



MEMORANDUM

Date: October 29, 2010
To: File
From: Jenny Coughlin *JC*
Re: **Public Hearing Regarding Issuance of Class I Permit,
September 23, 2010**

During the September 23, 2010 public hearing regarding the Department's proposed issuance of a Class I Permit to Crow Butte Resources, Inc. (CBR), I mistakenly stated that the proposed injection well would lie approximately 600 feet north and west of [CBR's] current Class I well (page 10, line 4 of transcript). The injection well is proposed to be located 6,000 feet north and west of their current Class I well.

BEFORE THE NEBRASKA DEPARTMENT OF ENVIRONMENTAL QUALITY

Class I je ¹⁷¹⁰)	<u>TRANSCRIPT</u>
AQUIFER HEARING)	
Application of)	VOLUME I of I
CROW BUTTE RESOURCES, INC.)	Pages 1 through 74
)	

Crawford, NE

Convened, pursuant to notice, on September
23, 2010,

BEFORE:

TIMOTHY DOYLE, Hearing Officer.

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PROCEEDINGS:

1 THE HEARING OFFICER: -- with Crawford in an area
2 more precisely described in the application of Crow Butte
3 for the well. My name is Tim Doyle. I'm an attorney
4 employed by the Nebraska Department of Environmental
5 Quality, and I'm appointed by our Director, Mike Linder, to
6 be the hearing officer tonight. The subject of the hearing
7 is whether or not the application of Crow Butte Resources be
8 granted as presently proposed, denied, or, if granted, on
9 what terms and conditions? This is the opportunity for any
10 person present and any party wishing to offer testimony or
11 enter comments into the record of the decision that will be
12 made on the application. You will do so either orally, and
13 if you wish to introduce comments, testimony orally, I ask
14 you to come forward to the podium, that's just to my left.
15 We will record the testimony and then in Lincoln we will
16 transcribe it and the transcription will be public record.

17 If you have graphic or documentary material that
18 you wish to have made part of the record of this hearing, I
19 ask you to come forward so that we'll know that you have
20 such items, and then, we'll receive those if they're in
21 appropriate form. And you can offer both. If you have oral
22 testimony that you've submitted in writing and want to
23 introduce that, too, just so that it is a backup to your
24 oral remarks, let us know and -- but you have to do that

1 during the hearing, okay, because that will be our last
2 opportunity to receive comments on this proposal.

3 If you do offer documentary or graphic material,
4 or some other material that we receive as an exhibit, I want
5 you to understand, please, if you're doing that, when you do
6 that, you're making -- you're giving those to the
7 Department. They'll be public record. They'll be
8 maintained by the Department as part of the record, but
9 they'll be the Department's property after you've
10 surrendered them to us.

11 I also want to point out that we have a copy of
12 our state's Public Meetings Act that is posted. It's on the
13 easel. It appears just on the banister leading up to the
14 stage where the stairway that leads up to the stage. And
15 that's available to anybody that wants to consult the Public
16 Meetings Act during the hearing. But I'd ask, please, that
17 you -- if you do so, if you're going to do that right there
18 by the easel so that the document doesn't get away from us.

19 Persons who offer oral testimony or documents into
20 the record tonight, I will ask to identify themselves by
21 name and address. And I'll leave it to your judgment to say
22 if you think it's important for us to know where you live in
23 relation to the proposed project. Also, I would find it
24 helpful, and I know the Department also would find it
25 helpful if you are representing others besides yourself,

1 some other entity, if you identify who you're representing.
2 People who testify here tonight will not be asked to take an
3 oath. You won't be subject to cross-examination. I will
4 reserve for the Department the right to ask you questions to
5 clarify, but you're not under any compulsion to go into any
6 more detail. It's -- it'll be fine with me and the
7 Department if you want to decline going into additional
8 detail.

9 Before we commence the hearing tonight, I've
10 marked some items that we're going to receive into the
11 record. These are evidentiary items numbered Exhibits 1
12 through 33. And I'll describe them generally as those
13 documents that form the basis for the draft permit that the
14 Department has prepared, revisions, including the
15 application of the Crow Butte Resources, Inc., and revisions
16 that were submitted by Crow Butte Resources, Inc., and
17 inquiries and responses directed by the Department to Crow
18 Butte, Inc. Also included in the record, as Exhibits 26
19 through 30, are copies of public notices that were published
20 in local newspapers and the Lincoln newspaper notifying the
21 public of this hearing tonight. We -- if the Department has
22 committed to providing a written response to comments that
23 we receive here tonight, that would be done, of course, at a
24 later time, if -- and we'll be doing that in Lincoln and I
25 can't say exactly how long it will take to get that out,

1 because it depends on the nature and the number of comments
2 that we receive, but if you -- any of you people present
3 tonight want to receive a copy of those comments from the
4 Department, we need to have some way to contact you. And
5 I'll ask Ms. Coughlin with the Department to stand right now
6 and -- Jen, would you stand up so that people here could see
7 you? She has some pink sheets that we put on pink paper so
8 they'd be real obvious. Those are sheets that we've
9 provided so people can give us their names and address,
10 contact information so we can get the response to comments
11 to you. And please do that before the hearing ends tonight
12 if you want to receive the response to the comments.

13 As we begin in just a moment, I'm going to reserve
14 the privilege of calling Ms. Coughlin first to give her
15 remarks on behalf of the Department, but thereafter, at
16 least as we begin, I will recognize any person here present
17 who wishes to come and offer comments or testimony without
18 regard to whether they're pro or con on any particular issue
19 and without any kind of time limitation on how long you
20 speak unless it becomes apparent that we're not going to be
21 able to finish in a reasonable time, and then I'll just
22 inform people (indiscernible) impose some time restrictions.
23 In the interest of avoiding that, I'm sure we'll just all
24 try to keep on point and not unnecessarily repetitive.

25 At the end of tonight's hearing, the comment

1 period on this proposal will close. And in comments that
2 have been submitted by mail or they'll be postmarked today
3 are still going to be entertained by the Department, but
4 this, tonight, will be the end of our comment period as the
5 hearing adjourns. So, please, if you have anything to add
6 to these considerations, come forward tonight.

7 When we return, the recording will be transcribed,
8 as I said, and then the records received here in the nature
9 of comments and testimony from individuals orally and
10 documentary form and together with the exhibits that I've
11 already described, will be delivered to the Department's
12 Director, Mike Linder, for his review and decision on the
13 application.

14 And with that, I think we're ready to begin. I'll
15 call upon Ms. Coughlin first. Would you come forward to the
16 podium, please?

17 JENNY COUGHLIN

18 Good evening. As Tim said, my name is Jenny
19 Coughlin and I'm a groundwater geologist in the Underground
20 Injection Controls Program for the Nebraska Department of
21 Environmental Quality. I'd like to begin by briefly
22 describing what a Class I injection well is and the
23 activities that take place under the proposed permit. A
24 Class I injection well is a well that injects non-hazardous
25 fluids beneath the lowermost formation containing an

1 underground source of drinking water. Crow Butte Resources,
2 Incorporated, currently operates a Class I, non-hazardous
3 injection well associated with their in-situ uranium
4 facility located south and east of the city of Crawford.
5 The uranium facility produces a volume of wastewater in
6 excess of what can be reintroduced to the ore zone as part
7 of the mining and restoration activities. This well has
8 been in operation since 1995 and allows for disposal of this
9 excess wastewater. The rate of injection is generally
10 constant on a daily basis but may vary depending on the
11 processing operations at the facility. The wastewater is
12 pumped into the injection well and introduced into the
13 Morrison and Sundance formations at depths of approximately
14 3,516 to 3,843 feet below the land surface. Since 1996,
15 however, all disposal flow has been into the Morrison
16 formation. Continuous recording devices monitoring
17 injection pressure, flow rate, and flow volume and the
18 pressure on the annulus between the tubing and the
19 long string casing of this well. The injection pressure at
20 the wellhead plus the pressure at depth are monitored so
21 that the fracture pressure of the injection zones will not
22 be exceeded. The mechanical integrity of the well has been
23 demonstrated at least once every two years during the life
24 of the well.

25 On April 29th, 2009, Crow Butte Resources,

1 Incorporated, submitted an application to NDEQ for a second
2 Class I non-hazardous injection well to be located at their
3 current (indiscernible) mining facility. This proposed
4 injection well would lie approximately 600 feet north and
5 west of their current Class I well. The proposed injection
6 zones include the Dakota, the Morrison, and the Sundance
7 formations. These formations have not been developed as
8 underground sources of drinking water in this area because
9 of their depth and poor water quality. Testing previously
10 completed during the drilling of the first Class I well
11 demonstrates the Morrison formation is highly permeable and
12 acts as an (indiscernible) reservoir.

13 Total dissolved solids of Morrison water have been
14 measured in excess of 23,000 parts per million. The
15 Sundance formation was also tested and determined to be
16 unsuitable for drinking water at total dissolved solids
17 concentrations of 35,000 to 55,000 parts per million. The
18 level at which it is determined to be a potential
19 underground source of drinking water is 10,000 parts per
20 million for TDS.

21 Field tests would be conducted during drilling of
22 the second well to confirm the water quality of the Lower
23 Dakota, the Morrison, and the Sundance formations at the
24 proposed location. Well No. 2 is proposed to accept
25 wastewater from four different processes. One, production

1 bleed waste waters, which constitute .5 percent to one
2 percent of the total production flow from active mining
3 operations. Two, groundwater sweep waste from restoration
4 activities in the mining area. Three, brine waste from the
5 reverse osmosis system used to restore groundwater. And
6 four, wastewater from ~~lime~~ ^{lined 20 T9D} ponds and laboratory waste from
7 mining-related analyses.

8 As the mining operation moves toward a more
9 restorative phase, waste generated from the reverse osmosis
10 and groundwater sweep processes are planned to increase. A
11 second Class I non-hazardous injection well is intended to
12 help handle this wastewater. The draft permit provides
13 limitations on operating parameters for the proposed
14 injection well. Injection pressure, flow rates and volumes
15 and annulus pressures would be continuously recorded and
16 reported monthly to NDEQ. Injection pressure would be
17 limited to ensure the fracture pressure of the injection
18 zone would not be exceeded. The waste stream would be
19 sampled weekly for a number of parameters including but not
20 limited to (indiscernible) metals to restore the non-
21 hazardous character of the waste. Limitations on
22 concentrations of these constituents are detailed in the
23 draft permit.

