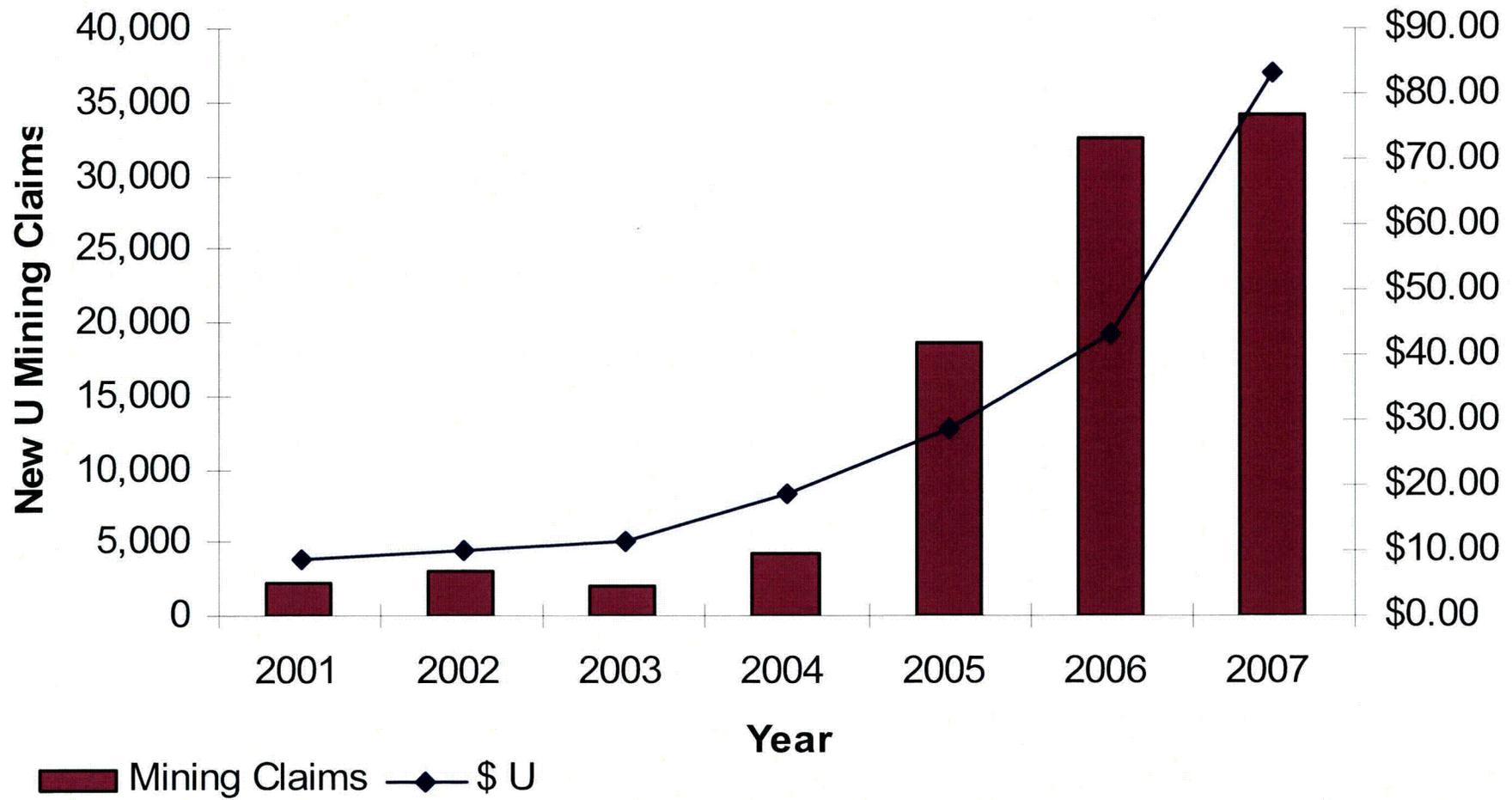
- **Mining Claim Recordation**
- **Surface Management**
- **Mineral Patent**



