EXHIBIT M

FACILITATOR'S REPORT:

FINAL REPORT OF PUBLIC MEETINGS REGARDING IMPACTS TO PRIVATE WATER WELLS, PUBLIC WATER SUPPLIES AND RECREATIONAL WATERS BY URANIUM MINING AND MILLING

Facilitators Final Report:

Public Meetings Regarding Impacts to Private Wells, Public Water Supplies and Recreational Waters by Uranium Mining and Milling

Commonwealth of Virginia

Department of Health

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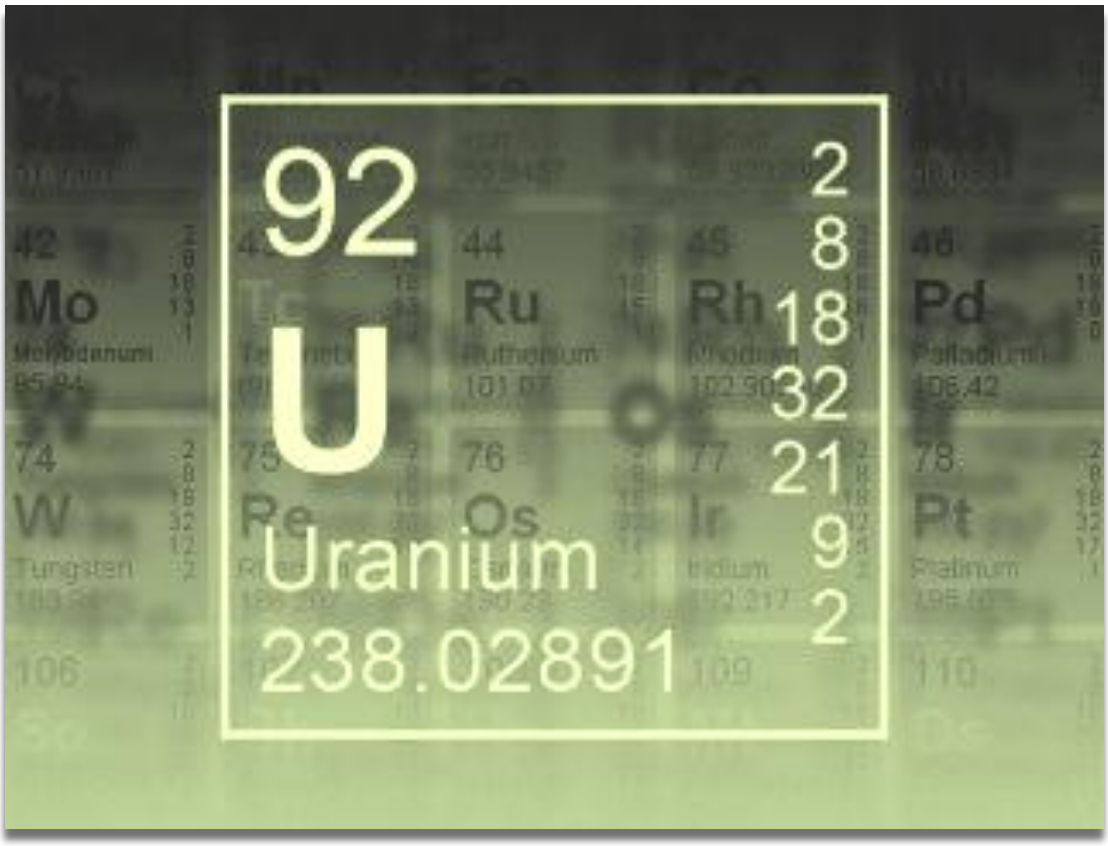

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TABLE OF CONTENTS

ABBREVIATIONS

DMME	Department of Mines, Minerals, and Energy
DEQ	Department of Environmental Quality
VDH	Virginia Department of Health
UWG	Uranium Working Group
NRC	Nuclear Regulatory Commission

1.0 EXECUTIVE SUMMARY

In January 2012, Robert McDonnell, Governor of the Commonwealth of Virginia, charged the Secretaries of the Departments of Commerce and Trade, Natural Resources, and Health and Human Services with establishing a Uranium Working Group (UWG) for the purpose of providing a scientific policy analysis that would help inform the General Assembly on the potential of lifting the moratorium on uranium mining and milling in Virginia.

