



**UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION 8
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UNDERGROUND INJECTION CONTROL PROGRAM

Draft Permit

Class V Injection Wells

Permit No. CO51237-08408

Issued to:
**Powertech (USA) Inc.
5575 DTC Parkway, Suite 140
Greenwood Village, Colorado 80111**

Date Prepared: May 2009

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APPENDIX A – Figure 1. Injection Well Location

Figure 2. Injection Well Construction Design Plan

**PART I. AUTHORIZATION TO OPERATE A CLASS V WELL
AUTHORIZATION TO INJECT**

Pursuant to the Underground Injection Control (UIC) Regulations of the U. S. Environmental Protection Agency (EPA) codified in Title 40 of the Code of Federal Regulations (40 CFR) Parts 124, 144, 146, and 147,

**Powertech (USA) Incorporated
5575 DTC Parkway, Suite 140
Greenwood Village, Colorado 80111**

is hereby authorized to inject groundwater pumped from the Upper Fox Hills Formation back into the Upper Fox Hills Formation using the injection well identified as IN08-33-PW1 shown in Figure 1 of Appendix A of this permit. The purpose of this injection activity is to recharge the Upper Fox Hill Formation aquifer with water extracted from it during the aquifer pump test.

All conditions set forth herein refer to 40 CFR, Parts 124, 144, 146, and 147 and are regulations that are in effect on the date that this permit becomes effective.

This permit is based on representations made by the applicant and on other information contained in the Administrative Record. Misrepresentation of information or failure to fully disclose all relevant information may be cause for: termination, revocation and reissuance, modification of this permit, and/or formal enforcement action. It is the permittee's responsibility to read and understand all provisions of this permit.

The authorization to inject is issued for a period of ten (10) years from the date it becomes effective, unless the permit is terminated as provided in Part III, Section B. The permit also may be terminated upon delegation of primary enforcement responsibility for the Class V UIC Program to the State of Colorado.

Please be advised that this permit solely pertains to UIC and does **not** preclude any other federal, state, or local regulations that may apply.

Issued this day of _____.

This permit shall become effective _____.

Steve Tuber
Assistant Regional Administrator
Office of Partnerships and Regulatory Assistance

PART II. SPECIFIC PERMIT CONDITIONS

A. GENERAL

Copies of all reports and notifications required by this permit shall be signed and certified in accordance with the requirements under Part III, Section E.9 of this permit and shall be submitted to the EPA:

U.S. Environmental Protection Agency - Region 8
Shallow Well Compliance Lead, Mailcode: 8ENF-UFO
1595 Wynkoop Street
Denver, CO 80202-2699

The EPA permit number the UIC Program Director (hereafter referred to as the "Director") has assigned to this permit is CO51237-08404. All correspondence should reference the site name and address and include the EPA permit number.

B. SHALLOW INJECTION WELL CONSTRUCTION

1. Construction Requirements. The method for construction of any injection well shall not allow the movement of a fluid containing any contaminant into any underground source of drinking water (USDW), if the presence of that contaminant may cause a violation of the primary drinking water standards under 40 CFR Part 141, other health-based standards, or may otherwise adversely affect the health of persons. The construction design for the proposed injection is shown in Figure 2 of Appendix A of this permit. Well construction shall meet the specifications shown in Figure 2. Mechanical integrity testing shall be performed on the well and results submitted to the Director before commencing injection.

2. Proposed Changes. The permittee shall give advance notice to the Director as soon as possible and no later than thirty (30) days **before** any planned physical alterations or additions to the permitted injection wells or the injection system. Any alterations to the injection system shall meet all conditions as set forth in this permit. An alteration or addition shall be considered any work performed that affects the quantity or quality of the fluid being injected or changes in the design of the injection system from the construction design diagram in Appendix A of this permit.

After approval by the Director, the permittee shall provide plans, as-built schematics, sketches, or other test data, to EPA within sixty (60) days of completion of the alteration or addition that took place.

C. CORRECTIVE ACTION

No corrective action is required prior to issuance of this permit.

D. SHALLOW INJECTION WELL OPERATION AND MAINTENANCE

1. Injection Locations. Injection location shall be limited to the injection wells shown in Figure 1 of Appendix A of this permit.
2. Injection Fluid Limitation. The permittee shall not inject any hazardous substances, as defined by 40 CFR, Part 261, at any time during the operation of the injection well; and further, no substances other than the groundwater pumped from the Upper Fox Hills Formation shall be injected, unless allowed by permit modification.
3. Injection Fluid Analysis. No analysis of the injectate is required under this permit.
4. Best Management Practices. The permittee shall operate the injection system in such a way that best environmental management practices are followed. Best Management Practices in the case of this permit shall consist of preventing the contamination of groundwater extracted from the Upper Fox Hill Formation before it is reinjected.

