

Uranium Watch – Utah Bulletin

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◆ Opportunity to Protest Change of Water Rights for Nuclear Power Reactor in Green River, Utah—Protests & Hearing Requests due May 25

The Division of Water Rights has noticed the change application for 29,600 acre-feet (over 26.5 million gallons per day) from the Green River for Transition Power Development LLC's proposed 2-unit nuclear power reactor. Protests and requests for a hearing must be filed with the Kent L. Jones, State Engineer, Division of Water Rights, P.O. Box 146300, Salt Lake City, Utah 84114-6300, on or before May 25, 2009. An objection to the application must be readable, and state the filing number (a35402), reasons for objections, protestant's name and address, and any request for a hearing. Informal hearings are pursuant to UAC Rule R655-6-2.

There are great many issues associated with the use of the water from the Green River in this time of drought. There are major health and safety and environmental issues associated with the construction and operation of a nuclear power reactor next to a major Union Pacific passenger and freight rail line, an interstate highway (I-70), the town of Green River, and the Green River (a major tributary of the Colorado River).

The requirements for approval of an application for a new appropriation or a change are found at Utah Code 73-3-8: http://le.utah.gov/~code/TITLE73/htm/73_03_000800.htm

According to Section 73-3-8, it shall be the duty of the state engineer to approve an application if:

- There is unappropriated water in the proposed source.
- The proposed use will not impair existing rights.
- The proposed use will not interfere with the more beneficial use of the water.
- The proposed plan is physically feasible.
- The proposed plan is economically feasible.
- The proposed plan will not be detrimental to the public welfare.
- The applicant has the financial ability to complete the proposed works.
- The application was filed in good faith and not for purposes of speculation or monopoly.
- The appropriation will not unreasonably affect public recreation.
- The appropriation will not unreasonably affect the natural stream environment.

If an application does not meet the requirements of this section, it shall be rejected.

Additional Information:

- Uranium Watch: <http://www.uraniumwatch.org/transitionpower.htm>
- NRC New Reactor Regulation: <http://www.nrc.gov/reactors/new-reactors.html>
- KCWCD Application: <http://168.179.220.62/docImport/0522/05229212.pdf>
- Water Right 89-74 (primary water right):
<http://www.waterrights.utah.gov/cblapps/wrprint.exe?wrnum=89-74>
- Water Right 89-1285: <http://www.waterrights.utah.gov/cblapps/wrprint.exe?wrnum=89-1285>
- Water Right 89-1513: <http://www.waterrights.utah.gov/cblapps/wrprint.exe?wrnum=89-1513>
(Note: At water right page, click on arrow for *Select Related Information* (upper left) to bring down menu; click on *Scanned Documents* to bring up links to water right records.)

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◇ Pandora Mine in La Sal Operated for Over 2 Years Without Required Approval of Utah Division of Air Quality.

In May 2008, Denison Mines (USA) Corporation submitted their *Notice of Intent to Construct the Proposed La Sal Mines Project* to the Utah Division of Water Quality. The Mines are the Pandora Mine and the La Sal Complex (Beaver Shaft, La Sal, and Snowball), all of which are connected underground. The unincorporated community of La Sal is on the south slope of the La Sal Mountains in San Juan County. Until recently, the Division of Air Quality was unaware that the Pandora Mine had already been operating since late 2006. The DAQ is determining the appropriate response to this violation. The Pandora is on Bureau of Land Management Land and is under an April 1977 Division of Oil, Gas, and Mining permit. The BLM Environmental Assessment for the mine is also decades old and should be supplemented and put out for public comment.

Denison Mines intends to restart the Beaver Shaft, which is on private land less than 1/2 mile north of the center of La Sal: the elementary school, store, and post office. The vent that provides an outlet for the hazardous radon gas and dust from the mine is less than 1/4 of a mile from the school. Waste rock would be deposited at the La Sal Mine, also on BLM land.

The DWQ will provide an opportunity for the public to comment and request a hearing on the air quality approval order for the radiological and chemical emissions from the underground and above ground La Sal mine operation. With the proposed Energy Queen less than 1/2 mile from homes to the west of La Sal, this will make La Sal the center of uranium mining in Utah.

For more information:

<http://www.uraniumwatch.org/lasal.ut.htm> and <http://www.uraniumwatch.org/pandora.ut.htm>

◇ Denison Mines to Place White Mesa Uranium Mill on Standby

According to the Utah Division of Radiation Control, Denison Mines intends to place the White Mesa Uranium Mill on standby at the end of May. On April 30 Northern Continental Resources announced that Denison Mines would acquire the Canadian mineral exploration company, which is focused on exploration and development of the Russell Lake Uranium Project located in the Athabasca Basin of Northern Saskatchewan.

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