From:	Jeanne Geselbracht
To:	Elaine Suriano
Subject:	Fw: U mines in Arizona
Date:	09/15/2009 10:00 AM
Attachments:	EZ Mines 7-13-09.pdf AZ 1 Mine 6-26-08.pdf Canyon Mine7-13-09.pdf

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Elaine, I don't think I forwarded these 2 emails to you (see both below), for more info.

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----- Forwarded by Jeanne Geselbracht/R9/USEPA/US on 09/15/2009 09:58 AM -----

From:	Shelly Rosenblum/R9/USEPA/US
To:	Loren Setlow/DC/USEPA/US@EPA
Cc:	Jeanne Geselbracht/R9/USEPA/US@EPA, John Hillenbrand/R9/USEPA/US@EPA, Reid Rosnick/DC/USEPA/US@EPA, Bandrowski.Mike@epamail.epa.gov
Date:	09/10/2009 01:27 PM
Subject:	Re: U mines in Arizona

Loren, Jeane,

I had been out of the NESHAP picture for many years but when Dick Lessler retired, it landed back on my desk and I've had to reaquaint myself with the Subpart B rules. Denison has informed us of intent to start ventilating, attached, but has not provided an application to construct/modify. I've been reviewing the rules and it seems an application is necessary. I'll be contacting them. As the mines were closing back when I was doing this, we had received no annual reports as I recall and I've found none in my files. We have not delegated the rule.

EZ Mines 7-13-09.pdf AZ 1 Mine 6-26-08.pdf Canyon Mine7-13-09.pdf

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▼ Loren Setlow---09/10/2009 01:14:34 PM---Jeane, Sorry to take a while to respond, but I needed to do some research on this one.

From: Loren Setlow/DC/USEPA/US
To: Jeanne Geselbracht/R9/USEPA/US@EPA
Cc: John Hillenbrand/R9/USEPA/US@EPA, Shelly Rosenblum/R9/USEPA/US@EPA, Reid Rosnick/DC/USEPA/US@EPA
Date: 09/10/2009 01:14 PM
Subject: Re: U mines in Arizona

Jeane,
Sorry to take a while to respond, but I needed to do some research on this one.

There are only 3 possibilities I can think of:

First is whether the mines have complied with the requirements under the CAA for radon emissions for underground mines (40 CFR 61, Subpart B) and the requirements to file for a construction permit or modification notice to the Region under 40 CFR Part 61, Subpart A. The NESHAPS for underground mines was published in 1989. This issue would not have been addressed by BLM if the plan of operations was dated 1988. Independtly, R9 should determine if the mines have complied with these requirements in your old document files (speak with Shelly Rosenblum). Reid Rosnick in my office is our NESHAPS lead. To my knowledge, our NESHAPS authority for this subpart has not been delegated to Arizona.
Second, are there more recent Tribal consultation requirements under perhaps the Clinton Administration that should have been followed by BLM that you can think of?

Third, the Department of Transportation has changed their notification, safety, and manifest requirements for transportation of radioactive materials as hazardous materials under 49 CFR 173.436 . Those requirements have changed in the last 5 years and do not exempt raw ores, so would not be reflected in BLM's analysis.

That's all that comes to mind now. Good luck.

--Loren

-----Jeanne Geselbracht/R9/USEPA/US wrote: -----

To: Loren Setlow/DC/USEPA/US@EPA
From: Jeanne Geselbracht/R9/USEPA/US

Date: 09/08/2009 04:16PM
cc: John Hillenbrand/R9/USEPA/US@EPA
Subject: U mines in Arizona

Loren, Two old uranium mines are reopening, and we are looking into whether circumstances have changed since their old (1988) EAs were prepared in order to recommend to BLM that they prepare new documents or recirculate the old ones. In the 1980's and 90's, Energy Fuels Nuclear operated 6 uranium mines in the BLM Arizona Strip district north of Grand Canyon. They closed and reclaimed 3 of them and put 3 of them in temporary closure status. Denison owns these mines now. They were all about 15 to 20 acres of disturbance and were underground conventional mines, and all ore bodies were at least 1,000 feet above the regional aquifer. Denison has proposed to reopen two of the 3 mines that have been in temp closure. The ore would be transported to Denison's mill in Blanding, Utah, for processing, which is the same as before. They were permitted by BLM many years ago based on EAs at the time.

BLM does not plan on re-writing NEPA documents for these projects, as there are no changes to Denison's Plans of Operation (POO). I'm trying to determine if circumstances have sufficiently changed that the old EAs may no longer be accurate. Denison is applying to the State for air and water permits, condors have been re-introduced into the AZ Strip, and AZ has some new permitting requirements. I also need to find out if conditions along the route and in Blanding may have changed.

Question: Can you think of regulations or standards (UMTRCA or other) that have changed since 1988 that could be seen as changed circumstances? Let me know. Thanks!

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