

Conversation Contents

Fwd: Some additional information

Heather Swift <heather_swift@ios.doi.gov>

From: Heather Swift <heather_swift@ios.doi.gov>
Sent: Mon Jun 12 2017 15:10:10 GMT-0600 (MDT)
To: downey_magallanes@ios.doi.gov
Subject: Fwd: Some additional information

Is it accurate that the recommendation is that the President authorize redrawing the boundaries, or for Congress to do so through a bill?

Sent from my iPad

Begin forwarded message:

From: "Carlton, Jim" <jim.carlton@wsj.com>
Date: June 12, 2017 at 4:59:23 PM EDT
To: "Hinson, Alex" <alex_hinson@ios.doi.gov>
Cc: Interior Press <Interior_Press@ios.doi.gov>, Heather swift <Heather_Swift@ios.doi.gov>
Subject: Re: Some additional information

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Monday, June 12, at 2:30 PM Eastern

Call: (b) (5)

Passcode: (b) (5)

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Date: Mon, Jun 12, 2017 at 8:18 AM
Subject: Re: Some additional information
To: "Carlton, Jim" <jim.carlton@wsj.com>

Hi, Jim. You've likely seen this, but just in case:



OFFICE OF THE SECRETARY

U.S. Department of the Interior

www.doi.gov

Media Advisory

Date: June 12, 2017

Contact: Interior_Press@ios.doi.gov

Secretary Zinke to Host Press Briefing on Bears Ears National Monument

WASHINGTON - On Monday, June 12, 2017, at 2:30 p.m. EDT/12:30 p.m. MDT, U.S. Secretary of the Interior Ryan Zinke will host a press briefing call regarding the review of Bears Ears National Monument. The monument is under review in accordance with President Donald J. Trump's April 26, 2017, Executive Order.

Members of the news media must RSVP to Interior_Press@ios.doi.gov to obtain the dial-in information.

WHO:

U.S. Secretary of the Interior Ryan Zinke

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A media briefing via telephone regarding the review of Bears Ears National Monument

WHEN:

Monday, June 12, 2017
2:30 p.m. EDT/12:30 p.m. MDT

WHERE:

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BACKGROUND:

On April 26, 2017, President Trump signed an executive order directing the Secretary of the Interior to review monuments designated under the Antiquities Act between January 1, 1996, and the present date that are 100,000 acres or more in size, or any monument the Secretary deems to have been created without appropriate public input. The EO directs the Secretary to submit an interim report regarding Bears Ears specifically to the President no more than 45 days from the date of the EO. "Within 45 days of the date of this order, the Secretary shall provide an interim report to the President... The interim report shall include recommendations for such Presidential actions, legislative proposals, or other actions consistent with law as the Secretary may consider appropriate to carry out the policy set forth in section 1 of this order."

In May, Secretary Zinke traveled to Utah and held a four-day listening tour across the state. The Secretary met with state, local, and Tribal stakeholders and to toured the monument by air, car, foot, and horseback. He met with elected officials from Tribal, federal, state and local communities. He also met with representatives from agriculture, conservation, historic preservation and tourism sectors, as well as private citizen.

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Good. Looks like the Salt Lake Tribune is working on this EPI angle

also: <http://www.sltrib.com/home/5377401-155/utah-claims-bears-ears-monument-will>

Sent from my iPhone

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Wow, great backgrounder Marc - thanks!

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- Lobbying: EFI began lobbying Congress in February of 2017 [[FaegreBD Consulting Lobbying Registration](#), 2/1/17]. The company has two Washington lobbyists, Andrew Wheeler and former Congresswoman Mary Bono, at FaegreBD Consulting, the lobbying arm of Faegre Baker Daniels law firm. FaegreBD's work for EFI goes back to at least 2013, when it successfully advised EFI on the issuance of a Radioactive Materials License for a Colorado uranium facility that would be "the first new uranium mill in the United States in over 30 years." [[Faegre Baker Daniels Press Release](#), 4/30/13]

This proposed mill was criticized by a variety of groups for "definite risks" to workers' health. Opponents of the mill cited concerns about "well-documented cancer deaths and environmental destruction the uranium mines produced. They also say that the mill company is cynically exploiting the idea of a return to simpler times." [*The Montrose Daily Press*, 6/20/09] and [[New York Times](#), 1/27/10]

- Political contributions: EFI may have been cultivating its relationships with Utah politicians for a long time. Members of the Utah congressional delegation Orrin Hatch, Rob Bishop, and Mia Love, have all received contributions from FaegreBD PAC, as follows:
 - Orrin Hatch received a \$2000 contribution from FAEGREBD PAC in 2012. [[Open Secrets](#), accessed 5/15/17]
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San Juan County Commissioner Bruce Adams received a contribution from Denison Mines in July 2012. [[San Juan County Campaign Financial Reports, 2012](#)] Denison owned the White Mesa uranium mill until EFI acquired all its assets in April 2012 [[EFI press release](#), 4/16/12]

EFI Owned by Out-of State and Foreign Interests

EFI is headquartered in Toronto and has a Lakewood, Colorado subsidiary. The company is not owned or managed by people in Utah. It is traded on both the Toronto Stock Exchange and the New York Stock exchange. However, Curtis Moore, the EFI's VP of Marketing, has carefully described the company as "U.S.-based" [[Investing News](#), 1/27/14] Though based in Canada, EFI highlights its U.S. business on its website and in

public statements. It owns both energyfuels.com and energyfuels.ca (a Canadian domain name), but it only uses energyfuels.com.

