



State of Utah

GARY R. HERBERT
Governor

SPENCER J. COX
Lieutenant Governor

Department of
Environmental Quality

Alan Matheson
Executive Director

DIVISION OF WASTE MANAGEMENT
AND RADIATION CONTROL
Scott T. Anderson
Director

January 29, 2016

Joshua Bleak, President
Anfield Resources Holding Corporation
P. O. Box 901537
Sandy, Utah 84090

CERTIFIED MAIL
RETURN RECEIPT REQUESTED
7003 2260 0003 2353 8167

RE: Transfer of Control for Radioactive Material License Number UT 0900480 and
Groundwater Quality Discharge Permit UGW 170003

Dear Mr. Bleak:

Please find enclosed Amendment #7 of Utah Radioactive Material License (RML) UT0900480 and Groundwater Quality Discharge Permit (Permit) UGW 170003. The Division of Waste Management and Radiation Control (DWMRC) has transferred the Shootaring Canyon Uranium Mill's RML and Permit from Uranium One America's Inc. to Anfield Resource Holding Corp.

If you have any questions, please call Ryan Johnson or Phil Goble at (801) 536-0200.

Sincerely,

Scott T. Anderson, Director
Division of Waste Management and Radiation Control

STA/RMJ/ka

Enclosure(s): Shootaring Mod 5 (DRC-2015-007679)
UT 0900480 Uranium One to Anfield Amendment 7 (DRC-2015-007680)

c: Norman Schwab, Uranium One Americas, Inc.
David Blodgett, M.D., Health Officer, Southwest Utah Public Health Dept.
Robert Beers, MBA, EHS, Environmental Health Director, Southwest Utah Public Health Dept.
Paul Wright, P.E., DEQ District Engineer


DRC-2016-002081

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CERTIFICATE OF MAILING

I HEREBY CERIFY that I mailed a true and correct copy of the Transfer of Control for Radioactive Material License Number UT 0900480 and Groundwater Quality Discharge Permit UGW 170003 on January 29, 2016 by US Certified Mail, Return Receipt No. 7003 2260 0003 2353 8167 to:

Joshua Bleak, President
Anfield Resources Holding Corporation
P. O. Box 901537
Sandy, Utah 84090


Kathleen Allred, Office Specialist

Permit No. UGW170003

**STATE OF UTAH DIVISION OF
WATER QUALITY
DEPARTMENT OF ENVIRONMENTAL QUALITY
P.O. BOX 16690
SALT LAKE CITY, UTAH 84116-0690**

Ground Water Quality Discharge Permit

In compliance with the provisions of the Utah Water Pollution Control Act, Title 19, Chapter 5, Utah Code Annotated 1953, as amended,

**Anfield Resources Holding, Corp.
P.O. Box 901537
Sandy, Utah 84090**


is granted a Ground Water Quality Discharge Permit for the **Shootaring Canyon Uranium Facility** located at latitude 37° 42' 30" North, longitude 110° 41' 30" West in accordance with conditions set forth herein.

This modified Ground Water Quality Discharge Permit amends and supersedes all other Ground Water Discharge permits for this facility issued previously.

This Permit shall become effective January 29, 2016.

This Permit shall expire January 14, 2009 (This Permit is in Timely Renewal)
Application for Permit Renewal was received June 3, 2013.

Signed this 29th day of January, 2016



Scott T. Anderson, Director
Division of Waste Management and Radiation Control

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I. SPECIFIC CONDITIONS

A. Ground Water Classification

In accordance with UAC R317-6-3, ground water at the existing monitoring wells is classified as Class IA, Pristine Ground Water, based upon the ground water standards as defined in UAC R317-6-2.

B. Background Ground Water Quality

1. **Background Quality from Existing Monitoring Wells.** Based on ground water quality samples collected through October 2002, background quality for Class IA water is defined as the mean concentration of any contaminant in any individual well as determined by the Director.
2. **Determination and Revision of Background Ground Water Quality.** After submittal of additional ground water quality data, background ground water quality values may be revised by the Director.