E. MECHANICAL INTEGRITY (MI) TEST REQUIREMENTS

Injection into a well which lacks MI is prohibited. An injection well has MI if there is no significant leak in the casing, tubing, or packer (Part I); and there is no significant fluid movement into a USDW through vertical channels adjacent to the injection well bore (Part II).

1. Requirement to Demonstrate MI. The permittee shall demonstrate MI prior to commencing injection. Well construction dictates the methods for demonstrating MI. A demonstration of mechanical integrity shall include both internal (Part I) and external (Part II). The Director may require additional or alternative tests if the results presented by the operator are not satisfactory to the Director to demonstrate there is no movement of fluids into or between USDWs resulting from injection activity. Results of MI tests shall be submitted to the Director for review before injection begins. After reviewing the MI test results, the Director will issue an authorization to inject notification letter to the permittee.

2. Methods for Demonstrating MI. The permittee shall demonstrate Part I MI by a standard tubing-casing annulus pressure test using a pressure that is at least 200% of the proposed injection pressure, with a ten percent (10%) or less pressure loss over thirty (30) minutes. The proposed injection pressure shall be indicated when submitted Part I MI test results to the Director for review. The authorization to inject notification letter will limit injection pressure to the pressure used during the pressure test.

The permittee shall demonstrate Part II MI by running a Cement Bond Log (CBL). The travel time curve from the CBL shall be submitted to the Director for review. Part II MI will be considered demonstrated if the CBL results identify adequate casing cement through the confining zone between the Laramie and Upper Fox Hills Formation. The confining zone interval shall be clearly labeled on the CBL.

F. SAMPLING, REPORTING OF RESULTS, AND NOTIFICATION REQUIREMENTS

1. Sampling Program. The injectate consists of groundwater pumped from the Upper Fox Hills Formation. Because the injectate consists of groundwater being returned to the aquifer from which it was pumped, there is no anticipated endangerment to the water quality of the injection zone aquifer. Therefore, no sampling program is required under this permit.

However, this does not preclude the requirement that injection activities shall not allow the movement of a fluid containing any contaminant into any underground source of drinking water (USDW), if the presence of that contaminant may cause a violation of the primary drinking water standards under 40 CFR Part 141, other health-based standards, or may otherwise adversely affect the health of persons.

The permittee shall notify the Director in advance of any modifications in injection procedures that might result in changes in the injection procedures that have the potential of result in the movement of a fluid containing any contaminant into any underground source of drinking water (USDW), specifically the Laramie Formation which overlies the permitted injection zone. After reviewing the proposed changes, the Director may add additional monitoring requirements as deemed necessary for the protection of USDWs.

2. Time Schedule for Sampling and Analysis. No sampling and analysis is required under this permit.

3. Sampling Information. If at any time, monitoring is required for this injection activity, records of any monitoring activity required under this permit shall include:

- (a) The date, exact place, and the time of fluid sampling;
- (b) The name of the individual(s) who performed the fluid sampling;
- (c) A certification by the individual(s) who performed the sampling as to the date, exact place, and the time of the sampling;
- (d) The name and address of the laboratory that performed the analysis of the fluid;
- (e) The exact sampling method(s) used to take the samples;
- (f) The date the fluid sample was sent to the laboratory;
- (g) The date(s) laboratory analyses were performed;
- (h) The name of the individual(s) who performed the analyses;
- (i) The analytical techniques or methods and quality control used by laboratory personnel; and
- (j) The results of the analyses.

4. Reporting of Results. While no sampling and analysis is required under this permit, the permittee shall provide a summary report of the aquifer pump testing results to the Director to help verify that there is no migration of Fox Hills Formation fluids into the overlying Laramie Formation while the injection well is operational.

If at any time during injection activity, analysis is required, analytical results shall be submitted to the Director no later than one (1) week after the permittee receives the analytical results from the laboratory.

5. Permit Limits. Because the injectate consists of groundwater being returned to the aquifer from which it was pumped, there is no anticipated endangerment to the water quality of the injection zone aquifer. Therefore, there are no permit limits required under this permit. H

6. Notification Requirements. The release of an unauthorized fluid as described in Part II, Section D.2 into any of the injection well shall be considered a permit violation subject to enforcement action. If the permittee has any reason to believe that injection activity has cause migration of fluids out of the authorized injection zone, this information shall be reported to EPA. Any such incidents shall be reported to the EPA within twenty-four (24) hours in accordance with Part III, Section E.10(c).

