UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION 6
1445 ROSS AVENUE, SUITE 1200
DALLAS, TX 75202-2733

July 1, 1994

REPLY TO: 6W-SU

Mr. Anthony C. Grigsby
Executive Director
Texas Natural Resource Conservation
Commission
P.O. Box 13087
Austin, TX 78711-3087

Dear Mr. Grigsby:

I am pleased to inform you of EPA approval of your request for an aquifer exemption extension for a portion of the Goliad Formation from the Underground Injection Control (UIC) program requirement that no fluid may be injected into an Underground Source of Drinking Water (USDW). This approval is based upon the criteria stipulated in 40 CFR §144.7(b) & (c)(1), §145.32, and §146.4 containing regulations allowing an aquifer to be exempted if: (a) It does not currently serve as a source of drinking water; and (b) it cannot be used as a drinking water source in the future because it is mineral producing or can be shown by a permit applicant to contain minerals that are expected to be commercially producible. This approval will allow injection for in-situ uranium mining only. If injection for other purposes (e.g. hazardous waste) is planned into this aquifer, additional approval will be needed.

The approved exempted portion of the aquifer underlies the Uranium Resources, Inc. Kingsville Dome Project in Kleberg County and is limited to the Upper Goliad Formation. A detailed description of the exempted portion of the aquifer remains in the exemption extension request and subsequent comment letters.

We recommend that in future Production Area Authorization (PAA) actions that closer monitor well spacing and more frequent monitor well sampling be incorporated in PAA's that are in closer proximity to private water wells located in the buffer zone.

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UIC, URANIUM, AND
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If you have any questions concerning this approval, please contact me or have your staff contact Brian Graves at (214) 655-7193. Thank you for your continued cooperation.

Sincerely Yours,

Myron O. Knudson, P.E.
Director
Water Management Division (6W)

cc: Alice Hamilton Rogers (TNRCC)

TEXAS WATER COMMISSION

permit - 1/11/90

AN ORDER AMENDING AN ORDER
DESIGNATING AN EXEMPTED
AQUIFER IN KLEBERG COUNTY,
TEXAS IN CONNECTION WITH
URI, INC.,
PERMIT NO. URO2827

On the 14th day of December, 1989, the Texas Water Commission considered the request of URI, Inc. for an amendment to its Order designating an exempted aquifer covering the mining area authorized by Permit No. URO2827.

After considering the evidence and arguments presented, the Texas Water Commission makes the following Findings of Fact and Conclusions of Law:

FINDINGS OF FACT

1. On June 1, 1987, the Texas Water Commission issued an Order designating an exempted aquifer in Kleberg County, Texas in connection with URI, Inc., Permit No. URO2827.

2. URI, Inc. has applied to the Texas Water Commission for an amendment to its permit to expand the permit area of Permit No. URO2827 from 547 to 2135 acres.

3. URI also requests an amendment to this aquifer exemption to cover this expanded area of 2135 acres.

CONCLUSIONS OF LAW

1, The Texas Commission has jurisdiction to consider the requested aquifer exemption and is authorized to issue the requested exemption under Tex. Water Code Ann. Chapters 5 and 17 and 31 Tex. Ad. Code Section 331.13.

NOW, THEREFORE, BE IT ORDERED BY THE COMMISSION that based upon the Findings of Fact and Conclusions of Law stated above that:

1. Finding of Fact No. 4 is amended to read as follows:

   4. The proposed mining area lies with a 2,857 acre area that URI has leased for its mining operations, as shown on Figure 1, attached and incorporated as though fully set forth here.

      a. The permit area covers 2,135 acres with ten currently designated mine areas.

b. The production zone is in the upper Goliad Formations in the subsurface interval between 420 and 810 feet below mean sea level, as shown on Figure 2 attached hereto and incorporated herein.

2. Provision 1 of the decretal portion of the Aquifer Exemption Order on page 3 is amended to read:

1. The subsurface strata in the entire mining zone of the Kingsville Dome In situ Uranium Mining Project, as indicated on Figure 1, located in the Goliad Formation, ranging in elevations between 420 and 810 feet below the mean sea level, as indicated Figure 2 attached is hereby designated as an exempted aquifer pursuant to 31 Texas Administrative Code, Section 331.13.

The Chief Clerk of the Texas Water Commission shall forward a certified copy of this Order amending the order designating an exempted aquifer covering the mining area authorized by Permit No. UR02827.

Signed this 20th day of December, 1989.

TEXAS WATER COMMISSION

B. J. Wynne, III, Chairman

(SEAL)

Brenda W. Foster, Chief Clerk