C. Ground Water Compliance Limits

As stipulated in UAC R317-6-4, Class IA ground water will be protected to the maximum extent feasible from degradation by facilities that discharge or would probably discharge to ground water such as the tailings cell at the Shootaring Canyon Uranium Mill. During reclamation activities, the site-wide ground water compliance limits in Table 1 will apply to all compliance monitoring wells. After reclamation activities have been completed, well-specific compliance limits will be established for the wells and parameters in Table 2, which will replace and supersede Table 1.

1. **Ground Water Compliance Limits (GWCLs) for Compliance Monitoring Wells.** Ground water quality at compliance monitoring wells shall not exceed the GWCLs provided in Table 1 during reclamation and Table 2 after reclamation. The GWCLs in Table 2 apply to Class IA ground water and are defined as follows:
 - a. Total dissolved solids or any specific contaminant present in a detectable amount as a background concentration may not exceed the greater of 1.1 times the background (mean) concentration, or the mean concentration plus the second standard deviation, or 0.1 times the value of the ground water quality standard as specified in Table 1;
 - b. A contaminant not present in a detectable amount as a background concentration may not exceed the greater of 0.1 times the value of the ground water quality standard, or the limit of detection.

Table 1

Site-Wide Groundwater Compliance Monitoring Well Background Levels and Compliance Limits During Reclamation and the Accelerated Background Monitoring Program

| Water Quality Data | | Site-Wide | | |
|------------------------|--------------------------------------|--------------------------------------|--------------------|--------------------------------------|
| Parameters | Ground Water Quality Standard (mg/l) | Ground Water Background Level (mg/l) | | Ground Water Compliance Limit (mg/l) |
| | | Mean | Standard Deviation | |
| Arsenic | 0.05 | 0.005 | 0.015 | 0.006 ^(a) |
| Barium | 2.0 | 0.28 | 0.28 | 0.31 ^(a) |
| Cadmium | 0.005 | 0.001 | 0.002 | 0.0014 ^(a) |
| Chromium | 0.1 | 0.006 | 0.010 | 0.010 ^(b) |
| Copper | 1.3 | 0.006 | 0.005 | 0.130 ^(b) |
| Lead | 0.015 | 0.002 | 0.004 | 0.003 ^(a) |
| Mercury | 0.002 | 0.0013 | 0.0048 | 0.0014 ^(a) |
| Molybdenum | 0.040 ^(c) | 0.03 | 0.04 | 0.04 ^(a) |
| Selenium | 0.05 | 0.003 | 0.005 | 0.005 ^(b) |
| Silver | 0.1 | 0.001 | 0.002 | 0.010 ^(b) |
| Zinc | 5.0 | 0.04 | 0.07 | 0.50 ^(b) |
| Ammonia as N | 30.0 | ID | ID | 3.0 ^(b) |
| Chloride | 250 ^(d) | 7.4 | 4.0 | 25.0 ^(b) |
| Fluoride | 4.0 | 0.24 | 0.15 | 0.40 ^(b) |
| Nitrate+Nitrite (as N) | 10.0 | ID | ID | 1.0 ^(b) |
| Sulfate | 500 ^(e) | 22.3 | 30.3 | 50.0 ^(b) |
| TDS | 500 | 237 | 128 | 261 ^(a) |
| pH (units) | 6.5-8.5 | 8.03 | 0.60 | 6.5-8.5 |
| Radionuclides | | | | |
| Radium-226 D | 5.0 pCi/l | 1.01 | 4.10 | NA |
| Uranium D | 0.030 mg/l ^(f) | 2.81 | 3.90 | NA |

- (a) Protection Level based on 1.1 times the mean background concentration.
 (b) Protection Level based on 0.1 times the Ground Water Quality Standard.
 (c) Ad hoc GWQS for ammonia (as N) and molybdenum based on EPA drinking water lifetime health advisories.
 (d) Final EPA Secondary Drinking Water maximum contaminant level (MCL).
 (e) Proposed EPA Drinking Water maximum contaminant level (MCL).
 (f) Ad hoc GWQS for uranium based on final EPA drinking water maximum concentration limit (MCL).
 ID Insufficient data
 NA Not applicable