F. RECORD KEEPING

1. Record Retention Requirement. The permittee shall retain records of all monitoring activity and results (whether or not required by this permit) and other information required by this permit for the time periods specified below. These time periods may be extended at the request of the Director at any time. The following types of records shall be retained.

2. Records to Retain and Retention Time

- (a) All data required to complete the Permit Application for this permit for a period of at least three (3) years after the Permit Application was submitted.
- (b) Copies of all reports required by this permit for a period of at least three (3) years after the reports were submitted.
- (c) Records regarding the nature and composition of all injected fluids. The permittee shall continue to retain these records for a period of three (3) years after the closure of the injection well system unless the records are delivered to the Director or written approval to discard the records is obtained from the Director. This period may be extended by request of the Director at any time.
- (d) Records of monitoring information as specified under Part II, Section E.2.

G. PLUGGING AND ABANDONMENT

The well identified as IN08-33-PW1 will be used for injection for a limited interval of time, during which period pump tests will be conducted for the purpose of characterization of aquifer and geologic properties. After this period of time, the well will be used for long term monitoring of uranium mining and aquifer restoration activities. After that time, it will be plugged and abandoned under the conditions of permits in effect at that time. If for some reason, the injection well needs to be plugged before being regulated under subsequent permits, then the permittee shall use the plugging and abandonment procedures of this permit.

1. Plugging and Abandonment Requirements. The method for plugging and abandonment of any injection well shall not allow the movement of a fluid containing any contaminant into any underground source of drinking water (USDW), if the presence of that contaminant may cause a violation of the primary drinking water standards under 40 CFR Part 141, other health-based standards, or may otherwise adversely affect the health of persons.
2. Notice of Plugging and Abandonment. The permittee shall notify the Director in writing and provide a Plugging and Abandonment Plan at least thirty (30) calendar days before plugging and abandonment of the injection well. The Plugging and Abandonment Plan shall meet the requirements found in the section above.
3. Plugging and Abandonment Plan Approval. The permittee shall plug and abandon the injection well as provided in the Plugging and Abandonment Plan. The Plugging and Abandonment method shall be approved by EPA prior to the plugging and abandonment of the injection well. EPA reserves the right to change the manner in which the injection well will be plugged and abandoned, if it is deemed that the designated closure method is not protective of any USDW.
4. Cessation of Injection Activity. The well identified as IN08-33-PW1 will be used for injection for a limited interval of time, during which period pump tests will be conducted for the purpose of characterization of aquifer and geologic properties. After this period of time, the well will be used for long term monitoring of uranium mining and aquifer restoration activities. For this reason, the closure requirement usually required after a cessation of injection activity for two years is waived under this permit.
5. Plugging and Abandonment Report. If the closure of the injection wells shall be conducted under the requirement, the permittee shall submit a narrative plugging and abandonment report to the Director within sixty (60) calendar days after plugging the well. The person who performed the plugging operation shall certify per the requirements found in Part III, Section E.9(d) that the report is accurate. The report shall consist of either: (1) a statement that the wells were plugged in accordance with the approved Plugging and Abandonment Plan; or (2) a statement that the actual plugging procedures differed from the plan, including the different procedures that were followed with supporting justification for the selected closure method.

PART III. GENERAL PERMIT CONDITIONS

A. EFFECT OF PERMIT

The permittee is allowed to engage in underground injection in accordance with the conditions of this permit. The permittee, as authorized by this permit, shall not construct, operate, maintain, convert, plug and/or abandon, or conduct any other injection activity in a manner that allows the movement of contaminated fluid into any USDW, if the presence of that contaminant may cause a violation of any primary drinking water regulation under 40 CFR, Part 141, or otherwise adversely affect the health of persons. Any underground injection activity not authorized in this permit, or otherwise authorized by permit or rule, is prohibited.

Issuance of this permit does not convey property rights of any sort or any exclusive privilege; nor does it authorize any injury to persons or property, any invasion of other private rights, or any infringement of state or local law or regulations. Compliance with the terms of this permit does not constitute a defense to any enforcement action brought under the provisions of Section 1431 of the Safe Drinking Water Act (SDWA); or any other law governing protection of public health or the environment for any imminent and substantial endangerment to human health, or the environment; nor does it serve as a shield to the permittee's independent obligation to comply with all UIC regulations.

