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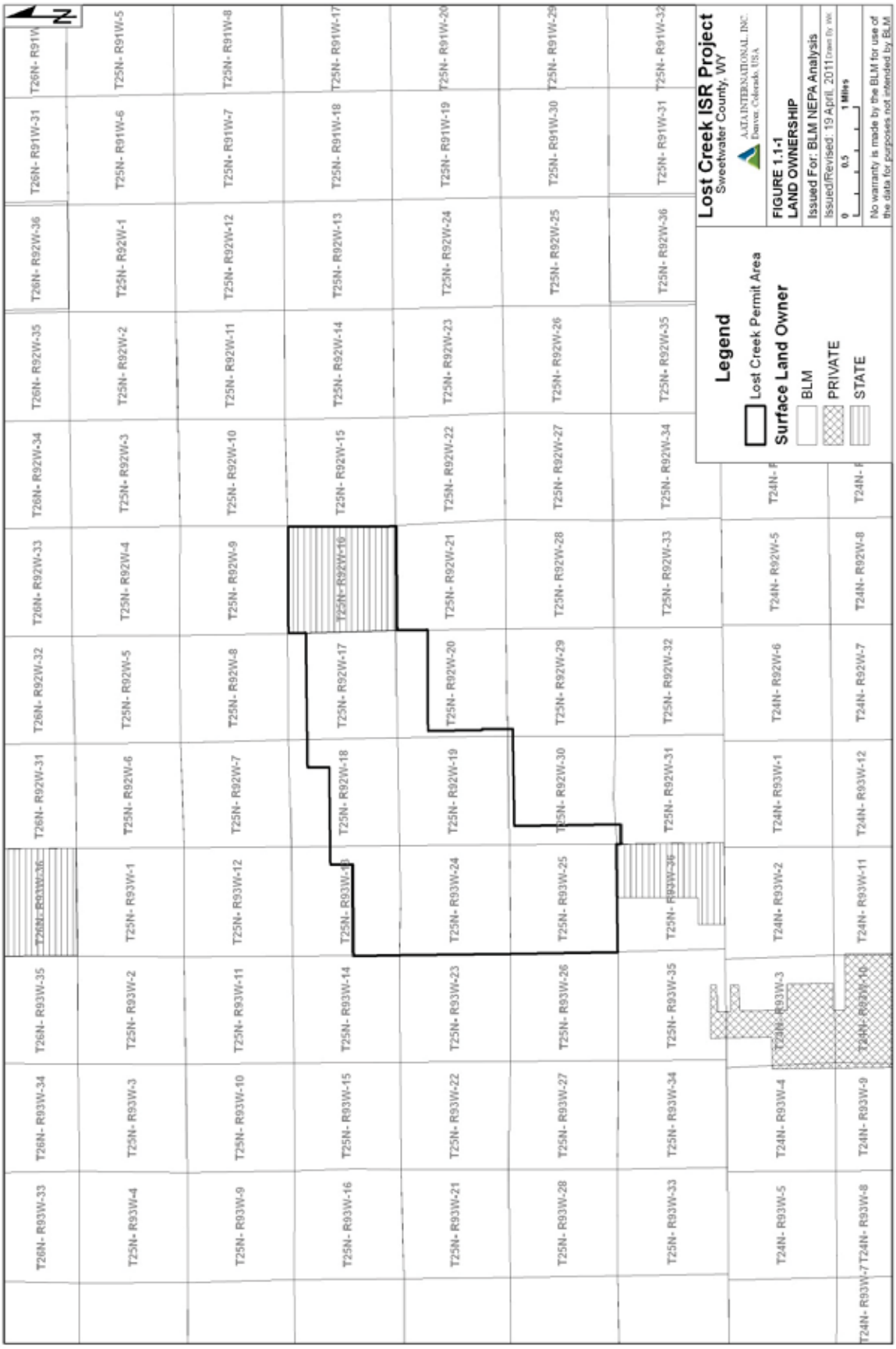
1.0 INTRODUCTION

1.1 Identifying Information

Lost Creek ISR, LLC (LCI) is proposing the construction, commercial operation, and reclamation of facilities for In Situ Recovery (ISR) operations within the Lost Creek Permit Area (Permit Area) of the Lost Creek In Situ Uranium Project (Project). ISR involves the use of a recovery solution, known as a lixiviant, to extract the mineral from the geologic formation, and the mineral is removed from the solution using ion exchange resins at the processing facility (the Plant). ISR occurs without physically removing the ore-bearing strata. Under the Proposed Action, about six million pounds of uranium would be produced from the Permit Area. The Proposed Action would extend over a 12-year period, including about seven months for initial construction, seven years for production, and the remaining time for final reclamation. With appropriate regulatory approval, the Plant could also be used to process ion exchange resins from other ISR mines in the region after completion of mineral recovery in the Permit Area.

Eighty-five percent of the Permit Area is federal land (**Figure 1.1-1**) managed by the Bureau of Land Management (BLM) Rawlins and Lander Field Offices. Exploration and development of locatable federal minerals, including uranium, by private industry is part of the BLM's minerals program under the authority of 43 Code of Federal Regulations (CFR) Part 3800 (Mining Claims Under the General Mining Laws), the Mining and Minerals Policy Act of 1970, the Federal Land Policy and Management Act of 1976 (FLPMA), and the National Materials and Minerals Policy, Research, and Development Act of 1980. The Permit Area includes 201 unpatented federal lode claims. Fifteen percent of the Permit Area is owned by the State of Wyoming (**Figure 1.1-1**) and subject to state mineral lease.

