

**Subpart W Stakeholders Conference Call
January 2, 2014**

ATTENDEES

EPA: Reid Rosnick

Environmental Groups: Sharyn Cunningham, CCAT; Anita Minton, CCAT; Sarah Fields, Uranium Watch; Jennifer Thurston, INFORM

Uranium Industry/Other: Jim Cain, John Hamrick, Cotter; Travis Stills, Energy Minerals Law Center

UPDATE

Reid began the call with a welcome and by taking attendance. Reid had a couple of items to share. A link has been provided on the Subpart W website that links to the OMB webpage that documents a meeting between members of the National Mining Association and OMB, EPA, the Council on Environmental Quality and the Office of Science and Technology Policy. OMB explained at the outset that the meeting was for “listening purposes” only, meaning there was no discussion of issues related to Subpart W. A presentation (also on the OMB website) was given and the meeting was adjourned.

EPA has addressed the comments from OMB staff and other interagency comments successfully. OMB staff has cleared the draft rulemaking and it is now being reviewed by OMB management. After management approval the package will return to EPA, where several housekeeping items must be addressed before the package begins the trip to the Administrator’s office for signature. After signature the proposed rule will be sent to the Office of the Federal Register for publication.

DISCUSSION

Jennifer Thurston: Encourage webinars and remote access for the public hearings. It will allow greater access for residents in uranium country. The OMB meeting tarnishes the sense of transparency, and does not help how the process is conducted. Wants to reiterate posting of OMB comments/responses on Subpart W website.

Sarah Fields: Also has a concern about the OMB meeting occurring concurrently with the rulemaking process. She believes the mining industry is very aggressive in this process. Suggested Grand Junction CO as a site for a public hearing since it is conveniently located from Denver and southern Utah.

Sharyn Cunningham: Agreed with the previous comments regarding the OMB meeting. Agreed that Grand Junction is a good location for a hearing.

Jennifer Thurston: Also agrees that Grand Junction is a good location, but argument can also be made for Gallup, NM, Cañon City, CO and White Mesa, UT.

Reid: We will look into the locations mentioned, and also the possibility of a webinar, although it might not be possible since an EPA hearing officer is required to be at all public hearings.

Travis Stills: Requests all information EPA shared with National Mining Association (NMA) be placed on EPA Subpart W website. Does not believe EPA is sharing all non-deliberative materials. Believes Reid and Ms Stahle are not trustworthy.

Reid: Explained that no information was shared with NMA during the meeting with OMB; perhaps Travis missed that discussion since he was late in joining the conference call. Being untrustworthy noted again.

Jennifer Thurston: Please discuss if you can any information contained in the proposed rule about regulating evaporation ponds.

Reid: Not at liberty to discuss language or policy in the proposed rule, but EPA stated at least 4 years ago that evaporation ponds are regulated under the current Subpart W rule.

Sarah Fields: Believes that too many impoundments and evaporation ponds are operating at the White Mesa mill. This has been occurring for many years and the State of Utah or EPA Region 8 has allowed it, stating that there is no public health issue. Also, what is the projected comment period for the proposed rule?

Reid: The information regarding status of evaporation ponds was a result of a discussion between Sarah and the State of Utah and EPA Region 8 Enforcement. Therefore I will not get into specifics regarding that discussion, but will note that EPA believes there is little to no radon flux in evaporation ponds that are covered with liquids. Regarding the time period for public comment, although generally EPA uses 60 days, we have taken the stakeholders advice and we are requesting a 90 day comment period.

Next call: Thursday, April 3, 2014 at 11 AM Eastern Time.

end