

Dewey-Burdock UIC Permit Communication Plan

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TIMING: March 31, 2009

ISSUE/TOPIC: Underground Injection Control (UIC) Class III Injection Well Draft Area Permit for In-Situ Leaching (ISL) mining of uranium at the Powertech (USA) Inc. Dewey-Burdock site near Edgemont, SD

ACTION: The EPA Region 8 UIC Program will issue a draft permit and aquifer exemption to authorize injection for ISL mining of uranium at the Dewey-Burdock site.

COMMUNICATION GOALS: Internal coordination with programs within EPA Region 8; Coordination on National Environmental Policy Act (NEPA) reviews with the Bureau of Land Management (BLM) and the Nuclear Regulatory Commission (NRC); Coordination with co-regulators NRC and South Dakota Department of Environmental and Natural Resources (DENR) on permit development; and open communication with public and tribal stakeholders about EPA's decision-making process to alleviate public concern and avoid misinformation.

VISIBILITY:

High
 Medium
 Low

KEY EPA CONTACTS:

<u>Name</u>	<u>Role/Position</u>	<u>work phone</u>	<u>email</u>
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KEY MESSAGES:

- EPA is charged with protecting public health from dangerous air emissions, surface and groundwater contamination.
- EPA will coordinate with Tribes to address concerns regarding sacred and cultural sites
- EPA is coordinating with BLM and NRC on the NEPA review process.
- EPA is coordinating with State & Federal Permitting Agencies during permit development

AUDIENCES/INTERESTED GROUPS:

- South Dakota Governor
- South Dakota DENR
- NRC
- BLM
- Tribes
- Western Mining Action Project
- Coloradoans Against Resource Destruction (CARD)
- Powertechexposed.com
- Owe Aku-Bring Back the Way
- Defenders of the Black Hill
- Uranium Watch

RECOMMENDED OUTREACH ACTIVITIES (include matrix of who, when, how if necessary):

- Region 8 UIC Website
- Fact Sheets – EPA Region 8 Class III Permitting Process
- Background Information
- OPRA Briefing
- EPR Briefing
- RA Briefing
- Conference calls with DENR to coordinate on permitting requirements

CONSIDERATIONS: (Summarize specific concerns, reactions, positions taken)

Powertech has submitted the UIC Class III permit application ahead of the NRC and BLM permit application. The NEPA process is tied to the NRC and BLM permits. EPA needs to coordinate closely with these NEPA reviews to ensure our regulatory requirements are met (for UIC 40 CFR 144.4)

We need to identify Sioux tribes, and other tribes, including tribes outside of Region 8, to inform them of this permit action, in the context of potential sacred and cultural sites.

EXTERNAL CONSIDERATIONS:

- Coordination with NRC and BLM on NEPA Process.
- Open communication with Tribes to address sacred and cultural sites.
- Coordination with SD DENR on permit development.

INTERNAL CONSIDERATIONS:

- Development of NESHAPS Subpart W
- Keep up to date with EPA HQ with NRC on rulemaking for the proposed uranium ISL groundwater protection rule.

BACKGROUND

- EPA reviewed and commented on SD DENR ISL regulations. As a result UIC program permit writer is familiar with those requirements and will consider them while developing the UIC permit.
- NESHAPs Subpart W

QUESTIONS AND ANSWERS:

- 1. Explanation of aquifer exemption process.**
- 2. Explanation of NEPA process requirements for this action.**
- 3. What is EPA doing to ensure protection of private drinking water wells near the mine?**