The UWG includes staff from the Department of Mines, Minerals, and Energy (DMME); the Department of Environmental Quality (DEQ); and the Virginia Department of Health (VDH). Among the subjects the Governor requested the UWG consider was assurance of water quality in private wells. With that in mind, VDH conducted a series of public meeting in various locations around the Commonwealth to gather input on concerns to private wells, public water supplies and recreational waters.

The sessions were well attended. Input spanned all aspects of the uranium industry not just the aspects of wells and associated water quality. Much of the information gathered was useful input to the numerous areas the UWG must consider in preparing its report.

2.0 PURPOSE OF THE PUBLIC MEETINGS

The objective of conducting public meetings was to gather questions and comments from the public on behalf of the UWG regarding the potential impacts to private wells, public water supplies, and recreational waters from uranium mining and milling should the current moratorium on uranium mining and milling be lifted.

The questions and comments collected at the meetings are to be included in the UWG report to the Governor and will help inform the decision-making by the General Assembly regarding the moratorium.

In addition, the public meetings provided the opportunity to review what VDH currently regulates with regard to private wells, public water supplies, and recreational waters and determine if other regulations are necessary or desired by the public.

3.0 PROCESS FOR THE PUBLIC MEETINGS

The VDH recognized that the moratorium would be of interest to stakeholders across the Commonwealth and planned the public meetings in various areas to allow participation from a varied group of stakeholders and to ensure regional concerns were captured. The VDH focused these meetings on the south central portion of the Commonwealth in the Coles Hill area and the communities within the Commonwealth that will likely be the most affected should the moratorium be lifted: the Chatham area, Warrenton and Virginia Beach.

Once the public meetings were scheduled and the venues secured, the meeting times and locations were published on the UWG website (http://www.uwg.vi.virginia.gov/index.shtml) and the Commonwealth Calendar. The VDH planned two public meetings at each location to allow maximum participation and to encourage greater understanding of the public's concerns. The first of these sessions at each location was an open public meeting and the second was a facilitated discussion to gain greater insight into stakeholder's concerns. Attendees at all sessions were informed that their input would be used to support the work being done by the UWG to inform the decisions by the General Assembly regarding uranium mining and milling in Virginia.

The first meeting at each location was open to the general public. In the announcement for each of the meetings, the attendees were asked to consider the following questions when making their comments.

- What are the public's concerns related to the impact of uranium mining and milling on water quality and quantity of private wells?
- What are the public's concerns related to the impact of uranium mining and milling on recreational use of surface water?
- What role should the VDH play in assuring that public health is protected in regard to private wells and recreational water use in regard to uranium mining and milling?
- What safeguards should be in place to protect private wells and recreational water?
- Any party wishing to provide comments at the general public meeting was asked to sign up. Those who signed up were called to the podium and were given two minutes to speak. Many speakers left written material that supported their statements or provided additional information for inclusion in the public record. The objective was to capture stakeholder comments. Written comments were accepted at the meetings, read to the attendees and included in the public record. After the meeting, the facilitator grouped similar comments into broad categories to facilitate further discussion at the second session conducted in each location. No attempt was made

at prioritizing the concerns. The categories were presented for further discussion on the following day in the order in which they were presented in the evening meeting.

- The second session at each location was a day-long facilitated meeting intended to have sufficient discussion of the broad topics to identify the basic stakeholder concerns. Understanding the core concerns of the public would help the VDH determine what issues would have to be addressed should the moratorium be lifted. The attendees were not asked to reach consensus as to the validity of a stated concern.
- Representatives from the VDH, DEQ, and DMME (UWG representatives) attended the discussion sessions to help identify concerns that might be addressed by their agency. The UWG representatives did not participate in the substantive discussion amongst the participants regarding any of the concerns raised. However, the UWG representatives did provide clarification and answer questions put to them by the participants to facilitate the discussion.
- Participation in the discussion groups was limited to 20 participants to ensure there was enough time for input from all attendees. Attendance at the discussion groups was established by application of interested parties. All participants were chosen at random. When a discussion group was filled for a location, applicants were given the opportunity to participate in a discussion group at another location.