24 Proposed construction of the Class I injection
25 well would include a surface casing and a long string casing

1 to protect underground sources of drinking water. The
2 surface casing would extend from the surface to the top of
3 the ~~piez~~ ^{Pierre JC TJD} formation about 800 feet below surface. The space
4 between the bore hole and the surface casing would be
5 cemented to the surface. A long string casing would be set
6 inside the surface casing to the top of the spearfish
7 formation, at a total depth of approximately 3,700 feet at
8 the proposed location. The space between the bore hole and
9 the long string casing would also be cemented to the
10 surface. The long string casing would be perforated within
11 the proposed injection zone, which is 3,207 feet to 3,643
12 feet. Plastic-lined steel tubing would be used to introduce
13 the wastewater to the injection zone. The perforated
14 portion of the long string casing would be blocked off with
15 packers and the annular space between the tubing and the
16 long string casing would be filled with annular fluid.
17 The fluid-filled annular space would be pressurized and
18 maintain a pressure of at least 150 pounds per square inch
19 greater than the injection pressure. A ~~steel~~ ^{seal JC TJD} pot at the
20 surface would allow for visual inspection of the annular
21 fluid level.

22 In conclusion, Crow Butte has successfully
23 operated a Class I, non-hazardous injection well for the
24 past 15 years. They've complied with the requirements of
25 Title 122 and supplied the necessary information in applying

1 for an additional Class I non-hazardous injection well to
2 serve their current operating facility. NDEQ has reviewed
3 the application and supplemental supporting documentation
4 pertaining to Crow Butte's application and found it complete
5 and in compliance with state and federal requirements. To
6 that effect, no reason has been found to deny the permit.
7 Thank you.

8 THE HEARING OFFICER: For the record, I want to
9 take down your address. It's 1200 N Street in Lincoln.

10 MS. COUGHLIN: 1200 N Street, Lincoln, Nebraska.

11 THE HEARING OFFICER: Thanks.

12 Now, I'll ask by a showing of hands, other people
13 who wish to testify.

14 Ma'am, please come forward. I'll have to repeat
15 that, but please come forward, give your name and address.

16 BONNIE PERCY

17 My name is Bonnie Percy. My address is 111 West
18 2nd Street in Cas---

19 THE HEARING OFFICER: Could you spell your last
20 name, please?

21 MS. PERCY: P-e-r-c-y.

22 THE HEARING OFFICER: I'm sorry to interrupt you.
23 Your address is?

24 MS. PERCY: 111 West 2nd Street in Casper,
25 Wyoming.

1 THE HEARING OFFICER: Proceed, please.

2 MS. PERCY: That's my business address, I'm an
3 engineer, and my firm is Gene George and Associates, and we
4 are the firm that prepared the application for this disposal
5 well. My firm is small. We employ several geologists,
6 engineers, and regulatory specialists. And we have put
7 together these types of applications for several of these
8 types of wells in Wyoming. I wanted to speak because I
9 wanted to explain what's going to happen when a well like
10 this is drilled. The rig will come in. They'll level the
11 ground. It will be a standard rotary rig. These rigs have
12 been in use since the 1930s and 1940s. There's nothing new
13 or special about it. They're used all over the country to
14 drill wells of this depth. There'll be some mud pits there,
15 because that's the fluid that's used as you're doing the
16 drilling. When the well's drilled, the first step, I think
17 Jennifer mentioned this, is to drill 800 feet down. So we
18 drill a hole with clean water to 800 feet, and that's
19 beneath the lowermost known drinking water level. And at
20 that point, steel casing is run into the well and it's
21 cemented to surface. And that cement next to the formation,
22 next to the aquifer, and the steel of this casing forms two
23 layers of containment. So those are the first two layers
24 that protect your groundwater.

25 Then we use a drilling fluid, which is water with

1 additives in it, to drill the remainder of the well. We'll
2 start at the surface and we drill down again all the way to
3 the well's total depth, about 3,700 feet. And then, we'll
4 do the same thing again. We'll run casing and we'll cement
5 it in place. So now there's four layers, there's the first
6 cement, the first steel casing, then there's the second
7 cement and the second steel casing.

8 Then there's one more layer. There's a final
9 protection against the groundwater and that's the tubing.
10 When we get ready to produce the well, steel tubing gets run
11 into the well and it's packed off at the surface sort of
12 like with O-rings, and it's packed off right at the bottom
13 right above where we're injecting. And there's an open
14 space between the casing and the tubing. That's called the
15 annular space and that's the zone we monitor. We monitor
16 pressure in that. If you see any small changes in pressure
17 in that zone, then you know there's a possibility of a leak.
18 You shut things down and you fix it. That's the way the
19 system works everywhere.

20 It's possible to get past that first layer with a
21 leak, but it's virtually impossible to get past the next
22 four layers into a shallow aquifer.

23 Perforating, when we get ready to perforate the
24 formation, we use shaped charges to put holes into the
25 casing at the bottom of the well. These charges are put in

1 a holder and they're lowered down the well. There's about
2 four charges per foot of depth, so if we're going to
3 perforate ten feet of sandstone down there at the bottom of
4 your well, you'll have about 40 of these charges in the
5 holder. And they're detonated with an electrical signal.
6 And it's a very focused flash of energy that's very -- it's
7 very strong, but it's very focused onto a single point, and
8 it creates a very small hole in the casing. It's not a huge
9 explosion. It's a very focused release and it'll cut a hole
10 in the casing, in the steel, and it will continue past that
11 steel through the concrete into the sandstone. It will
12 penetrate somewhere between eight inches and maybe 16 inches
13 into the sandstone. But it's not a huge explosion that
14 rubblizes everything.

15 Confinement, there is about 2,000 feet of shale
16 above the sandstone that we'll be injecting into and 3- or
17 400 feet of shale beneath the sandstone. And this is
18 excellent, excellent confinement to contain the injection
19 going into the formations that it needs to go into. The
20 water quality in the formations that we're injecting into is
21 very poor. We've used some big numbers, TDS, total
22 dissolved solids, think of that as salt. Sea water has a
23 TDS of 30- to 40,000. And the Morrison has a TDS of about
24 23,000, so we're a little less than sea water. And the
25 Sundance has somewhere from 30- to 50,000 TDS, so it's

1 probably a little saltier than sea water.

2 The water we drink is less than 1,000, so these
3 are very, very poor, poor water quality formations that
4 we're injecting into, and actually, on average, the water
5 that we're putting in as wastewater is cleaner than the
6 formation that we're putting it into in terms of TDS.

7 The zone of influence, I've just been told that
8 the zone of influence is a confusing issue. This is a
9 calculation where I'm looking for how far out it might be
10 possible for water to move up a man-made channel. And
11 particularly in this area, that's a well. So, when we
12 calculate the zone of influence, what we're wanting to do is
13 we're calculating how far out should we review or look for
14 possible wells that could serve as a conduit for water to
15 move from this very deep aquifer up to shallower intervals.
16 And that's all that the zone of influence is.

17 I believe that this is an excellent candidate for
18 deep disposal. The confinement is -- I'm not sure I've seen
19 better confinement on a disposal well. The water quality is
20 very poor in the zones and this is a proper place to be
21 disposing of these fluids. That's it, thank you.

22 THE HEARING OFFICER: Thank you.

23 I saw some hands in the back there. The gentleman
24 that's nearest to me, would you come forward, please?

25 ERIC FULLER

1 Good evening. My name's Eric Fuller. I represent
2 Nebraska Northwest Economic Development Corporation, or
3 NNDC.

4 THE HEARING OFFICER: Could you spell your last
5 name, please?

6 MR. FULLER: F-u-l-l-e-r.

7 THE HEARING OFFICER: Okay, thanks.

8 MR. FULLER: I'm the President of the Board of
9 Directors of NNDC, and our mission is to foster a strong
10 economic environment by supporting existing businesses and
11 nurturing growth and investment in our region. Crow Butte
12 Resources is a vital part of the existing business structure
13 employing nearly 70 people at its location near Crawford.
14 Crow Butte Resources has demonstrated its ability to operate
15 a safe, environmentally sensitive operation while providing
16 solid primary employment opportunities. I have toured the
17 site on numerous occasions over a period of years and,
18 without exception, I have found their commitment to safety
19 and professionalism to be second to none.

20 As I understand, the purpose of this hearing is to
21 receive comments about the authorization of a permit for an
22 additional Class I non-hazardous injection well. This will
23 essentially allow Crow Butte to continue to operate its
24 mine moving on to future phases of the mining process.
25 Simply put, the permit would allow Crow Butte to continue

1 its current operations. The economic impact of Crow Butte
2 Resources' payroll, their purchases of goods and services,
3 and their contribution as a corporate entity make them
4 absolutely one of the most important employers in our
5 region. The value of these jobs simply cannot be overstated
6 in a local economy that's already struggling to maintain a
7 viable tax base. Crawford, Chadron, and Dawes County depend
8 on these employees to supply the needed investment to
9 maintain our schools, for community services, and our
10 population base.

11 NNDC supports and trusts the Nebraska Department
12 of Environmental Quality's preliminary intent to issue this
13 permit. We applaud Crow Butte Resources' management of a
14 safe and professional workplace, and we ask that you give
15 positive consideration to this permit application. Thank
16 you.

17 THE HEARING OFFICER: Thanks, Mr. Fuller.

18 Again, in the back, could I see hands, please?
19 Okay, again, the person nearest to me, would you come
20 forward? The gentleman with the cap, please.

21 KEVIN VOGEL Vogl JC TPD

22 I'm Kevin ~~Vogel~~ ^{Vogl JC TPD}, 111 Mansfield Road, Crawford. My
23 brother and I have a business, ~~Vogel~~ ^{Vogl JC TPD} Brothers Fab and
24 Welding. We started close to four years ago. I'm also an
25 employee of Cameco and I'm a lead operator out at the mine.

1 I've been with them for ten years. And my brother and I
2 have worked with the mine. We've worked on many different
3 projects contacting. And we came up with a new well cover.
4 And they've really helped us a lot with keeping us working.
5 And we do a lot of custom work for farmers and ranchers
6 around the area.

7 Also, to give back I've worked with John Jones,
8 the high school shop teacher, and had them out every year.
9 We were able to purchase a CNC plasma table to cut
10 out -- it's a steel cutter and it's computer controlled. We
11 cut out a lot of the parts that the mine uses, and we use it
12 for repairs on a lot of the equipment for farmers and
13 ranchers. I would invite out the shop class and give out
14 demonstrations every year, and from some of the contracts we
15 did with the mine, I was able to donate lots of leftover
16 steel from -- that was basically unusable to us to the high
17 school kids for them to test and practice on. And from
18 there Cameco and Jim were very instrumental on helping
19 Crawford High School get their own CNC plasma table, which
20 is pretty big for a small community to have that kind of
21 technology.

22 And as far as my personal opinion, I've been out
23 there for ten years and if there was something unsafe out
24 there, I would know. I'm in charge of the plant during the
25 day, night, weekends. I monitor the deep well, constantly.

1 It's recorded just like everybody has said. The alarms,
2 everything, it's one of our number one priorities. So, if
3 there's something unsafe out there, I think that the 70-some
4 employees out there would probably have a problem with
5 working there. Everything is very open-book and we follow
6 safety as number one. That's all I have.