Table 2. Post-Reclamation Groundwater Compliance Parameters, Wells, and Limits

| Ground Water Compliance Parameters | Ground Water Quality Standard | COMPLIANCE MONITORING WELLS | | | | |
|------------------------------------|-------------------------------|-----------------------------|--------------------|--------------------|--------------------|--------------------|
| | | RM2R | RM7 | RM14 | RM18 | RM19 |
| | | GWCL | GWCL | GWCL | GWCL | GWCL |
| <i>Nutrients (mg/l)</i> | | | | | | |
| Ammonia (as N) | 25 ⁽²⁾ | TBD ⁽⁸⁾ | TBD ⁽⁸⁾ | TBD ⁽⁸⁾ | TBD ⁽⁸⁾ | TBD ⁽⁸⁾ |
| Nitrate + Nitrite (as N) | 10 | TBD ⁽⁸⁾ | TBD ⁽⁸⁾ | TBD ⁽⁸⁾ | TBD ⁽⁸⁾ | TBD ⁽⁸⁾ |
| <i>Heavy Metals (mg/l)</i> | | | | | | |
| Arsenic | 0.050 | TBD ⁽⁸⁾ | TBD ⁽⁸⁾ | TBD ⁽⁸⁾ | TBD ⁽⁸⁾ | TBD ⁽⁸⁾ |
| Barium | 2.0 | TBD ⁽⁸⁾ | TBD ⁽⁸⁾ | TBD ⁽⁸⁾ | TBD ⁽⁸⁾ | TBD ⁽⁸⁾ |
| Cadmium | 0.005 | TBD ⁽⁸⁾ | TBD ⁽⁸⁾ | TBD ⁽⁸⁾ | TBD ⁽⁸⁾ | TBD ⁽⁸⁾ |
| Chromium | 0.100 | TBD ⁽⁸⁾ | TBD ⁽⁸⁾ | TBD ⁽⁸⁾ | TBD ⁽⁸⁾ | TBD ⁽⁸⁾ |
| Copper | 1.3 | TBD ⁽⁸⁾ | TBD ⁽⁸⁾ | TBD ⁽⁸⁾ | TBD ⁽⁸⁾ | TBD ⁽⁸⁾ |
| Lead | 0.015 | TBD ⁽⁸⁾ | TBD ⁽⁸⁾ | TBD ⁽⁸⁾ | TBD ⁽⁸⁾ | TBD ⁽⁸⁾ |
| Mercury | 0.002 | TBD ⁽⁸⁾ | TBD ⁽⁸⁾ | TBD ⁽⁸⁾ | TBD ⁽⁸⁾ | TBD ⁽⁸⁾ |
| Molybdenum | 0.040 ⁽²⁾ | TBD ⁽⁸⁾ | TBD ⁽⁸⁾ | TBD ⁽⁸⁾ | TBD ⁽⁸⁾ | TBD ⁽⁸⁾ |
| Selenium | 0.050 | TBD ⁽⁸⁾ | TBD ⁽⁸⁾ | TBD ⁽⁸⁾ | TBD ⁽⁸⁾ | TBD ⁽⁸⁾ |
| Silver | 0.100 | TBD ⁽⁸⁾ | TBD ⁽⁸⁾ | TBD ⁽⁸⁾ | TBD ⁽⁸⁾ | TBD ⁽⁸⁾ |
| Uranium | 0.030 ⁽³⁾ | TBD ⁽⁸⁾ | TBD ⁽⁸⁾ | TBD ⁽⁸⁾ | TBD ⁽⁸⁾ | TBD ⁽⁸⁾ |
| Zinc | 5.0 | TBD ⁽⁸⁾ | TBD ⁽⁸⁾ | TBD ⁽⁸⁾ | TBD ⁽⁸⁾ | TBD ⁽⁸⁾ |
| <i>Others</i> | | | | | | |
| Gross Alpha (pCi/l) | 15.0 | TBD ⁽⁸⁾ | TBD ⁽⁸⁾ | TBD ⁽⁸⁾ | TBD ⁽⁸⁾ | TBD ⁽⁸⁾ |
| Field pH (S.U.) | 6.5-8.5 | TBD ⁽⁸⁾ | TBD ⁽⁸⁾ | TBD ⁽⁸⁾ | TBD ⁽⁸⁾ | TBD ⁽⁸⁾ |
| Chloride (mg/l) | 250 ⁽⁴⁾ | TBD ⁽⁸⁾ | TBD ⁽⁸⁾ | TBD ⁽⁸⁾ | TBD ⁽⁸⁾ | TBD ⁽⁸⁾ |
| Fluoride (mg/l) | 4.0 | TBD ⁽⁸⁾ | TBD ⁽⁸⁾ | TBD ⁽⁸⁾ | TBD ⁽⁸⁾ | TBD ⁽⁸⁾ |
| Sulfate (mg/l) | 250 ⁽⁴⁾ | TBD ⁽⁸⁾ | TBD ⁽⁸⁾ | TBD ⁽⁸⁾ | TBD ⁽⁸⁾ | TBD ⁽⁸⁾ |
| TDS (mg/l) | 500 | TBD ⁽⁸⁾ | TBD ⁽⁸⁾ | TBD ⁽⁸⁾ | TBD ⁽⁸⁾ | TBD ⁽⁸⁾ |

