



Dave Freudenthal,
Governor

Department of Environmental Quality

To protect, conserve and enhance the quality of Wyoming's
environment for the benefit of current and future generations.



John Corra,
Director

January 22, 2010

Mr. John Cash
Lost Creek ISR, LLC
5880 Enterprise Drive, Suite 200
Casper, WY 82609

RE: **Lost Creek ISR LLC, In-Situ Recovery (ISR) Permit Application, TFN 4 6/268 –
Supplemental comments to 2nd round review.**

Dear Mr. Cash,

Enclosed please find a memorandum from Matthew Kunze to Amy Boyle dated November 12, 2009. The memorandum contains Mr. Kunze's comments on four review items that were part of LQD's second round of technical comments dated November 20, 2009. Comments numbered 1 and 2 in the enclosed memo correspond to comments 8 and 9 in the section entitled "**Volume 3 (Hydrology Appendix D-6)**" in the November 20, 2009 memo/review. It appears that Mr. Kunze originally did not have the CD with the required data to review those items at the time the November 20, 2009 memo was sent out. However, Mr. Kunze eventually received a copy of the CD which enabled him to review those items. Please refer to the attached memorandum for the most recent version of Mr. Kunze's comments.

We apologize for the delay in getting this memorandum to you. Its omission from the November 20, 2009 review was an oversight. If you have specific questions regarding Mr. Kunze's comments, it is suggested that you contact him directly for clarification.

Sincerely,

Melissa L. Bautz

Melissa L. Bautz, P.G.
District II

w/ enclosure, memorandum from Matthew Kunze to Amy Boyle dated November 12, 2009

Cc Mr. Harold Backer, Ur-Energy USA, 10758 W. Centennial Rd. Suite 200, Littleton, CO 80127 (w/encl)
Mark Newman – BLM Rawlins, P. O. Box 2407, Rawlins, WY 82301 (w/encl)
Tanya Oxenberg, U.S. Nuclear Regulatory Commission, Federal and State Materials and Environmental Management Programs Uranium Recovery Licensing Branch, Mail Stop T-8F5, Washington, D.C. 20555-0001 (w/encl)
Don McKenzie/Matthew Kunz, Cheyenne WDEQ/LQD → TFN 4 6/268 Lost Creek ISR File (w/encl)
Mark Moxley - Lander WDEQ/LQD → TFN 4 6/268 Lost Creek ISR File (w/encl)
chron

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MEMORANDUM

RECEIVED

NOV 16 2009

TO: Amy Boyle, LQD District 2

FROM: Matt Kunze, Natural Resources Analyst *MK*

THROUGH: Kathy Muller Ogle, Geology Supervisor *KMO*

DATE: November 12, 2009

LAND QUALITY DIV.
DIST II

SUBJECT: Review of October 2009 Responses to Comments on Baseline Hydrologic Monitoring Data Submitted Electronically for Lost Creek Project (TFN 4 6/268)

On August 11, 2008, I sent review comments to Melissa Bautz on the Lost Creek Project Application (TFN 4 6/268). The comments dealt with the baseline hydrologic monitoring data submitted electronically with the application, and formatting requirements for entry to the LQD database. Melissa sent the comments to Mr. John Cash on August 29, 2008. On October 19, 2009, Lost Creek ISR, LLC responded to the comments. Two of the four responses are acceptable; my review of the responses is below.

- 1) *Please submit the station site information for the thirteen surface water monitoring stations (LC1 through LC13) shown on Figure D6-5 in Appendix D-6. An Excel spreadsheet template for surface water stations will soon be available on the LQD website, http://deg.state.wy.us/lqd/Uranium_Data.htm. A copy of this file is also attached to this memo. In particular, please provide the station type (stream station, reservoir, stockpond, etc.), stream or waterbody name, and the location coordinates for each station. Also please note that a separate spreadsheet (also attached and on the LQD website) can be used to submit surface water flow data if this type of monitoring will occur.*

The requested surface water information is provided in digital form (Microsoft Excel) on a CD attached to these responses.

Response is not acceptable. The requested information was not found on the referenced Excel file "LC_SWQ_Lab_Data_April07_May08.xls." Please submit the station site information for the thirteen surface water stations using the Excel spreadsheet "Uranium Surface Water Station Details", available at the DEQ/LQD website:
http://deg.state.wy.us/lqd/Uranium_Data.htm

- 2) *Please submit the baseline lab water quality data that were collected on April 17, 2007 at seven of the surface water monitoring stations. The lab data are shown in the permit application in Table D6-4 and Attachment D6-1 of Appendix D-6.*

Please see Response to Comment #1.

Response is acceptable with the exception of the following: Sample data were submitted for LC20, which is an unknown sample station. The Excel file indicated that this may be duplicate sample data, but it is not stated which station had a duplicate sample taken. Please identify the station that the LC20 data represent. (MK)

- 3) *In future submissions of lab water quality data, please use the preferred list of parameter names. LQD staff in Cheyenne (Kathy Muller Ogle and Matt Kunze) are available to work with Energy Laboratories, Inc. to make them aware of the preferred formats for submitting water quality data electronically.*

LC ISR, LLC will try to ensure the preferred parameter names are used for future submittals. However, please be aware that while LC ISR, LLC will use a certified laboratory for analytical work, it may not always be Energy Laboratories, Inc.

Response is acceptable. LQD can provide a list of preferred parameter names to whichever laboratory is used. (MK)

- 4) *In future submissions of lab water quality data, please provide the laboratory detection limit used for parameters that were reported as "ND." LQD stores the value of the detection limit, even if a parameter is reported as not detected by the lab. LQD prefers the non-detect values be reported as negative numbers (i.e., -0.001). The baseline data submitted in Lost_Creek_Uranium_Lab_Water_Quality_Data.xls used both negative numbers and "ND."*

LC ISR, LLC will try to ensure the detection limits are reported as requested.

Response is acceptable. (MK)

cc: Brian Wood, LQD District 2
LQD District 2 files
LQD Cheyenne Office - TFN 4 6/268 - Correspondence