7 THE HEARING OFFICER: Thank you, Mr. Vogel.

8 Again, in the back in the dark shirt, would the
9 gentleman come forward, please?

10 JOHN JONES

11 John Jones, 1015 2nd Street, Crawford, Nebraska.
12 I'd like to take this opportunity, basically, to thank Crow
13 Butte Resources. As Kevin mentioned earlier -- I'm the
14 industrial tech teacher here at the high school. We
15 received a sizable donation last winter from Crow Butte
16 Resources, and with that we were able to purchase a plasma
17 cutting table which is probably a piece of equipment that we
18 would be unable to obtain with our regular budget here at
19 the high school. It's been a great experience for -- I have
20 kids that use it nearly every day. I had to kick them off
21 at that last day of school and as soon as we got back, it
22 was something that I had kids excited about using, so it was
23 a great opportunity for our school here, and I'm glad that
24 the opportunity presented itself and I hope to continue to
25 work along with the Cameco Resources at Crow Butte for

1 further project. Thank you.

2 THE HEARING OFFICER: Thanks, Mr. Jones.

3 In the back of the room, sir, yeah, you're raising
4 your hand, would you come forward, please?

5 L.J. MOLONEY

6 I'm L.J. Moloney, 710 4th Street, Crawford,
7 Nebraska. I'm also the Mayor of Crawford. At our last
8 council meeting, toward the end of the meeting, we had a
9 gentleman step up and express his displeasure with the city
10 council for not attending the first session and speaking for
11 the application. This gentleman suggested that the economic
12 consequences to Crawford if the application is not granted,
13 would be, to say the least, very, very serious. I took
14 issue with him. I said Crawford has a diverse job base,
15 that we have many components, and having one fail would not
16 be the end of the world. I also went on to say what DEQ is
17 looking for here is science. And for me to come here to say
18 we need jobs, we need all the things that Cameco does for
19 us, really doesn't add anything to the science that the
20 Department of Environmental Quality is looking for.

21 And then I had time to reflect. And I was wrong.
22 Since the time of Galileo, there has been a political point
23 to science. Science will always be tempered by politics,
24 and (indiscernible) economic development. The jobs are
25 good. Crawford is fortunate in that its population loss

1 over the last 25 years is slow. Like many small towns in
2 Montana, Dakota, Wyoming, Nebraska, South Dakota, we
3 continue to lose people. We continue to see the people who
4 live this quality of life diminish. In Crawford, we're
5 fortunate that that rate of loss is not so bad because we
6 have this diverse job base. But to maintain this diverse
7 job base, we need operators like Cameco developing
8 resources. We need it because it also gives our people a
9 place for employment. It is not only our older citizens,
10 but it's our younger citizens, where the people who go to
11 the high school here can look forward to having jobs in the
12 community. Time and time again, you hear the challenge, how
13 are we going to keep our young people in town? How are we
14 going to keep them here, because they all migrate out?

15 It's important that we have this. It may not be
16 science, but it's reality. The science side of it
17 (indiscernible) for the city, we've had an opportunity to
18 deal with the Department of Environmental Quality. Mr.
19 Doyle and I have had some conversations. They've been frank
20 and long. And we are -- I can assure you that the
21 Department of Environmental Quality is a stern taskmaster,
22 stern but fair. So, you know, if we trust the DEQ and the
23 other people to take care of the science, our places here
24 offer a way of life and economic development. Thank you
25 very much.

1 THE HEARING OFFICER: Now I'm going to -- Thank
2 you, sir.

3 Now I'll look to the center of the room. Okay,
4 there's a lady in the far section. Would you come forward,
5 please? And so that we don't have everybody run over to
6 this section, we'll follow up again near the end and look
7 for hands everywhere.

8 CASSANDRA OLSON

9 I would like to -- excuse me, Cassandra Olson --

10 THE HEARING OFFICER: Thank you.

11 MS. OLSON: P.O. Box 505, Crawford. I will make
12 reference to a number of papers, et cetera, tonight and I do
13 have the copies and I will leave them with you as exhibits.

14 THE HEARING OFFICER: Could we see how much you're
15 going to --

16 MS. OLSON: How much I'm going to leave you with?

17 THE HEARING OFFICER: Yes. Tell me how many
18 separate ones, roughly speaking, because I have stickers
19 here I want to -- Just are there a half a dozen or --

20 MS. OLSON: Oh, at least.

21 THE HEARING OFFICER: Okay.

22 MS. OLSON: About.

23 THE HEARING OFFICER: Okay, fine. Fine, let's go
24 ahead and proceed.

25 MS. OLSON: Okay. I would like to begin my

1 comments tonight by saying that from my perspective, this is
2 not about being anti-nuclear energy, because I'm not against
3 nuclear energy. For me, the crux of the issue is the
4 protection of the people and their environment, their
5 health, their safety, the water, the air, and the land, its
6 productivity, and its habitability. I firmly believe that
7 it is time that the people of Dawes County, the NRC, the
8 Nebraska DEQ, step back and truly think through the
9 consequences of the actions of Cameco in Dawes County.

10 Employing 60 to 70 people versus the potential
11 lives and livelihood of 10,000, contaminated water and land
12 unfit for future use versus safe, drinkable water and
13 productive lands. A Canadian corporation's profits versus
14 our future, the future of our children, grandchildren, and
15 great-grandchildren. It is time to take stock in our values
16 and in our priorities. Our priorities versus the priorities
17 of a foreign business, who, in the total scheme of things,
18 is here for just a short time, who will take their 20 to 40
19 million a year, leave, and who have no stake in our future.
20 When the ore is gone, they are gone, period. The jobs are
21 gone, the tax revenues are gone, their donations to the
22 community are gone. The true question is, what will we, the
23 citizens of Dawes County, be left with? Our garden or a
24 wasteland? This is our bottom line and I think it's time
25 that we face it.

1 Question. To those who are in a position of
2 making decisions I ask, are you reading or even listening or
3 remotely hearing what the experts are saying concerning the
4 dangers of continued CBR mining activities in our area? As
5 early as April of 1989, a mining geologist, Mr. John
6 Peterson, alerted you to the faults in this area and his
7 concerns that CBR would be mining in an unsafe area.

8 Dr. LaGarry offered you his opinions in which he
9 also states his concerns relating to ^{contaminant leachate} ~~containment~~ pathways
10 and the faults and the protection of the area's water supply
11 and future habitability.

12 My apologies to these two experts. I realize that
13 I am being incomplete and oversimplifying what you had to
14 say. But my point is that it baffles me how any
15 organization could seemingly turn a deaf ear to these two
16 men's concerns, and I have no clue as to how many other
17 experts have voiced similar concerns. Admittedly, I have no
18 expertise of any kind in this field, but it seems to me that
19 anyone with a little common sense could not possibly read
20 Dr. LaGarry's explanation and his suggestions and then not
21 conclude that CBR activities in our area are posing a
22 significant threat to our future well-being.

23 So, how do you explain your decisions and your
24 actions which basically ignore these experts' information
25 and warnings?

1 Question. A published paper titled C-SAT
2 (phonetic) involved a satellite investigation of the
3 structure of western Nebraska and its application to the
4 evaluation of Geothermal Resources. They discussed the
5 Cambridge-Chadron Arch and I quote, "Recurrent uplifts along
6 the Cambridge-Chadron system, suggests a fundamental zone of
7 weakness." And from what I could ascertain, this zone of
8 weakness is at the western end, our end. They went on to
9 discuss how most of the movement of the earth in this region
10 has a tendency to be vertical rather than lateral. What is
11 the proximity of this Chadron-Cambridge Arch and its weak
12 zone to the proposed expansion site and to the site of this
13 proposed storage well?

14 If we should experience an uplift along this zone
15 of weakness, what are the dangers or potential dangers to
16 our water supply, not only as a result of or in the drilling
17 process, but in the containment of these dangerous
18 chemicals? And what would or could be the effect of any
19 uplift to the alleged contained aquifer which has been
20 poisoned or will further be poisoned as a result of the
21 drilling and the potential danger of contamination to the
22 good water?

23 Question. In 2009, the USA experienced over 4,200
24 earthquakes. As of August 16, 2010, we've experienced over
25 4,800, the majority of which have been between a 2 and 4.9

1 on the Richter scale. The USGS site map at 10:45 a.m.,
2 August 26, 2010, displayed the locations of 977 earthquakes
3 in or on US land or islands within the previous week, one in
4 Montana within the previous 24-hour period. Four quakes had
5 taken place in the previous hour, 14 in the previous week in
6 Montana and Wyoming alone.

7 The September 17th map displayed an additional 933
8 earthquakes in the last seven days including a five-point in
9 western Wyoming. How many quakes and what intensity of
10 quake will it take to cause a new fault or any existing
11 fault to shift or a new fracture which could result in the
12 contamination of our water sources?

13 Acknowledging that Nebraska historically has not
14 been the center for earthquake activity does not negate the
15 fact that we have had earthquakes. In March of this year,
16 there was one in Ainsworth, Nebraska. July 30th, 1934, the
17 earthquake (indiscernible) in Dawes County comprising an
18 area of 60,000 square kilometers and was given a six on the
19 intensity scale. It was (indiscernible) as far south as
20 Sterling, Colorado. The center of Dawes County is
21 (indiscernible) in comparison to the proposed expansion site
22 of CBR and to the proposed new well. March 28, 1964, 3:00
23 a.m., Dawes experienced a quake encompassing 232,000 square
24 kilometers in an area including western Nebraska, South
25 Dakota, Montana, and Wyoming. It registered a 5.1 on the

1 Richter scale. Six hours prior to that quake, Van Tassell,
2 Wyoming, was the center of a mild shock. And Van Tassell is
3 how many miles from the present CBR headquarters? How far
4 from the center of the proposed CBR expansion? How far from
5 the new well site?

6 Is the DEQ suggesting that we in Dawes County do
7 not ever have to be concerned with the earthquakes or
8 (indiscernible)? Are you, the DEQ, telling us that you have
9 a crystal ball? Or are you simply saying you are willing to
10 play Russian roulette with our lives and our livelihoods
11 here in Dawes County?

12 Is the NRC and the DEQ saying that because the
13 Chadron Aquifer is an alleged contained aquifer at the
14 moment that the earth will never move again? That there
15 will never be a risk? That there will never be new
16 fractures, fissures which could or would result in the
17 contamination of our water supply all because of your
18 decision to allow CBR, Cameco, to drill anywhere they
19 seemingly want in Dawes County, and store their contaminants
20 under ground further placing our water supply at risk.

21 THE HEARING OFFICER: Ms. Olson, could I interrupt
22 you for a second? I'm growing a little concerned about the
23 time.

