

Meetings in Wyoming June 23 – 26, 2009

Executive Summary

The meeting resulted in agreements to improve communication in several ways. BLM will be included in regularly scheduled conference calls convened by Bill Von Till. Andrea Kock will take the lead to set up conference calls with BLM strictly focused on NEPA activities (see Action Items).

Discussion on specific applications already received by NRC and anticipated over the next year did not identify any sites where BLM and NRC could pursue the preparation of one NEPA document. There are some sites where NEPA analysis is being completed concurrently. Agreement was reached to share draft NEPA documents to allow incorporation by reference of any related analysis.

	<u>BLM Status</u>	<u>NRC Status</u>
Hank Nichols	No POO submitted but seems one should be; BLM involved due to WY/BLM MOU.	EA-SEIS being prepared.
Lost Creek	No POO submitted but seems one should be submitted.	EA-SEIS being prepared.
Moore Ranch	No BLM surface land.	EA-SEIS being prepared.
Jab	POO received but for exploration only. Seems POO should be broader.	EA-SEIS being prepared.
Ludeman	No POO	No activity yet.
West Alkali Creek	POO submitted; EA begun but applicant put on hold.	No activity yet.
Lost Soldier		No activity yet.
Allemand Ross		No activity yet.

I/42

The meeting enhanced communication between BLM Headquarters and BLM State and field offices.

The Governor's Planning Office participated in the meetings. They are still evaluating what actions – if any – they will take as a result of NRC's changed NEPA strategy and their improved understanding of the role of BLM. Note – the Governor's Office has always been concerned about meeting timeliness of schedules.

Meeting with BLM, DEQ and Wyoming Governor's Planning Office
June 24, 2009
8:30 a.m.

Don Simpson, State Director, BLM (Wyoming) – introduction.

Twelve individuals in conference room – BLM, DEQ, Governor's Planning Office (see sign-in sheet).

Patrice Bubar made a presentation referencing NRC's authority and environmental review process.

Regarding the hearing process:

- Notice of acceptance
- Opportunity for hearing (10 CFR Part 2)

Cooperating agencies – 10 CFR does mention this.

Field office (inspect) – process an applicant would go through.

What does NRC do to evaluate land use?

- Rely on applicant's ER
- Verify applicant's ER

Reynolds Ranch – public comm.; POO EA – public review. Refer to Thursday meeting re: MOU and GEIS discussion.

BLM prepares > 1000 EAs/year.

BLM does field-level EISs.

Oil and gas understands process better than UR – has been around longer than uranium.

BLM Presentation – by Pete Sokoloski

- In Powder River Basin, most BLM lands are “acquired.”
- On public lands government owns the minerals.
- Can use “rolling” reclamation to keep under 5-acre threshold.
- A mill (including well fields) must be on BLM-adm land for a POO to come into play.
- Where land is privately owned, but government owns the minerals (split estate):
 - If owner consents to use (no POO required)
 - If owner does not consent (POO is required)
- BLM does not have specific time frames for conducting NEPA
 - EAs (range from 3 months – 15 months)
 - EISs (can be multi-year)
- BLM follows CEQ guidance for NEPA
- Applicant pays for NEPA prep (through a third party)

Wyoming DEQ by Don McKenzie

Authority: Act 4 Wyoming Envir. Qual. Act.

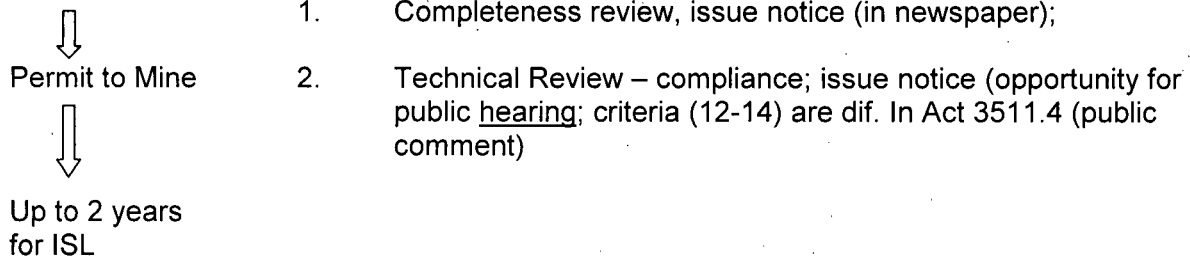
Wyoming has primacy – deep well disposal (not EPA).