1. Utah Ground Water Quality Standards (GWQS) as defined in UAC R317-6, Table 2. Ad hoc GWQS also provided herein, as noted, and as allowed by UAC R317-6-2.2.
2. Ad hoc GWQS for ammonia (as N) and molybdenum based on EPA drinking water lifetime health advisories.
3. Ad hoc GWQS for uranium based on final EPA drinking water maximum concentration limit (MCL).
4. Ad hoc GWQS for chloride and sulfate based on EPA secondary drinking water regulations.
5. Ground water compliance limit (GWCL) based on 0.1 times the GWQS.
6. GWCL based on the limit of detection.
7. GWCL based on the mean concentration plus two standard deviations ($\bar{X}+2\sigma$).
8. TBD = to be determined when sufficient background monitoring data are available.

2. Compliance Determination Method. Compliance with ground water compliance limits shall be accomplished using compliance monitoring wells. If future monitoring data indicate an exceedance of compliance limits, the compliance status will be determined in accordance with Part II.F, below, and if necessary, reference to the methods described in the EPA Interim Final Guidance Document titled *Statistical Analysis of Ground Water Monitoring Data at RCRA Facilities* (February 1989). Subsequent updates of this document shall be utilized after the Director's approval.

D. Discharge Minimization Technology

1. Discharge Minimization Design Standards. The design of the tailings cell shall incorporate discharge minimization technology through the use of earthen materials in both the bottom liner and cover system. The tailings cell shall be constructed in accordance with the approved Tailings Reclamation and Decommissioning Plan for the Shootaring Canyon Uranium Project (SUA-1371 Docket No. 40-8698).

The tailings cell design shall include, but is not limited to, the following elements:

- a) Cover System. The cover system shall be constructed of the following materials, as described from the top down:
 - 1) Erosion Barrier. The erosion barrier shall consist of a rock mulch layer with a riprap rock apron at the downstream edge of rock mulch areas.
 - i) Rock Mulch Layer. The rock mulch layer shall be at least 8 inches thick with a minimum D_{50} of 2 inches.
 - ii) Intermediate RipRap. A 12-inch thick rock layer with a minimum D_{50} of 6 inches shall be placed at the downstream edge of rock mulch areas and in the upstream section of the primary channel inside the tailings cell as indicated by Figures 6-2 and 6-6 of the approved Reclamation Plan.

Slopes will vary from 2% and 20% as indicated in Figures 6-2 and 6-6 of the approved Reclamation Plan.

 - 2) Freeze-Thaw Barrier. The Freeze-Thaw Barrier (rocky soil layer) shall consist of a 24-inch layer of sand, silt and rock.
 - 3) Radon Barrier. The Radon Barrier shall consist of an 18-inch compacted clay layer with a maximum permeability of $1.0E-7$ cm/sec.
 - 4) Interim Waste Cover. The Interim Waste Cover shall consist of a 12-inch layer of sand, clay, or mixed clay with a minimum moisture content of 10 percent for sandy material and 15 percent for material with greater than 20 percent fines passing #200 sieve.