24 MS. OLSON: I'm almost done.

25 THE HEARING OFFICER: Okay, I have -- it looked

1 like there were at least ten hands out there.

2 MS. OLSON: I realize that.

3 THE HEARING OFFICER: Okay.

4 MS. OLSON: But I also feel what I have to say is
5 important to Dawes County.

6 THE HEARING OFFICER: I'm in total agreement. I
7 just want to make sure everybody gets --

8 MS. OLSON: This hearing is for non-hazardous
9 waste injection (indiscernible) and according to information
10 in the local newspaper, it is to be located below the
11 lowermost underground source of drinking water. If, in
12 fact, this waste is non-hazardous, why the ultimate concern
13 that it be well below the lowermost underground source of
14 drinking water? Why is it necessary to bury this
15 non-hazardous waste so deeply? How far down are you going?

16 Chadron Record last week mentioned depths
17 exceeding 3,000 feet. If they are at or below 2,000
18 (indiscernible) feet and you are not increasing the risk of
19 (indiscernible) -- aren't you not increasing the risk of
20 (indiscernible) the geothermal resources, which according to
21 C-SAT, in the weakest area, western Nebraska, are between
22 900 and 1,200 meters or 2,952 feet plus.

23 If one taps into these geothermal resources, what
24 are the potential effects? The C-SAT study made mention of
25 the effects of geothermal activity in reference to Geysers

1 Basin in Yellowstone Park. So when you (indiscernible)
2 these depths, are you not actually increasing the risk of
3 fractures which could result in the contamination of the
4 water above?

5 At the last meeting, Mr. McGuire said, and I
6 quote, from the Crawford Clipper, "Actions speak louder than
7 words. Crow Butte Resources has done what it said it would
8 do and has continuously been approved by the DEQ over the
9 past 27 years." DEQ's prior approval does not or should not
10 automatically give CBR and its actions carte blanche.
11 Because the DEQ has approved CBR requests over the past 27
12 years, does not prove the worthiness of (indiscernible), not
13 the worthiness of CBR, or for that matter, not the
14 worthiness of DEQ. CBR has done what they said they would
15 do. That, too, makes things interesting and quite frankly
16 (indiscernible).

17 For the sake of argument, let's do allow CBR's
18 actions to speak louder than words. How many violations,
19 accidents, (indiscernible) has CBR had in the last 27 years?
20 By EPA records, posted online, the count between August
21 12th, 1997, July 8th, 2010, the number stands at 44. I
22 maintain that even one which puts the water, the people, or
23 the land at risk is one too many. It simply is not, should
24 not be acceptable.

25 The NRC, the DEQ, is obviously not following the

1 three strikes and you're out rule. Had that been the case,
2 CBR would have been shut down after the 10,260 gallons of
3 injection fluid spilled back on August 7th of 1998. Had the
4 NRC or the DEQ shut them down at that point, there would not
5 have been the 30,000-gallon spill.

6 In May of 2008, the District Court of Lancaster
7 County slapped Cameco's hand for four reasons. One, because
8 CBR was releasing well development water upon the surface of
9 the ground during their developing process -- drilling
10 process. This took place from July 1 of 2003 until March 31
11 of 2006. That amounts to 1,004 days where CBR allowed
12 contaminants to soak into Dawes County's earth and place our
13 water supply and our land at risk. Two, because CBR was
14 using the Chadron formation well development water as
15 drilling water, a direct violation of their permit. Because
16 CBR constructed injection wells and mineral production wells
17 in a manner in which they have the potential to allow the
18 movement of fluid-containing contaminants into an
19 underground source of drinking water. Because CBR failed to
20 provide written notification until May of '06, when they
21 admitted knowing their noncompliance sometime in March of
22 '06.

23 Since 1997, there have been seven pond or
24 injection well leaks. Since 1997, there have been 27
25 occasions whereby one or more monitored wells have been

1 placed on excursion status and this means, and I quote, "An
2 ISL well that's placed in excursion status because some part
3 of the pipes or containers or other parts of their apparatus
4 is leaking, spilling the water solution uranium mix back
5 into the groundwater, the aquifer, our drinking water." I
6 don't know about you, but in my mind's eye CBR's actions are
7 definitely speaking louder than their words.

8 THE HEARING OFFICER: Ms. Olson, I'd like to make
9 a suggestion now, and that would be that you -- we interrupt
10 you now where you are and you make note of where you are in
11 your testimony, and then I can move on to other people --

12 MS. OLSON: That would be fine by me.

13 THE HEARING OFFICER: And those people, they may
14 make the same points that you're going to make --

15 MS. OLSON: That's fine.

16 THE HEARING OFFICER: And then if you -- at the
17 end of what they have to say, if you hear that your points
18 have been made, then you may decide that you may not want to
19 go ahead or --

20 MS. OLSON: That's fine. I understand what you're
21 saying.

22 THE HEARING OFFICER: -- we may have the
23 opportunity to come back.

24 MS. OLSON: That's fine, as long as I have an
25 opportunity to finish.

1 THE HEARING OFFICER: I will recognize you --

2 MS. OLSON: Even if I have to give the information
3 simply to you and your recorder.

4 THE HEARING OFFICER: Well, you know, how much
5 time do you think you will require to complete?

6 MS. OLSON: I am probably within four or five
7 pages.

8 THE HEARING OFFICER: Okay, let's do that, then.
9 If you're agreeable, then we can call somebody else and we
10 can address the matter after we've given other people a
11 chance to talk. Thank you for your courtesy on that point.

12 Now, I'll look to the center of the room. Is
13 there someone in the center portion of the room that would
14 wish to speak? Sir, in the plaid shirt, would you come
15 forward, please?

16 JIM GIBSON

17 My name is Jim Gibson, 2175 Maple in Chadron. I
18 am a part-time employee of CBR. My career, I spent 32 years
19 on the biology faculty at Chadron State College. And I
20 wanted to speak in favor of granting the permission to go
21 ahead with this well. A couple things, I've been impressed
22 since I've been out there, with the -- I'm going to call it
23 the atmosphere of safety. Safety for just working, whatever
24 you're working with, working. But then also the safety and
25 containment of the material that we're working with, and

1 I've been out there, by the way, since 2006.

2 I would also like to say, I've been involved with
3 two projects that are part of our environmental concern or
4 our commitments to keep a clean environment. One of the
5 projects which has involved Mr. Jones' shop class, to a
6 degree, is establishing nest boxes for mountain bluebirds.
7 We are on the eastern edge of the natural mountain bluebird
8 distribution. For some time, mountain bluebirds overall
9 have been in a decline -- not a steep decline, but somewhat
10 declining mostly because of competition for nesting sites.
11 Well, we decided -- we have -- right now, I think we have
12 about 33 to 37 nest boxes up. And, by the way, we got these
13 up after the return of the mountain bluebirds in their
14 spring migration here, but before the tree swallows came
15 back. We had about 33 percent occupancy of these bluebird
16 nest boxes by tree swallows. Well, in the normal course of
17 the way you do these things, at the end of this next month,
18 they'll be taking those nests out and doing away with them,
19 and so next year, I expect for the mountain bluebirds to
20 have enhanced nesting areas there.

21 The second project, I've been looking at the water
22 quality of two streams that one originates -- ^{English JL TSD} ~~Eagles~~ Creek,
23 I think, originates on the CBR property. And the other,
24 Squaw Creek, traverses part of the property and I've been
25 taking samples of the aquatic macroinvertebrates. Now,

1 macroinvertebrates excludes tiny things like rotifers and
2 the small nematodes and and things like that. You get
3 mostly aquatic insects. And, I mean, things like ~~chironomids~~ planaria ~~JC~~ ^{JC} (SD)
4 (phonetic) and crustaceans and so on.

5 And this is an EPA-designed study of water quality
6 and surface waters. The idea of looking at these
7 macroinvertebrate organisms is this. The diversity
8 of -- the community diversity of these macroinvertebrates
9 will be affected by -- if water is impacted negatively, then
10 some of the species in this macroinvertebrates will die out
11 and you have an ever less diverse community. And so,
12 community diversity and there are some rather sophisticated
13 mathematical ways of calculating diversity, but it all
14 starts with the sample that you take in the stream. And
15 that I've been doing for the 30 years that I've been at
16 Chadron State College. I've not completed the study yet. I
17 have to acknowledge that. On the other hand, I have done
18 enough of the calculations to see that, now this would be in
19 general terms, that our water quality is quite good in these
20 streams. Now Squaw Creek, where it both enters and leaves
21 CBR property, the water quality is quite good, according to
22 this study that I'm doing. And English Creek -- actually,
23 there's a great marshy area on CBR property and then it sort
24 of coalesces into a stream and then it goes into some
25 impoundments downstream. So there's really only one place

1 on English Creek where you can take a usable sample, but I
2 did sample that area and that area also turns out to have a
3 very healthy diverse aquatic community of invertebrates
4 there. So, well, I'll just leave that for what it's worth.

5 So, again, I want to state I am in favor of
6 allowing the permit.

7 THE HEARING OFFICER: And the name of the Creek
8 was Enders, E-n-d-e-r --

9 MR. GIBSON: English.

10 THE HEARING OFFICER: Oh, English.

11 MR. GIBSON: English Creek.

12 THE HEARING OFFICER: Thank you, sir.

13 MR. GIBSON: Thank you.

14 THE HEARING OFFICER: In the center portion of the
15 room, could I see hands of anyone that wishes to comment or
16 give testimony? Sir, come forward, please.

17 DAVE DODD

18 My name is Dave Dodd, 451 Dodd Road. I guess, I
19 have to admit, when Crow Butte first started, I was very
20 hesitant about the water quality, also. But I've observed
21 them for 20 years and I know some of the controls they use
22 and I think they're monitored quite well. The young lady
23 brought up an interesting comment. She said once the ore is
24 gone, they'll be gone. Well, it appears to me, once the
25 ore is gone, the danger is gone, so maybe it would be a good

1 thing to have it gone. I'm sure these -- it's against their
2 better -- they've developed this for millions and millions
3 of dollars. It is probably in their better interest to keep
4 it as pristine as they can so they can continue going with
5 it.

6 As far as a vertical fault goes, what if the ore
7 is still there and it vertical faults up until it intersects
8 our groundwater and then you got it, I assume. I don't
9 know. I'm not a geologist. It just appears to me that if
10 we get rid of it, we're in better shape than if we've got
11 it. Thank you.

