Message

From: Minter, Douglas [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=0C1A47CA3AE847E2B7B818DA4734D7FD-MINTER, DOUGLAS]
Sent: 9/3/2019 5:30:48 PM
To: McClain-Vanderpool, Lisa [Mcclain-Vanderpool.Lisa@epa.gov]; O'Connor, Darcy [oconnor.darcy@epa.gov]; Bahrman, Sarah [Bahrman.Sarah@epa.gov]; Garcia, Bert [Garcia.Bert@epa.gov]
CC: Lucita Chin (Chin.Lucita@epa.gov) [Chin.Lucita@epa.gov]; Robinson, Valois [Robinson.Valois@epa.gov]
Subject: FW: the basis for request for extension spelled out a little more

fyi

From: Chin, Lucita <Chin.Lucita@epa.gov>
Sent: Tuesday, September 3, 2019 11:06 AM
To: Minter, Douglas <Minter.Douglas@epa.gov>; Robinson, Valois <Robinson.Valois@epa.gov>
Cc: Bahrman, Sarah <Bahrman.Sarah@epa.gov>
Subject: RE: the basis for request for extension spelled out a little more

https://finance.yahoo.com/news/dewey-burdock-progresses-towards-final-155500009.html
A quote from the company in this article on the new drafts.

Lucita Chin
Senior Assistant Regional Counsel |Office of Regional Counsel | Media Law Counseling Section
Environmental Protection Agency Region 8|1595 Wynkoop St.|Mail Code: 8ORC-M|Denver, CO 80202
Office: (303) 312-7832

From: Minter, Douglas <Minter.Douglas@epa.gov>
Sent: Tuesday, September 3, 2019 11:02 AM
To: Robinson, Valois <Robinson.Valois@epa.gov>; Chin, Lucita <Chin.Lucita@epa.gov>
Cc: Bahrman, Sarah <Bahrman.Sarah@epa.gov>
Subject: RE: the basis for request for extension spelled out a little more

Thanks. This will help inform our conversation with Darcy.

From: Robinson, Valois <Robinson.Valois@epa.gov>
Sent: Tuesday, September 3, 2019 10:38 AM
To: Chin, Lucita <Chin.Lucita@epa.gov>; Minter, Douglas <Minter.Douglas@epa.gov>
Subject: FW: the basis for request for extension spelled out a little more

Ex. 5 Attorney Client (AC)

Valois

Valois Robinson
U.S. EPA Region 8
MailCode: 8WD-SDU
1595 Wynkoop Street
Denver, CO 80202-1129

Phone: (303) 312-6276
Fax: (303) 312-6741
Email: robinson.valois@epa.gov

From: Rick Bell Ex. 5 Attorney Client (AC)
Sent: Tuesday, September 3, 2019 9:22 AM
To: Robinson, Valois <Robinson.Valois@epa.gov>
Subject: Re: Requesting public comment on updated Underground Injection Control (UIC) Draft Area Permits and associated proposed aquifer exemption decision for the Dewey-Burdock uranium in-situ recovery (ISR) site

Dear Ms. Robinson,

While reviewing the revised draft permits for mining and disposal wells for Powertech's proposed uranium mine at the Dewey-Burdock site in South Dakota that were issued on August 28, 2019, it has become apparent that Powertech has known for more than six months that EPA would be issuing these revised draft permits in late August. Even though the public has just been told in the last few days, Powertech has known for months. This means the company has already had plenty of time to get their information and comments gathered, while the public is only being given a little over 30 days to study and respond to hundreds of pages of information.

In order to rectify this obviously unfair situation, I ask the EPA to provide an additional 90 days (until Jan 15, 2020) for the public to comment on the Dewey-Burdock revised draft underground injection control permits.

