Summary of Notes from RA Meeting with Powertech on the Proposed Dewey Burdock Uranium Project in South Dakota
December 17, 2014

Attendees for Powertech: Richard Clement, John Mays, Hal Demuth, and Bob Van Voorhees (by phone)
Attendees for EPA: Shaun McGrath, Callie Videtich, Joan Card, Douglas Minter, Sadie Hoskie, and Bob Ward

- After introductions, Richard Clement, CEO, provided a brief history of uranium exploration and development in/around the Dewey Burdock (DB) project site. He noted that the NRC's Atomic Safety Licensing Board (ASLB) should conclude its evidentiary hearing process by the end of January, 2015. A final decision by the ASLB is expected within 90 days thereafter.
- Mr. Clement noted that: 1) Powertech would consider in-situ recovery operations at "Dewey Terrace" in eastern Wyoming at a later date; 2) Azarga, an international company, is now the primary owner of the company but that Powertech USA is still the operating entity for purposes of regulatory permitting in the US; and 3) between 8.5 and 9.5 million pounds of recoverable uranium deposits have been identified at DB and that Powertech expects to conduct ISR operations for 20 years.
- Hal Demuth, regulatory consultant for Powertech's UIC permits, noted that while there are "some unknowns" regarding what the data show to support UIC permitting, Powertech has met the UIC requirements in its permit applications to EPA. He also asked why the UIC Class III and V permits had not been issued by EPA?
- John Mays, COO, provided a handout showing the chronology of all regulatory agency actions associated with the DB project including NRC licensing and SD DENR permitting. Referring to this handout, he claimed that EPA has taken many more months in proposing its permitting decisions than any other agency. He stated that EPA has not been clear on if/when it plans to issue its draft permits, and has not provided a satisfactory explanation as to why it has taken so long. He also said that he was "surprised" by EPA when it recently brought two issues (i.e., current use of ore-bearing aquifers and cumulative effects related to surface pond design) to his attention, months after Powertech provided the final UIC permit applications to EPA.
- Shaun McGrath acknowledged Powertech's frustration and stated the EPA "has what we need" to propose its UIC permitting decisions. He also stated that we are in the "final stages" of drafting the permits and aquifer exemption, and that EPA does intend to propose issuance of both permits and the AE for public comment.
- Mr. Clement asked what issues EPA expects to address in its public comment period and who it expects to oppose the DB project. Bob Ward responded that EPA would need to wait for the public comment period to know the answer to these questions.
- Mr. Demuth provided a handout showing that since 2008 EPA had: 1) issued a number of UIC permits; and 2) EPA had approved a number of AEs associated with State UIC permits. He stated that while EPA has made a significant investment in this work, he questioned whether EPA had made a comparable investment in drafting UIC permits for the DB project.
- Mr. Clement asked what options EPA was considering in meeting its obligations for Section 106 NHPA compliance. Callie Videtich stated that while EPA would prefer to designate NRC as the lead agency for the DB project, EPA is awaiting the ASLB's final decision before deciding how to proceed.
- At the close of the meeting, Bob Van Voorhees suggested that EPA consider holding an open public meeting to educate stakeholders on the purpose of EPA UIC permits and AE for the DB project. Shaun stated that EPA would consider this suggestion as part of its public participation process.