The Permit Area covers about 4,254 acres for adequate spacing of facilities and to encompass the ore trend. Under the Proposed Action, projected surface disturbance is about 345 acres, and the majority of the Project's activities would be on federal land. Proposed facilities include: mine units; improved and newly constructed roads; the Plant, office, and associated structures; pipelines and transmission line; and equipment for air and water quality monitoring. Pursuant to 43 CFR Subpart 3809, which applies to operations authorized by mining laws on public lands, LCI submitted a Plan of Operations to the BLM in November 2009. The Plan of Operations essentially constitutes the Proposed Action in this Environmental Impact Statement (EIS). The most current information on the Project is included in the Wyoming Department of Environmental Quality, Land Quality Division (WDEQ-LQD) Permit to Mine (LCI, 2011b). Although the Permit to Mine evaluates environmental impacts of the Proposed Action, the requirements of the National Environmental Policy Act of 1969 (NEPA) must be fulfilled by a federal agency. The BLM is the lead agency for this EIS.


Lost Creek ISR Project
Sweetwater County, WY
AREVA INTERNATIONAL INC.
Denver, Colorado, USA
FIGURE 1.1-1
LAND OWNERSHIP
Issued For: BLM NEPA Analysis
Issued/Revised: 19 April, 2011
0 0.5 1 Miles
No warranty is made by the BLM for use of the data for purposes not intended by BLM
Legend
Lost Creek Permit Area
Surface Land Owner
BLM
PRIVATE
STATE
N
T26N- R91W
T26N- R91W-31
T26N- R92W-36
T26N- R92W-35
T26N- R92W-34
T26N- R92W-33
T26N- R92W-32
T26N- R92W-31
T26N- R93W-35
T26N- R93W-34
T26N- R93W-33
T25N- R91W-5
T25N- R91W-6
T25N- R92W-1
T25N- R92W-2
T25N- R92W-3
T25N- R92W-4
T25N- R92W-5
T25N- R92W-6
T25N- R93W-1
T25N- R93W-2
T25N- R93W-3
T25N- R93W-4
T25N- R91W-8
T25N- R91W-7
T25N- R92W-12
T25N- R92W-11
T25N- R92W-10
T25N- R92W-9
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T25N- R92W-22
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T25N- R92W-20
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T25N- R93W-36
T25N- R93W-35
T25N- R93W-34
T25N- R93W-33
T24N- R92W-5
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T24N- R93W-4
T24N- R92W-8
T24N- R92W-7
T24N- R93W-12
T24N- R93W-11
T24N- R93W-10
T24N- R93W-9
T24N- R93W-7
T24N- R93W-8

This EIS is being prepared in compliance with NEPA, as amended (42 United States Code [USC] 4321 et seq.), and its implementing regulations found in 40 CFR Parts 1500 to 1508. This EIS assesses the environmental impacts of the Proposed Action, two alternatives (Not Fencing the Pattern Areas and Drying Yellowcake On-Site) and the No Action Alternative, and guides the decision making process. Other alternatives considered and eliminated from detailed analysis include: the use of portable drill pits; alternative mining methods, including open pit and underground mining; alternative waste water disposal methods; phased development of mine units; alternative lixiviants; shipping uranium-laden resin; alternate Plant locations, and alternate routes for the East and West Access Roads. These alternatives were eliminated from detailed study because they either did not meet the purpose and need of the Proposed Action or would cause greater environmental impacts than the Proposed Action.

A Supplemental EIS (SEIS) was prepared by the Nuclear Regulatory Commission (NRC) for the Lost Creek Project (NRC, 2011a), and a Material License was issued to LCI for the Project on August 17, 2011. The NRC prepared the SEIS in response to LCI's application to develop and operate the Lost Creek ISR Project. The NRC prepared the SEIS as required by Title 10, Energy, of the US Code of Federal Regulations (10 CFR), Part 51. The SEIS, prepared as a supplement to the Generic EIS (GEIS) for In-Situ Leach Uranium Milling Facilities (NRC and WDEQ, 2009), evaluated the Proposed Action and one alternative (Drying Yellowcake On-Site) and the No Action Alternative. Other alternatives considered and eliminated from detailed analysis in the SEIS included conventional mining and milling, conventional mining and heap leach processing, and alternative lixiviants. These alternatives were eliminated from detailed study because they either would not meet the purpose and need of the proposed Project or would cause greater environmental impacts than the Proposed Action. The SEIS also discussed alternative waste water disposal options (NRC, 2011a).

1.2 Site Location

The Permit Area is located in the northeast portion of Sweetwater County, south-central Wyoming. **Figure 1.2-1** shows the regional location of the Permit Area and the general geographic features of the region.

The Permit Area is within Township 25 North and Ranges 92 and 93 West of the Sixth Principal Meridian; and approximately centered at 42 degrees, eight minutes North latitude and 107 degrees, 51 minutes West longitude. It includes portions or the entirety of Sections 13 and 23 to 26 of Township 25 North, Range 93 West, and Sections 16 to 21 and 29 to 31 of Township 25 North, Range 92 West. Rawlins is 38 miles southeast; Rock Springs is 80 miles southwest; Casper is 90 miles northeast; and Jeffrey City is 25 miles north. The nearest population center, located 15 miles northeast of the Permit Area, is Bairoil, with a population of about 100 people.

A series of paved and unpaved county and BLM roads provide access to the Permit Area, which is located about 30 miles from the closest highway (US Highway 287/State Highway 789). There are no publicly maintained roads within the Permit Area. The road network in the Permit Area is comprised of unmaintained two-track roads, passable year-round by four-wheel-drive vehicles. The East and West Access Roads, which are existing two-track roads that would be upgraded by LCI for the Project, are shown on **Figure 1.2-2**. The proposed locations of the mine units, roads, Plant, pipelines, transmission line, and associated facilities within the Permit Area are shown on **Figure 1.2-3**.