Mining Claims and Revenues



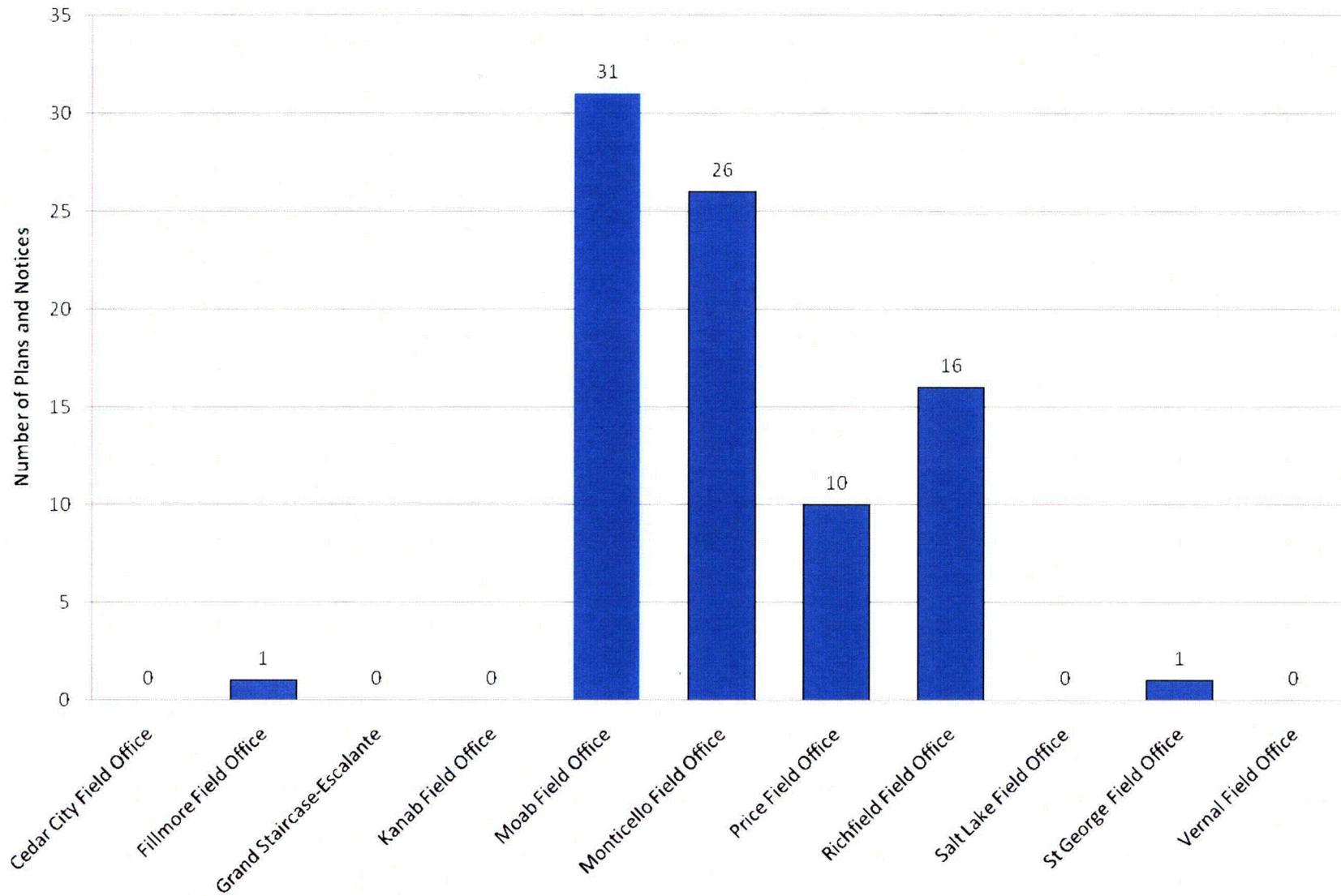
Uranium (U) Mining Claims vs. \$ U - September 2007



New Uranium Claims

Year	Increase In New Claims FY 04-07	Total New Claims FY 04-07
Arizona	161%	33,190
Colorado	1173%	11,766
New Mexico	785%	9,883
Utah	592%	29,572
Wyoming	762%	35,254

2008 Uranium Active and Pending Plans of Operations and Notices in Utah (8/08)



Mining Claims - Colorado

Year	Total New Claims	New UR Claims
2003	230	120
2004	342	274
2005	3208	2725
2006	5787	5205
2007	12900	10730

NRC Authority

- **Atomic Energy Act of 1954, As Amended, Requires an NRC License to Transfer or Receive in Interstate Commerce Any Source Material (Such as Uranium Ore) Only “After Removal From Its Place of Deposit in Nature”**
- **NRC Regulates Uranium Milling Facilities & Does Not Regulate Uranium Mining or Abandoned Mine Sites;**