B. PERMIT ACTIONS

1. Modification, Reissuance, or Termination. The Director may, for cause or upon a request from the permittee, modify, revoke and reissue, or terminate this permit in accordance with 40 CFR, Sections 124.5, 144.12, 144.39, and 144.40. Also, the permit is subject to minor modifications for cause as specified in 40 CFR, Section 144.41. The filing of a request for a permit modification, revocation and reissuance, termination, the notification of planned changes, or anticipated noncompliance on the part of the permittee does not stay the applicability or enforceability of any permit condition.

2. Conversions. The Director may, for cause or upon a request from the permittee, allow conversion of the well from a Class V injection well to a non-Class V well.

3. Transfers. This permit is not transferable to any person except after notice is provided to the Director and the requirements of 40 CFR, Section 144.38 is complied with. The Director may require a modification or revocation and reissuance of the permit to change the name of the permittee and incorporate such other requirements as may be necessary under the SDWA.

C. SEVERABILITY

The provisions of this permit are severable, and if any provision of this permit or the application of any provision of this permit to any circumstance is held invalid, the application of such provision to other circumstances, and the remainder of this permit shall not be thereby affected.

D. CONFIDENTIALITY

In accordance with 40 CFR, Part 2 and 40 CFR, Section 144.5, any information submitted to EPA pursuant to this permit may be claimed as confidential by the submitter. Any such claim shall be asserted at the time of submission by stamping the words "**Confidential Business Information**" on each page containing such information. If no claim is made at the time of submission, EPA may make the information available to the public without further notice. If a claim is asserted, the validity of the claim shall be assessed in accordance with the procedures in 40 CFR, Part 2 (Public Information). Claims of confidentiality for the following information will be denied:

- The name and address of the permittee; and

- Information about the existence, absence, or level of contaminants in drinking water.

E. GENERAL DUTIES AND REQUIREMENTS

1. Duty to Comply. The permittee shall comply with all conditions of this permit, except to the extent and for the duration such noncompliance is authorized by an emergency permit. Any permit noncompliance constitutes a violation of the SDWA and is grounds for: termination, revocation and reissuance, modification of this permit, and/or formal enforcement action. Such noncompliance may also be grounds for enforcement action under the Resource Conservation and Recovery Act (RCRA).

2. Continuation of Expiring Permit.

(a) Duty to Reapply. If the permittee wishes to continue an activity regulated by this permit after the expiration date of this permit, the permittee shall submit a complete application for a new permit at least one hundred and eighty (180) days before this permit expires.

(b) Permit Extensions. The conditions of an expired permit may continue in force in accordance with 5 United States Code (U.S.C.) 558(c) until the effective date of a new permit, if:

- (i) The permittee has submitted a timely application that is a complete application for a new permit; and
- (ii) The Director, through no fault of the permittee, does not issue a new permit with an effective date on or before the expiration date of the previous permit.

(c) Enforcement. When the permittee is not in compliance with the conditions of the expiring or expired permit the Director may choose to do any or all of the following:

- (i) Initiate enforcement action based upon the permit that has been continued;
- (ii) Issue a notice of intent to deny the new permit. If the permit is denied, the owner or operator would then be required to cease the activities authorized by the continued permit or be subject to enforcement action for operating without a permit;
- (iii) Issue a new permit under 40CFR Part 124 with appropriate conditions; or
- (iv) Take other actions authorized by these regulations.

(d) State Continuation. An EPA issued permit does not continue in force beyond its expiration date under Federal law if at that time a State has primary enforcement authority. A State authorized to administer the UIC program may continue either the EPA or State-issued permits until the effective date of the new permits, only if State law allows. Otherwise, the facility or activity is operating without a permit from the time of expiration of the old permit to the effective date of the State-issued new permit.

3. Penalties for Violations of Permit Conditions. Any person who violates any requirement of the UIC Program is subject to enforcement action under Section 1423 of the SDWA (42 U.S.C. Section 300h-2, **et seq.**). Violations of this permit may be subject to such other actions pursuant to RCRA. If the violation is willful, criminal penalties and/or imprisonment may result in accordance with Title 18 of the U.S.C.

4. Need to Halt or Reduce Activity Not a Defense. It shall not be a defense for a permittee in an enforcement action that it would have been necessary to halt or reduce the permitted activity in order to maintain compliance with the conditions of this permit.