- 5) Waste. The Waste Layer shall consist of an approximate thickness of 18 feet of existing tailings material overlain by an approximate thickness of 12 feet of ore material.
 - 6) Bottom Clay Liner. The Bottom Clay Liner shall consist of 24 inches of compacted clay with a maximum field hydraulic conductivity of $1.0E-7$ cm/sec.
- b) Conveyance Channel Bedding. Channel beds of drainage conveyances shall be constructed of the following materials:
- 1) Upstream Section of Primary Channel consisting of the following riprap layer and underlying filter layer:
 - i. A 12-inch thick riprap rock layer with a minimum D_{50} of six inches
 - ii. An 8-inch thick layer of quarry area material that is unsorted with the exception of the removal of the +9-inch fraction.
 - 2) Primary Channel consisting of the following two-layer, 40-inch riprap configuration and underlying two-layer, 16-inch filter system:
 - i. Upper RipRap layer with a minimum thickness of 30 inches and a minimum D_{50} of 20 inches.
 - ii. Lower RipRap layer with a minimum thickness of 10 inches and a minimum D_{50} of six inches.
 - iii. Upper Filter Layer with an 8-inch rock mulch layer with a minimum D_{50} of two inches.
 - iv. Lower Filter Layer with an 8-inch thick layer of quarry area material that is unsorted with the exception of the removal of the +9-inch fraction.
 - 3) Porous Rock Ledge structure constructed in the transition zone between the upstream section of the primary channel and the primary channel. This structure shall be constructed of the following materials as shown in Figure 6-8 of the approved PRL Reclamation Plan:
 - i. Upper RipRap layer four feet thick with a minimum D_{50} of 24 inches.
 - ii. Middle RipRap layer 12 inches thick with a minimum D_{50} of six inches.
 - iii. Lower RipRap Layer 12 inches thick with a minimum D_{50} of six inches.

- iv. Filter Layer eight inches thick of quarry area material that is unsorted with the exception of the removal of the +9-inch fraction.
- 4) Channel Toe Protection at least four feet thick with a minimum D_{50} of 24 inches and extending a distance of 30 feet from the terminus of the primary channel as indicated in Figure 6-7 of the approved PRL Reclamation Plan.

E. Compliance Monitoring Requirements

1. Ground Water Monitoring Requirements.

- a) Ground-Water Monitoring Quality Assurance Plan. All water quality monitoring to be conducted under this permit shall be conducted in accordance with the general requirements hereunder, and the specific requirements of the Shootaring Canyon Uranium Mill Ground-Water Monitoring Quality Assurance Plan most recently approved by the Director.
- b) Compliance Monitoring Points. For the purposes of this permit, the permittee shall monitor the following wells identified below.
 - i. Water Level Measurements: wells RM1, RM2R, RM7, RM8, RM12, RM14, RM18, RM19 and RM20.
 - ii. Water Quality Samples: wells RM1, RM2R, RM7, RM12, RM14, RM18, and RM19.
- c) Protection of Monitoring Well Network. All compliance monitoring wells shall be protected from damage due to surface vehicular traffic or contamination due to surface spills. The wells shall be maintained in full operational condition for the life of this Permit. Any well that becomes damaged beyond repair or is rendered unusable for any reason shall be replaced by the permittee within 90 days or as directed by the Director.
- d) Ground Water Monitoring\Frequency Requirements.
 - i. Ground Water Level Measurements. Ground water levels shall be measured quarterly during the accelerated background monitoring program for all existing monitoring wells specified in Part I.E.1.b.i. After the accelerated background monitoring program has been completed and approved by the Director, ground water levels shall be measured semi-annually in conjunction with the compliance monitoring program. Measurements made in conjunction with quarterly or semi-annual ground water sampling shall be made prior to any collection of ground water samples. These measurements shall be made from a permanent single reference point clearly demarcated on the top of the well or surface casing. Measurements shall be made to the nearest 0.01 feet.

Ground water level measurements for all nested well pairs such as RM8/RM20 shall be used to define the vertical hydraulic gradient.