BLM Authority

- **BLM Regulates (Surface Land Use) for Mining Activities on Federal Lands That Are Conducted Pursuant to the General Mining Law of 1872;**
- **The Federal Land Policy & Management Act Authorizes BLM to Prevent Undue or Unnecessary Degradation to Federal Lands:**

Why an MOU is Needed

- 1) NRC's Decision on ISR Projects**
- 2) Large Number of Claims Filed With BLM for Uranium Exploration**
- 3) Large Number of Uranium Recovery License Applications (GEIS)**

Uranium Activities

- 1) Filing of Mining Claims**
- 2) Exploration**
- 3) Site Characterization**
- 4) NEPA Process**
- 5) Licensing**
- 6) Site Construction**
- 7) Operations (Conventional & ISR)**
- 8) Reclamation & Restoration**

The NEPA Process

Identify the purpose and need for action and describe the proposed action to the extent known.

Scoping

Identify issues for analysis

Refine proposed action

Develop alternatives to the proposed action

Eliminate alternatives that do not require detailed analysis

Gather data and analyze the reasonable alternatives

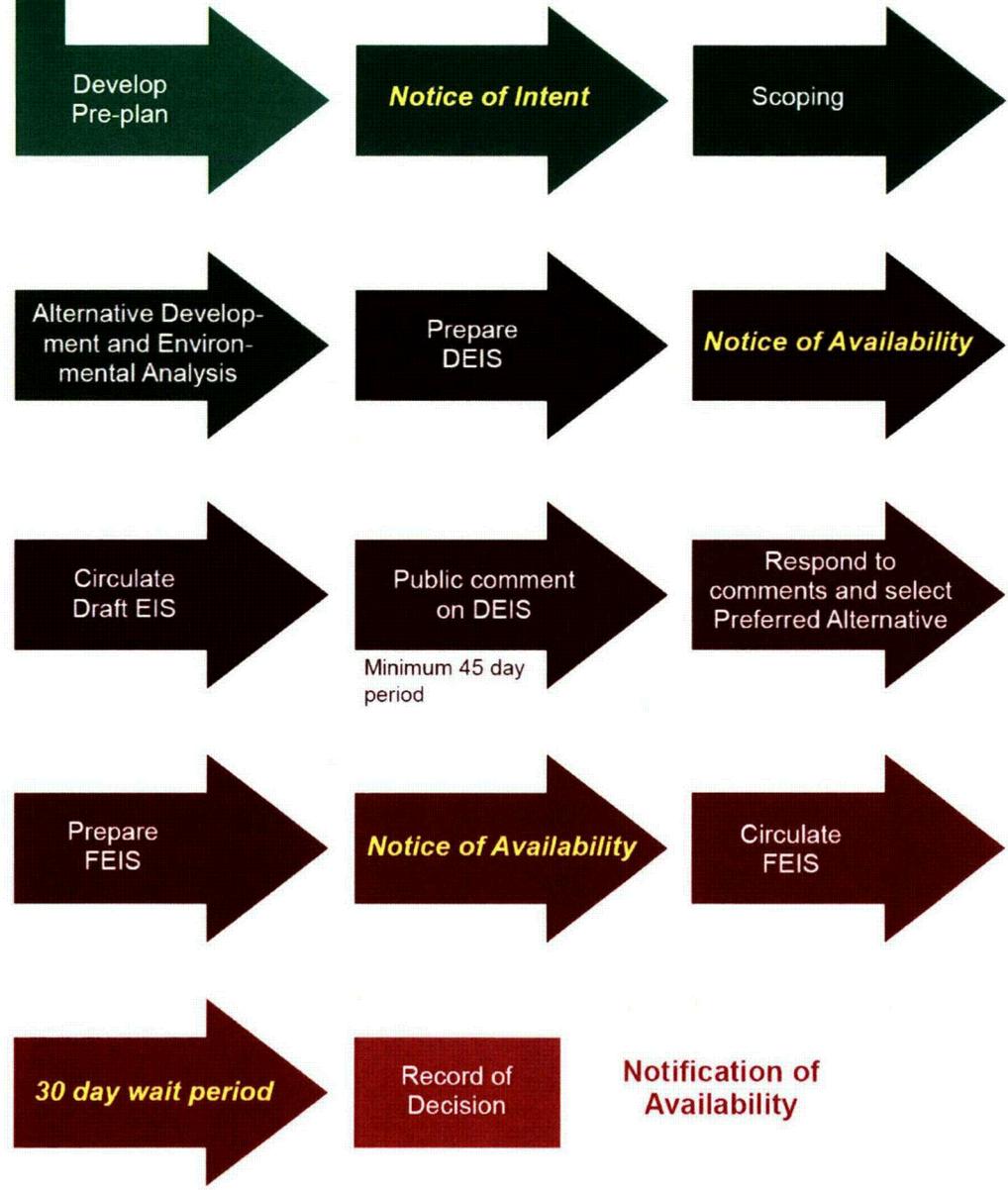
Describe the environmental effects of the alternatives

