

Briefing questions for Water Management Board re: Powertech Applications  
Hearing. 10/31/2013

What effect, if any, does SDCL 34A-2-126 have on the Water Management Board's jurisdiction and authority in considering Powertech's water permit applications, and application for groundwater discharge plan and related permits; generally and specifically as it relates to determinations concerning beneficial use and public interest under SDCL 46-2A-9, and the application of the financial assurance provisions in SDCL 34A-10-2.1 through 2.4 and ARSD chapter 74:07:01.

What effect, if any, do the NRC and EPA proceedings, permits and licenses regarding Powertech's ISR mining operations for the Dewey-Burdock project have on the Water Management Board's jurisdiction and authority in considering Powertech's water permit applications, and application for groundwater discharge plan and related permits; generally and specifically as it relates to the determinations regarding beneficial use and public interest under SDCL 46-2A-9, and the application of the financial assurance provisions in SDCL 34A-10-2.1 through 2.4 and ARSD chapter 74:07:01.

What effect, if any, does the fact the NRC and EPA permits and licenses for Powertech's Dewey-Burdock project still pending have on the determination of whether Powertech's Application for Water Discharge Plan and related permits are procedurally complete as provided in ARSD 74:54:02:01 (20) and 74:54:02:06.

Are the well construction standards under ARSD chapter 74:02:04 applicable to the Class III Wells given the provisions in SDCL 34A-2-126 and the references to these provisions in ARSD chapter 74:55:01.