



Battle goes on over Powertech Uranium mining plan



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Opponents of a proposed uranium mine near Edgemont said Tuesday that the project has suffered a notable setback before a key federal board.

A Powertech Uranium spokesman differed, saying the ruling by the federal Atomic Safety and Licensing Board was just another part of a complicated, five-year licensing process.

Regardless of whose version is more accurate, the ruling is another sign that the licensing process for the controversial in-situ leach mining plan is grinding toward state and federal decisions in the coming months.

Those will include two state board hearings in Rapid City in September and October that could last up to 10 days each and present voluminous technical documents and hours upon hours of testimony.

"We're looking forward to our hearings in Rapid City, so people can come hear the science of the project rather than just read the letters to the editor," said Mark Hollenbeck of Edgemont, manager of Powertech's proposed Dewey-Burdock Project northwest of Edgemont.

Critics from the Clean Water Alliance, the Oglala Sioux Tribe and other opponents say they also look forward to making their arguments against the project at hearings that will decide a state mining permit, necessary water rights and a groundwater discharge permit.

Meanwhile, Powertech continues to work its way through the maze of hearings and regulations on the federal level, where the recent ruling by the Atomic Safety and Licensing Board occurred.

The board, an entity with the Nuclear Regulatory Commission composed of administrative law judges, evaluates arguments and considers concerns as part of the licensing process. Jeffrey Parsons, a spokesman for the Western Mining Action Project, said a recent ruling by the board will require Powertech to "go back and conduct significant new environmental and cultural studies" that Parsons said should have been done long ago in the license process.

Parsons represents the Oglala Sioux Tribe, which has standing in the case and continues to question and object to provisions in the Powertech plan. Parsons and Lillas

Jarding of the Clean Water Alliance said Powertech now must "follow federal laws" that demand extensive scientific study of the potential impacts of the mine on groundwater and cultural resources.

The ruling also directs the NRC staff to more carefully study Powertech's proposals to reduce impacts to groundwater and cultural resources, Jarding and Parsons said.

"This project will continue to languish until Powertech takes its responsibility seriously," Jarding said.

Hollenbeck said Powertech has never done anything else. The NRC staff and Powertech have been following federal laws throughout the process, and the NRC staff has given the plan careful study, he said.

"The NRC staff has been required to follow federal law all along, as we have," Hollenbeck said. "This was not a setback. This is what we've been doing for the last five years, dealing with environmental and cultural officials related to that site. Some of that work is ongoing and some is complete. But it's certainly all being done."

Hollenbeck said Powertech officials "read the board ruling differently" than Parsons and Jarding do and will issue a more detailed response today. He said a favorable determination from the NRC staff led to a preliminary permit for Powertech, which is being reviewed prior to a final decision at the federal level.

It looks like the NRC hearing on the project could take place in South Dakota late this year or early the next, he said.

The hearing on the state mining permit will begin in Rapid City before the South Dakota Board of Minerals and the Environment on Sept. 23. The hearing on the water rights and discharge permit will begin before the state Board of Water Management on Oct. 7.