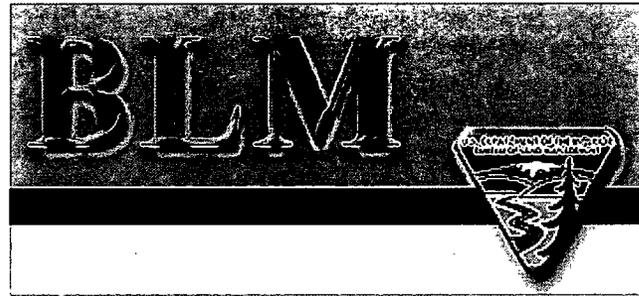
Identify mitigation measures

Implement and monitor

This flow chart outlines the general process for NEPA compliance. Public involvement may occur throughout this process. Additionally, NEPA is iterative and you may revisit some of these steps throughout your process.

Figure 9.1 - EIS Process





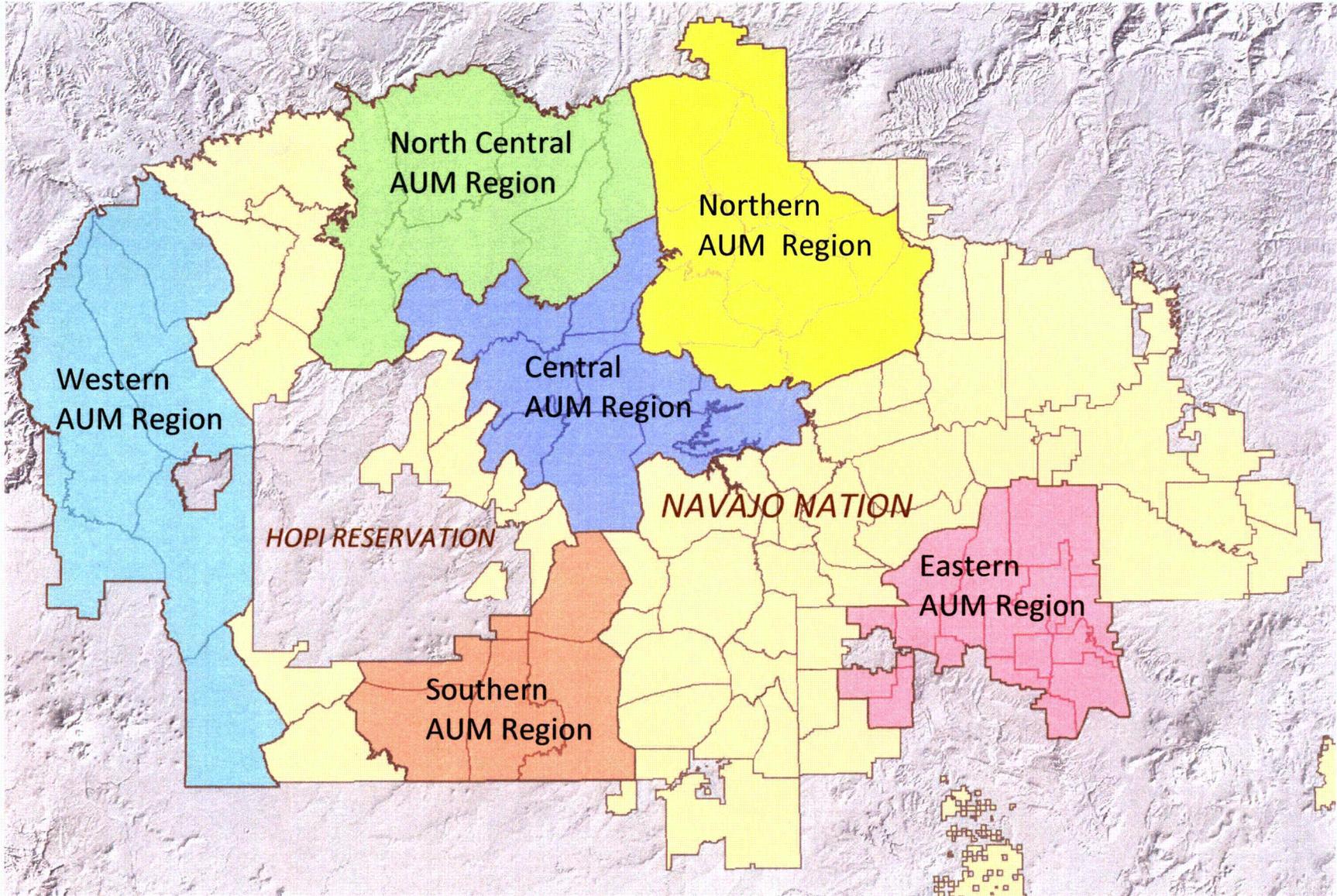
**BLM Looks forward to
building a stronger, better
with relationship with the
NRC and the State Lead
Agencies**