The VDH sponsored a final public meeting in Chatham on September 17th to summarize the comments and questions collected by the VDH regarding private wells and recreational water issues related to uranium mining and milling in Virginia. Notice of the meeting was provided via the UWG website (http://www.uwg.vi.virginia.gov/index.shtml), and the Commonwealth Calendar. During that meeting, the UWG process was summarized. Other topics discussed included VDH's structure and experience, VDH's authority and enforcement, the mill permitting process should the moratorium be lifted, best management practices, monitoring and the possibility of catastrophic events, economic impacts, and opportunities for public participation.

- Discussion group members represented a wide variety of stakeholder interests: landowners, farmers, business owners, local governments, universities, health care professionals, environmental companies, and non-profit entities.

To ensure a complete record of the meetings, all sessions were audio and video recorded. The flipchart notes, summaries, and audio and video tapes are part of the public record.

4.0 DISCUSSION OF STAKEHOLDER COMMENTS AND CONCERNS

Many of the concerns were expressed by different individuals at the separate sessions and thereby became one of the topical categories that were common among all the sessions. The areas of concern, in the order in which they were presented in the sessions are: agricultural, water quality and quantity, economic, baseline testing and monitoring, regulatory and the VDH's authority, geology and hydrology, operations, catastrophic events and operational failures, and risk. Many of these categories are by nature, interconnected. For instance, concerns about potential rejection of an agricultural product from a mining and milling area could be considered economic. Every attempt was made to create logical groupings of concerns.

A brief discussion of the categories follows.

4.1 Agricultural Concerns

Several farmers and agricultural producers attended the sessions and expressed concern about the reality or perception of contamination due to proximity to uranium mining and milling will have on their product. These individuals stated protocols are currently lacking to test agricultural products for radioactivity and the frequency of testing is unknown. These commenters felt frequency of testing is important because the potential exists for contamination to be in the food chain and in the marketplace between testing cycles. Several individuals noted even if testing is conducted for a specified amount of time and for a specified distance from an operating facility, there is still no guarantee of food safety for the long-term. Examples were presented of past environmental mishaps and the reluctance, and in some cases, complete refusal of consumable products such as milk and produce from the area of the mishap. Concerns were expressed that the reality or even perception of contaminated products could represent the loss of livelihood for area farmers.

Should the moratorium be lifted, many were convinced that there would be added burdens to local farmers for monitoring products to maintain safety and likely losses of income due to the perception of tainted products due to proximity to active mining and milling. The basic concern was assigning responsibility for the added burdens of testing, monitoring, and control as well as for loss of income and livelihood from the inability to market agricultural products from an active mining and milling region.

4.2 Water Quality and Quantity Concerns

A majority of the residents in the Coles Hill area are dependent on private wells as the source of their domestic and livestock watering. There was concern expressed in all sessions that historical uranium activities have degraded surrounding groundwater quality and there was concern that this contamination would occur in Virginia. Concerns were expressed about the

slow, continual contamination of both surface waters from windblown particulates and groundwater contamination from mining and milling operations. There was also concern about the amount of water needed to conduct operations. The public expressed concern that the water quantities needed for mine and mill operation may affect the water table in times of drought or potentially deplete surface water sources such as regional lakes and reservoirs. While most of the process water will come from dewatering the mine, some members of the public noted it is likely that additional water sources will be needed. Local landowners expressed worry that the process of dewatering the mine will lower the local water table making less water available for their use and potentially rendering their private wells useless.

Commenters stated it is unknown how far contamination will migrate to contaminate downstream surface water and groundwater sources. It was suggested that contamination could reach water sources in North Carolina. If local water sources do become contaminated, there was concern about having adequate alternative sources of water and the inability of municipalities to access their rightful sources of water. Concern was also expressed that if the sources of water can be accessed, it will be costly for municipalities to retrofit their systems.

Some participants stressed that surface water and groundwater sources will be contaminated if uranium mining and milling is allowed. These participants stated the nature and extent of contamination will be unknown and there are no protocols for notifying water users of contamination in water sources. How and from where the Commonwealth will supply alternate water sources in the event of contamination was a basic concern.