- ii. **Ground Water Quality Sampling.** The permittee shall conduct ground water quality sampling for all compliance monitoring wells in accordance with the most recent Ground-Water Monitoring Quality Assurance Plan that has been approved by the Director.
 - A) **Background Monitoring Program.** The permittee shall implement an accelerated quarterly background ground water monitoring program for all monitoring wells and parameters to determine ground water compliance limits for these wells during the post closure compliance monitoring program.
 - B) **Compliance Monitoring Program.** After completion of accelerated quarterly background monitoring program and subsequent approval by the Director, the permittee shall begin compliance ground water quality sampling.
- e) **Ground Water Analysis Requirements.**
 - i. **Analysis by Certified Laboratories.** Analysis of any ground water sample shall be performed by laboratories certified by the Utah State Health Laboratory.
 - ii. **Ground Water Analytical Methods.** Methods used to analyze ground water samples shall comply with the following:
 - A) Method references cited in UAC R317-6-6.3.I; and
 - B) Detection limits which are less than or equal to the ground water compliance limits shown in Table 1 of this permit.
 - iii. **Analysis Parameters.** The following shall be collected:
 - A) **Field Parameters:** pH, temperature, and specific conductance;
 - B) **Laboratory Parameters:**
 - 1) **Background Monitoring Program.** During the accelerated quarterly background monitoring program, grab samples shall be collected from each compliance monitoring well and analyzed for all of the water quality parameters listed in Table 2 of this permit.

In addition, samples shall be analyzed for the following six major ions: bicarbonate, carbonate, calcium, magnesium, potassium, and sodium.

2) Compliance Monitoring Program. During the post-reclamation semi-annual compliance monitoring program, grab samples shall be collected from each compliance monitoring well and analyzed for the following parameters:

- Ammonia as nitrogen,
- Chloride,
- Molybdenum,
- Nitrate + Nitrite as nitrogen,
- Sulfate,
- Total dissolved solids (TDS) and
- Total uranium

2. **Hydrogeologic Monitoring Requirements.** The permittee shall prepare and submit an annual update of the *Ground-Water Hydrology of the Shootaring Canyon Tailings Site* report (Hydro-Engineering, LLC, 1998) for the Director's approval. The update report shall be submitted according to the schedule and reporting requirements of Part I.G.4 below. The purpose of the annual ground-water hydrology report is to update the physical and chemical hydrogeologic conditions of the Entrada aquifer beneath the site to determine if any changes have occurred since the last report submittal. Of particular interest is the lateral extent of the ground water mound in the Upper Low-Permeability Entrada, the horizontal head gradient of the Entrada aquifer and vertical head gradients in the Entrada aquifer, Carmel aquitard and Navajo aquifer. The annual report shall also include an evaluation of the updated background database to determine if GWPLs should be adjusted.

F. Non-Compliance Status

1. **Probable Out-of-Compliance Based on Exceedance of Ground Water Compliance Limits.**

Upon determination by the permittee that the data indicate a GWCL may have been exceeded at any compliance monitoring well, the permittee shall:

- a) Immediately resample the monitoring well(s) found to be in probable out-of-compliance for the parameters that have been exceeded; submit the analytical results therefrom, and notify the Director of the probable out-of-compliance status within 30 days of the initial detection.
- b) Immediately implement an accelerated schedule of quarterly ground water sampling and analysis of parameters that exceeded the GWCLs, consistent with the requirements of Part I.E.1, above. This quarterly accelerated compliance sampling shall continue for two quarters or until the compliance status can be determined by the Director. Reports of the results of this sampling shall be submitted to the Director as soon as they are available, but not later than 30 days from the date the analytical data is received by the permittee.