Briefing on Uranium Recovery: Navajo Nation Position & Perspective December 11, 2008



Stephen B. Etsitty,
Executive Director
Navajo Nation
Environmental Protection Agenc





- Dine' experience with Uranium, Vanadium and Radium Recovery spans nearly one hundred years
- Contamination of land, water and air resources; and declining health from long term exposure to radioactive waste materials are the legacy of past Uranium Recovery

- Navajo Nation has the capacity to characterize contamination; clearly understands the inadequacy of past clean up efforts; and has not received any comprehensive health assessments
- In 2005, the Dine' Natural Resources Protection Act was enacted, prohibiting uranium mining and processing

- Recently, five federal agencies increased their efforts to address Navajo Nation's Uranium legacy concerns
- FY2009 investments for clean up and health assessments remain inadequate
- NRC - Navajo Nation need a better relationship



ALL INDIAN PUEBLO COUNCIL Office of the Chairman

Joe Garcia, Chairman

Amadeo Shije, Vice Chairman

John Gonzales Secretary/ Treasurer

**ALL INDIAN PUEBLO COUNCIL
RESOLUTION 2007 - 12**

TITLE: COMPANION RESOLUTION FOR THE PROTECTION OF MT. TAYLOR AND ALL SACRED SITES AND CULTURAL PROPERTIES RELATED TO THE PUEBLOS OF ACOMA AND LAGUNA. AND THE NINETEEN PUEBLOS OF NEW MEXICO

WHEREAS, the All Indian Pueblo Council (AIPC) is comprised of the nineteen Pueblos of New Mexico including the Pueblos of Acoma, Cochiti, Isleta, Jemez, Laguna, Nambe, Ohkay Owingeh, Picuris, Pojoaque, San Felipe, San Ildefonso, Sandia, Santa Ana, Santa Clara, Santo Domingo, Taos, Tesuque, Zia and Zuni; and

WHEREAS, Indian tribes possess inherent government authority and sovereignty over their reservation lands; and

WHEREAS, this resolution should be read in tandem with All Indian Pueblo Council Resolution No. 2006-19; and

WHEREAS, Governor Bill Richardson has declared 2007 to be the Year of Water in New Mexico and has acknowledged the Pueblo of Acoma and her sister Pueblos as one of the oldest water managers in the region with an expansive knowledge of the hydrologic cycle in the Rio San Jose watershed; and

WHEREAS, Governor Bill Richardson further recognized that the knowledge and traditional cultural practices of each Pueblo within its respective watershed has enabled the continued survival of each Pueblo through the centuries in their respective homelands; and

WHEREAS, Governor Bill Richardson has directed the New Mexico Environment Department, the Energy, Minerals and Natural Resources Department, and the Office of the State Engineer, among others, to consult with the Pueblo of Acoma and other affected tribes regarding major state actions with the potential to impact the cultural, social and physical concerns of tribes in New Mexico. *Executive Order No. 2005-003 Statewide Tribal Consultation Policy on the Protection of Sacred Places and Repatriation;*