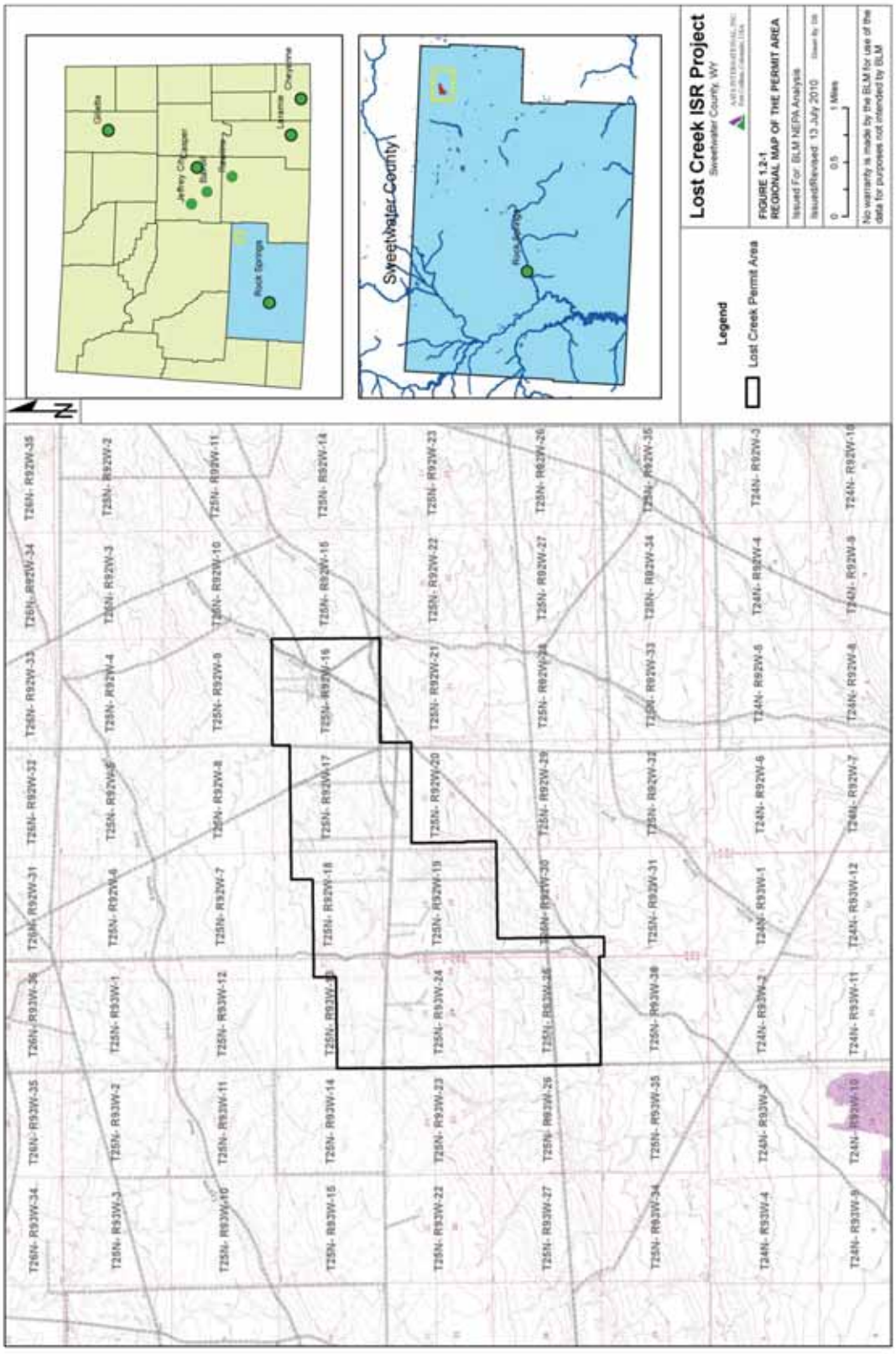
The Permit Area is geographically located in the north central portion of the Great Divide Basin. The regional rolling landscape has draws, rock outcroppings, ridges, and bluffs. The Permit Area is characterized by low relief (without notable geographic features), sagebrush-dominated plains, dissected by small, ephemeral drainage networks. The drainages are entirely ephemeral; there is no perennial surface water present. No drainage diversion is planned under the Proposed Action. The site elevation ranges from approximately 6,790 to 7,050 feet above mean sea level. No geologic outcrops are present within the Permit Area. The site is composed entirely of Big Sagebrush Shrublands; there are no forested portions of the Permit Area. There are grazing allotments in the Permit Area. However, no farms, residences, or population centers are present.