2. **Out-of-Compliance Status Based on Confirmed Exceedance of Permit Ground Water Compliance Limits.**
 - a) **Out of Compliance Status shall be defined as follows:**
 - 1) For parameters that have been defined as detectable in the background and for which compliance limits have been established based on 1.1 times the mean background concentration or 0.1 times the groundwater quality standard, out-of-compliance shall be defined as two consecutive samples that:
 - (i) exceed the GWCL; and
 - (ii) exceed the mean background concentration plus two standard deviations.
 - b) **Notification and Accelerated Compliance Monitoring.** Upon determination by the permittee or the Director, in accordance with UAC R317-6-6.17, that an out-of-compliance status exists, the permittee shall:
 - 1) Verbally notify the Director of the out-of-compliance status or acknowledge the Director's notice that such a status exists within 24 hours of receipt of data; and
 - 2) Provide written notice within 5 days of the determination; and
 - 3) Continue an accelerated schedule of ground water monitoring for the parameters that exceeded GWCLs for at least two quarters or until compliance is achieved.
 - c) **Source and Contamination Assessment Study Plan.** Within 30 days of the written notice to the Director required in Condition I.F.2.b, above, the permittee shall submit an assessment study plan and compliance schedule for:
 - 1) Assessing the source or cause of the contamination, and determining the steps necessary to correct the source.
 - 2) Assessing the extent of the ground water contamination. At a minimum, this assessment shall include: (a) conducting groundwater flow modeling and a well-spacing evaluation to determine appropriate locations, horizontal well spacing, and vertical screened intervals for additional monitoring wells and nested piezometers; (b) installing additional monitoring wells and nested piezometers to better define vertical and horizontal head gradients in the Entrada aquifer; and (c) expanding the analyte list to include additional chemical constituents contained in the tailings leachate in addition to those listed in Condition I.E.1.e.iii.B of this permit.

- 3) Evaluating potential remedial actions to restore and maintain ground water quality, and ensure that permit limits will not be exceeded at the compliance monitoring wells.

G. Reporting Requirements

1. Ground-Water Monitoring Report. The Permittee shall submit a groundwater monitoring report that includes the following:

- a) A schedule for semi-annual sampling and analysis required in Condition I.E.1, above, as follows:

| <u>Half</u> | <u>Report Due On</u> |
|-----------------------------|----------------------|
| 1st (January through June) | August 30 |
| 2nd (July through December) | February 28* |

* This report can be combined with the annual hydrogeologic update report required in Condition I.G.2.

- b) A Sampling and Analysis Report that includes:
 - 1) Field data sheets, or copies thereof, including the field measurements, required in Condition I.E.1.e.iii.A above, and other pertinent field data, such as well name/number, date and time of sample collection, names of sampling crew, sampling method and type of sampling pump or bail, measured casing volume and volume of water purged before sampling.
 - 2) Laboratory reports and tabulated results of groundwater analyses including date sampled, date received by the certified lab, ion balance, and the analytical results for each parameter, including: value or concentration, units of measurement, minimum detection limit, analytical method, and the date of the analysis.
 - 3) Quality assurance evaluation and data validation including a written description and findings of all quality assurance and data validation efforts conducted by the permittee in compliance with the currently approved Groundwater Monitoring Quality Assurance Plan. The report shall verify the accuracy and reliability of the groundwater quality compliance data after evaluation of sample collection techniques and equipment, sample handling and preservation and analytical methods used.
 - 3) Uranium data in addition to the analytes required by this permit. The permittee shall also report uranium ground water data acquired and submitted semi-annually to the Nuclear Regulatory Commission.

- 4) Groundwater level measurements from ground-water monitoring wells reported in both measured depth to ground water and ground water elevation above mean sea level.
 - 5) A potentiometric map illustrating the ground-water elevation of the uppermost aquifer beneath the tailings facility for the semi-annual sampling month. The map shall be superimposed on a topographic base map of at least 1:2400 (1 inch equals 200 feet) or other scale approved by the Director and shall be inclusive of the entire processing site. Known contours shall be distinguished from estimated or inferred contours. Other pertinent geologic, hydrologic, or man-made features, including wells, shall be displayed.
 - 6) The vertical hydraulic gradient as determined from nested well pair RM8/RM20.
- c) **Electronic Filing Requirements.** In addition to submittal of the hard copy data, above, the permittee will electronically submit the required ground water monitoring data including ground water quality and head data in Excel spreadsheet format. The data may be sent by e-mail, floppy disc, modem or other approved transmittal mechanism.

2. **Hydrogeologic Report.**

- a) The permittee shall submit an annual update of the *Ground-Water Hydrology of the Shootaring Canyon Tailings Site* (Hydro-Engineering, LLC, 1998) by February 28 of each year. The permittee shall revise and resubmit the report within 60 days of receipt of written notice from the Director of any deficiencies or omissions.

