
**BEFORE THE EXECUTIVE DIRECTOR OF THE
UTAH DEPARTMENT OF ENVIRONMENTAL QUALITY**

In the Matter of:

White Mesa Mill Radioactive Material License
Number UT 1900479, July 23, 2014, Letter
Order from the Division of Radiation Control
to Energy Fuels Resources (USA), Inc.

Order Adopting Recommended Decision


June 8, 2015

Pursuant to Utah Code Ann. § 19-1-301.5 and Utah Admin. Code R305-7-201 *et seq.*, the Administrative Law Judge (“ALJ”) has submitted Findings of Fact, Conclusions of Law, and Recommended Decision dated May 15, 2015, (“Recommended Decision”) in the above-captioned adjudicatory proceeding. When the ALJ submits a proposed dispositive action to the Executive Director, the Executive Director may: (1) adopt it, with or without modifications; (2) reject it; or, (3) return the proposed dispositive action to the ALJ for further action as directed. Under authority of Utah Code Ann. §§ 19-1-301(7)(b-d) and 19-1-301.5(13), I have reviewed the Recommended Decision. I am persuaded that Uranium Watch failed to timely file its RFAA as required by Utah statutes and administrative rules, and that neither the ALJ nor I have discretion to modify the deadline for timely filing of the RFAA. Therefore, I adopt the Recommended Decision in full and HEREBY ORDER:

1. Petitioner, Uranium Watch, failed to timely file its RFAA as required by Utah statutes and administrative rules, and as described in the ALJ’s Recommended Decision;
2. Energy Fuels Resources (USA), Inc.’s, motion to dismiss the RFAA is granted, on grounds that Uranium Watch’s failure to timely file its RFAA mandates dismissal of these proceedings and prohibits this tribunal from exercising jurisdiction to review the RFAA; and,

3. Uranium Watch's RFAA is therefore dismissed with prejudice, terminating these adjudicative proceedings.

DATED this 8th day of JUNE, 2015.



Alan Matheson
Executive Director

NOTICE OF RIGHT TO PETITION FOR JUDICIAL REVIEW

Pursuant to Utah Code Ann. §§ 19-1-301, 19-301.5, and 63G-4-403, a party may seek judicial review in the Utah Court of Appeals or the Utah Supreme Court, as provided by statute, within thirty days of the date of this order.

CERTIFICATE OF SERVICE

I hereby certify that on this 8th day of June, 2015, a true and correct copy of the foregoing Order Adopting Recommended Decision was sent by electronic mail to the following:

Administrative Proceedings Records Officer
DEQAPRO@utah.gov

Michael A. Zody
Parsons, Behle & Latimer
MZody@parsonsbehle.com
Attorney for Energy Fuels Resources (USA), Inc.

Laura Lockhart
Utah Attorney General's Office / Environment & Health Division
llockhart@utah.gov
Attorney for the Director of the Division of Radiation Control

Rusty Lundberg
Division of Radiation Control
rlundberg@utah.gov
Director of the Division of Radiation Control

Richard K. Rathbun
Stucki and Rencher
rathbun@stuckirencher.com
Administrative Law Judge

DATED this 8th day of June, 2015.

Shane R. Bekkemellon

**BEFORE THE EXECUTIVE DIRECTOR OF THE
UTAH DEPARTMENT OF ENVIRONMENTAL QUALITY**

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Certificate of Service

June 9, 2015

I hereby certify that on this 9th day of June, 2015, a true and correct copy of the attached
Order Adopting Recommended Decision was sent by electronic mail to the following:

Sarah Fields
Uranium Watch
sarah@uraniumwatch.org
Program Director

DATED this 9th day of June, 2015.

/s/ Shane R. Bekkemellom

Shane R. Bekkemellom, Administrative Legal Secretary