

Subpart W Stakeholders Conference Call October 17, 2013

ATTENDEES

EPA: Reid Rosnick, Susan Stahle

Environmental Groups: Sarah Fields, Uranium Watch; Jennifer Thurston, INFORM

Uranium Industry/Other: Kim Morrison, Energy Fuels: Steve Cohen, Darryl Liles, Randy Weider, SENES

UPDATE

Reid began the call with a welcome and by taking attendance. Reid had one item to share. We have been addressing the OMB comments and will be scheduling a briefing for the OMB desk officer soon. The responses to the comments consist of language changes to the preamble, further clarification of some issues in the Background Information Document and Economic Impact Analysis and some legal authority questions from an Interagency review of the package. We continue to be on track for a proposed rule in last autumn, although the government shutdown slowed our progress. Reid will update the expected date of proposal on the website.

DISCUSSION

Sarah Fields: Have you requested comments on the proposal from Agreement States, Utah in particular? Have you communicated with the NRC? Have you followed the process for a NEPA review?

Reid: We have not specifically requested comment from Agreement States. Our process to this point is internal to the federal government. However, when the rule is proposed, we welcome comments from all stakeholders, including Agreement States. We have a communication plan in place to make sure we reach as many stakeholders as possible. We will not just publish the proposal in the Federal Register and not tell anyone about it. Yes, we have communicated informally with the NRC over the past few years on the status of the proposal.

Susan Stahle: We are currently involved with OMB through their interagency review process. There are two processes for receiving comments on this proposal. EPA does not run this first process; OMB is currently in charge of receiving comments from other federal agencies. The individual agencies are not identified to EPA. It is possible that if OMB has requested comment on the package from NRC, NRC may have requested comments from pertinent Agreement States. We would not know of such an activity since OMB, and not EPA, is in charge of this review process.

The second process for receiving comment is EPA's notice of proposed rulemaking where we publish notice of the proposed rule and ask for comment. We welcome all comments from any stakeholder.

This rulemaking is not subject to a NEPA review. This is a rulemaking under the Clean Air Act, and is exempted from the NEPA review process. (NOTE: Sarah Fields and Susan Stahle had an email exchange on this issue. You can find that exchange in the email section of the website))

Jennifer Thurston: Want to reiterate posting of OMB comments/responses on Subpart W website.

Reid: When we are ready to publish the proposal, we will post OMB's comments/responses on the website, and they will also be in the Subpart W docket.

Next call: Thursday, January 2, 2014 at 11 AM Eastern Time.

end