



GOLIAD COUNTY GROUNDWATER CONSERVATION DISTRICT

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Air and Radiation Docket
Environmental Protection Agency,
Mailcode: 2822T
1200 Pennsylvania Ave. NW
Washington DC 20460

Docket ID No. EPA-HQ-OAR-2012-0788

Dear Sirs:

The Goliad County Groundwater Conservation District (GCGCD or District) is dedicated to assuring the long-term availability of adequate good quality drinking water for the users in Goliad County. Groundwater is the only drinking water supply in the county and is critical to the health and economic viability of residents, livestock, and wildlife. Protection of the aquifers that provide these drinking water supplies is also the responsibility of landowners, the Texas Commission on Environmental Quality (TCEQ) and the Environmental Protection Agency (EPA).

Goliad County Groundwater Conservation District wishes to comment on the proposed changes to the EPA Rules concerning Health and Environmental Protection Standards for Uranium and Thorium Mill Tailings Docket Number EPA-HQ-OAR-2012-0788. GCGCD recognizes that the proposed changes to the EPA Rules for In-Situ Uranium Mining are a positive correction to the serious issue of protecting groundwater; however, GCGCD affirmatively states that stronger protections are worthy of consideration for the sustainability of viable groundwater. GCGCD has dealt with this issue since 2006 when an application to explore for uranium was issued to Uranium Energy Corp (UEC) by the Texas Railroad Commission (RRC) in north Goliad County. Since that time a permit has been issued by Texas Commission on Environmental Quality (TCEQ) to UEC to mine for uranium using the in situ method. This permit application has gone through the process of having the US EPA grant an aquifer exemption to mine in north Goliad County. GCGCD has appeared at public meetings and hearings conducted by the EPA and TCEQ. GCGCD presented information to Region 6 of the EPA that supports some of the revisions to the rules revisions currently being proposed. GCGCD contracted Daniel B. Stephens and Associates to do hydrological studies and to meet with Region 6 of the EPA and explain the Daniel B. Stephens and Associates findings that are referenced in the "Draft Risk Modeling Studies at In Situ Leaching Facilities and Evaluation of Doses and Risks to Off Site Receptors from Contaminated Groundwater – Revision 2" on the EPA rule making site. The GCGCD has interacted with EPA technical staff and management at Region 6 in Dallas dealing with the technical issues regarding the requested Goliad aquifer exemption review. These interactions included meetings in Dallas on 1-19-2011, 2-28-2011, 8-6-2012, and 8-16-2012 and the EPA visit to Goliad County on 8-4-2011 and Victoria, Texas on 2-11-2014. The GCGCD has provided numerous documents via these meetings and via email to the EPA technical staff at Region 6. Included was technical information developed by Neil

Blandford, P.G., Principal Hydrologist with Daniel B. Stephens & Associates, Inc. The EPA Region 6 website covering the "Goliad Aquifer Exemption" is an excellent resource for additional data.

Specific items related to the rules supported by GCGCD are discussed below:

§192.53 (2) (page 4186 of Federal Register) – ***Preoperational Phase monitoring.*** "All monitoring wells must be cased in a manner that maintains the integrity of the monitoring well bore hole. This casing must be screened or perforated and packed with gravel or sand, where necessary, to enable collection of groundwater samples. The annular space (i.e. the spaced between the bore hole and well casing) above the sampling depth must be sealed to prevent contamination of samples and the groundwater." It should be specified that the screens be the total thickness of the aquifer sample.

§192.53(a) (i)(page 4186 of Federal Register) – ***Preoperational Phase monitoring.*** A sufficient number of wells, at appropriate locations and depths, shall be installed in such a manner as to yield representative samples in order to define the groundwater flow regime and measure preoperational conditions and water quality for use in statistical tests during operations, restoration, stability and long-term stability." An evenly spaced grid is recommended.

§ 192.53(4) (i) (page 4186 of Federal Register) - ***Preoperational Phase monitoring.*** " The monitoring effort shall be of sufficient duration of no less than one year and of sufficient scope to adequately characterize temporal and spatial variations in groundwater, and to account for impacts of well installation and development on background concentrations of constituents and values of indicator parameter, where applicable."

§ 192.53 (d) (2) (i) (page 4187 of the Federal Register) – ***Stability phase monitoring.*** " Stability shall be demonstrated for three consecutive years at a 95 percent confidence interval, measured from the time at which sufficient data to determine statistical significance has been collected, and based on sampling no less frequently than quarterly."

§ 192.53 (e) (1) (iii) (Page 4187 of Federal Register) - ***Long term stability phase monitoring.*** "Long term stability monitoring shall be conducted for a period of 30 years. The regulatory agency may shorten the long-term stability monitoring period, if, after stability is documented for a period of three consecutive years as described under §192.53(d), the licensee demonstrated through geochemical modeling of the site that the subsurface conditions within the production zone will remain stable into the future. In evaluation such modeling, the regulatory agency must determine that there is a reasonable assurance that restoration goals will continue to be met and that subsurface conditions in the future will not cause the re-mobilization of uranium, radium or other constituents into the groundwater."

Sincerely,



Raulie J. Irwin, President,

Goliad County Groundwater Conservation District