12 THE HEARING OFFICER: Thank you, sir.

13 Sir, please?

14 HERB KATELEY

15 Herb Kateley, P.O. Box 972, Chadron.

16 THE HEARING OFFICER: You all picking this up in
17 the back?

18 THE AUDIENCE: No.

19 MR. KATELEY: The last comment brought up one of
20 my concerns and that is, when the ore is gone, who cleans
21 up? One of the things I'm concerned about is the financial
22 arrangements for decommissioning the well. I talked to some
23 of the DEQ folks before this and they told me that this was
24 handled by a letter of credit with a Canadian bank.
25 That makes me a little bit nervous. That means that the

1 money isn't actually there to seal this well when it's done.
2 It means there's a promise that somebody will provide that
3 money. I think DEQ needs to address that.

4 Other questions that I have have to do with what
5 is the actual content of the additional elements in the
6 injected fluid into the new well. We know that most of that
7 material is coming out of the mining operation, but what
8 else is being added to that. I think that's very important.
9 We see in the documentation that there are restrictions on
10 certain levels of certain elements, but it does not
11 delineate what is being added to the strata that are being
12 injected into that aren't already there.

13 That brings up another point. This well is
14 different than the previous well in that the permit will
15 allow them to inject into an additional strata. I would
16 like to get an explanation from DEQ of what the reasoning is
17 to add that extra strata.

18 My final comment has to do with the closing of the
19 public comment period. This is the last day and, at least,
20 I know for myself, I only found out about this the other day
21 from the article in the Chadron paper, which had the date
22 wrong. I think it would be appropriate for DEQ to extend
23 the comment period for a few days to allow people who are in
24 this room and who are gaining new knowledge tonight to
25 forward comments to DEQ.

1 THE HEARING OFFICER: In your judgment, if that
2 were to happen, what would be the most effective way to let
3 people know that the comment period was extended?

4 MR. KATELEY: Well, obviously, you could make that
5 decision and announce that tonight. You could make another
6 release to the newspapers to do that.

7 THE HEARING OFFICER: What was the -- could you
8 amplify on the nature of the problem that people would have
9 experienced about a wrong date?

10 MR. KATELEY: Well, it said Tuesday, the 23rd.

11 THE HEARING OFFICER: Tuesday, so do you know of
12 anybody that showed up here on Tuesday?

13 MR. KATELEY: I don't. I had a hard time finding
14 out that it was tonight, though.

15 THE HEARING OFFICER: Tuesday the 28th?

16 MR. KATELEY: Third.

17 THE HEARING OFFICER: Oh, okay.

18 MR. KATELEY: The day was right --

19 THE HEARING OFFICER: Okay. And that was in the
20 Chadron newspaper.

21 MR. KATELEY: That was in the Chadron newspaper,
22 yes. But there's -- I mean, there's really two issues.
23 This is a public hearing and by the nature of a public
24 hearing, a lot of people in this room are getting new
25 information. I know I am. This is a new issue to me.

1 So, to say, "Okay, here's this new information, and I have
2 to know by the time I leave tonight what your comments are,"
3 is probably logistically undesirable, if nothing else. I
4 mean, if you want to -- if you want to serve your
5 constituency, you want to make sure that you get all of the
6 public comments that would come, but you're cutting it off
7 at a point when people are getting new information, so I
8 would recommend, I would request, the comment period be
9 extended.

10 THE HEARING OFFICER: I'm not going to do that
11 right at the moment. Okay, I'm going to listen to what
12 other people say, and when we reach the end of the hearing,
13 I'll see whether I'll take it upon myself to do that. I
14 just don't know at this point. Thank you.

15 MR. KATELEY: Thank you, sir.

16 THE HEARING OFFICER: Now, there was a -- the
17 fourth row, I think there was one or two gentlemen that were
18 going to speak. Sir, in the blue shirt?

19 ROLLIN CURD

20 Good evening. My name is Rollin Curd, I live at
21 540 Mears in Chadron, Nebraska. I'm a registered land
22 surveyor in Nebraska and South Dakota. I'm a part of Pine
23 Ridge Land Surveys. My son, Philip, is in charge of Pine
24 Ridge Land Surveys. I'm retired.

25 I started working for the Kansas-Nebraska Gas

1 Company and Wyoming Fuel, in 1981. And over the years, Pine
2 Ridge Land Surveys worked for different companies drilling
3 for uranium in Dawes and Sioux County. There were some
4 boundary surveys, but most of them are surveys where
5 horizontal and vertical control, and we followed behind the
6 drillers to establish an elevation and a coordinate on the
7 drill holes and the monitor holes. Over a period of 20
8 years, I've learned much about the men and women who work
9 for Crow Butte. We actually worked as a consultant. Much
10 of their work is outside in all kinds of weather. Men and
11 women from Sioux, Dawes, and Cherry County work at this
12 plant or in the vicinity. I recently visited the county
13 treasurer's office and I learned that in 2009, Crow Butte
14 paid \$9,787,028.50 in property taxes in this county. Later
15 on, if you need more information, our county treasurer,
16 Lois, is over here. Raise your hand, Lois. Thank you.

17 What this boils down to is this Cameco/Crow Butte
18 organization is paying nine percent of all the property
19 taxes for this county. This tax does not include Crow Butte
20 sales tax, nor does it include property or sales tax of all
21 the contractors. But we know, in August 25th Chadron
22 Record, it was reported that Leonard Chubb, a local water
23 well driller, and I know Leonard, for many years has stated
24 that the water in the Chadron formation is not good to drink
25 and this water stinks and it has a bad taste. Who would

1 know better than a driller? Local water wells are in the
2 Brule formation above the Chadron formation and separated by
3 a layer of clay. It is my understanding that Crow Butte
4 Resources will be drilling by the in-situ method in the
5 Chadron formation between depths of 350 to 700 feet. I
6 understand Crow Butte Resources sells yellow cake to the
7 Cooper Nuclear Plant on the Missouri River. That's near
8 Brownville. Nebraska Public Power, which is our power
9 company for the entire state, it's our source of
10 electricity, purchases 20 percent of their power for the
11 state of Nebraska from this plant. So could we say, each
12 time we flip the switch, 20 percent comes from the Crawford
13 area? I think we could.

14 I have here a brochure I received from the Cooper
15 Nuclear Station wherein it states the station consumes six
16 pounds of uranium oxide in a day, about the size of a deck
17 of cards. That's equivalent to 20 million pounds of coal or
18 165 million cubic feet of natural gas or one million gallons
19 of oil. I'm not opposed to coal or gas or oil or wind, but
20 I think this contrast is interesting. Gives the world some
21 idea of what's happening here.

22 I understand that recently Crow Butte has given
23 \$50,000 to construct a building at the Crawford Park, and we
24 already heard that they gave some money to this school. I
25 think that's a very good thing, and I've been told that the

1 Crow Butte Resource company and its employees have been very
2 generous to the people of this area.

3 The August 25th issue of the Chadron Record
4 presented an article entitled, "Mines, Foes, Oppose Aquifer
5 Exemption." Mr. Tom Cook stated -- I don't know, Tom,
6 whether you're here tonight, but if you are, I'd like to
7 visit with you later -- he stated there's a danger that
8 water could migrate underground to his home in Pine Ridge
9 Indian Reservation. That must be 35 miles, something like
10 that. Tom's entitled to his opinion, but I'm entitled to
11 mine, and to my knowledge, Whitney, Chadron, or Oelrichs
12 have never complained about contaminated water from the
13 Crawford area. A person could dream that we could have an
14 earthquake and it might rearrange the land. As a surveyor,
15 I've located CBR monitor wells around their production
16 wells, so I trust they know if contaminated water is leaving
17 the area.

18 In closing, I would just recommend that Nebraska
19 Department of Environmental Quality grant a permit for the
20 construction and operation of this Class I non-hazardous
21 waste injection well. Thank you.

22 THE HEARING OFFICER: Yes, sir.

23 Center of the room, is there anyone remaining in
24 the center of the room that wishes to testify? Sir, would
25 you come forward, please?

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FRED HAGMAN

My name is Fred Hagman, F-r-e-d, H-a-g-m-a-n, 423 Chadron Avenue, Chadron, Nebraska. I represent two entities here this evening, myself and my family, and Security First Bank, who has a bank here in Crawford, and the address is 403 Second Street.

First of all, I'll speak for myself and my family. We own 368 acres about two miles, I suppose, south of the mine. So, we do have a stake in environmental quality. I have a biology major. I am not a scientist, but in view of all of the entities that have been involved in this enterprise for all of the years, I think that we have to equate the benefits to the, I guess, detriment to our environment, and we have to weigh those, and with the best science, decide what we need to do. And our family supports this enterprise based upon that science that comes from all of the entities that are involved.

As far as Security First Bank, and I've worked in banks in this area since -- well, for 25 years, I've been in lending between Chadron and Crawford and Alliance. And some years ago when the mine was first starting, I believe you could almost walk in there and see the yellow cake itself and the technology that was going with it then. And where it's changed today, it's tremendously different. The bank has nothing to do with any of the science to it, but the

1 bank does know the tremendous value of this entity combined
2 with all of the other good entities that our mayor talked
3 about that we have that support our community. But this is
4 a large one. It employs a lot of people. It definitely
5 involves a lot of things that people are able to do in our
6 community through loans and income and the sources that come
7 back through turning the money over through our businesses.
8 And the bank supports, you know, that part of this business.

9 And that's all I have to say, thank you.

10 THE HEARING OFFICER: Thank you.

11 Center of the room, anyone wish to give testimony,
12 comments, offer documentary material?

13 Again I'll give a reminder that we do have these
14 pink sheets of paper. Jenny, do you have them still? The
15 gentleman in the -- to my left there and near the back has
16 the pink sheets. If you sign those, those will indicate to
17 us that you want to receive our response to comments that
18 we'll be preparing. But we need to have your contact
19 information, so please, if you want to receive that from us,
20 go to Dave in the back of the room and he'll get your
21 contact information.

22 Now, I'll go over to this far section that's to my
23 right. Is there anybody in this section that wishes to
24 offer comments, testimony, or documentary or graphic
25 material? Sir, in the very back, would you come forward,

1 please?

2 PAUL SHIMEK

3 Hello, my name is Paul Shimek, I'm from -- my
4 address is 603 Main, Crawford. And I'm here to represent
5 myself and --

6 THE HEARING OFFICER: We're having a little
7 trouble picking you up, there. Could you project a little
8 bit?

9 MR. SHIMEK: Yeah. I'm here to represent myself
10 and family. I've been an employee at the mine for 20 years,
11 plus I was there to help construct the commercial plant.
12 And so it's -- I started to migrate out as they spoke about
13 people -- the youth leaving the community. And I was
14 working over in Wyoming for several years and actually came
15 back and ended up here and I'm a part of the community and
16 glad to be here. And it wouldn't have happened without the
17 economics of the mine. So, like I say, it's real vital to
18 Crawford and the economic stimulus is a very great attribute
19 to the community.