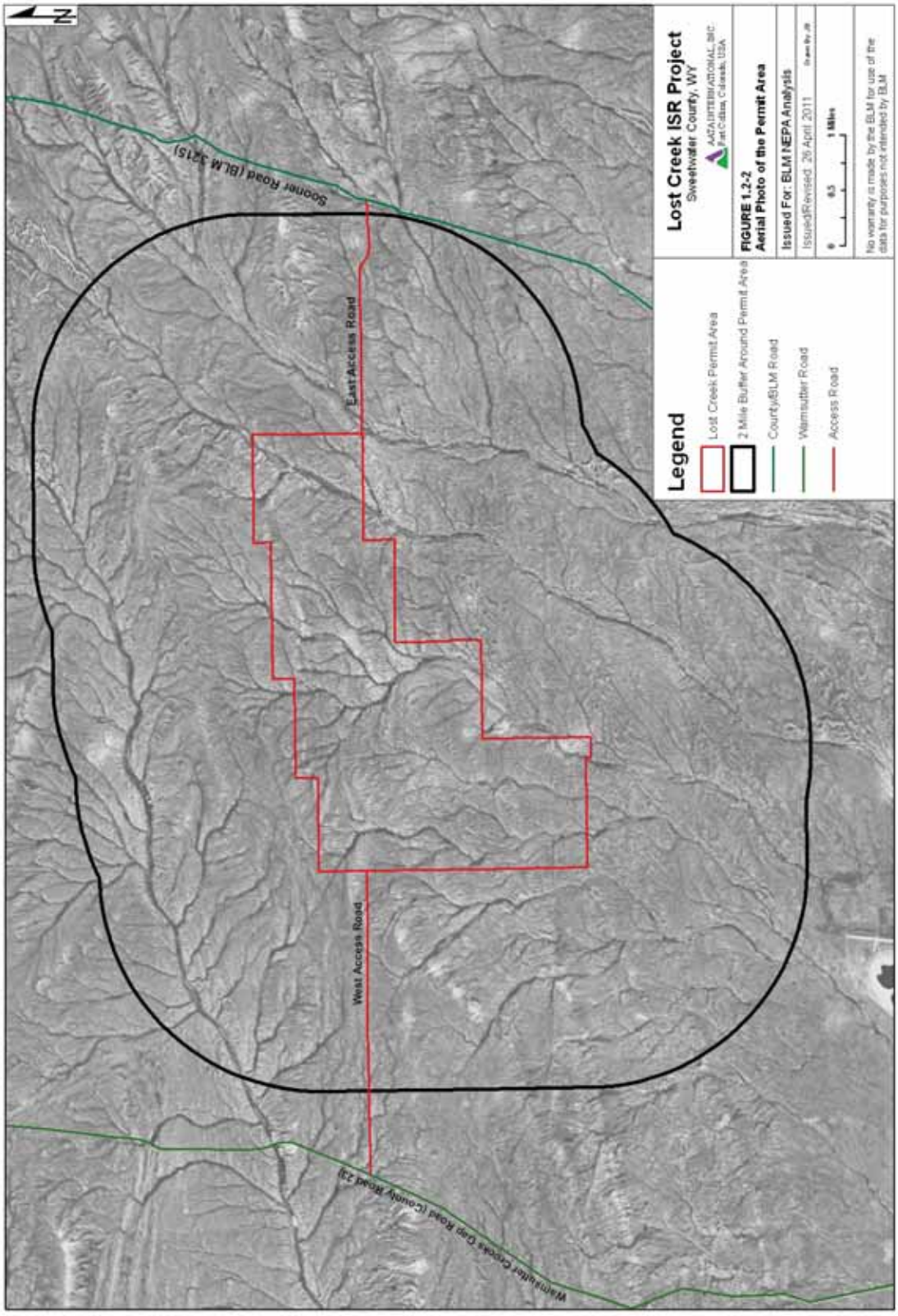
1.3 Purpose and Need

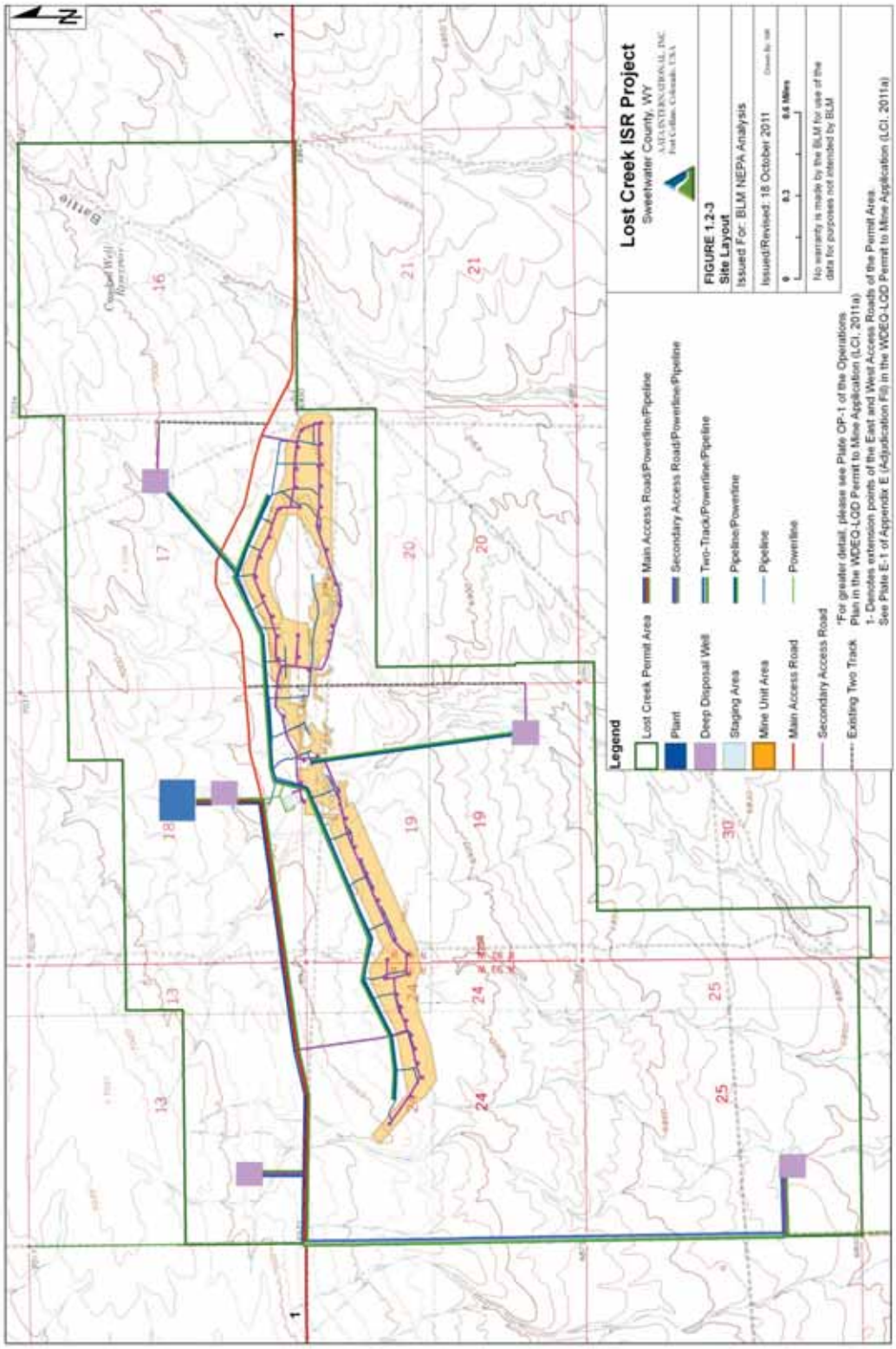
1.3.1 Bureau of Land Management

Expanding nuclear power is a key component of the Energy Policy Act (EPACT 2005) signed into law on August 8, 2005. The policy calls for federal agencies "to develop a national energy policy designed to help the private sector, and, as necessary and appropriate, State and local governments, promote dependable, affordable, and environmentally sound production and distribution of energy for the future." In addition to providing this direction, the EPACT 2005 provides significant incentives for the continuation and expansion of nuclear power in the United States (US Congress, 2005).

Exploration and development of locatable federal minerals by private industry is part of the BLM's minerals program under the authority of 43 CFR 3800, Mining Claims Under the General Mining Laws, the Mining and Minerals Policy Act of 1970, the Federal Land Policy and Management Act of 1976 (FLPMA), and the National Materials and Minerals Policy, Research, and Development Act of 1980.


Lost Creek ISR Project
Sweetwater County, WY
FIGURE 1.2-1
REGIONAL MAP OF THE PERMIT AREA
Issued For: BLM NEPA Analysis
Issued/Revised: 13 July 2010
0
0.5
1 Miles
No warranty is made by the BLM for use of the data for purposes not intended by BLM
Legend
Lost Creek Permit Area
Sweetwater County
Rock Springs
Cheyenne
Laramie
Gillette
Jeffrey City
Lander
N


N
Lost Creek ISR Project
Sweetwater County, WY
FIGURE 1.2-2
Aerial Photo of the Permit Area
Issued For: BLM NEPA Analysis
Issued/Revised: 26 April 2011
Legend
Lost Creek Permit Area
2 Mile Buffer Around Permit Area
County/BLM Road
Warmsutter Road
Access Road
East Access Road
West Access Road
Boonier Road (BLM 3215)
Warmsutter Creek Gap Road (County Road 23)


Lost Creek ISR Project
Sweetwater County, WY
FIGURE 1.2-3
Site Layout
Issued For: BLM NEPA Analysis
Issued/Revised: 18 October 2011
Legend
Lost Creek Permit Area
Plant
Deep Disposal Well
Staging Area
Mine Unit Area
Main Access Road
Secondary Access Road
Existing Two Track
Main Access Road/Powerline/Pipeline
