

April 5, 2010

United States Nuclear Regulatory Commission
Attn: Ms. Patrice Bubar
Division of Waste Management and Environmental Protection
Office of Federal and State Materials and Environmental
Management Programs
Mail Stop T-8F5
Washington, DC 20555-0001

Dear Ms. Bubar:

Uranium One Americas (Uranium One) has reviewed the comments submitted by the United States Environmental Protection Agency's (EPA) Region 8 office on the draft supplemental environmental impact statement (SEIS) recently released by the United States Nuclear Regulatory Commission (NRC) for the proposed Moore Ranch in situ leach uranium recovery project (NUREG-1910 Supplement 1). Recently, the National Mining Association (NMA) submitted comments to NRC concerning the EPA Region 8 letter. Uranium One agrees with and supports the comments of the NMA and with their conclusion that the SEIS analyses combined with the programmatic analyses offered in the Generic Environmental Impact Statement for ISR projects (NUREG-1910) adequately address the substance of each issue raised by EPA Region 8. Moreover, we believe that the specific analysis completed by NRC in preparation of the Moore Ranch SEIS already addresses the two primary concerns voiced by EPA Region 8 and that there is no basis for revising and reissuing the Moore Ranch draft SEIS for public comment.

In the letter dated March 3, 2010, Carol Rushkin, Acting Regional Administrator for EPA Region 8, stated: *"The primary concerns EPA has with the draft SEISs are the following: (1) the narrow range of the wastewater disposal alternatives analysis along with the limited discussion regarding waste management impacts;"*

Uranium One agrees with NMA that this comment disregards the analysis contained in NUREG-1910. EPA Region 8 states that *"deep Class I injection well disposal is the only wastewater disposal method analyzed"*. NUREG-1910 clearly provided a programmatic assessment of a variety of wastewater alternatives currently employed in the United States including evaporation ponds, land application, and deep well disposal.

In addition to failing to consider the programmatic analysis provided in NUREG-1910 in their generic review comments on all three SEISs, EPA Region 8 also disregarded the specific analysis contained in the Moore Ranch SEIS. Section 2.2.5 of the Moore Ranch SEIS describes "alternate waste disposal methods". The waste water disposal methods considered by NRC in

this analysis included mechanical evaporation, chemical precipitation, and solar evaporation ponds in addition to Class I deep disposal. Although the discussion was necessarily brief in the SEIS, the NRC analysis relied on information in the licensing docket that in turn summarized an extensive wastewater alternatives study completed by Uranium One. This information was provided to NRC in response to a request for additional information (RAI) on the Environmental Report, was clearly referenced in the SEIS¹, and was publicly available to EPA Region 8 on the NRC ADAMS website.

In the referenced RAI responses, Uranium One addressed a series of questions concerning waste management impacts including: (1) potential exposures from deep disposal; (2) available waste disposal capacity for solid and byproduct waste; (3) groundwater impacts related to deep disposal; and (4) reasonable alternatives for liquid effluent disposal. The response concerning liquid effluent disposal alternatives summarized the results of a 2008 study prepared for Uranium One by an international environmental engineering firm. The purpose of the study was to determine whether the current disposal methods (i.e., deep disposal, land application, and evaporation ponds) still represented the best available technology for a typical ISR facility and what alternatives would be available to Uranium One at future ISR projects should the preferred alternative be unavailable. The study included a screening analysis of numerous potential alternatives and a detailed analysis of deep well disposal, mechanical evaporation, chemical precipitation with reverse osmosis, and spray/solar evaporation. Included with the RAI response was a discussion of these final alternatives and a table that summarized the range of factors considered including overall advantages and disadvantages, chemical usage, residue storage, offsite waste shipments, electrical power requirements, labor, environmental and safety impacts, capital cost, and net present value. The table clearly confirmed that when viewed from almost all aspects, deep disposal remains the preferred alternative. In summary, the licensing docket for the Moore Ranch license application contains a detailed analysis addressing this concern expressed by EPA Region 8 and finalization of the Moore Ranch SEIS should not be delayed by this comment.

The second primary concern identified by EPA Region 8 stated: *“(2) the lack of information regarding air pollutants and the impacts of those emissions.”*

Again, Uranium One agrees with the NMA comments regarding the failure of EPA Region 8 to view the Moore Ranch SEIS as a supplement to the programmatic analysis contained in NUREG-1910. In addition to the programmatic analysis that NRC staff determined was applicable to Moore Ranch, the estimated air emissions at Moore Ranch are significantly less than the several hundred tons per year that EPA Region 8 postulated based on their review of “similar” projects. In fact, the Moore Ranch license application (Environmental Report, Section 4.6) estimated total emissions of 15.5 tons per year. A refined estimate recently prepared to support an application for an air permit from the Wyoming Department of Environmental Quality (WDEQ) for Moore Ranch calculated total VOC, SO₂, NO_x, and CO emissions of less than 4 tons per year and total fugitive dust emissions of approximately 3.7 tons per year.

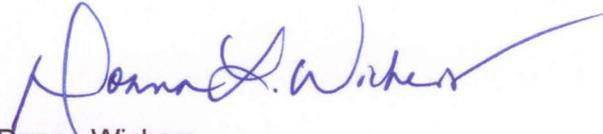
Finally, Uranium One notes that the EPA Region 8 letter stated that these two primary concerns were the basis for their rating of all three SEISs as “inadequate” and that the other issues were “additional issues” that did not result in the rating. We believe that the licensing docket for the Moore Ranch draft SEIS clearly addresses EPA’s primary concerns. NRC has conducted a detailed analysis of the Moore Ranch project over the past 30 months and the ISR mining

¹ Uranium One, 2009b. "Response to Request for Additional Information for the Moore Ranch In Situ Uranium Recovery Project License Application." ADAMS Accession Number ML092450317. August 31, 2009.

method in general in NUREG-1910. Uranium One has expended significant resources to respond to NRC requests for additional information to support their review. In conclusion, the Moore Ranch draft SEIS should be finalized without further delays.

Thank you for your consideration in this matter. If you have any questions, please do not hesitate to contact me.

Sincerely,
Uranium One Americas



Donna Wichers
Senior Vice President, ISR Operations

cc: Ms. Katie Sweeney, NMA
Senator John Barrasso, U.S. Senate
Senator Mike Enzi, U.S. Senate
Representative Cynthia Lummis, U.S. House of Representatives