Org charts are on-line.

Chap. 11 of Act – ISL

LQD – 40 people; 3 district off.; tech serv. are in Cheyenne

Permit Rev. Proc.:



No NEPA – Utilize MOUs/MOAs (SHPO, G&F, etc.)

3309.420 (BLM Regs) – “binds” all agencies.

Gov. Plan Off. – has not integrated BLM process into the NRC process.

PM Session

Site-Specific Projects (current ISR Facilities)

Lost Creek

No POO yet submitted.

POO – driller's shed and some other work (upgrading a road, park lot). Third party NEPA contract – nominated, only.

Pre-construction activity, only (DEQ frowns on this).

Applicant: confirm drilling (some monitoring well drilling), no road upgrades.

**Drilling out monitoring well network for a well field is in violation of 10 CFR 40.32(e); spacing of wells is reviewed by NRC (must be approved, can't just do it). (LCI will be the first applicant to request an exemption).

BLM has been told by LCI that all drilling has been for confirming the ore body (no monitoring wells).

? Therese Engels – new lead on LCI Project (NEPA). Mark Newman still overall lead POC.

NRC to share EA (July 31) with BLM.

WY BLM Off. Will set up a shared site for three agencies to share info.

**Mark Newman will send all correspondence with applicant to NRC.

Hank&Nicols Ranch

Received application from DEQ (essentially a POO) – waiting on DEQ decision.

No POO has been submitted by applicant to date.

BLM – 80 acres (part of well field) of potential involvement (Hank site).

Facilities will be sited on split estate.

BLM would prepare a NEPA document; NRC would share it with BLM Buffalo.

Only one drill hole has been drilled on BLM land.

Many drill holes have been drilled on private land (split estate).

Moore Ranch

Split estate – no BLM surface land.

No BLM involvement (have surface owner's consent).

DEQ needs surface owner consent; DEQ needs right to mine.

Jab & Antelope

BLM received a POO (9/11/08) – for exploration only (> 5 acres).

Performed completeness rev.

Applicant did an EA – prep. by ICF.

Applicant re-submitted EA WY-050-EA-08-103.

Ludeman

BLM received a notice for monitor well (for baseline data).

No POO.

DEQ has received no permit application for right to mine.

Gas Hills

License issued 2004 (NRC).

EA proposed in 2003 (NRC initiated in 1997).

No POO submitted (current).

BLM file opened in 1996 (Dec. 31).

Open Discussion re: What's Taken Place, So Far, Today

Buffalo will send Irene a copy of PA (electronic) – PA has been signed for Pumpkin Buttes – signed in March 2009.

Casper – re: MOU, re: schedule (how it will work).

*Quarterly teleconference: BLM, DEQ, NRC (not just URLB, but ERB).

BLM will add POCs for BLM, DEQ on spreadsheets.

NRC proposes to set up a telecom on a regular basis for NEPA-related issues.

Action Items

1. NRC send DEAs to BLM for: Hank Nichols, Lost Creek, Jab/Antelope in early August (after accept. rev.).
2. NRC will send updated planning info to BLM.
3. NRC to include BLM in quarterly calls with DEQ (on license application).
4. NRC will initiate NEPA-related telecons on regular basis with BLM & DEQ.
5. BLM look into password-protected site for BLM/DEQ/NRC access.
6. BLM – spreadsheet (fill in).
7. BLM and WYDEQ – add POCs to spread sheets
8. BLM – headquarters and NRC will work to finalize the MOU. A communication strategy will be developed when the MOU is signed by both agencies.

Meeting with Wyoming BLM re: NRC/BLM MOU
June 25, 2009
8:00 a.m.

BLM

Ed Heffern
 Pete Sokolowski
 Pam Stiles
 Rick Deering (HQ)
 Frank Martin (HQ)
 Tom Foertsch (CPR)
 Debra Agnolet (HQ)
 Brenda Neuman
 Janet Kurman

NRC

Patty Bubar
 Alan Bjornsen
 Joan Olmstead
 Andrea Kock

CPR questions whether to tier (GEIS doesn't have a decision document; not a decision-making document). BLM can't tier off a document without a decision on it. Debra explains CPR wanted to tier off GEIS to prep. NEPA document for Reynolds Ranch POO. Can't incorporate by ref. in their NEPA document (BLM wasn't a coop. agency). If BLM was a coop. agency, then could tier.