5. Duty to Mitigate. The permittee shall take all reasonable steps to minimize or correct any adverse impact on the environment resulting from noncompliance with this permit.

6. Proper Operation and Maintenance. The permittee shall at all times properly operate and maintain all facilities and systems of treatment and control (and related appurtenances) that are installed or used by the permittee to achieve compliance with the conditions of this permit. Proper operation and maintenance includes, but is not limited to, effective performance, adequate funding, adequate operator staffing, and training. This provision requires the implementation of Best Management Practices specified under Part II, Section D.4 to achieve compliance with the conditions of this permit.

7. Duty to Provide Information. If at any time, the Director issues a written request for information: to determine whether cause exists for modifying; to revoke and reissue, or terminate this permit; or to determine compliance with this permit, the permittee shall furnish the requested information within the time specified. The permittee also shall furnish to the Director, upon request, copies of records required to be kept by this permit.

8. Inspection and Entry. The permittee shall allow the Director, or an authorized representative, upon the presentation of credentials and other documents as may be required by law, to:

- (a) Enter upon the permittee's premises where a regulated facility or activity is located or conducted or where records shall be kept under the condition of this permit;
- (b) Have access to and copy, at reasonable times, records that shall be kept under conditions of this permit;
- (c) Inspect at reasonable times any facilities, equipment (including monitoring and control equipment), practices, or operations regulated or required under this permit; and
- (d) Sample or monitor, at reasonable times, for the purpose of assuring permit compliance or as otherwise authorized by the SDWA, any substances or parameters at any location.

9. Signatory Requirements. All reports or other information requested by the Director shall be signed and certified as follows.

(a) All reports required by this permit and other information requested by the Director shall be signed as follows:

- (i) for a corporation—by a responsible corporate officer, such as a president, secretary treasurer, or vice president of the corporation in charge of principal business function, or any other person who performs similar policy or decision-making functions for the corporation;
- (ii) for partnership or sole proprietorship—by general partner or the proprietor, respectively; or
- (iii) for municipality, state, federal, or other public agency—by either a principal executive or a ranking elected official.

(b) A duly authorized representative of the official designated in paragraph (a) above also may sign only if:

- (i) the authorization is made in writing by a person described in paragraph (a) above;
- (ii) the authorization specifies either an individual or a position having responsibility for the overall operation of the regulated facility or activity, such as the position of plant manager, operator of a well or a well field, superintendent, or a position of equivalent responsibility. A duly authorized representative may thus be either a named individual or any individual occupying a named position; and
- (iii) the written authorization is submitted to the Director.

(c) If an authorization under paragraph (b) of this section is no longer accurate because a different individual or position has responsibility for the overall operation of the facility, a new authorization satisfying the requirements of paragraph (b) of this section shall be submitted to the Director prior to or together with any reports, information or applications to be signed by an authorized representative.

(d) Any person signing a document under paragraph (b) of this section shall make the following certification:

