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EPA Region 8 Withdraws Underground Injection Permit Issued to Powertech

On February 7, 2011, the Environmental Protection Agency Region 8 in Denver withdrew in its entirety the Class V Underground Injection Control permit issued to Powertech (USA) Inc. in December 2010.

Region 8 withdrew the permit in the face of two Petitions for Review filed January 3, 2011 with the EPA's Environmental Appeals Board by Coloradoans Against Resource Destruction (CARD) and area resident James B. Woodward. The Petitions raised several issues, including the failure of EPA to include a maximum well injection pressure requirement in the permit, the EPA's failure to review existing Powertech data from aquifer pump tests conducted in 2008, and the lack of an assessment of the plugging of historic exploration drill holes.

"The Petitions raised substantial issues with the permit warranting re-evaluation by EPA and they were right to withdraw it" said nearby landowner and CARD co-founder Jay Davis.

In withdrawing the permit, EPA indicated that it will release a revised draft permit within the next several weeks, and accept a new round of public comments. EPA Assistant Regional Administrator Steve Tuber promised "full transparency" and a "rigorous" analysis in the new draft permit. Jeff Parsons, senior attorney with the Western Mining Action Project who filed the appeal on behalf of CARD stated "Full transparency and a rigorous review requires that EPA consider all relevant information, including necessary and available data regarding the integrity of confining layers in the aquifer and the condition of improperly abandoned historic drill holes in the immediate area."

"Powertech and EPA have repeatedly promised to meet the highest standards in reviewing this project so as to protect groundwater upon which hundreds of nearby wells rely on for drinking, irrigation, and stock watering. We intend to hold them to that promise," stated Mr. Davis.

The notice of withdrawal and motion to dismiss can be viewed and downloaded from the Environmental Appeals Board's Active Dockets page:

http://yosemite.epa.gov/oa/EAB_Web_Docket.nsf/Active+Dockets?OpenView