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December 28, 2011

Chief, Rules and Directives Branch  
Mail Stop TWB 5B01M  
U.S. Nuclear Regulatory Commission  
Washington, D.C. 20555-0001  
Email sent to: [ross\\_project\\_scoping@nrc.gov](mailto:ross_project_scoping@nrc.gov)

RE: Docket No. 40-9079

To Whom It May Concern:

Thank you for the opportunity to provide scoping comments regarding the NRC's environmental impact statement for Strata Energy's Ross Uranium Project. I am submitting these comments on my own behalf and ask that I be kept on your mailing list and informed of future developments in this procedure.

I have six major concerns about this project and the NRC environmental review process. My first concern is that the NRC plans to use the Generic EIS process for this project. The Ross Project is on the western slope of the Black Hills, a unique geological formation that is also very hydrologically complex. The geology of the area is unpredictable and varies dramatically, even in a single locale. Using the Generic EIS in this type of area is not appropriate, as it cannot take site-specific variables into account.

Second, the proposed project area includes wells that are used for human and livestock consumption. In situ leach (ISL) uranium mines routinely have both above- and below-ground leaks and excursions. Clean-up of groundwater to background conditions is "virtually impossible, according to NRC sources. A license, in other words, is a license to pollute water that people rely upon in a semi-arid region. This must be considered in the discussion of a range of alternatives during the environmental review process.

Third, in situ leach operations use large amounts of water. Again, this is a semi-arid region that relies upon groundwater for its economy and for household use.

My fourth concern is that this is one of a number of ISL operations proposed or operating in the area. The area also features over 5,000 abandoned drill holes and oil and gas operations. These activities make it impossible to guarantee the safe operation of an ISL mine. This uncertainty must be a key part of the EIS process. Also, the cumulative impacts of these factors must be considered carefully.

Fifth, the Black Hills region, and particularly Mato Tipila (Bear's Lodge or Devil's Tower) are sacred and historical sites to the Lakota and other native peoples. They are active ceremonial sites. Any operation that impacts this area must be studied with full consideration of and respect for cultural and historical sites. This includes lighting, truck traffic and noise, dust, and industrial operations.

Sixth and last, the NEPA process should include consideration of the fact that Strata Energy is a wholly-owned subsidiary of Peninsula Minerals, an Australian company. NRC regulations prohibit granting of a license if a foreign corporation owns a company. This raises issues of foreign control of nuclear materials and issues of protection of the public – both during and after mining operations. A realistically adequate bond must be under federal control, given past experience in the uranium industry. A foreign company should not – for obvious reasons -- be allowed to send nuclear materials outside the United States.

These comments represent what I consider to be the most glaring issues that must be resolved before any license was issued. If you have any questions, please let me know.

Sincerely,

A handwritten signature in blue ink, appearing to read "Lili Jones Jarding", with a long horizontal flourish extending to the right.

Lili Jones Jarding, Ph.D.