4.3 Economic Concerns

Attendees at all sessions referred to different aspects of economic concerns. It was suggested that tourism in many parts of Virginia and recreational uses of the big lakes and reservoirs will most likely be negatively impacted by uranium mining and milling. Participants noted the uranium industry is projected for a finite timeframe of approximately 30 years. These same commenters stated the industry is not self-sustaining and is not viewed by the community as an industry they are trying to entice to the region. Several participants expressed concern about property values and their inability to predict costs of impacts they cannot currently envision. While it is possible to design and retrofit public water systems to monitor for radioactivity, some participants felt it is expensive and most municipalities are not prepared for the expense of treatment systems for radioactive materials.

In addition to the unknown costs to the individual residents and the local municipalities, there was a central concern that the cost of all aspects of the uranium industry will be huge and will fall to the taxpayers to cover.

4.4 Baseline Testing and Monitoring Concerns

A basic concern among participants at all sessions was the absence of sufficient monitoring data to establish the baseline of current environmental and human health conditions prior to any uranium mining and milling activity commencing. Commenters noted the baseline should include information on naturally occurring uranium to distinguish from process-related contamination.

Concerns about monitoring extended from establishing the baseline to having a robust monitoring program throughout all phases of exploration, operations, cleanup, and long-term surveillance of legacy wastes. Some participants expressed that without having an application for mining and milling, it is unknown what constituents will need to be monitored and the distance from the facilities that will need to be monitored. It was suggested that the public should be involved in creating the monitoring network to ensure all media (i.e., air, surface water, groundwater, soil) are monitored and that stakeholder concerns are being addressed in the monitoring network. It was stressed that monitoring results must be subject to full disclosure.

Several speakers noted the monitoring program must be subject to strict quality assurance and quality control protocols to ensure the integrity of the data. Several participants felt it would be useful to have independent third party monitoring to verify results of the operator's monitoring.

4.5 Regulatory and VDH Authority Concerns

Some commenters expressed concern that given the varied aspects of uranium mining and milling, it is unknown how many Commonwealth agencies will participate in oversight of operations. With many agencies having regulatory authority, many felt that one individual agency should take the responsibility to resolve conflicts between agencies and to compel enforcement should it become necessary. There were many concerns about the ability to manage the inherent risks and the lack of expertise in the existing agencies to conduct effective oversight. Many concerns resulted from the unknowns of seeking Agreement State status from the U. S. Nuclear Regulatory Commission (NRC) and what role the NRC would have should Agreement State status be granted.

Overall, there were/are questions from the public about which agency will regulate the various aspects of the uranium industry and whether there will be one agency for final decision-making and ultimate responsibility. Further, there was doubt expressed that VDH and potentially the Commonwealth in general, have the resources and skills needed for regulatory oversight.

4.6 Geology and Hydrology Concerns

There were concerns that the geology in the Coles Hill area is highly fractured and the fractures reportedly increase with depth. Participants expressed concern that there is not enough baseline information on the geology and hydrology to know if the operations can be conducted safely

without contaminating the groundwater. Several participants stated lifting the moratorium will encourage exploration along the I-29 corridor and there were concerns that there may be unknown effects from exploratory drilling.

The water table in the Coles Hill area is shallow and many expressed concerns about groundwater contamination. Little data is available for the private wells in the area to provide additional groundwater information and some of the wells previously drilled for exploration were abandoned.

Many commenters argued the effects of large amounts of precipitation (unlike arid regions of the west) and huge storm events that are common in Virginia are uncertain for normal operations and troublesome for operational failures.

The underlying concerns about the geology and hydrology are that not enough is known to ensure safe operations and protection of groundwater. In addition, participants felt that Virginia is unlike the arid west, which is the model for past uranium operations, and the impacts of the precipitation can pose insurmountable problems.

4.7 Operations

Attendees had many questions about operational elements of both mining and milling. Most of the concerns expressed are about the integrity of surface structures to contain contaminated process water and uranium mill tailings. Participants noted concerns related to the associated risks from radon emanating from tailings ponds and process water contamination to surface water and groundwater sources. There was uncertainty and concern about the waste created from treating process water.