20 So, that's all I have.

21 THE HEARING OFFICER: Thank you.

22 In this far section, anyone wishing to speak?
23 Sir, in the very front, would you come forward, please?

24 JERRY CREWS

25 My name is Jerry Crews. I live at 350 Shelton

1 Street in Chadron. I am an employee of Cameco Resources and
2 I just want to say that the employees that are there have
3 been -- have worked and lived in this area for generations.
4 And we have our own water at the mine in our own lunchroom.
5 And I drink the water every day, and I'm very confident in
6 our company's ability to test and monitor any problems that
7 are associated with any drinking water, any of those
8 concerns.

9 And that's all I want to say.

10 THE HEARING OFFICER: Thank you, sir.

11 Sir, in the second to the back row, plaid shirt,
12 please?

13 WALT NELSON

14 I'm Walt Nelson. I am the Environmental
15 Leadership Coordinator at the mine. I've been there about
16 three years. My address is 803 West Ash Creek Road,
17 Crawford.

18 I don't want to take up a whole lot of your time.
19 I've been at the mine for about three years and a lot's been
20 made that we're a Canadian-owned company. But I don't know
21 anybody that works at the mine that's from Canada. Matter
22 of fact, probably 90 percent of the people that work at the
23 mine grew up within a couple hundred miles of the mine or
24 less. I was born in Chadron. I was raised south of Gordon
25 in the Sandhills. And if I believed that many of the

1 accusations that have been made against the mine in these
2 hearings were true, if I believed that we're damaging the
3 environment, if I believed that we couldn't control the
4 groundwater, if I believed that we couldn't contain it, I
5 wouldn't be involved in what's happening at Crow Butte.

6 As a kid growing up in the Sandhills, I understand
7 the importance of groundwater, and I understand what that
8 means to our communities and our families. And our ranching
9 communities, our farming communities, I understand those
10 things. And I take a great deal of pride in being part of
11 the team that protects that groundwater resource.

12 And I could probably answer as well as anyone
13 about our monitoring programs. We analyze about 8,000
14 groundwater samples every year. We have 326, I believe,
15 monitor wells around the mine that monitor the perimeter of
16 the mine. They also monitor the shallow aquifer and make
17 sure that your drinking water is protected. We're so
18 confident in our ability to protect that groundwater, that
19 the drinking water well for the mine is located about 200
20 feet from the plant. We, every day, each one of us, the 70
21 people that work at Crow Butte, drink the water that
22 overlies the aquifer that we're working in. We monitor that
23 well. We ensure the water quality. We monitor through the
24 State. We're a public drinking water supply. And so, we
25 know that that water is safe to drink and we have confidence

1 that it's safe to drink, because we drink it every day.

2 If we didn't believe that, I don't think that
3 anybody that's out there would continue to work and to do
4 what we do every day, but we do it because we know that we
5 can do it. We know that we can do it safely. We know that
6 we can protect the environment in the way that we handle it.

7 There have been a lot of issues raised, and we
8 would enjoy the opportunity, we'd love the opportunity to
9 visit with you about some of the questions that have been
10 raised tonight. I'm not going to take a lot of your time by
11 trying to answer them specifically. But the mine is open
12 for tours at any time. You can call. You can walk in.
13 We'd love to have you, anytime during business hours, come
14 and tour the mine. We'd be more than happy to show you what
15 we do, explain to you our monitoring programs, and explain
16 to you the programs that we have to monitor the environment
17 around the mine.

18 Thank you very much for your interest tonight, and
19 if you've got any questions, please contact us at the mine.
20 We'd love to explain what we do.

21 THE HEARING OFFICER: Mr. Nelson, would you mind
22 telling us what it is that your education and/or experience
23 that prepares you to do this kind of work?

24 MR. NELSON: I have an environmental biology
25 degree and a chemistry minor. I actually came to the mine

1 from Chadron State Park. I was the superintendent there for
2 a couple of years and an assistant there for six years.

3 THE HEARING OFFICER: Thank you.

4 MR. NELSON: You bet. Thank you.

5 THE HEARING OFFICER: Now, just generally, is
6 there anyone else who hasn't had a chance to speak yet
7 tonight that would like to?

8 Sir, in it looks like the second-to-the-back row?

9 ROY NORGARD

10 My name is Roy Norgard. I live at 810 2nd Street
11 in Crawford. And I've been listening to all this and I'm
12 certainly not a speaker by any means, and I'm not an
13 employee of the mine. I am a landowner. I've lived here
14 for 58 years. I own property to the north of Crawford,
15 which will be adjacent to the new permit site. And I really
16 don't have a lot to say, except I know the commitment of the
17 people that work out there and the -- all the people that
18 oversee the workings of the mine and the things that could
19 go wrong. There's just a lot of checks and balances. And I
20 just simply want to say I'm in support of this and I hope
21 you approve it.

22 THE HEARING OFFICER: Thanks.

23 Anyone else who hasn't had a chance to speak
24 tonight that wishes to present any kind of testimony,
25 comments, documentary evidence?

1 Sir, white shirt?

2 JIM STOKEY

3 My name's Jim Stokey, S-t-o-k-e-y, 2214 Hidden
4 Valley in Chadron, Nebraska. I'm the General Manager out at
5 Crow Butte Resources. I didn't speak at the last meeting,
6 but I wish I would have. And so I told myself I'd get up
7 here and talk at this one. I won't get on my soap box, I
8 promise, guys. And so -- but I do have a few things I'd
9 like to say about my mine. I'm very proud of that place out
10 there, and you have to understand that -- I'll tell you a
11 bit about what we do and that we are here tonight to ask
12 NDEQ to grant us a permit for a second disposal well.

13 The mine at Crow Butte proposes expansions that
14 affect only portions of deep aquifers that are unsuitable
15 for drinking water. The shallow Brule Aquifer from which
16 this area gets its drinking water isn't affected and we
17 monitor that very carefully. A series of monitor wells
18 above and around the underground area being mined help to
19 assure that mining solutions do not migrate away from our
20 permit area.

21 As Walt mentioned, Crow Butte has 324 monitor
22 wells that we test every two weeks and more than 8,000
23 samples are taken every year and they're sent in for
24 analysis by our lab. Shirley ^{McVava JL TD}~~Meray~~ (phonetic) over here
25 does a lot of our water sampling and analyzes a lot of our

1 water. And we also send them off to Energy Labs in Casper,
2 Wyoming, for a second opinion.

3 Water at our site is continuously recycled in a
4 control loop system. We recirculate about 7,600 gallons per
5 minute out there. Of that 7,600 gallons, we consume an
6 amount of water that's roughly equal to the water that it
7 takes to irrigate 225 acres of corn under pivot. So, it's
8 about one and a half pivots' worth of corn that we consume
9 per year, about 126 gallons a minute.

10 When done with the operations out there, we're
11 going to be required to clean the water and restore the
12 aquifer to at least the same class of use that it was before
13 the mining. Land disturbed to build the roads and well
14 field, that we manage that to control the dust with the
15 storm water runoff and we also preserve our topsoil in
16 piles. They're marked to be put back in place after we have
17 gone. When mining is done, the land is going to be
18 reclaimed through restoring natural contours and the
19 vegetation. The groundwater under the first well field that
20 we put into operation mining, Unit 1, has already been
21 restored. To help with this continued restoration project.

22 Crow Butte is seeking approval from the NDEQ for a
23 second deep disposal well. The deep disposal well would be
24 used to inject brine generated by our additional RO
25 capacity, our reverse osmosis capacity, from these

1 restoration activities into deep isolated sand formations
2 that are separate from our drinking water sources and are
3 contained by many layers of impermeable clay. In addition,
4 this deep disposal well will supplement a well that we
5 already have in place, Well No. 1, and it will be similar or
6 not exactly like the one we have.

7 Our 69 employees and 20 contractors are working to
8 keep the Panhandle a major American producer of fuel for
9 nuclear power plants in Nebraska and worldwide. NPPD,
10 Cooper Nuclear, buys fuel from us. We supply about 20
11 percent of the electricity that you use here tonight. This
12 is one of the only states in the United States where uranium
13 is mined in the western end of it and it is consumed in the
14 eastern end of it. This is Nebraska and Nebraskan people
15 making fuel for a Nebraska power plant in the east. We have
16 a closed-loop system here. This is the only place this is
17 going on.

18 We've been a part of Cameco Corporation of
19 Saskatoon, Saskatchewan, Canada, since 2000. Cameco's been
20 involved with our company, though, from the beginning. Our
21 parent company is one of the largest producers of uranium in
22 the world. Cameco has a deep commitment to safety, the
23 environment, and social responsibility. Our US operations,
24 known as Cameco Resources, they're headquartered in
25 Cheyenne, Wyoming. I am proud to be a part of this company

1 recognized worldwide for its expertise and strong core
2 values. I'm also proud of the Nebraskans, our neighbors,
3 who helped build this mine and operate it today. People
4 like Don ~~Bass~~ ^{Bass JC TJD} (phonetic), Shirley ~~Morava~~ ^{Morava JC TJD} (phonetic), Tom
5 Lemmon (phonetic), Paul Shimek, Pete Rabin (phonetic), Bruce
6 Lemmon (phonetic), Rhonda ~~Ranthen~~ ^{Grantham JC TJD} (phonetic), ~~Gil~~ ^{Gale JC TJD} Land
7 (phonetic), who's been working out there since 1979. You've
8 been there a long time too. Steve ~~Bosman~~ ^{Osmotherly JC TJD} (indiscernible)
9 our drillers. They know more about drilling on this planet
10 than, I bet, any other people walking the face of this
11 earth. They are experts at what they do. We've been here
12 for a long time. I've been there since 1989. I'm from
13 Lewellen, Nebraska, and Nebraska's our home and our future,
14 our children and grandchildren growing up here, mine are.
15 They live here and I intend to make this a very good home
16 for them. It is important to us that our business
17 contributes to our communities and our local economy and to
18 provide a very valuable resource for the nation that we
19 protect -- for our nation and that we protect our
20 groundwater, land, and wildlife. Thank you.

21 THE HEARING OFFICER: Thank you.

22 Anyone else who hasn't had a chance to speak yet
23 tonight want to come forward?

24 Okay, I don't see any hands, so -- Sir?

25 JOHN LEMMON

1 My name is John Lemmon. My address is 13441
2 Highway 2 and 71 in Crawford. And I didn't really intend to
3 speak when I came here tonight. I just came to listen, but
4 after hearing everybody else speak, I feel that I have
5 something in common with almost everybody who came up here
6 and expressed concerns or that have given their testimony.
7 I'm from the area, was raised here. And I feel fortunate to
8 have an opportunity for employment here which allows me to
9 stay in this area that I've grown to love and it also allows
10 me to provide for my family and make a fairly good living
11 for myself.