Secondary Access Road/Powerline/Pipeline
Two-Track/Powerline/Pipeline
Pipeline/Powerline
Pipeline
Powerline
*For greater detail, please see Plate OP-1 of the Operations Plan in the WDEQ-LQD Permit to Mine Application (LCI, 2011a).
1- Denotes extension points of the East and West Access Roads of the Permit Area.
See Plate E-1 of Appendix E (Adjudication Fill) in the WDEQ-LQD Permit to Mine Application (LCI, 2011a)
No warranty is made by the BLM for use of the data for purposes not intended by BLM

Per the provisions of FLPMA, public lands are to be managed in accordance with the balance of several considerations including "in a manner that will protect the quality of scientific, scenic, historical, ecological, environmental, air and atmospheric, water resource, and archeological values" and "in a manner which recognizes the Nation's need for domestic sources of minerals"…"from the public lands including implementation of the Mining and Minerals Policy Act of 1970 (84 Stat. 1876, 30 USC 21a) as it pertains to the public lands" (FLPMA, Sec. 102((8) and (12)). The purpose of the Surface Management regulations in 43 CFR 3809 *et seq.*, the implementing regulations for FLPMA with respect to mining, is to prevent "unnecessary or undue degradation of public lands by operations authorized by the mining laws" (43 CFR 3809.1(a)).

Taking into account the BLM's multiple use mandate, the purpose and need for this EIS is to analyze the site-specific impacts associated with the Proposed Action and its alternatives, identify mitigation measures to potentially reduce or eliminate those impacts, and provide agency decision makers with detailed information upon which to base their decision.

1.3.2 Lost Creek ISR, LLC Interests and Objectives

The Proposed Action would allow LCI to mine a valuable uranium deposit under the authority of the US mining laws, while ensuring that operations are conducted in a manner that prevents unnecessary or undue degradation of public lands in conformance with BLM requirements. The Project would also support energy-independence and environment-awareness policies.

