

Garrett, Betty

From: Glenn Mooney [glenn.mooney@wyo.gov]
Sent: Monday, May 09, 2011 11:15 AM
To: Linton, Ron
Subject: Re: new e-mail address??
Attachments: 478NOV4-11.pdf

Ron,

Attached is a Notice of Violation this office wrote to Uranium One for failure to monitor their new Christensen Ranch Unit 7 as required. Since this was sent from our Cheyenne offices, the NRC was not copied as is our practice in this office.

Please call if you have any questions, We plan to have a meeting with Uranium One on May 18 to discuss penalties.

- Glenn



Department of Environmental Quality

To protect, conserve and enhance the quality of Wyoming's environment for the benefit of current and future generations.



PN 478; NOV Docket 4831-11

Matt Mead, Governor

John Corra, Director

April 21, 2011

CERTIFIED MAIL, RETURN RECEIPT REQUESTED 7008 0500 0000 5500 8767

NR	LB	DE	SP
RK	MT	JS	JM
PS	<u>GM</u>	DC	DS
KT	MB		

Mrs. Donna Wichers
Uranium One USA, Inc.
907 North Poplar Street, Suite 260
Casper, Wyoming, 82601

RE: Notice of Violation, Docket No. 4831-11, Permit 478, Uranium One USA, Inc.

Dear Mrs. Wichers:

Enclosed you will find a Notice of Violation (NOV) issued under the provisions of W.S. §35-11-701(c). The NOV is based on information received in a meeting between Land Quality District III personnel and Uranium One personnel on April 15, 2011, and contained in a letter from Jon Winters of Uranium One to Glenn Mooney of District III dated April 18, 2011.

The NOV is for failing to follow the approved Mine Plan per W. S. § 35-11-415(b)(ii) and Land Quality Division Non-Coal Rules and Regulations, Chapter 11, Sections 14(a)(iii)(A) and (B) by not sampling all monitor wells in Mine Unit 7 of Permit 478 on a semimonthly basis. The Land Quality Division (LQD) has determined that this enforcement action warrants a penalty to be assessed.

The LQD is attempting to resolve this issue without further enforcement action, and requires that you contact Mr. Mark Rogaczewski, Supervisor, LQD District III at 307-6775-5616 **within** fifteen (15) days of receipt of this letter to schedule a meeting to resolve this enforcement action. Should resolution of this enforcement action be reached as a result of this meeting, a Settlement Agreement will be signed by both parties.

Should you have any questions, please contact Mark Rogaczewski, Supervisor, LQD District III at 307-675-5616.

Respectfully,

John V. Corra
Director
Department of Environmental Quality

Alan Edwards
Acting Administrator
Land Quality Division



Enclosures: Notice of Violation Docket No. 4824-11

cc: Mark Rogaczewski, Supervisor, LQD District III
File, Permit 478

Herschler Building • 122 West 25th Street • Cheyenne, Wyoming 82002 • <http://deq.state.wy.us>

ADMIN/OUTREACH (307) 777-7937 FAX 777-3610	ABANDONED MINES (307) 777-6145 FAX 777-6462	AIR QUALITY (307) 777-7391 FAX 777-5616	INDUSTRIAL SITING (307) 777-7369 FAX 777-5973	LAND QUALITY (307) 777-7756 FAX 777-5864	SOLID & HAZ. WASTE (307) 777-7752 FAX 777-5973	WATER QUALITY (307) 777-7781 FAX 777-5973
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DEPARTMENT OF ENVIRONMENTAL QUALITY
STATE OF WYOMING

NOTICE OF VIOLATION

IN THE MATTER OF THE NOTICE OF)
VIOLATION ISSUED TO)
ATTN: MRS. DONNA WICHERS)
URANIUM ONE USA, INC.)
907 NORTH POPLAR STREET, SUITE 260)
CASPER, WYOMING 82601)
PERMIT 478)

DOCKET NO. 4831-11



NOTICE

NOTICE IS HEREBY GIVEN THAT:

1. Notice of Violation (NOV) is being sent to you pursuant to Wyoming Statute §35-11-701(c)(i) which requires that a written notice shall be issued in the case of failure to correct or remedy an alleged violation.
2. Uranium One USA, Inc. (Uranium One) is the operator of an in situ uranium mine located in Campbell and Johnson Counties, Wyoming, in Section 9, Township 44 North, Range 60 West. As part of its operation, Uranium One has mined mineral from this site and distributed or sold the mined mineral for commercial use.
3. Wyoming Statute § 35-11-415(b)(ii) states the operator, pursuant to an approved surface mining permit and mining plan and reclamation plan, or any approved revision thereto, shall conduct all surface mining and reclamation activities within the permit area in conformity with his approved plan.
4. Land Quality Division Non-Coal Rules and Regulations Chapter 11, Sections 14(a)(iii)(A) and (B) require semi-monthly monitoring of the fluid levels and chosen water quality parameters in the monitoring wells.
5. Table 5.25, Page 5-77 of the Permit No. 478 Mine Plan, commits Uranium One to monitor ore zone perimeter, Upper Aquifer and Lower Aquifer wells twice monthly.
6. In a telephone call on April 12, 2011, Larry Arbogast of Uranium One informed Glenn Mooney that Uranium One had found that a number of monitor wells in the recently started Well Field Unit 7 at the Christensen Ranch portion of the Permit No. 478 permit area had not been sampled as per requirements of the approved mining permit and the Rules and Regulations. Mr. Arbogast requested a meeting with District III staff to discuss the omitted sampling.

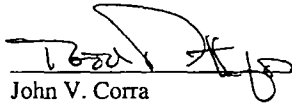
A meeting was held in the Sheridan Department of Environmental Quality Offices on the morning of April 15, 2011. Present in the meeting were Larry Arbogast and Jon Winters of Uranium One and Mark Rogaczewski and Glenn Mooney representing the Land Quality Division.

The Uranium One representatives presented information showing that of 66 wells requiring sampling in Mine Unit 7, sampling had been missed at least once in 24 wells for a total of 82 missed sampling events. Since the well field began operations, each well should have been sampled seven (7) times over a period of 14 weeks, sampling being required on a biweekly basis. Five (5) wells were never sampled while seven (7) had only one sampling event missed.

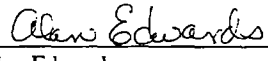
7. Wyoming Statute §35-11-901(a) provides that any person who violates any provision of the Environmental Quality Act or any rule, standard, permit, license or variance adopted hereunder is liable to a penalty of ten thousand dollars (\$10,000.00) for each day of violation, which penalty may be recovered in a civil action brought by the Attorney General in the name of the People of the State of Wyoming.

NOTHING IN THE NOTICE shall be interpreted to in any way limit or contravene any other remedy available under the Environmental Quality Act, nor shall this NOV be interpreted as being a condition precedent to any other enforcement action.

SIGNED this 21st day of April, 2011



John V. Corra
Director
Department of Environmental Quality



Alan Edwards
Acting Administrator
Land Quality Division

Please direct all inquiries regarding this Notice of Violation to Mr. Mark Rogaczewski, District III Supervisor, Wyoming Department of Environmental Quality/Land Quality Division, 2100 West Fifth Street, Sheridan, WY, 82801

Permit No. 478

cc: Mark Rogaczewski, LQD DIII
File: Permit 478