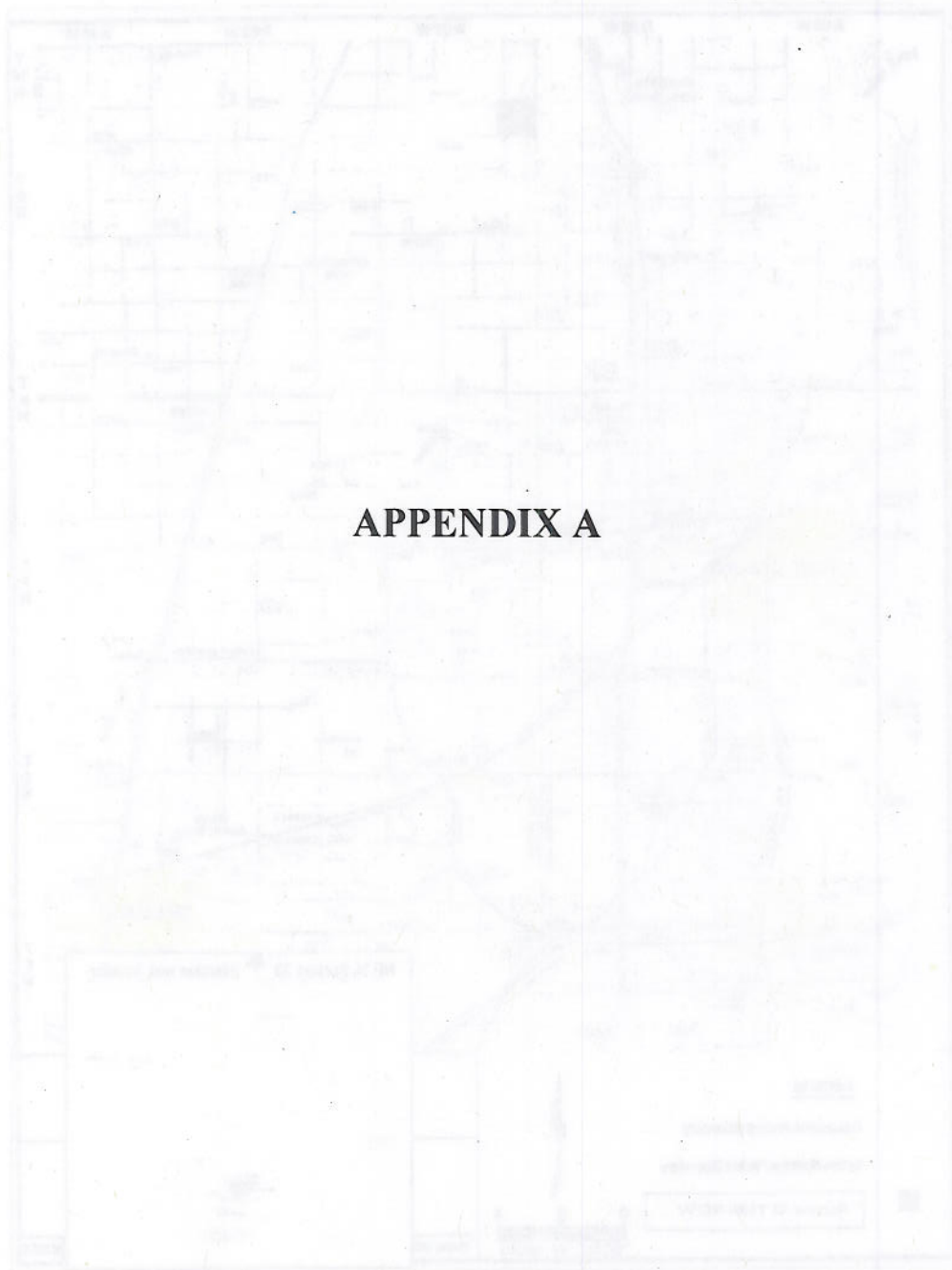
I certify under the penalty of law that I have personally examined and am familiar with the information submitted in this document and all attachments and that, based on my inquiry of those individuals immediately responsible for obtaining the information, I believe that the information is true, accurate, and complete. I am aware that there are significant penalties for submitting false information, including the possibility of fines and imprisonment.

10. Reporting of Noncompliance.

- (a) Anticipated Noncompliance. The permittee shall give advance notice to the Director of any planned changes in the permitted facility or activity that may result in noncompliance with permit requirements.
- (b) Compliance Schedules. Reports of compliance or noncompliance with or any progress reports on, interim and final requirements contained in any compliance schedule of this permit shall be submitted **no later than thirty (30) calendar days following** each schedule date. The permittee will be notified by EPA in writing upon being subject to such a compliance schedule.
- (c) Twenty-four (24) Hour Reporting.
- (i) **The permittee shall report to the Director any noncompliance that may endanger health or the environment.** Information shall be provided, either orally or by leaving a message, within twenty-four (24) hours from the time the permittee becomes aware of the circumstances by telephoning **303.312.6704 and asking for the EPA Region 8 UIC Program Compliance and Enforcement Director (during normal business hours)**, or by contacting the **EPA Region 8 Emergency Operations Center at 303.293.1788 (for reporting at all other times)**. The following information shall be included in the verbal report:
- Any monitoring or other information which indicates that any contaminant may cause endangerment to a USDW.
 - Any noncompliance with a permit condition or malfunction of the injection system which may cause fluid migration into or between USDWs.
- (ii) Written notice of any noncompliance that may endanger health or the environment **shall be provided to the Director within five (5) calendar days** of the time the permittee becomes aware of the noncompliance. The written notice shall contain a description of the noncompliance and its cause; the period of noncompliance including exact dates and times; if the noncompliance has not been corrected, the anticipated time it is expected to continue; and steps taken or planned to prevent or reduce recurrence of the noncompliance.
- (d) Other Noncompliance. The permittee shall report all other instances of noncompliance not otherwise reported at the time of analysis submission. The reports shall contain the information listed in Part III, Section E.10 of this permit.