1.3.3 Decisions to be made

The authorized official with the BLM will decide whether or not to approve the proposed development of federal minerals (uranium) within the project referred to as the Lost Creek In-situ Uranium Project, and if so, the approval will contain changes or conditions that are necessary to meet the performance standards of 43 CFR 3809.420 and to prevent unnecessary or undue degradation per 43 CFR 3809.411(d).

1.4 Applicable Statutes, Regulations, and Associated Requirements

ISR projects, such as the Lost Creek Project, must conform to several statutory and regulatory programs and their associated requirements to address environmental and operational concerns.

1.4.1 NEPA Compliance

The Proposed Action is consistent with federal guidelines for implementing NEPA, the Council on Environmental Quality (CEQ) Regulations for Implementing the Procedural Provisions of NEPA outlined in 40 CFR Parts 1500 to 1508, Department of Interior Regulations 43 CFR Part 46, and Department of the Interior and BLM policies and manuals (BLM NEPA Handbook H-1790-1 [BLM, 2008b]). Included in these regulations is a requirement to analyze connected actions (40 CFR 1508.25(a)(1)). The Project requires access across public lands; therefore, all other components of the Project are considered connected actions to the Proposed Action.

The proposed Plant is designed to accommodate truckloads of loaded resins from future satellite facilities operated by LCI or its affiliates and/or from third-party facilities. Satellite facilities are designed for small orebodies that are amenable to ISR mining but due to the small size would not support a full processing facility. At the satellite facilities, uranium lixiviant would be passed through ion exchange columns where the uranium would then be adsorbed onto resin and the loaded resin would be trucked to the central plant for stripping. At this time, other satellite facilities are in exploration stage, with potential for three additional mine sites to be developed in the next 20 years. Because these potential mines do not have mining plans developed, additional uranium mining is being considered in the cumulative impacts. The types of activities at these other mines would be similar to those proposed at the Lost Creek ISR facility, and would be analyzed in separate NEPA analyses tiered to this document.

1.4.2 Land Use Plan Conformance

The BLM's land use plans establish goals and objectives for management of BLM-administered lands. For the Proposed Action, the relevant land use plan is the BLM's *Record of Decision and Approved Rawlins Resource Management Plan* (Rawlins RMP). The Proposed Action is in conformance with the Minerals Goal and Objective in Section 2.3.7 of the Rawlins RMP (BLM, 2008c).

> **Management Goal:** "Manage mineral resources from available BLM-administered public lands and federal minerals while minimizing the impacts to the environment, public health and safety, and other resource values and uses."
>
> **Management Objective:** "Provide for exploration and development of locatable minerals, except in withdrawn areas."

The Proposed Action is also in conformance with the provisions of the Lander RMP for the Green Mountain Management Unit (BLM, 1987), which is being updated. As noted in Section 3.3.1.3.2 of the *Mineral Occurrence and Development Report* (BLM, 2009a) for the update, the Lost Creek Project is in the

Crooks Gap Uranium District, which overlaps the Lander and Rawlins Field Office areas, and is being administered by the Rawlins Field Office. In addition, the Proposed Action is in conformance with other relevant BLM plans, including:

- Invasive Plant Management (BLM, 2011c); and
- Grazing Plan for the Arapahoe Creek Allotment, formerly part of the Green Mountain Common Allotment (BLM, 2011d).

The Proposed Action is in conformance with the Wyoming Standards for Healthy Rangelands (BLM, 20llj).

1.4.3 Conformance with Other Federal, State, and County Requirements

While addressing the requirements of the BLM mining regulations, the BLM's NEPA review of the Project is not meant to duplicate the NRC NEPA review performed as part of its licensing process, which evaluated potential impacts associated with construction, operation, aquifer restoration, and decommissioning of the Project. Rather, the NRC SEIS will be incorporated by reference in this EIS. Incorporation by reference provides the opportunity to reduce paperwork and redundant analysis in the NEPA process and allows the BLM to briefly summarize the relevant portions of the NRC SEIS rather than repeat them. This EIS focuses on the issues and mitigation measures not analyzed in sufficient detail in the NRC SEIS to support the BLM's NEPA requirements and regulatory authorities. Specifically this EIS includes a more thorough evaluation of land use, recreation, transportation, wildlife, wild horses, water resources, air quality, historical and cultural resources, visual resources and socioeconomics where the NRC SEIS primarily focused on public health, safety, and radiation.

There is also a Memorandum of Understanding (MOU) between the BLM and the State of Wyoming recognizing the authorities and responsibilities of both agencies when permitting mining operations on BLM-administered lands. The intent of the MOU is to avoid unnecessary permitting duplication while providing protection for human health and the environment; thus, the WDEQ-LQD Permit to Mine Application is also incorporated by reference. In accordance with the MOU, LCI submitted a copy of the WDEQ-LQD Permit to Mine Application to the BLM in May 2008, when WDEQ-LQD deemed the application complete. Throughout the life of the Project, the BLM has the opportunity to provide comments to NRC and WDEQ-LQD on licensing and permitting actions. For example, following completion of the Record of Decision for this EIS, BLM can request a license amendment or permit revision to incorporate new design features and/or mitigation measures that may be developed during this EIS. The WDEQ-LQD Permit also requires BLM consent as the surface federal land management agency (Form 8, Adjudication File, WDEQ-LQD Permit to Mine, LCI, 2011b). In addition, the Record of Decision is also enforceable in terms of compliance with or execution of the mitigation measures listed in it (BLM, 2011g).

Table 1.4-1 provides an overview of the federal, state, county, and local laws applicable to uranium development and the key regulatory requirements that would govern project implementation.

