

## Bjornsen, Alan

---

**From:** Bubar, Patrice *PS MB*  
**Sent:** Wednesday, July 01, 2009 3:55 PM  
**To:** Tom Blickensderfer; dmcken@wyo.gov  
**Cc:** Kock, Andrea; Bjornsen, Alan  
**Subject:** Information provided to Congressional staff  
**Attachments:** OCA response on GEIS.doc

Tom and Don - it was a pleasure meeting with you last week in Wyoming. We appreciate the ability to build our relationship with the state of Wyoming.

Attached is some background information provided to Congressional staff - as a follow up to a briefing we held with them several weeks ago. The information provides additional clarification on the schedules associated with reviewing license applications for uranium recovery and specifically how the Supplemental EIS will not severely impact the schedule.

This information was provided to Brian Clifford from Senator Barasso's staff.

You may find it useful to use if/when you get questions from applicants or reporters.

On another note - we had a follow up meeting with BLM Headquarters and we made great progress on the MOU between BLM and NRC. We are very close to being ready to put an MOU into concurrence.

Thanks again for your time last week and we look forward to continuing to work with you.

Patrice M. Bubar, PE, Deputy Director  
Environmental Protection and Performance  
Assessment Directorate  
Division of Waste Management  
and Environmental Protection - FSME  
U.S. Nuclear Regulatory Commission  
301-415-8125

*F/16*

The staff determined it will use the Generic Environmental Impact Statement (GEIS) in combination with Supplemental Environmental Impact Statements (SEISs) rather than environmental assessments (EAs), as originally planned, to fulfill its National Environmental Policy Act (NEPA) obligations for new in-situ recovery (ISR) applications. This approach reflects public comments on the draft GEIS that expressed concerns that the document did not evaluate impacts based on site-specific information and raised questions about the level of public involvement in the process. In addition, preparation of an SEIS will more clearly provide the EIS required by the regulations since some analysis of impacts in areas are necessarily reserved for site-specific reviews. To gain efficiencies, the NRC staff intends to incorporate by reference into site-specific reviews the impact analyses completed in the GEIS. EAs will continue to be prepared for license renewals and amendment requests.

The table below provides the major project milestones for the new ISR uranium milling applications currently under NRC review and takes into account the necessary 60-90 day timeframe needed to complete an SEIS. The schedules reflect a slight delay in order to secure additional funding for three of the sites and current delays in the responses to requests for additional information (RAIs) from the applicants. The current schedule is based on the assumptions of adequate contracts, budget, staff, and sufficient applicant responses to requests for additional information. The dates for final SEISs is an estimate based on historical information and are tentative pending receipt of revised schedules and spending plans from NRC's contractor.

The table shows that the goal of issuing the safety evaluation report within two years of application acceptance is met for two of three ongoing projects. The environmental review for one site (Moore Ranch) was delayed because of contracting and staffing issues independent of the decision to complete an SEIS. NRC staff expects that the review times to become more efficient as experience is gained and as staffing levels increase.

### Project Milestones for New In-Situ Recovery License Applications

Site Name	State	Type of Application	Application Received	Acceptance	Technical RAIs Sent	Environmental RAIs Sent	Draft SER	Draft SEIS	SEIS Complete
				Review Complete			Complete - Includes Delays		
Moore Ranch	Wyoming	ISL New	10/1/2007	12/20/2007	5/14/2008	3/23/2009	10/2009	10/2009	4/2010
Hank & Nichols	Wyoming	ISL New	12/1/2007	4/18/2008	9/11/2008	3/12/2009	9/2009	10/2009	4/2010
Lost Creek	Wyoming	ISL New	4/17/2008	6/10/2008	11/6/2008	3/16/2009	10/2009	10/2009	4/2010
Jab Antelope*	Wyoming	ISL New	9/1/2008	3/9/2009	-	-	-	-	-
Dewey Burdock**	S. Dakota	ISL New	2/27/2009	5/27/2009	-	-	-	-	-

\*While the Jabb Antelope application was accepted on March 9 2009, additional information was needed from the applicant for NRC to start its review. This information was received on May 12 2009.

\*\*Staff completed their acceptance review of the Dewey Burdock application on May 27 2009. Staff determined that additional information was needed for NRC to accept the application for a full review.