

Sollenberger, Dennis

From: White, Duncan
Sent: Monday, May 17, 2010 7:19 AM
To: Sollenberger, Dennis; Poy, Stephen
Cc: Dias, Antonio
Subject: FW: CDPHE Implementation of Atomic Energy Act Notice and Comment Requirements

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Do we need to talk to EPA? Also note that Larry Camper was on cc.

From: sarah@uraniumwatch.org [<mailto:sarah@uraniumwatch.org>]
Sent: Sunday, May 16, 2010 6:20 PM
To: White, Duncan
Cc: Camper, Larry
Subject: CDPHE Implementation of Atomic Energy Act Notice and Comment Requirements

Dear Mr. White,

Below is additional information relevant to the Colorado Department of Public Health and Environment (CDPHE) provisions for public review of licensing actions for uranium recovery facilities in Colorado.

As you are aware, the CDPHE is in the process of reviewing an application for a new uranium mill in the Paradox Valley in southwestern Colorado (Energy Fuels Resources' Pinon Ridge Uranium Mill).

At a May 11 meeting with Environmental Protection Agency (EPA) Office of Radiation and Indoor Air/Radiation Protection Division and citizens (including myself) in Washington, D.C., Loren Setlow stated that the EPA would comment on the CDPHE environmental analysis of the proposed Pinon Ridge Uranium Mill. It was Mr. Setlow's assumption that the CDPHE environmental analysis of the proposed mill would be available for public review and comment, as required by the Atomic Energy Act. Unfortunately, I had to inform Mr. Setlow that, in fact, the CDPHE had no plans to make the draft licensing action and environmental analysis available for EPA or other local, state, and federal agency review and comment.

Normally, in a state where uranium recovery facilities are under Nuclear Regulatory Commission authority, government agency comments on an EIS or other NEPA document are an important part of the environmental analysis and license application review process.

The fact that CDPHE has no plans to make their environmental analysis available for review and comment by local, state, and federal government agencies is further reason the CDPHE should be required to comply with the Atomic Energy Act with respect an opportunity to comment on the proposed licensing action and draft CDPHE environmental analysis of the proposed uranium mill.

If you have any questions, please feel free to contact me.

Sarah M. Fields
Uranium Watch