The Proposed Action is in conformance with the State of Wyoming Land Use Plan (Wyoming State Land Use Commission, 1979).

Table 1.4-1 List of Regulatory Requirements (Page 1 of 3)

PERMIT OR LICENSE	STATUS	COMMENTS
Federal		
NRC, Source and Byproduct Material License	License issued August 2011.	License No. SUA-1598, Docket No. 40-9068.
	Uniform Resource Locator (URL): http://adamswebsearch2.nrc.gov/webSearch2/main.jsp?AccessionNumber='ML111940049'	
NRC, Safety Evaluation Report (SER)	Final SER issued August 2011.	License No. SUA-1598, Docket No. 40-9068.
	URL: http://adamswebsearch2.nrc.gov/webSearch2/main.jsp?AccessionNumber='ML112231724'	
NRC, NEPA Review	Final SEIS issued June 2011.	NUREG-1910, Supplement 3.
	URL: http://www.nrc.gov/reading-rm/doc-collections/nuregs/staff/sr1910/s3/	
EPA, Underground Injection Control (UIC) Class I & Class III Wells	--	See WDEQ permits as WDEQ-Water Quality Division (WQD) has primacy for Class I wells and WDEQ-LQD has primacy for Class III wells.
EPA, Aquifer Reclassification	Approved August 2011.	The aquifer exemption covers each mine unit plus 120 feet beyond the monitoring well ring for each mine unit.
EPA, Construction Application for the Storage Ponds	Approved December 2011.	For compliance with 40 CFR 61.252 (b)(1) & 40 CFR 192.32(a) as required by 40 CFR 61.252 (c).
	URL: http://www.epa.gov/region8/air/LostCreekNESHAP_ApprovalDec2011.pdf	
BLM, Plan of Operations	Submitted November 2009.	Basis for this EIS.

Table 1.4-1 List of Regulatory Requirements (Page 2 of 3)

PERMIT OR LICENSE	STATUS	COMMENTS
State		
WDEQ-LQD, Permit to Mine	Issued October 2011.	Permit No. 788. As WDEQ-LQD has primacy for UIC Class III wells, the Permit to Mine is also the UIC Permit.
	Posted to the BLM Rawlins Field Office Lost Creek In-Situ Uranium Project website, URL: http://www.blm.gov/wy/st/en/info/NEPA/documents/rfo/lostcreek.html	
WDEQ - Air Quality Division (AQD), Air Quality Permit	Issued January 2010.	Permit No. CT-7896.
	URL: http://pbadupws.nrc.gov/docs/ML1034/ML103480375.pdf	
WDEQ-WQD, UIC Class I Wells	Issued May 2010.	Permit No. 09-586.
	URL: http://deq.state.wy.us/wqd/events/public%20notices/UIC/FinalPermit_UREnergy_ClassI_09-586_LostCreekISR%20(2).pdf	
WDEQ-WQD, General Permit to Discharge Storm Water Associated with Large Construction Activity Under the Wyoming Pollutant Discharge Elimination System (WYPDES) Program	Approved per Permit Authorization Number WYR103695.	Storm Water Pollution Prevention Plan (SWPPP) required per General Permits.
WDEQ-WQD, General Authorization to Discharge Storm Water Associated with Mineral Mining Activities Under WYPDES	Application would be submitted once WDEQ-LQD Permit to Mine approved.	
Wyoming State Engineer's Office (WSEO), Permit to Appropriate Groundwater	Submitted for wells completed to date; will be submitted for future wells.	--

Table 1.4-1 List of Regulatory Requirements (Page 3 of 3)

PERMIT OR LICENSE	STATUS	COMMENTS
State (cont'd)		
WSEO, Permit for Storage Ponds	Approved May 2010.	Permit No. 13595R.
Wyoming Game and Fish Department (WGFD), Wildlife Monitoring and Protection Plan	Approved.	Approval required as part of WDEQ-LQD Permit to Mine.
County		
Sweetwater County Planning Commission, County Development Plan	Approved December 2009	--
Sweetwater County Planning Commission, Septic System	Submitted June 29, 2009.	--
Sweetwater County Public Works Director, Road Use and Maintenance Agreement	If not already done prior to BLM approval of proposed action, LCI would prepare and submit.	--
Sweetwater County Department of Engineering, County Road Crossing and Access Permits or Licenses		

1.5 Scoping and Public Involvement and Issues

In February 2010, the BLM provided a news release about the Lost Creek Plan of Operations, which was received in November 2009, and projected environmental review. A copy of the news release is posted on the BLM Rawlins Field Office web page for the Lost Creek Project NEPA-related documents (http://www.blm.gov/wy/st/en/info/NEPA/documents/rfo/lostcreek.html). The public scoping period for NEPA commenced when the Notice of Intent (NOI) to prepare an Environmental Impact Statement (EIS) was published in the Federal Register on February 11, 2011 (76 FR 7877). Notification of the scoping process was also published in local newspapers and was included in the BLM's weekly report to the Washington, DC office as well as the BLM's quarterly congressional briefing. The US Fish and Wildlife Service (USFWS), Environmental Protection Agency (EPA), State of Wyoming, state and local government representatives, Native American tribes, local media, and interested organizations and individuals also received a public scoping notification via email or mail. A public scoping meeting was held at the BLM Rawlins Field Office on March 7, 2011. Media interviews were conducted with The Radio Network, which operates a syndicated string of radio stations in southwest Wyoming. During the public scoping period, ten comment submittals (e.g., letter, comment form) were received and contain 57 comments. These comments were evaluated to identify key issues and concerns and to develop alternatives.

