From: Stacey Dwyer
To: Ray Leissner
Subject: Fw: Follow up
Date: 02/06/2012 07:48 AM
Attachments: EPA Review of UEC AE - Status Update.pdf

----- Forwarded by Stacey Dwyer/R6/USEPA/US on 02/06/2012 07:47 AM -----

From: William Honker/R6/USEPA/US
To: Wren Stenger/R6/USEPA/US, Stacey Dwyer/R6/USEPA/US, "Philip Dellinger" <Dellinger.Philip@epamail.epa.gov>
Date: 02/03/2012 05:33 PM
Subject: Fw: Follow up

Bill Honker
Acting Director, Water Quality Protection Division
EPA Region 6
Ofc 214-665-3187
Cell 214-551-3619

Sent by EPA Wireless E-Mail Services

▼ Al Armendariz

----- Original Message -----
From: Al Armendariz
Sent: 02/03/2012 03:43 PM EST
To: "Mann, Chrissy" <mann.chrissy@epa.gov>; "Honker, Bill" <honker.william@epa.gov>
Subject: Fw: Follow up

Fyi
Al

_____
Al Armendariz
Regional Administrator
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▼ Bob Perciasepe

----- Original Message -----
From: Bob Perciasepe
Sent: 02/03/2012 02:59 PM EST
To: Mathy Stanislaus; Gina McCarthy; Bob Sussman; Al Armendariz; Nancy Stoner
Subject: Fw: Follow up

Can I have your Advice by Tuesday
Thanks

Bob Perciasepe
Deputy Administrator

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----- Forwarded by Bob Perciasepe/DC/USEPA/US on 02/03/2012 02:57 PM -----

From: Heather Podesta <podesta@heatherpodesta.com>
To: Bob Perciasepe/DC/USEPA/US@EPA
Date: 02/02/2012 05:47 PM
Subject: Follow up

Bob,

As you will recall, we brought in Uranium Energy Corporation (UEC) to meet with you in December to discuss a project they are working on in Goliad County, Texas. The Texas Commission on Environmental Quality has approved all the necessary permits for the project, but the EPA Region 6 office needs to concur with TCEQ's approval of the aquifer exemption before the project can get underway.

When we met in December, we expressed frustration that the Region 6 office has not provided any clear guidance on the additional information that the Region needs to approve the aquifer exemption. While modeling is not required by existing EPA regulations or guidance, UEC is willing to conduct additional modeling if the request is reasonable and Region 6 is specific about the information it needs.

At your suggestion, UEC met with Region 6 again in January to discuss the scope of the additional modeling requested by the region. UEC came to that meeting with a specific proposal to demonstrate that the exempted area does not currently serve as a source of drinking water. UEC proposed a model that would cover the period of the mine life (8 years including the restoration phase) – a time period specifically suggested in Region 6's July 1, 2011 letter to TCEQ and one clearly documented in existing regulations (40 CFR § 146.6). However, at the January 18, 2012 meeting, Region 6 provided UEC with a new definition of "currently" that would now cover the time period of the average lifespan of wellbores in the area – something that is impossible to define and could cover an indefinite number of years.

Attached is a document that more fully outlines our concerns and our interaction with the region. UEC has worked in good faith to conduct additional modeling requested by Region 6, but Region 6 keeps changing the standards they are using to evaluate the project, leading to continuing and unnecessary delay

We would like to come back to meet with you or the appropriate person on your staff to discuss the project and see if we can find a reasonable path forward. What time next week or the following would work?

Best,

Heather

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