Many expressed concerns about the sensory disruption of the operations such as blasting, hauling, dust, smell, and traffic. Other concerns include ore transport from other mines to one central mill will cause additional stress on roads and local infrastructure and will generate extra waste issues, the transparency of operations that has the potential to affect stakeholders, and that the site operator will claim proprietary information and not divulge information about contaminants used in operations.

Several participants stated that historically, uranium companies have not provided sufficient bonding to cover operational disasters and not enough money has been allocated for long-term stewardship of remediated sites.

Concerns regarding operations were focused on the disruption mining and milling will cause, the questions of integrity of the operations (primarily process water and tailings containment), the stress to local infrastructure, and the responsibility for managing the legacy of the industry when the uranium resource is depleted.

4.8 Catastrophic Events and Operational Failures Concerns

Hurricanes and large storm events occur in Virginia with enough frequency for participants to have concerns about catastrophic events and their impacts to surface impoundments with contaminated process water and uranium mill tailings. Concerns were expressed about how the operations and containment structures would be engineered and what safeguards would be in place to accommodate these events. It was suggested that operational design and the associated permitting should accommodate all types of disasters including hurricanes, tornados, other storm events, seismic events, and drought conditions.

Participants expressed concern about how regulations would adequately define this category of concerns to ensure the operator cannot use a storm even as an excuse for non-compliance and the associated responsibility for cleanup. Participants noted the effects of catastrophic events and operational failures are long-term and many have not been cleaned up sufficiently.

Attendees provided several examples of recent 100- and 500-year storm events and were concerned that planning for and construction of the facilities will not give due consideration to this concern.

4.9 Risk Concerns

Participants shared the generic concern that the risks of anticipated effects of uranium mining and milling and the associated unknowns are too high to consider lifting the moratorium. Several commenters questioned the adequacy of the standards currently in place that are deemed protective. Some participants mentioned health standards are complex and some segments of the population will be at risk regardless of the standards. Some attendees felt that the Coles Hill area of the state is underrepresented for healthcare facilities, creating greater risk from problems associated with uranium mining and milling. There were concerns about what constitutes "acceptable risk". Many wondered who will conduct an independent risk assessment and what it will cover. Some attendees remarked that facility operators and decision makers would not be those who will have to accept the risks posed by operations and legacy waste.

Some participants commented the Coles Hill area, while rural, is more heavily populated than other areas in the country where uranium mining and milling historically has occurred. Participants recognized mining as an inherently dangerous profession and questioned the health risk to miners from radiation exposure, specifically the connection between radon and smoking.

Many expressed concerns that the risks associated with all of the other areas of concern are too great to consider lifting the moratorium.

5.0 SUMMARY

A vast majority of the comments in all sessions related to uranium mining and milling in general and were not focused on private wells, public water systems, and recreational waters. Most input favored retaining the moratorium. Attendees shared their concerns using historical examples of past uranium mining and milling activity and other examples from Virginia and surrounding states such as the coal industry and fracking technology.

One overriding concern was present in each session and was basic to most of the categories; the cost and financial burden of the uranium industry operations and of managing the legacy wastes. Attendees contended that there will be huge costs and it is uncertain who will pay:

- to create a baseline on pre-mining environmental and health conditions,
- to develop the regulatory framework to regulate the industry (including pursuing Agreement State status with the NRC, should the Commonwealth choose to do so),
- to staff the appropriate agencies in the Commonwealth to effectively regulate the industry,
- to effectively monitor appropriate media (potentially in perpetuity) to ensure protectiveness,
- to manage the uncertainties of operations and potential catastrophic events,
- to bear the burden of cleanup in the event the operator defaults on its obligations, and
- to maintain the legacy facility in perpetuity.

Some participants asserted the financial burden will fall largely to the taxpayers in the Commonwealth and will eventually become a federal government burden.

Another central theme was the concern about transparency of information disseminated from all phases of the operations. Participants expressed a lack of confidence that operators, regulators, and decision makers will be forthcoming about the impacts to stakeholders, both from routine operations and from operational failures or catastrophic events. This concern extends to the Commonwealth's ability to anticipate the problems, to ensure a facility and system design that addresses the problems, and to create contingencies to maintain protectiveness in the event of a disaster.