

Personally Identifiable Information Redacted

From: Burrows, Ronald
Sent: Friday, January 08, 2010 8:59 AM
To: David Cory Frankel; arm.legal@gmail.com
Subject: David Frankel's public e-mail account

Dear Mr. Frankel,

I want to clarify that as a result of your request, your personal e-mail account [REDACTED] will not be made publicly available in ADAMS or elsewhere. This address was used because it has been the e-mail account used by you for previous communications with NRC staff. As I suggested below, future correspondence with NRC should originate from your publicly available e-mail account (arm.legal@gmail.com) to help protect your privacy.

Regards,

Ronald A. Burrows

Ronald A. Burrows CHP, RRPT
U.S. Nuclear Regulatory Commission
Federal and State Materials and Environmental
Management Programs
Uranium Recovery Licensing Branch
301.415.6443

From: Burrows, Ronald
Sent: Friday, January 08, 2010 7:32 AM
To: 'David Cory Frankel'
Subject: RE: Notice of Opportunity for Hearing, Powertech USA Inc., Uranium In Situ Recovery , Fall River and Custer Counties SD, US Nuclear Regulatory Commission

Dear Mr. Frankel,

Your e-mail account will not be published in the Federal Register. Rather, the e-mail will be available in ADAMS.

In the future, we will use the alternate e-mail that you have given to us below. I suggest that you use this alternate e-mail account in future correspondence with the NRC.

Regards,

Ronald A. Burrows

Ronald A. Burrows CHP, RRPT

U.S. Nuclear Regulatory Commission
Federal and State Materials and Environmental
Management Programs
Uranium Recovery Licensing Branch
301.415.6443

From: David Cory Frankel [REDACTED]
Sent: Thursday, January 07, 2010 5:01 PM
To: Burrows, Ronald; EJantz@NMELC.org; Deb White Plume; C WHITE FACE
Cc: Cohen, Stephen; VonTill, Bill; Yilma, Haimanot; David Frankel
Subject: Re: Notice of Opportunity for Hearing, Powertech USA Inc., Uranium In Situ Recovery , Fall River and Custer Counties SD, US Nuclear Regulatory Commission

Dear Sirs,

Thank you for the notice.

However, my publicly available email is arm.legal@gmail.com – please do not publish my personal email in the federal register. I consider my personal email to be PII – Personally Identifiable Information and ask that it be protected from public disclosure.

Please confirm that such will be the case.

Many thanks.

Sincerely,

David Frankel
Arm.legal@gmail.com

on 1/7/10 1:56 PM, Burrows, Ronald at Ronald.Burrows@nrc.gov wrote:

Eric Jantz
Environmental Law Center
EJantz@NMELC.org

Debra White Plume
Owe Aku, Bring Back the Way
[REDACTED]

Charmaine White Face,
Coordinator, Defenders of the Black Hills
bhdefenders@msn.com <<mailto:bhdefenders@msn.com>>

David Cory Frankel
[REDACTED]

Dear Interested Parties:

As a result of a Source Material License application submitted by Powertech USA Inc. to construct and operate a uranium in situ recovery facility in Fall River and Custer Counties, South Dakota, the US Nuclear Regulatory Commission has issued a Notice of Opportunity for Hearing (Notice) in the Federal Register (75 FR 467). This

Notice may be retrieved from the following website: <http://www.nrc.gov/about-nrc/regulatory/adjudicatory/hearing-license-applications.html> <<http://www.nrc.gov/about-nrc/regulatory/adjudicatory/hearing-license-applications.html>> under the heading " Opportunities to Request a Hearing or Petition to Intervene". This Notice can also be viewed in the NRC's Agencywide Documents Access and Management System (ADAMS) under ADAMS accession number ML100060051. The NRC is notifying you of this action, as you may have an interest.

In accordance with 10 CFR 2.390 of the NRC's "Rules of Practice for Domestic Licensing Proceedings and Issuance of Orders," a copy of this e-mail will be available electronically for public inspection in the NRC Public Document Room or from the Publicly Available Records component of NRC's Agencywide Documents Access and Management System (ADAMS). ADAMS is accessible from the NRC Web site at <http://www.nrc.gov/reading-rm/adams.html> <<http://www.nrc.gov/reading-rm/adams.html>> .

Please contact me if you have any questions.