Organizations and agencies were mailed letters of invitation to become cooperating agencies in the Project's EIS development process. These organizations included: USFWS; Arapahoe Tribe; Shoshone Tribe; Ute Tribe; State of Wyoming and its agencies; Carbon County Commissioners; Fremont County Commissioners; Sweetwater County Commissioners; and members of the Coalition of Local Governments. The EPA requested to become a cooperating agency in the NEPA process.

The following agencies with jurisdiction, special expertise, or interest in the EIS development process agreed to participate as cooperating agencies: EPA; State of Wyoming and its agencies; Carbon County Commissioners; and Sweetwater County Commissioners.

Since the Project has completed the permitting processes for the Nuclear Regulatory Commission (NRC), WDEQ, and Sweetwater County, public meetings for the Project had been held prior to the BLM's public scoping meeting. For NRC to meet its NEPA requirements, NRC prepared a GEIS for uranium ISR and an SEIS for the Project, both of which included public scoping and comment periods (NRC, 2009 and 2011a). For the GEIS, the NRC staff held three public scoping meetings from July 24, 2007, to November 30, 2007, and accepted public comments on the scope of the GEIS published as a final report in May 2009. Additionally, NRC held eight public meetings to receive comments on the draft GEIS, published in July 2008. Three of these meetings were held in

the State of Wyoming. Comments on the draft GEIS were accepted between July 28, 2008, and November 8, 2008 (NRC, 2011a).

As part of the preparation for the SEIS, the NRC staff met with Federal, State, and local agencies and authorities during a site visit to the proposed Lost Creek ISR Project site and vicinity in January 2009. The NRC gathered additional site-specific information to assist with the environmental review and to determine whether site-specific information was consistent with the GEIS. The NRC staff also contacted potentially interested Native American tribes and local authorities, and public interest groups in person and via e-mail and telephone (NRC, 2011a).

A Notice of Opportunity for Hearing on the proposed Lost Creek ISR Project license application in the Federal Register (FR) (73 FR 39728) was published by the NRC on July 10, 2008. No hearing requests were received. NRC staff published a Notice of Intent to prepare the SEIS on September 3, 2009 (74 FR 45656) (NRC, 2011a).

On December 11, 2009, NRC published a Notice of Availability (NOA) for the Draft SEIS for the proposed Lost Creek ISR Project in the Federal Register (74 FR 65806). On February 5, 2010, NRC extended the public comment period to March 3, 2010 (75 FR 6065), in response to requests for extension submitted in comment letters and e-mails. The 81-day period for public comments (i.e., from December 11, 2009, to March 3, 2010) exceeds the minimum 45-day comment period required under NRC regulations. Members of the public were invited to submit comments electronically, by mail, or by facsimile (NRC, 2011a).

The NRC staff identified 631 comments from the 23 documents commenting on the Lost Creek Draft SEIS. In addition to the opportunities provided through the NEPA process, NRC provided multiple opportunities for public involvement during the NRC staff's safety review. Specifically, the NRC staff held six meetings or teleconferences with the applicant from 2006 through 2010. Each of these activities included an opportunity for public comment (NRC, 2011a).

The WDEQ permitting processes also require public notice and comment (AQD, Wyoming Air Quality Standards and Regulations, Ch. 6, Sec. 2(m); LQD, NonCoal Rules and Regulations, Ch. 11, Sec. 21; WQD, Water Quality Rules and Regulations, Ch. 13, Sec. 19), and these requirements have been met. Public meetings have also been conducted in Sweetwater and Carbon Counties to meet planning requirements or for public information (LCI, 2009).

1.6 Issues and Concerns

Issues and concerns were identified through consultation and coordination with federal, state, and local agencies, and interested groups and individuals. The BLM Rawlins Field Office resource specialists also reviewed the Proposed Action and identified issues and concerns related to certain aspects of the human

environment and other resources. Based on this coordination, the BLM determined that the following issues are key areas for assessment in the EIS:

Rangeland (Land Use) – Confirm that all grazing permittees directly or indirectly affected by the Project are aware of the issues, decisions and resulting actions regarding the Project and that the Project is in conformance with existing Grazing Plans. Ensure that impacts to vegetation (including introduction of noxious and invasive species) and to soils are identified and appropriate procedures for minimization and mitigation of impacts are in place along with procedures for reclamation and monitoring of reclamation success.

Recreation – Ensure the Proposed Action does not require changes to existing recreation and off-highway-vehicle management to protect public land safety.

Transportation – Evaluate the Project influence on access to and transportation across the BLM lands and coordination with local entities for road maintenance.

Wildlife – Confirm that the potential impacts to wildlife, including threatened, endangered, candidate, and sensitive species, and to wildlife habitat have been evaluated and the monitoring and mitigation measures in the Proposed Action conform to current policies and procedures.

Wild Horses -- Evaluate the Project influence on wild horses and ensure that monitoring and mitigation measures in the Proposed Action conform to current policies and procedures.

Water Resources – Determine if the Proposed Action has identified potential impacts to water resources and that provisions are in place for monitoring to detect any impacts and mitigation of unanticipated adverse impacts.

Air Quality – Evaluate the measures that will be taken during the Proposed Action to minimize dust generation and other potential adverse impacts to air quality.

Historical and Cultural Resources – Ensure that the resources in the Permit Area have been identified in accordance with procedures established by the BLM and the Wyoming State Historical Preservation Office (SHPO) and that the Proposed Action includes protections for the resources identified in the Permit Area.

Visual Resources – Ensure that the impacts identified in the Proposed Action conform to the visual resource management classes.

Socioeconomics – Ensure that the potentially affected counties and cities have the necessary infrastructure to support the development associated with the Project.