12 I also share concerns with the environmental
13 safety. I consider myself to be an avid outdoorsman and I
14 enjoy hunting and fishing as much as I can. And I would
15 hate to see anything that would come in and interfere with
16 any type of our environment, whether it be poisoning our
17 streams and lakes or the surface, damaging our wildlife that
18 graze the grasses and whatever, near the mine. I'm also a
19 driller, not old enough, I guess, to make the list of people
20 to be recognized.

21 (Laughter.)

22 But I'm a drilling rig operator and if there's
23 anybody that's going to turn a deaf ear, it would be one of
24 us who gets tired of people like Walt or Dave Carlson who's
25 constantly harping, you know, in our ear making sure that we

1 are doing our job in a safe manner and that we're doing our
2 job to keep things safe and to operate in a safe manner.
3 There's open-door policies at the the plant. We could walk
4 into any office in there with any concern we have, whether
5 it be safety, environmental safety, any issue. There's
6 somebody there that would not hesitate to sit and listen to
7 what we have to say, and then they would either be able to
8 answer our questions or they would do what it would take to
9 find the answers to our questions.

10 The fourth thing I have in common is the support
11 that the company gives to our community. I've been involved
12 with youth sports, mainly basketball and softball, for seven
13 years now. And Crow Butte, along with ~~Landrill~~ Landrill JL T9D
14 Exploration, which is my employer, they've never batted an
15 eye to donate whatever they can to support your
16 organization, whether it be money, whether it be buying
17 uniforms, buying equipment for this or for that. They don't
18 hesitate a bit. They take your request, send you off with a
19 smile, and a few days later, you're getting your check in
20 the mail and you're moving on with your business.

21 So, I wouldn't work out there if I didn't think it
22 was a safe place. I also have land, due to some generosity
23 of a family member of my wife's. I've acquired land that I
24 hope that one day will be in the permitting areas.

25 (Laughter.)

1 But I definitely wouldn't want to see that land go
2 to waste and I wouldn't want to see it damaged in any way.
3 That land is very dear to my wife's heart. It's been passed
4 down a couple of generations now. And we definitely hope
5 that either our son or daughters or maybe even any
6 grandchildren that we have will be able to continue to live
7 on that area or at least have something to do with the land
8 that we've acquired as well.

9 So, I would say that I'm in support of any
10 permitting that Cameco is in seek of in the future, whether
11 it be a disposal well or any expansion. I just don't see
12 any problem with any of it. Thank you.

13 THE HEARING OFFICER: Thanks.

14 Anyone else who hasn't had a chance to speak, yet?
15 Okay, I'm going to call Ms. -- Sir, I saw a hand. Okay, the
16 black shirt, please.

17 DENNIS KROTZ

18 My name is Dennis Krotz of Rushville, Nebraska,
19 104 West 4th Street. And I'm a recent hire of Cameco. I've
20 interned there for the last two years and I've also recently
21 graduated from School of Mines at Rapid City as a chemical
22 engineer. And what I really like about this company is the
23 support it gives to this community. As I worked out there
24 as an intern, I saw how they would hire high school students
25 as summer help, how they gave a lot of -- you know, they did

1 the intern thing. You know, they support kids there. Also,
2 the scholarship programs that they give to everybody and
3 with my recent graduation, I could have went and been a, you
4 know, went to a job anywhere, but I love how they stayed
5 true to the small community and that they took
6 the time for their youth and actually helped them get a good
7 job and teach them and just the support they gave to the
8 community. That's all I have to say.

9 THE HEARING OFFICER: Thanks.

10 Anyone else who hasn't spoken yet that'd like to
11 speak?

12 Ms. Olson, are you still present?

13 MS. OLSON: Of course I'm still here. Do you
14 think I would leave?

15 (Laughter.)

16 I guess you can give people here the ability to
17 leave. I will not be offended.

18 THE HEARING OFFICER: Well, that's gracious of
19 you. Everyone is free to leave and free to come back until
20 we adjourn.

21 MS. OLSON: It's not like I have to get back to
22 the mine.

23 CASSANDRA OLSON

24 As I said, I obviously do not work for Cameco.
25 I'm obviously a lone skeptic here in this room, evidently.

1 But that's okay. The world needs people like me, I think,
2 but then, I'm prejudiced.

3 I was referring to Cameco's actions speaking
4 louder than their words when I was stopped. I will pick it
5 up from there. It says their yearly violations are not
6 decreasing, being Cameco's. They are on the increase, and
7 not just here in Dawes County, but almost everywhere they
8 have an operation.

9 I would ask that you read what Cameco has done in
10 Wyoming. The Wyoming DEQ finally hit them with a \$1.4
11 million fine and it was not because of their stellar mining
12 practices. Read what they have done in the UP, Michigan's
13 Upper Peninsula. Headline, "Public Health Advisories
14 Warning of Record Levels of Uranium in the Drinking Water."
15 Read what Cameco has done in their own country, Port Hope,
16 Ontario, and the McArthur River Project being just two
17 examples.

18 The tentacles of this company stretch from our
19 northern borders to south Texas, and west to Nevada. You
20 may have to dig to determine just which mining companies are
21 Cameco subsidiaries, but check out the performance of this
22 company. They talk a good game, but that's all it is. They
23 build wonderful facilities. They produce impressive pieces
24 of propaganda. But once the glitz is removed, you peel back
25 the layers, the truth, the reality is that Cameco's

1 credibility is in the minus column.

2 So, NRC and DEQ, please answer this one. When
3 will enough be enough? You have given Cameco 20 years to
4 pollute and to contaminate our water, our land, and our way
5 of life. Just what are the guidelines? What is your magic
6 number for violations before you shut the group down? What
7 kind of spill or accident is it going to take before you
8 finally get the message that this group, Cameco, cannot, nor
9 ever intended, nor ever will, totally abide by the rules?
10 Just how many oops and unfortunate incidents will it take to
11 turn our Garden Beyond the Sandhills, into the Wasteland
12 Beyond the Sandhills? How many more acres are you going to
13 allow them to contaminate and leave unfit for future use?
14 How many more years, how many more incidents will it take
15 before every road in and out of Dawes County carries the
16 sign "Caution, any area within this facility may contain
17 radioactive material"?

18 Just what are you, the NRC and the Nebraska
19 Department of Environmental Quality, telling the people of
20 Dawes County? Have you or someone higher in authority
21 determined that Dawes County is the new experiment? The
22 modern-day equivalent of another Bikini Atoll? Who granted
23 you the God status and gave you the power to determine that
24 our lives, our land, and our way of life here in Dawes
25 County is expendable? This is not about money.

1 You know, if there is no truth in what I have just
2 said, then you, the DEQ and the NRC need to rethink your
3 decisions.

4 EPA recorded eight violations by CBR in 2009.
5 Between April 13 and July 1 of this year, there have been
6 another eight violations recorded. Just what has taken
7 place since July 1 and this very evening, I do not know, but
8 I know the year's not over. Obviously, Cameco does not yet
9 have the technology to safely extract this hazardous product
10 from our grounds. Statistics say that today's technology
11 will be obsolete in two to five years. It is expanding that
12 rapidly. For me, common sense says until Cameco possesses
13 the technology to safely extract the uranium, and can
14 guarantee that what they do will not contaminate our water
15 and our land, then you, NRC and the DEQ, need to shut them
16 down.

17 Has CBR actually followed the advice of Dr.
18 LaGarry? In his opinion paper in 2008, Dr. LaGarry said,
19 and I quote, "It is my expert opinion that an ISL mining in
20 the Crawford, Nebraska, area should not be allowed to
21 continue until the potential contaminant pathways of the
22 White River alluvium and the southwest to northeast and
23 northwest to southeast trending fault zones are examined and
24 monitored. To this end, I suggest" -- he then went on to
25 list eight suggestions. Eight being, and I quote, "Color

1 the water used in all underground stages of production.
2 This will allow future leaks to be detected even if they
3 manifest far from the mined area." Has CBR done this?

4 We moved into our new home in mid-2002. We had
5 water samples taken before we purchased the property, after
6 the new line to the new house was laid, and then again,
7 after the new well was installed. All three times we were
8 told it was safe. I came with a set of new baking dishes,
9 white, like this, Corningware.

10 THE HEARING OFFICER: Do you want to describe the
11 color and appearance of what you're showing?

12 MS. OLSON: This is a white Corningware baking
13 dish. It has ugly little blue flowers on it, but it is
14 white. One dish in the set, this one, proved ideal for a
15 pet drinking dish as it fit in the corner and partially
16 under the cabinet so that I was not constantly hitting it
17 and sloshing water everywhere. My pet's drinking bowl,
18 after five years, did begin to show hard water spots, but it
19 was still white in color. And then, it wasn't. Thinking
20 that this was simply pet slime, it went into the dishwasher.
21 That didn't work. It sat in Clorox for two days. That
22 didn't work. My toilet bowls are an off shade of dirt
23 green, so the problem was less obvious there until close
24 inspection, and sure enough, it's visible now, and it's not
25 because they have not been scoured. A pumice stone hasn't

1 even helped. I cannot pinpoint the date of change. We had
2 fun and traveled in '07. My husband's health issues kept
3 him home in '08, and that is when the blue green buildup
4 became most apparent. We discussed the need to get the
5 water tested again, and it went on the honey-do list.
6 Unfortunately, life happens, things get postponed. Hoping
7 the problem was the ceramic, I tried a plastic bowl and
8 watched it turn blue green. I received a new clear glass
9 teapot for Christmas. It is turning blue green. Obviously,
10 my problem is not going away. I finally did send in a
11 sample and am waiting for the results from Grand Island. In
12 fact, I went to the Post Office before coming here hoping
13 that I would have received results. What is the cause? I
14 do not know. What I do know is that my well has new guts.
15 The plumbing from the well to the house is new. It's all
16 new inside the house. I do not have rust in my pipes. I do
17 not have iron pipes. The only copper pipes are hot water
18 pipes and my pets drink only cold water.

19 The one other thing I do know for sure is Cameco,
20 CBR, drilled test wells north of Mill Road, west of 71, some
21 of those being less than one quarter mile from my well. Are
22 they at fault? At this moment in time, I honestly do not
23 know. Am I suspicious? Of course. Wouldn't you be, if, to
24 your knowledge, CBR actions were the only known change that
25 could remotely impact the quality of your water?

1 I'm (indiscernible). The whole issue is very
2 unsettling in more ways than one. But it surely drives home
3 the importance of safe drinking water.

4 How many people here tonight work for DEQ, the
5 EPA, or the NRC? Anyone left? Were you all not created by
6 the federal or state government? Were you all not created
7 to be watchdogs to protect and defend US interests? The NRC
8 website proclaims, and I quote, "Protecting people and the
9 environment."