- (e) Other Information. When the permittee becomes aware that any relevant facts were not submitted in the permit application, or incorrect information was submitted in a permit application or in any report to the Director, the permittee shall submit such correct facts or information within fourteen (14) calendar days of the time such information becomes known.

11. Oil Spill and Chemical Release Reporting. The operator shall comply with all other reporting requirements related to oil spills and chemical releases or other potential impacts to human health or the environment by contacting the National Response Center (NRC) at 1.800.424.8802 or 202.267.2675, or through the NRC website at <http://www.nrc.uscg.mil/nrchp.html>.



APPENDIX A

Figure 1. Location of Study Location (Map 100-1-100)

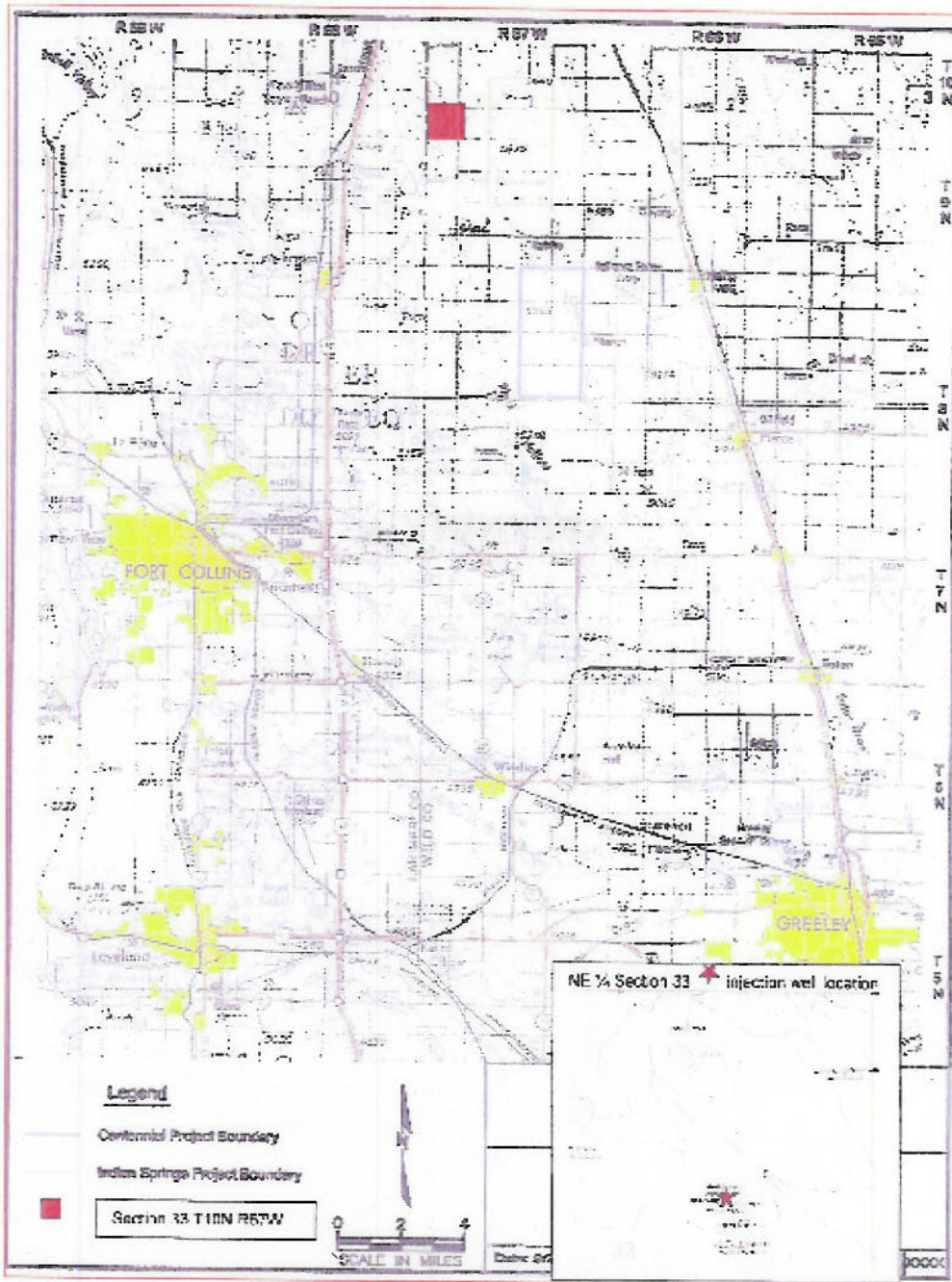
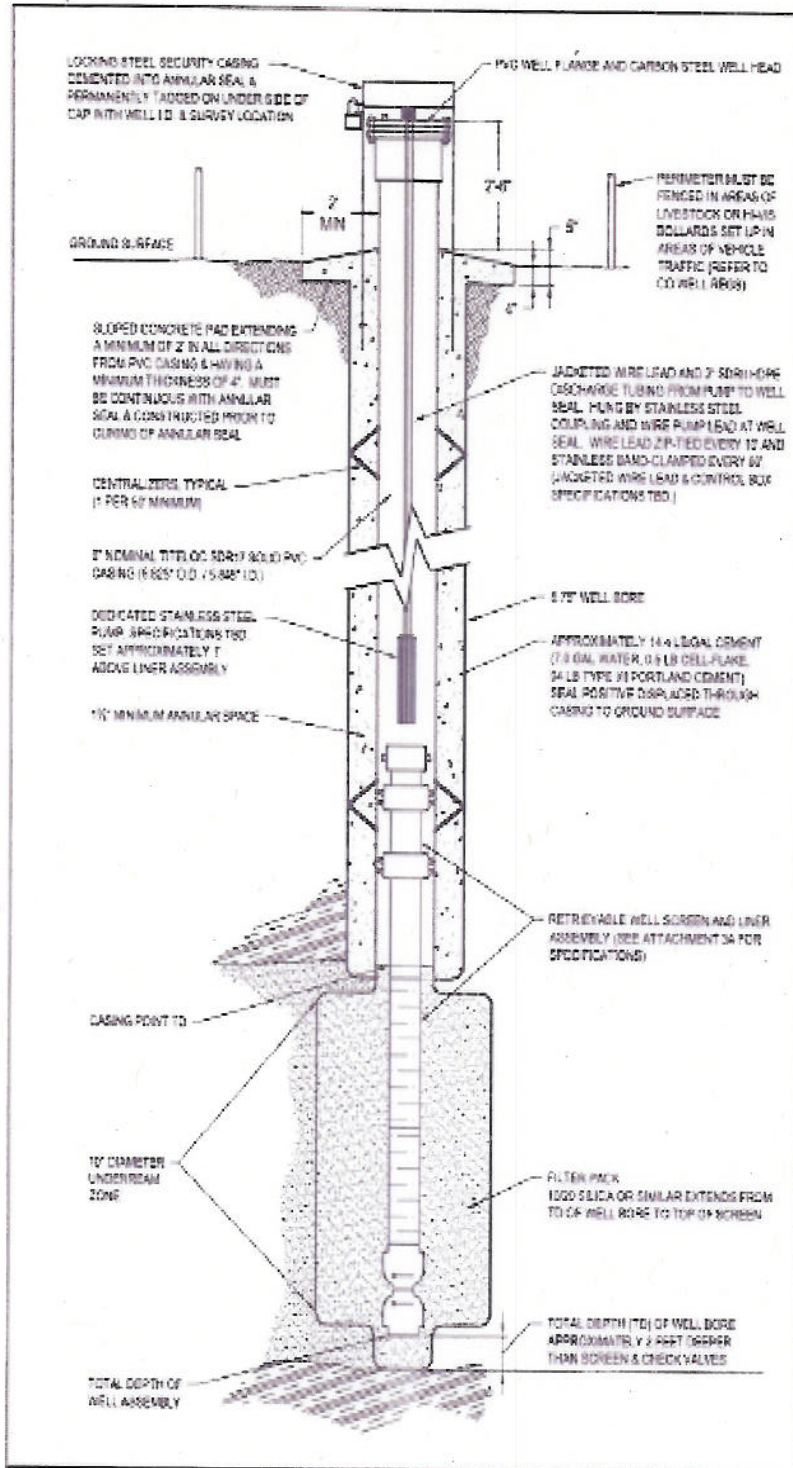


Figure 1. Location of Pump Test/Injection Well, IN18-33-PW1



**ATTACHMENT C - Centennial Project
Monitoring Well Construction Detail
Wells Constructed with Positive Displacement**



DATE ISSUED	REVISED	NO.	NOT TO SCALE	POWERTECH (USA) INC.
1/15/17	1/15/17	210	1/15/17	29 Jan 2017
PROJECT	LOCATION	SCALE	DESIGNED BY	DRAWN BY
Centennial Project	Centennial Project	1" = 10'	D. TAYLOR	D. TAYLOR

Figure 2. Injection Well Construction Design