Reynolds Ranch*

NRC issued license in 2007.

EA Nov. 2007

POO (current).

A Comm. Plan should be prepared (both agencies) to get message of MOU out:

- Industry
- Government
- Pub. Inter. Groups

*Should MOU indicate that industry must align their strategies?
 NRC/BLM POC – Rick Deery for Monday telecon.

How will BLM use the final GEIS?

1. It is not a decision document (only informational).
2. Can't tier off it (BLM was not a cooperating agency).
3. Can incorporate by reference (applicable material).

Casper (BLM) Field Office

1. Incorporate GEIS by reference for Reynolds Ranch (POO EA).
2. Reynolds Ranch
 - NRC issued license in 2007
 - NRC prepared EA in 2006
3. What is POO for? And what part of Reynolds Ranch does it cover? (NRC to inquire).

Role of BLM HQ (after MOU is signed)

1. MOU will go out to all State Directors.
2. There will be directives and budget developed and sent to field offices.
3. NRC will develop a Comm. Plan.

[Who, in Miles City, MT BLM office supplied info for a four page table of resource (needs to be QA/QC'd by NRC and BLM HQ). Look up for BLM-HQ Wyoming BLM.]

Talk about this on Monday's BLM call – use as tool to present to industry and public.

Take out EPA column.

BLM POCs – 5 field off. and State (Pete S.) – send addresses to Andrea for NMA Meeting.

Significance – cum – air quality, wildlife, socio.

FRN – October 15, 2009 – scientific controversy (for all land management agencies).

Notes from Slides

Slide 4 – Status of MOU: “one BLM/NRC NEPA document will prob. not ever happen”

Slide 5 – Progress: “Office Director will sign MOU; Asst. Dir. (Minerals) – BLM”

Slide 6: NRC/BLM Contents: Steering Committee: “Hi-level/policy decisions”
Schedules and interagency communication: “important to NRC. Sched. In MOU cannot be binding. Needs to be a ‘trap door’ if an agency can’t meet the sched. Other agency needs to proceed (the other will then have to catch up)”

Slide 7: Challenges: Agency Resources: “NRC doesn’t have all staff.” Different procedures for completing documents: “No ROD (NRC).”

Slide 8: Expected Outcome; Continue to explore possibility of only one NEPA document: "goal is really not to duplicate efforts."

Meeting with Gov. Plan. Office and DEQ/LQD
June 25, 2009
11:00 a.m.

Tom B.; Don M.; Patty B.; Alan B.

EPA – has a big say in UIC even though Wyoming has primacy.

Reg. 8: Steve Platt, Wendy Chung, UIC contacts.

Gov. Plan. Off. (involved in every RMP; involved in Buff RMP) – likes idea of NRC keeping to a "tight" schedule for UR applic. Tech. reviews.

Schedule: NRC would still complete environ. review within 24 months (even with SEIS).

Basically, we went over the results of the meeting with BLM.

- Specific sites from Wednesday afternoon;
- Status of the MOU this morning

Gov. Plan. Off. liked idea of:

- Developing a comm. plan
- Holding a workshop with agencies and industry (having all parties present in same room at one time).

Meeting with Wyoming SHPO
June 25, 2009
2:00 p.m.

Attendees

Mary Hopkins, Interim Director
Richard Currit, Sr. Archaeologist
Patty Bubar
Alan Bjornsen

SHPO works with DEQ/Indus. Siting Div.

SHPO uses MOAs for specific sites (Section 106).

SHPO uses PAs for large undertakings with many sites.

SHPO has a concern for overhead electric lines – visual intrusion.

Lost Creek Pre-Historic Site

- SHPO concurred on treatment
- SHPO awaiting NRC's concurrence letter
- SHPO wants to review NRC's MOA after we're satisfied with it (before signatures)
- SHPO wants us (NRC) to notify ACHP of MOA
- SHPO asked about tribal concurrence
 - Told them about letter to Arlen Shoyo of Eastern Shoshone (not a recognized THPO)
 - Want NRC to contact Northern Arapaho THPO Darlene Conrad (see below)
 - Probably no other tribes would be interested
 - May want to contact the Alliance for Historic Wyoming (part of targeted scoping)

Wyoming SHPO is willing to work with NRC via phone, web cast, email.

