EPA’S
Clean Air Act Requirements:
Uranium Mill Tailings
Radon Emissions Rulemaking

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Presentation to Navajo
Uranium Contamination
Workshop
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Overview

- EPA regulatory requirements for operating uranium mill tailings (Subpart W)
- Status update on Subpart W activities
- Outreach/Communications
40 CFR 61 Subpart W requirements apply to facilities licensed to manage uranium byproduct materials during and following the processing of uranium ores.

Limit on number/size of impoundments:
- Phased Disposal — lined impoundments no more than 40 acres, no more than two in operation at any time.
- Continuous Disposal — tailings are dewatered and immediately disposed, no more than 10 acres uncovered at any time.
Subpart W Requirements (continued)

- Radon emission standard of 20 pCi/m²/sec -- annual reporting requirements, notification in advance of testing
- The radon emission standard is for existing sources only (existing before 12/15/89)
- See [http://www.epa.gov/radiation/neshaps/subpartw/index.html](http://www.epa.gov/radiation/neshaps/subpartw/index.html) for more information
Uranium Recovery Methods

Conventional methods – Surface mill

Unconventional methods -- In Situ Leaching (ISL)

Unconventional methods -- Heap leaching
Uranium Mill Tailings  In-Situ Leach Impoundments
Uranium Recovery Facility Applications/Restarts/Expansions

- Total applications already received (8/2009) by NRC – 8
- Total new applications expected – 17
- Total restart/expansion applications – 9

- Wyoming – 15
- New Mexico – 4
- Nebraska - 4
- South Dakota – 1
- Arizona – 1
- Nevada – 1 (?)
Status Update on Subpart W Activities
Status of Subpart W Review Activities

- Per Clean Air Act Amendments of 1990, EPA is obligated to review/revise Subpart W

- A workgroup has been established
  - Members from across the Agency
  - Represent ORIA, OGC, ORD, OSWER, OECA, OPEI, OW, Regions 6, 7, 8 and 10
Status of Subpart W Review Activities

• We are conducting historical research on the risk assessment work originally done in support of the 1989 standard
• We have begun a survey of existing technologies
• Office of Enforcement and Compliance Assurance has sent information request letters to numerous uranium recovery facilities
• Answers better inform the workgroup of the universe of facilities, and the types of uranium recovery processes that exist
• We have also requested that ISL facilities provide radon flux data from their evaporation ponds
Communications Plan

- EPA is committed to maintaining an open and transparent rulemaking process

- Objectives:
  - Inform stakeholders of potential changes in EPA’s Subpart W requirements
  - Give stakeholders an opportunity to provide feedback

- Audiences:
  - Tribes
  - States
  - Offices/Regions within EPA
  - Other Federal Agencies: NRC, DOE, BLM, others
  - Mining companies
Communications Plan

• Strategies:
  • Develop clear, compelling messages and materials to explain the potential amendments to Subpart W
  • Educate stakeholders by using communications tools to provide easy-access to information
  • Work with stakeholder representatives and EPA regional staff to identify additional audiences and methods of dissemination
  • Communicate a timely and consistent message to stakeholders (Industry, Public, Tribes, States, other government agencies)
Outreach

- Holding stakeholder meetings to inform and receive input
  - Canon City, CO – June 2009
  - Rapid City, SD – October 2009
  - Gallup, NM – November 2009
  - Blanding, UT – Spring 2010
- Establishing a dedicated web site to act as an information outlet
- National webinar planned for early 2010
- Establishing quarterly conference calls to answer stakeholder questions
Thank you for your attention