

Miller, Debra

From: Bubar, Patrice -FSME
Sent: Thursday, April 30, 2009 11:36 AM
To: Tom Blickensderfer
Cc: Ryan Lance; dmcken@wyo.gov; Yu, Irene; Kock, Andrea
Subject: RE: Follow-up to Friday's Conference Call

Tom - I believe we have had additional communication since this email exchange where we may be proceeding in a different direction.

We appreciate that the state continues to discuss ways we can continue our coordination. I understand that the state may not want to negotiate an MOU and/or be cooperating on the site specific NEPA documents.

If possible, could we have a follow up conference call with you and others in the state to nail down how we want to go forward. This will help us understand the working protocol that will be best to have in place to ensure we keep our lines of communication open between NRC and Wyoming.

If that works for you, let us know some available time frames as well as attendees to a follow up conference call.

Thanks much.

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From: Tom Blickensderfer [mailto:TBlick@state.wy.us]
Sent: Monday, April 06, 2009 9:09 PM
To: Patrice Bubar
Cc: Ryan Lance; dmcken@wyo.gov
Subject: Follow-up to Friday's Conference Call

Patty:

Per our discussion on Friday, I have pulled together elements from our conversation and other relevant sources to put forward to the NRC the substance and procedure common to the cooperating agency status which the Wyoming Governor's Office has operated over the last few years.

While we recognize the NRC has statutory and regulatory processes unique to the agency, we want to impress on you Wyoming's expectation that the State take the lead on those processes and duties which involve safety, public health, and general quality of life issues which our citizens expect of us. We believe our input now will make this NEPA process more productive and relevant for the State and its citizens, the NRC, and our industry partners. We can assure you that

the time and the expenditure of resources on the front end will resolve a number of issues before they become problems.

As Ryan Lance mentioned, Wyoming expects to operate based on agree-upon "touchpoints" including NRC's assistance to help the State of Wyoming to 1) allocate time, funding and personnel resources to participate in relevant and timely processes with a full understanding of timing and content expectations placed on the State and the NRC for input, analysis and decision-making; 2) have access to predraft documents upon which we can comment with ample opportunity to defend those comments to the NRC with an expectation of complete feedback from the NRC; 3) access technical documents and surveys which can be reviewed by state experts (such as Sec. 106 State Historic Preservation Office requirements); and 4) acknowledge Wyoming's effort to build in protections for the State's citizens where the Governor's Office deems necessary. The underlying basis for all of this is that both the NRC and Wyoming have full communication, especially between those individuals designated by the NRC and the State as primary contacts.

The State requests the NRC provide a defined set of all EA's for in-situ leach projects. The State is prepared to provide input and analysis for all of those EA's by all affected state agencies to the fullest extent allowable under applicable statute and regulations.

I have attached a copy of a draft document we are discussing with the Wyoming BLM State Office. This is a prototype of future MOU's we hope to enter with BLM tailored to Resource Management Planning. It is a helpful tool for us to use as a basis for the types of duties we anticipate as a cooperator with all federal agencies. The MOU traces NEPA processes through every stage -- scoping, alternative development, draft and final EIS development, or EA analysis and development in cases where an EA is warranted.

I also want to reiterate our mutual commitment to a meeting in Wyoming between affected state agencies and NRC representatives as soon as possible. We would be happy to arrange such a meeting and would be sure to have those state agencies in attendance.

Thank you again for a frank and constructive discussion. We look forward to working with you.

Regards,

Tom Blickensderfer

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