10 Is the Nebraska Department of Environmental
11 Quality, created in '71, not an arm of the EPA, which was
12 created by federal law in 1970? Does not your mission
13 statement read, quote, "The protection of Nebraska's air,
14 land, and water resources"? Posted in Partners on
15 Wednesday, May 5, of this year, and I quote, "Nebraska DEQ
16 is a state agency that enforces environmental regulations
17 and provides assistance for projects that protect the
18 quality of Nebraska's environment, our air, land, and water
19 resources. They work to ensure future generations can enjoy
20 -- use and enjoy the precious natural resources we enjoy
21 today."

22 Are these true statements? If so, I ask both the
23 NRC and the DEQ, which of your decisions regarding CBR have,
24 in fact, protected the quality of our environment? Which
25 of your decisions regarding CBR has, in fact, protected our

1 water resources? Which of your decisions regarding CBR has,
2 in fact, ensured future generations that they can use and
3 enjoy the precious natural resources we enjoy today? And,
4 if CBR comes under the category of projects, tell us how
5 they, CBR, per your regulations and assistance, have
6 protected the quality of our environment, our air, our land,
7 and water resources here in Dawes County. If I'm incorrect,
8 I apologize up front, but I could only find one denial to
9 CBR's requested activities, and that was by the NRC back in
10 2002.

11 So, 44 CBR violations later, just how have you
12 protected us? As a government agency and as people who work
13 for it, are you not required to follow the principles
14 outlined in the US or Nebraska Constitutions? When you read
15 the Constitution, does it not discuss the protection and
16 defense of the principles of the Constitution? And in these
17 principles, does not the Constitution use the word people,
18 their general welfare, and for our posterity? Where is it
19 written that you have the right to decide who you will or
20 will not protect? There is not one article, one section, or
21 subclause in either the Nebraska or US Constitution which
22 provides for the preferential treatment of a foreign
23 business at the expense of USA citizens, at the expense of
24 USA water, at the expense of USA land, or any other of our
25 USA resources. None.

1 It is a sad day when a USA citizen, a Nebraska
2 native, born and raised in Dawes County has to stand before
3 a public assembly and beg a US government agency to do their
4 job to protect the citizens of the US of A, of the state of
5 Nebraska, of Dawes County, to protect their water, to
6 protect their land, and the livelihoods of the fellow
7 citizens, of the fellow countrymen. How dare you place us,
8 your fellow countrymen, in a potentially hazardous and even
9 potentially lethal situation.

10 This is our flag. It's your flag. It is the flag
11 to whom we have sworn our allegiance. This is the flag
12 that, as government employees, you promised to uphold,
13 protect, and defend. Note, look closely. There is no red
14 maple leaf anywhere on that flag. It is time that you stand
15 up and actually protect the people, the environment, all
16 human and natural resources of this nation. It is time for
17 you to stand up, to stand up against the foreign interests,
18 and to stand up for the US of A.

19 THE HEARING OFFICER: You're bringing forward the
20 items that you wanted to have entered into the record?

21 MS. OLSON: Yes, sir.

22 THE HEARING OFFICER: Okay, let's --

23 MS. OLSON: You may want to lump --

24 THE HEARING OFFICER: I really don't have the
25 ability to lump, so with the photographs, we don't have a

1 good place to mark other than on the backside.

2 MS. OLSON: You can mark anywhere you so desire.

3 THE HEARING OFFICER: All right, was this one that
4 you were going to keep or --

5 MS. OLSON: No, this -- you can put this in there,
6 too.

7 THE HEARING OFFICER: All right.

8 MS. OLSON: This is what should be versus what is.

9 THE HEARING OFFICER: Okay, you have -- now, now,
10 we'll get mixed up if we -- all right, I'm going to mark the
11 photo- -- I'll mark the photographs and then I'm going to
12 ask you to say on the record what they depict, okay?

13 I want to start with the photographs. Would you
14 tell us what the --

15 MS. OLSON: (Indiscernible).

16 THE HEARING OFFICER: I want to do them one by
17 time, or we'll get --

18 MS. OLSON: But they are -- I have them in order
19 that makes sense.

20 THE HEARING OFFICER: Okay.

21 MS. OLSON: This is the last one. My first photo
22 is a photo that, I guess, represents (indiscernible).

23 THE HEARING OFFICER: I want to make sure we're
24 picking up what you're saying.

25 MS. OLSON: Okay, well, I'm usually a very loud

1 person. It should work. (Indiscernible). This represents
2 the scene at Crow Butte.

3 THE HEARING OFFICER: And the number there is
4 what?

5 MS. OLSON: Thirty-six.

6 THE HEARING OFFICER: Okay, and your first one was
7 37, right? Okay.

8 MS. OLSON: (Indiscernible), which certainly
9 represents to me an interruption (indiscernible) state and
10 county. Thirty-five is simply a photo of one of their
11 (indiscernible). Again this is something that we want to
12 (indiscernible) for the rest of our lives and when you look
13 (indiscernible).

14 And this last one, No. 34, I didn't even know that
15 it was there. It was just a photograph (indiscernible) if
16 you will. (Indiscernible).

17 THE HEARING OFFICER: Okay, you took all these
18 photographs yourself?

19 MS. OLSON: You betcha.

20 THE HEARING OFFICER: Approximately when?

21 MS. OLSON: Those?

22 THE HEARING OFFICER: Yes.

23 MS. OLSON: This morning.

24 THE HEARING OFFICER: Okay, now we're going to
25 receive Exhibits 34 through 37.

1 (Exhibits 34 through 37 were received in evidence.
2 See Index.)

3 MS. OLSON: This one is another (indiscernible).
4 It bothers me (indiscernible) that we are (indiscernible).
5 I guess it's not something that I really would look forward
6 to having (indiscernible) my children's children
7 (indiscernible).

8 THE HEARING OFFICER: Did you take that
9 photograph, Exhibit 34?

10 MS. OLSON: Yes, sir, I did.

11 THE HEARING OFFICER: And where?

12 MS. OLSON: Where?

13 THE HEARING OFFICER: Yeah.

14 MS. OLSON: It's at Crow Butte.

15 THE HEARING OFFICER: Okay, thank you.

16 MS. OLSON: Because I will not give you my dish, I
17 took a picture of my dish that I referred to in my
18 information.

19 THE HEARING OFFICER: Okay, that photograph of the
20 dish is 39, and that's received.

21 (Exhibit 39 was received in evidence. See Index.)

22 MS. OLSON: As a history teacher, I refuse to be
23 labeled as a female (indiscernible) so that is why I made
24 copies (indiscernible), so I am not holding up blank sheets
25 of paper and accusing anybody of anything without getting

1 backup. I have here the DEQ statement that was issued in
2 Partners that I just referred to, the website for NRC and
3 protect the people and the environment and from the website
4 of the Nebraska Department (indiscernible) mission
5 statement. I don't know if you want to label each one of
6 these individually or not.

7 THE HEARING OFFICER: Are they all together? No,
8 I have to do them individually. Okay. Forty is an item
9 that you handed me that says, Environmental alert.

10 Forty-one is the item that you handed me with
11 USNRC at the heading. And then 42 you handed me, and it
12 contains the --

13 MS. OLSON: It's a DEQ statement as it was posted
14 on Partner.

15 THE HEARING OFFICER: Okay, the items up through
16 and including 42 were received.

17 (Exhibits 34 through 42 were received in evidence.
18 See Index.)

19 MS. OLSON: I referred twice to Dr. LaGarry's
20 expert opinion regarding ISL mining in Dawes County.

21 THE HEARING OFFICER: And this is the article that
22 you referred to?

23 MS. OLSON: Yes, sir.

24 THE HEARING OFFICER: Okay, then, I'm marking
25 Exhibit 43 and receiving.

1 (Exhibit 43 was received in evidence. See Index.)

2 MS. OLSON: This one is the C-SAT study in
3 reference to the deep drilling and the application to
4 Geothermal Resources.

5 THE HEARING OFFICER: Okay, I'm marking the
6 Geothermal Resources study 44 and receiving that.

7 (Exhibit 44 was received in evidence. See Index.)

8 MS. OLSON: I made reference to the lawsuit in
9 Lancaster County and this is a copy of the affidavit from
10 (indiscernible).

11 THE HEARING OFFICER: Okay, I'm marking and
12 receiving Exhibit 45, which is titled In the District Court
13 of Lancaster County, Nebraska, Complaint.

14 (Exhibit 45 was received in evidence. See Index.)

15 MS. OLSON: This is from the EPA violations from
16 the State of Nebraska that lists the violations from '97 to
17 July of 2010.

18 THE HEARING OFFICER: Okay, what you've given me
19 is marked Exhibit 46 and it appears to be seven pages titled
20 Crow Butte In-situ Leach Uranium Mine, Dawes County,
21 Nebraska.

22 MS. OLSON: And this last one is in reference to
23 the credibility of Cameco and it's titled, "Cameco Hits a
24 Rough Patch," from (indiscernible).

25 THE HEARING OFFICER: So, I've marked this item,

1 the Rough Patch item, Exhibit 47 and receiving that into the
2 record.

3 (Exhibit 47 was received in evidence. See Index.)

4 MS. OLSON: I'm done.

5 THE HEARING OFFICER: Thank you, Ms. Olson.

6 Is there anyone else present -- Sir, I see a hand.
7 Would you come forward, please?

8 LOREN KICKLAND

9 My name's Loren Kickland, 312 West Niobrara,
10 Chadron, Nebraska. And I recently did a tour of the mine,
11 and I don't believe there was a Canadian flag flying at the
12 mine. And I'm a US veteran. That flag right there was the
13 flag that was flying. Thank you.

14 THE HEARING OFFICER: Sir, I didn't catch your
15 last name.

16 MR. KICKLAND: K-i-c-k-l-a-n-d.

17 THE HEARING OFFICER: Okay, thank you.

18 Anyone else wish to offer any testimony, comments,
19 documentary or graphic items for the record of the hearing?

20 (No response.)

21 Okay, I see -- I'm going to ask for a show of
22 hands again. Is anyone else present that wishes to speak,
23 add items to the record in testimony or documentary form or
24 graphically?

25

1 (No response.)

2 Okay, I see no hands and no one comes forward.

3 We have the item pending and that was to hold the
4 comment period open. And I will not do that. It -- the
5 request is noted in the record. When I get back to Lincoln,
6 I may get overruled on that. I don't know how we will
7 communicate that we're back in the business of receiving
8 comments. But that's something we'll have to figure out if
9 that happens back in Lincoln. But we're going to close this
10 hearing now and then, and today will be the end of the
11 comment period, as far as I'm concerned. But the Director
12 may overrule me on that.

13 Anybody else have any item that we should take up
14 tonight?

15 (No response.)

16 Okay, then I'm going to call this hearing
17 adjourned at 9:16, and the DEQ thanks everybody here for
18 their attendance and participation. Thank you. The
19 hearing's adjourned.

20 (Whereupon, at 9:16 p.m. on September 23, 2010,
21 the proceedings were concluded.)

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