Some of its major shareholders from outside Utah are:

- The Korean Electric Power Corporation (KEPCO), which is a South Korean government-owned utility. KEPCO has been a shareholder of EFI since 2013, and a representative of KEPCO served on EFI's board until January 2017, according to SEC filings. KEPCO's stake in EFI has fallen to less than 5%, so it no longer holds an EFI board seat. KEPCO was Energy Fuels' largest customer in 2014 and 2015, buying a total of \$41.64 million of uranium (and maybe vanadium). South Korea bought far less-- and possibly no-- uranium from EFI in 2016, but as explained below, EFI has its eye on demand for uranium in other countries.
- The former owners of Corpus Christi, Texas-based Mesteña, LLC, including the CEO of Mesteña, Benjamin Eshleman III [[EFI press release](#)].
- Robert W. Kirkwood and his affiliated companies and associates of Casper, Wyoming-based Kirkwood Companies [[EFI press release](#)].

Daneros Ore, and White Mesa Mill Yellow Cake, May Be Sold Overseas

Utah can expect that the uranium EFI mines and mills in the state will be used to generate electricity for people overseas. Ironically, about a third of the Navajo Nation has no electricity [[Indian Country Today, 2/11/15](#) and [Cronkite News, 2/11/17](#)].

EFI's sales of uranium to foreign countries and governments include:

- EFI trucks much of its milled yellowcake uranium from the White Mesa Mill to the Cameco Corporation in Canada, which is a major supplier of uranium to China. [[Reuters Market News, 3/13/13](#)] Between September 2012 and April 2013, EFI exported at least 12 shipments of yellowcake uranium ore concentrate totaling 210,597 kg (464,286.91 lbs) to the Cameco Corporation in Ontario. [Nuclear Regulatory Commission, accessed 5/25/17]
- In 2010, Cameco signed a major long-term contract to supply the China Nuclear Energy Industry Corporation, a unit of China National Nuclear Corporation (CNNC), with 23 million pounds of uranium concentrate through 2020." [[Reuters Market News, 3/13/13](#)]
- The South Korean government's energy utility, KEPCO, was EFI's largest uranium customer in 2014 and 2015, buying a total of \$41.64 million in uranium [EFI SEC filings].
- In November 2016, a vice president at EFI said the company was "executing our business plan right now" by "delivering into our contracts that we have with global nuclear utilities." [[Stock News Now on YouTube, 11/18/16](#)] (04:20)

White Mesa Processes Radioactive Waste from US and Abroad

In addition to processing ore, the White Mesa Mill extracts uranium from radioactive waste and mining waste that it receives from foreign and domestic sources. This waste, pleasingly called "alternate feed materials," "can originate worldwide," according to EFI's SEC filings. It includes "materials, other than conventional ores, that

contain recoverable quantities of natural uranium” [[Energy Fuels Q1-2017 Results, 5/5/17](#)]. And EFI “is actively pursuing additional ... alternate feed materials for processing at the Mill,” according to its filings.

Alternate feed materials constitute a significant portion of White Mesa’s operation and include radioactive waste from Superfund sites and military test sites. Some details:

- The White Mesa Mill has “16 license amendments authorizing it to process 19 different alternative feed materials.” Five of the amendments authorize the mill to receive “uranium-bearing soils from former defense sites.” [[2016 Energy Fuels 10-K, 12/31/16](#)]
- The White Mesa Mill has license amendments that allow it to process waste from several Superfund sites, including the Midnite Mine in Washington State and “contaminated soil from a Superfund site in Maywood, NJ.” [*Salt Lake Tribune*, 2/1/14] and *The Daily Herald*, 3/20/04]
- At the end of 2016, the White Mesa Mill was processing “2000 short tons” of alternate feed per day. [Impact News Service, 5/29/17]
- In 2015 and 2016, 47 percent of uranium processed at the White Mesa Mill originated from alternate feed materials. [[2016 Energy Fuels 10-K, 12/31/16](#)]
- The Vice President of Marketing at Energy Fuels said the company was “seeking additional sources of revenues” through “our alternate feed business at our mill, which is basically reprocessing uranium-bearing waste.” [[Stock News Now on YouTube, 11/18/16](#)] (04:45)

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Downey Magallanes <downey_magallanes@ios.doi.gov>

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Subject: Re: Some additional information

DOI-2018-00 02680

We are not asking congress to redraw boundaries

We are saying the boundary should be modified using the President's authority under the Act

Congress should seek to protect areas separately

Sent from my iPhone

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