WHEREAS, the New Mexico Energy, Minerals and Natural Resources Department has failed to meaningfully consult with all affected Tribes on uranium exploration permits in the Mt. Taylor region; and

WHEREAS, the New Mexico Energy, Minerals and Natural Resources Department has *not* performed an environmental analysis of the significant, permanent and irreparable damage to the regional hydrologic balance, drinking water sources, and cultural resources which will result from the issuance of uranium exploration permits in the Mt. Taylor District; and

WHEREAS, the New Mexico Energy, Minerals and Natural Resources Department was obligated to meaningfully consult with all affected tribes under Executive Order 2005-003; and

WHEREAS, by failing to consult with the nineteen Pueblos and other affected tribes on uranium and coal mining developments around Mt. Taylor, the cultural significance of the mountain to the affected tribes and resulting disproportionate impact to Native American cultures was not adequately documented and as a result, no attempts to mitigate the adverse effects of the exploration and other mining activities through a Memorandum of Agreement with the affected tribes was undertaken; and

WHEREAS, Governor Bill Richardson issued Executive Order 2005-056 to afford all residents of New Mexico meaningful involvement in the development, implementation and enforcement of environmental laws, regulation and policies under environmental justice principles ensuring that low-income communities of color would have a voice in these decisions; and

WHEREAS, the cultural rights of tribes to lands traditionally used for subsistence and cultural activities from time immemorial should be protected under religious freedom and environmental justice principles, and

WHEREAS, the United States Mining Law of 1872 is an unjust and outdated law that sacrifices indigenous cultures and their sacred sites to environmentally and culturally destructive mining companies, and

WHEREAS, the drilling of exploration wells throughout the watersheds of Mt. Taylor violates the religious freedom of the First Nations of the Southwest, including the Hopi Tribe, the Navajo Nation and Jicarilla Apache Tribe, who hold the Mt. Taylor region and source water originating therefrom sacred and indispensable to their traditional cultural practices.

WHEREAS, significant and irreparable cultural and religious damages have resulted from exploratory drilling and the failure of the New Mexico Energy, Minerals and Natural Resources Department to consult with Acoma, the nineteen Pueblos, and other affected tribes prior to issuance of Roca Honda Exploration Project, Permit No. MK014EM and La Jara Mesa Exploration Project, Permit No. C1008EM

NOW THEREFORE BE IT RESOLVED, the nineteen Pueblos support Acoma's demand for consultation with all regulatory agencies to determine probable impacts to regional groundwater, the La Jara and San Mateo Creek drainage areas, and cultural properties within the Acoma Cultural Province resulting from exploratory drilling; and

NOW, THEREFORE BE IT RESOLVED THAT, the All Indian Pueblo Council urges the appropriate federal and state agencies seek Congressional authorization to declare the land around Mt. Taylor, within the Acoma Cultural Province, unsuitable for mining activities due to its widespread cultural significance as a sacred site by all regional Tribes, including the nineteen Pueblos and the unique value of the area's hydrologic resources to northwestern New Mexico; and

BE IT FURTHER RESOLVED THAT, the All Indian Pueblo Council requests the Nuclear Regulatory Commission, the United States Forest Service, the New Mexico Environment Department, the Energy, Minerals and Natural Resources Department, the Office of the State Engineer and others to incorporate these concerns into its environmental assessment of adverse effects to traditional cultural properties and regional water resources triggering the need for an environmental impact statement to examine these significant impacts, and

BE IT FINALLY RESOLVED THAT AIPC does hereby advocate for changes to the 1872 Mining Law to recognize and protect sites sacred to indigenous communities throughout the United States and its territories, as well as environmental health and the well-being of all affected communities.

CERTIFICATION:

**I, Chairman of the All Indian Pueblo Council, hereby certify that the foregoing
Resolution 2007-12**

**was considered and adopted at a duly called council meeting held on the 21 day
of June, 2007, and at which time a quorum was present and the same was
approved by a vote of 13 in favor, 0 opposed, 0 abstained and 0
absent.**