Darlene Conrad (Northern Arapaho) – called at 4:10 on June 25 – not in; left message; will call on Monday June 29.

Interagency coordination meeting at Wyoming State Office-BLM, dates: June 24-25, 2009; In-Situ Uranium Recovery Operations; agencies or offices represented: U.S. NRC (Nuclear Regulatory Commission), Wyoming DEQ-LQD (Dept of Environ. Quality-Land Quality Div.), Wyoming Governors Office, and BLM (Washington Office and Wyoming State and Field Offices)

Name	agency	address	email address	telephone number
Patty Bubar	US NRC	11545 Rockville Pike Rockville, MD	Patrice.bubar@nrc.gov	301-415-8125
Alan Bjornsen	US NRC	Same as above	Alan.bjornsen@nrc.gov	301-415-1195
Steve Cohen	US NRC	Same as above	Stephen.cohen@nrc.gov	301-415-7182
Joan Olmstead	US NRC	Same as above	Joan.olmstead@nrc.gov	301-415-3859
Andrea Kock	US NRC	Same as above	Andrea.kock@nrc.gov	301-415-7183
Don McKenzie	WY DEQ-LQD	122W 25 th St Hershler Bldg Cheyenne, WY 82002	dmcken@wyo.gov	307-777-7046
Tom Blickensderfer	WY Governors Office	Same as above	tblick@state.wy.us	307-777-7575
Don Simpson – State Director	Wyoming State Office - BLM	5353 Yellowstone Rd Cheyenne, WY 82009	Don_simpson@blm.gov	307-775-6001
Ed Heffern, Div. of Minerals and Lands	Same as above	Same as above	Ed_heffern@blm.gov	307-775-6259
Brenda Neuman, Div. of Minerals and Lands	Same as above	Same as above	Brenda_neuman@blm.gov	307-775-6179
Pam Stiles, Div. of Minerals and Lands	Same as above	Same as above	Pam_stiles@blm.gov	307-775-6143
Bill Hill, Div. of Resource Policy & Management	Same as above	Same as above	Bill_hill@blm.gov	307-775-6123
Bill Daniels, Div. of Resource Policy & Management	Same as above	Same as above	Bill_daniels@blm.gov	307-775-6105
Julie Weaver, Div. of Minerals and Lands	Same as above	Same as above	Julie_weaver@blm.gov	307-775-6176
Rick Miller, Div. of Support Services	Same as above	Same as above	Rick_miller@blm.gov	307-775-6040
Rick Schuler, Div. of Resource Policy & Management	Same as above	Same as above	Rick_schuler@blm.gov	307-775-6092
Pete Sokolosky, Div. of Minerals and Lands	Same as above	Same as above	Pete_sokolosky@blm.gov	307-775-6261
Janet Kurman, Div. of Resource Policy & Management	Same as above	Same as above	Janet_kurman@blm.gov	307-775-6443

Name	agency	address	email address	telephone number
Jerry Queen	Buffalo Field Office-BLM	1425 Fort St Buffalo, WY 82834	Jerry_queen@blm.gov	307-684-1160
Paul Beels	Same as above	Same as above	Paul_beels@blm.gov	307-684-1161
Kerry Aggen	Same as above	Same as above	Kerry_aggen@blm.gov	307-684-1196
Clint Crago	Same as above	Same as above	Clint_crago@blm.gov	307-684-1118
Jon Kaminsky	Lander Field Office-BLM	1335 Main St Lander, WY 82520	Jon_kaminsky@blm.gov	307-332-8412
Tom Foertsch	Casper Field Office- BLM	2987 Prospector Dr Casper, WY 82604	Tom_foertsch@blm.gov	307-261-7534
James Bashor	Newcastle Field Office- BLM	1101 Washington Blvd Newcastle, WY 82701	James_bashor@blm.gov	307-746-6619
Mark Newman	Rawlins Field Office-BLM	1300 N 3d St Rawlins, WY 82301	Mark_newman@blm.gov	307-328-4248
Frank Martin	Washington Office-BLM	1620 L St NW Washington DC 20036	Benjamin_martin@blm.gov	202-452-0351
Rick Deery	Same as above	Same as above	Rick_deery@blm.gov	202-452-0355
Debra Agnolet	Same as above	1849 St NW (MS 5651) Washington, DC 20290	Debra_agnolet@blm.gov	202-208-6671