



Nancy Nuttbrock
Administrator, Land Quality Division
Wyoming Department of Environmental Quality
122 W. 25th St.
Cheyenne, WY 82002

FILED

Sep 28, 2012

Jim Ruby, Executive Secretary
Environmental Quality Council

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SEP 28 2012

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RE: Draft permit to mine for Strata Energy's Ross Uranium Project

Dear Ms. Nuttbrock,

Thank you for the opportunity to provide comments on Strata Energy's draft permit to mine. Our members in Crook County who live near this proposed project have concerns about potential impacts to water supplies, traffic, and general quality of life.

Although we are not requesting a hearing or an informal conference on the draft permit, we ask that you kindly consider the following comments during your review of the permit and Strata Energy's application.

We have attached a copy of our organization's petition to intervene in the Nuclear Regulatory Commission licensing proceeding for Strata Energy's uranium facility. It lays out several key areas of concerns we have about Strata Energy's application and its proposed project. As stated in the petition, our primary concerns about Strata's application are the lack of information regarding the site's hydrogeology and geochemistry and the harms that could result from Strata's failure to properly analyze the project's foreseeable environmental and safety impacts. Specific shortcomings include the application's lack of a defensible baseline groundwater characterization, its failure to examine the possibility and effects of fluid migration causing cross-contamination between aquifers, its lack of analysis on negative impacts to groundwater quantity, and its failure to consider that Strata will probably be unable to achieve either primary or secondary groundwater restoration standards during decommissioning.

While we have not followed the state permitting process as closely as we have the NRC's process, we understand that Strata essentially submitted the same application to every state and federal agency. Therefore, the concerns we have about Strata's federal application should equally apply to the DEQ application, minus concerns about the National Environmental Policy Act and NRC specific regulations.

We are concerned that Strata has not fully met the requirements of W.S. §§ 35-11-428. Specifically, we believe Strata has not demonstrated what procedures it will use for groundwater restoration, as required by W.S. § 35-11-428(a)(iii)(H). Additionally, because ISL uranium facilities never restore groundwater to baseline conditions and Strata does not detail – up front in its application – what restoration targets will be achieved, it is impossible to meet the requirements of W.S. § 35-11-428(a)(iii)(E) to assess water impacts. We also believe Strata has not met the requirements of W.S. § 35-11-428(a)(ii) because its application does not properly assess abandoned wells in the area and how they may contribute to environmental impacts. Our

experts also opined that Strata did not conduct appropriate baseline testing to fully and accurately assess baseline water conditions.

Finally, please fully review and critique Strata Energy's proposed bond. In the past, ISL uranium operations have been under-bonded, leaving the public at risk (see Notice of Violation and related investigation report for Cameco's Smith Ranch-Highland facility). Restoration normally takes years longer than expected and those costs should be fully integrated into the bond for this facility.

Thank you for considering this information. If you have any questions or need additional information, please do not hesitate to ask.

Sincerely,

A handwritten signature in cursive script that reads "Shannon Anderson" followed by a horizontal line extending to the right, and the date "Sept. 25, 2012" written in cursive to the right of the line.

Shannon Anderson
Powder River Basin Resource Council
934 N. Main St.
Sheridan, WY 82801

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