ALL INDIAN PUEBLO COUNCIL

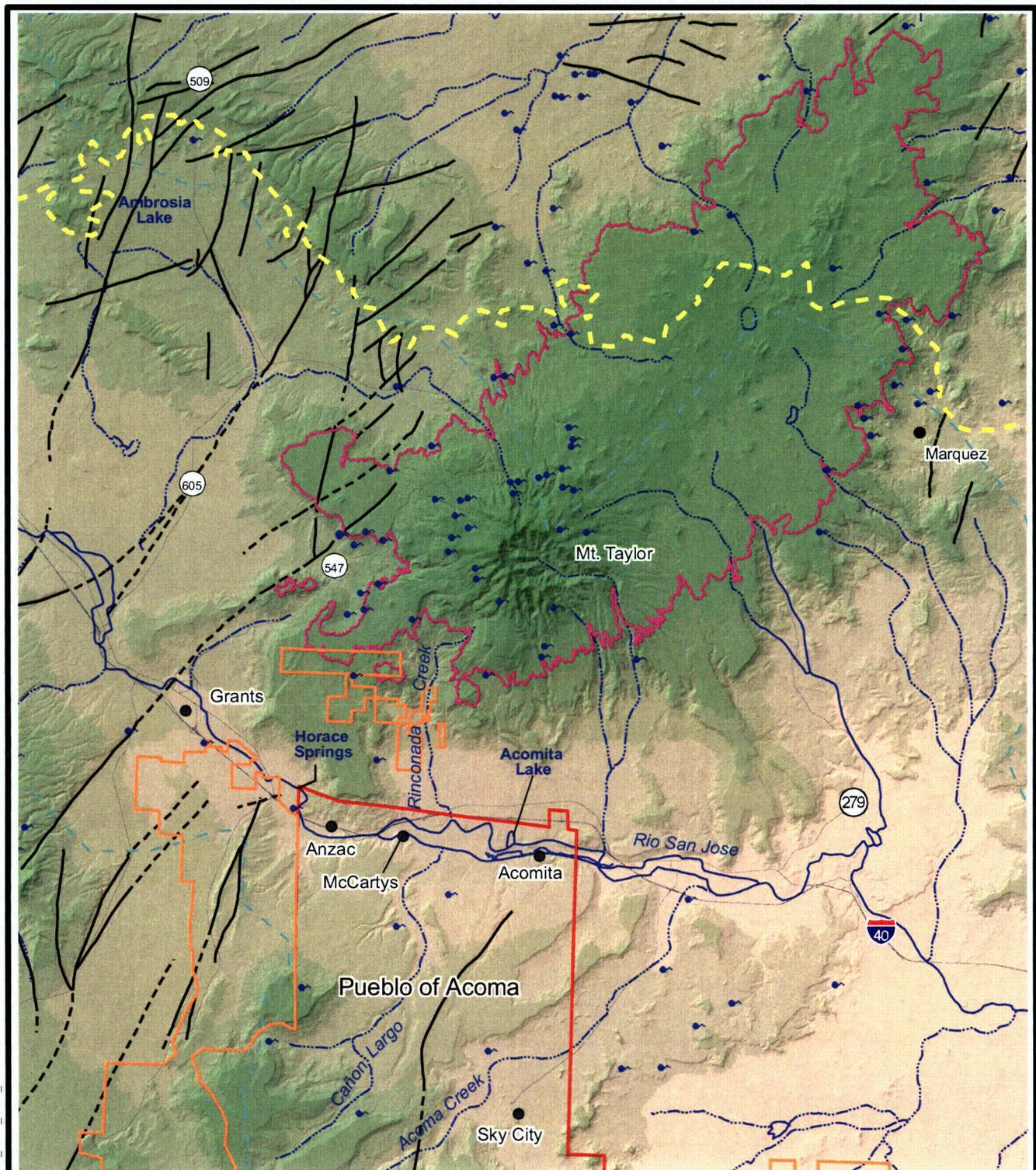
/s/ Amadeo Shije for,

Joseph A. Garcia, Chairman

ATTEST:

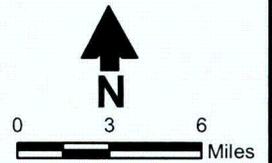
/s/ John Gonzales

John Gonzales, Secretary/Treasurer



Explanation

- 8,000 ft contour
- - - Cultural use area
- Acoma Pueblo boundary
- Acoma lease and fee land
- Spring
- - - Rio San Jose watershed
- Fault - certain
- - - Fault - approximate
- - - Fault - inferred



10/15/2008

**PUEBLO OF ACOMA
Pueblo of Acoma Cultural Use Area**

Figure 1











