

# PUBLIC SUBMISSION

<b>As of:</b> January 15, 2013
<b>Received:</b> January 09, 2013
<b>Status:</b> Pending_Post
<b>Tracking No.</b> 1jx-830p-dtrf
<b>Comments Due:</b> January 10, 2013
<b>Submission Type:</b> Web

**Docket:** NRC-2012-0277

Supplemental Environmental Impact Statement for Proposed Dewey-Burdock In-Situ Uranium Recovery Project

**Comment On:** NRC-2012-0277-0001

Supplemental Environmental Impact Statement for Proposed Dewey-Burdock In-Situ Uranium Recovery Project in Custer and Fall River Counties, SD

**Document:** NRC-2012-0277-DRAFT-0085

Comment on FR Doc # 2012-28425

*11/26/2012*  
*77FR 70486*

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## Submitter Information

**Name:** Jay Davis

**Address:**

P.O. Box 539  
Wellington, CO, 80549

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2013 JAN 15 PM 5:24

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## General Comment

See attached file(s)

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## Attachments

NRC-2012-0277\_comments\_1-8-13

SUNSI Review Complete

Template = ADM - 013

E-RIDS= ADM -03

Add= *H. YILMAZ (hxyz)*

Thank you for the opportunity to comment on the Dewey-Burdock In-situ project, NRC-2012-0277.

NRC should reconsider their preliminary approval of this action and move to no action.

Safety issues should render a NRC no action for this project based on the problems encountered by the NRC with Powertech Uranium and safety related issues. Review of the safety portion of the license application was suspended due to "significant deficiencies" following a review of Powertech's RAI responses. This was after a scheduled 16 hour meeting with Powetech going over the RAI question by question. This is a project that has no margin for error. They cannot revisit a problem over and over until they get it right or close. The damage will have been done and over. That is not acceptable. The NRC staff has held Powertechs hand through this entire permitting process and is now ready to issue a draft permit? This needs to be seriously reconsidered. This permit is being handed over to a company with NO previous mining experience.

Powertech left Colorado and it's Centennial project to pursue the Dewey-Burdock project after the State enacted legislation particular to ISL mining ensuring the health and safety of its residents. At each stage of legislative approval, Powertech was accepting of the results with few exceptions until signed into law. At that point the rules were called "fatal" to the project and Powertech filed suit with the State that later was dismissed. The Centennial project came to a halt and all activities were focused on South Dakota. Starting the permit process with the South Dakota Department of Environment and Natural Resources (SD DENR) did not go well for Powertech. In a 41 page letter, the SD DENR found the Underground Injection Control Permit submitted by Powertech to be incomplete stating " In general terms, the application lacks sufficient detail to address fundamental questions related to whether the project can be conducted in a controlled manner to protect ground water resources". Now faced with a rather lengthy process to adequately address the safety of South Dakota ground water, Powertech took a different approach. Eliminate the process. Powertech enlisted the help of South Dakota Senator Timothy Rave and Representative Valentine Rausch to create Senate Bill 158 and effectively eliminate South Dakota Department of Environment and Natural Resources review. Problem solved. This has left the bulk of the permitting now with the NRC and staff should be fully aware of what has been involved with the amount of valuable time and resources spent solely on issuing early draft permits for Powertech. Time to reconsider.

Again I recommend no action.