Ronald A. Burrows

Ronald A. Burrows CHP, RRPT
U.S. Nuclear Regulatory Commission
Federal and State Materials and Environmental
Management Programs
Uranium Recovery Licensing Branch
301.415.6443

Personally Identifiable Information Redacted

From: VonTill, Bill
Sent: Wednesday, December 09, 2009 12:59 PM
To: 'David Cory Frankel'; Cohen, Stephen
Cc: Klukan, Brett; Hull, John; Kock, Andrea
Subject: RE: Powertech Application Fed Reg Notice?

Hello David,

Our goal is to put out the notice in the next 2-3 weeks.

Thanks

-----Original Message-----

From: David Cory Frankel [mailto:██]
Sent: Wednesday, December 09, 2009 12:39 PM
To: Cohen, Stephen; VonTill, Bill
Cc: Klukan, Brett
Subject: Powertech Application Fed Reg Notice?

Dear Steve and Bill,

This article indicates that formal NRC acceptance will be in the next few weeks. Can you tell me when you estimate there will be a Fed Reg notice so as to start the 60 day period for petitioners to file? Thank you.

FYI, from
http://www.hot springsstar.com/articles/2009/12/08/hot_springs/news/doc4b1d449dc1b06575805718.txt

NRC holds Edgemont meeting

By Curt Nettinga

EDGEMONT - The next step in PowerTech, USA's quest for a license to mine uranium in the Dewey-Burdock area north of Edgemont was taken Wednesday afternoon, when representatives of the Nuclear Regulatory Commission, and the Southwest Research Institute met with business, community and governmental representatives.

"I can tell you that we are reviewing the paperwork submitted with the license application submitted by PowerTech," said Bill Ford, an official with NRC.

"The application is in the process of being scanned into our system, at which time it will be available for review, electronically through our web site."

Much of the meeting was to let people from the area know the status of the application and for the NRC officials to begin the task of gathering data that will go into a Supplemental Draft Environmental Impact Statement or SDEIS.

"The NRC has a Generic Environmental Impact Statement that we use as a

starting point," said SDEIS project manager Haimnot Yilma. "As each mining site is specific, we look at the GEIS, determine that the project fits into the profile, then proceed to gather data for the SDEIS."

The gathering of information and the writing of the supplemental statement will be done by Southwest Research Institute of San Antonio, Texas.

Ford said the formal acceptance of the application will take place in the next few weeks, and that process of gathering data, publishing the SDEIS and taking comments could take up to two years to complete before a license would be issued.

PowerTech, USA, is applying for an in situ uranium mining license for a 10,000 acre parcel of land in the Dewey-Burdock area. The site had been used as an open-pit uranium mine in the 1960s and 70s.

The in situ process injects treated water, through a well, into the ground. The solution dissolves and captures the uranium, before being pumped out of a different well, where the uranium is recaptured.

Ford noted that the NRC is generally viewed as the lead organization in the permitting and licensing process. "There are several other agencies that will have a say in the licensing, through the comment period after the SDEIS is published," he said. "Often, other agencies kind of wait to see what we do before proceeding."

The NRC is the oversight agency for in situ mining applications or operations in New Mexico, Wyoming, Nebraska and South Dakota. Including the Dewey-Burdock project, they have six applications under review at this time.

Ford said that the first in situ uranium mining operation was near Buffalo, Wyo., and has been in operation since the mid-1970s.

While the townspeople were interested in the process, the panel was equally interested in local resources, including housing for construction and operations workers, schools for what would be an influx of people, healthcare possibilities in the area and transportation.

Edgemont mayor Jim Turner said that Edgemont's water and sewer system was serving more than 2,000 people at the height of the uranium mining. "Most of the infrastructure is in place and housing in the area is just waiting for some type of sign that this is going to happen, to get started," he said.

Linda Tidball, representing the Edgemont School District, said that the school currently has approximately 150 students K-12, "but could accommodate twice that many with little problem."

Tidball also said that the technology advances at the school could make it a good location for the training that workers in the mining field may require.

An estimated 200 construction employees would be expected if the mining license is granted and PowerTech works to begin operations. Southwest Research Institute's Jim Prikryl said an equal number of operational jobs would probably be in the works, after mining begins. "About 20-25 percent of those would be advanced education positions," he said, "engineers, geologists and such, with the rest being more labor type positions."

Ford said that a mine license remains in effect for up to 10 years, and can be renewed.