Thank you,

Richard A. Bell, PE
Chair of the Black Hills Chapter of Dakota Rural Action

On Wed, Aug 28, 2019 at 12:45 PM Robinson, Valois <Robinson.Valois@epa.gov> wrote:

> The U.S. Environmental Protection Agency (EPA) is requesting public comment by Oct 10, 2019 11:59 PM ET on two Underground Injection Control (UIC) Draft Area Permits and one associated proposed aquifer exemption decision for the Dewey-Burdock uranium in-situ recovery (ISR) site located near Edgemont, South Dakota, under the authority of the Safe Drinking Water Act and UIC program regulations. The Dewey-Burdock site is located in southwestern Custer County and northwestern Fall River County, on the Wyoming/South Dakota border. Please feel free to share the attached flyer with other interested parties. Public notices are also being published this week in local news sources.
>
> Written comments must be submitted online at regulations.gov under docket number EPA-R08-OW-2019-0512. Comments may also be sent by mail to Valois Robinson, U.S. EPA Region 8, Mail Code: 8WD-SDU, 1595 Wynkoop Street, Denver, CO 80202-1129.
>
> The EPA has also scheduled a public hearing on the following date, time and location:
>
> Saturday, October 5, 2019, from 9:00 a.m. to 12:00 p.m. and from 2:00 p.m. to 6:00 pm at the:
>
> The Mueller Center
>
> 801 South 6th Street

Hot Springs, South Dakota 57747

The public may also provide written and/or verbal comments during the public hearing.

The Administrative Record for these UIC Program proposed actions is available for review at: https://www.epa.gov/uic/uic-epa-region-8.

Summary: The EPA Region 8 UIC Program is re-issuing two Draft UIC Area Permits to Powertech (USA) Inc., Suite #140, 5575 DTC Parkway, Greenwood Village, Colorado 80111, for injection activities related to uranium recovery. One is a UIC Class III Area Permit for injection wells for the ISR of uranium; the second is a UIC Class V Area Permit for deep injection wells that will be used to dispose of ISR process waste fluids into the Minnelusa Formation after treatment to meet radioactive waste and hazardous waste standards. The EPA is also re-proposing an aquifer exemption approval in connection with the Class III Area Permit to exempt the uranium-bearing portions of the Inyan Kara Group aquifers. The EPA requested public comments on these permit actions in March 2017. After reviewing the comments received and modifying the draft actions, the EPA is requesting additional public input on these actions. At the close of the public comment period, the EPA will review and consider all comments received during both the 2017 and 2019 public comment periods and during all the public hearings and make decisions on final actions. The EPA will also prepare a written statement addressing all the comments received that are relevant to the UIC Class III and V Draft UIC Area Permits.

Information Available for Review: All information submitted by the applicant and generated by the EPA during permit application review is available for public review as part of the administrative record and is available on the EPA Region 8 UIC Program website: https://www.epa.gov/uic/uic-epa-region-8. Available documents include the permit applications, draft Permits, fact sheet documents and other supporting documents. A paper version of the administrative record is also available for public viewing in the EPA Region 8 Library located on the third floor at 1595 Wynkoop Street, Denver, Colorado, 8 a.m. to 4 p.m., Monday through Thursday, excluding federal holidays. All visitors to the Region 8 office must show a picture ID such as a current driver's license. Visitors must also register at the guard desk in the lobby before proceeding to the Library.

In addition to seeking comments on the Class III and V draft area permits, the EPA is seeking public comment on: 1) the identification of traditional cultural properties at the Dewey-Burdock Project Site Area of Potential Effects, on the potential adverse effects of the proposed project, and on measures to avoid, minimize, or mitigate potential adverse effects on historic and traditional cultural properties pursuant to Section 106 of the National Historic Preservation Act and 36 CFR § 800.2(d) and § 800.6(a)(4); 2) options for approval of the aquifer exemption that Powertech requested related to the Class III permit application which are discussed in the Aquifer Exemption draft Record of Decision; and 3) a revised draft environmental justice analysis for the Dewey-Burdock UIC permitting actions.

If you have any questions, please feel free to send an email to Valois Robinson at robinson.valois@epa.gov. Please note that public comments will only be accepted online or by mail and not at this email address.

Valois

Valois Robinson
U.S. EPA Region 8
MailCode: 8WD-SDU
1595 Wynkoop Street
Denver, CO 80202-1129
Phone: (303) 312-6276
Fax: (303) 312-6741
Email: robinson.valois@epa.gov