H. **Compliance Schedule**

1. **Background Ground Water Monitoring Report.** The permittee shall submit a groundwater monitoring report for the Director's approval 60 days after the accelerated quarterly background monitoring program has been completed. Ground water quality samples for the background monitoring program shall be collected in accordance with the following requirements:
 - a) At least eight (8) samples shall be collected for each of the compliance monitoring wells and parameter over a two-year period at a quarterly sampling frequency utilizing the procedures outlined in the currently approved Ground-Water Monitoring Quality Assurance Plan.
 - b) Each sampling event or episode shall include independent grab samples for each of the compliance monitoring wells.

- c) Sampling parameters shall include all parameters listed in Table 2 of this permit plus the following major ions: bicarbonate, carbonate, calcium, magnesium, potassium and sodium.
- d) After the Director's approval of the background monitoring report, sampling shall continue at a semi-annual frequency for the abbreviated compliance parameter list specified in Condition I.E.1.e.iii.B.2 of this permit.

II. MONITORING, RECORDING AND REPORTING REQUIREMENTS

- A. Representative Sampling. Samples taken in compliance with the monitoring requirements established under Section I shall be representative of the monitored activity.
- B. Analytical Procedures. Water sample analysis shall be conducted according to test procedures specified under UAC R317-6-6.3.L, unless other test procedures have been specified in this permit.
- C. Penalties for Tampering. The Act provides that any person who falsifies, tampers with, or knowingly renders inaccurate, any monitoring device or method required to be maintained under this permit shall, upon conviction, be punished by a fine of not more than \$10,000 per violation, or by imprisonment for not more than six months per violation, or by both.
- D. Reporting of Monitoring Results. Monitoring results obtained during each reporting period specified in the permit, shall be submitted to the Director, Utah Division of Water Quality at the following address no later than the 30th day of the month following the completed reporting period:

State of Utah
Department of Environmental Quality
Division of Waste Management and Radiation Control
Salt Lake City, Utah 84114-4810
Attention: Ground Water Protection Section

- E. Compliance Schedules. Reports of compliance or noncompliance with, or any progress reports on interim and final requirements contained in any Compliance Schedule of this permit shall be submitted no later than 14 days following each schedule date.
- F. Additional Monitoring by the Permittee. If the permittee monitors any pollutant more frequently than required by this permit, using approved test procedures as specified in this permit, the results of this monitoring shall be included in the calculation and reporting of the data submitted. Such increased frequency shall also be indicated.
- G. Records Contents. Records of monitoring information shall include:
 - 1. The date, exact place, and time of sampling or measurements;
 - 2. The individual(s) who performed the sampling or measurements;
 - 3. The date(s) and time(s) analyses were performed;
 - 4. The individual(s) who performed the analyses;
 - 5. The analytical techniques or methods used; and,
 - 6. The results of such analyses.
- H. Retention of Records. The permittee shall retain records of all monitoring information, including all calibration and maintenance records and copies of all reports required by

this permit, and records of all data used to complete the application for this permit, for a period of at least three years from the date of the sample, measurement, report or application. This period may be extended by request of the Director at any time.

I. Twenty-four Hour Notice of Noncompliance Reporting.

1. The permittee shall verbally report any noncompliance with permit conditions or limits as soon as possible, but no later than twenty-four (24) hours from the time the permittee first became aware of the circumstances. The report shall be made to the Utah Department of Environmental Quality 24 hour number, (801) 536-4123, or to the Division of Waste Management and Radiation Control at (801) 536-0200, during normal business hours from 8:00 AM - 5:00 PM Mountain Time.
2. A written submission of any noncompliance with permit conditions or limits shall be provided to the Director within five days of the time that the permittee becomes aware of the circumstances. The written submission shall contain:
 - a. A description of the noncompliance and its cause;
 - b. The period of noncompliance, including exact dates and times;
 - c. The estimated time noncompliance is expected to continue if it has not been corrected;
 - d. Steps taken or planned to reduce, eliminate, and prevent reoccurrence of the noncompliance.
 - e. When applicable, either an estimation of the quantity of material discharged or an estimation of the quantity of material released outside containment structures.
3. Written reports shall be submitted to the addresses in Condition II.D, Reporting of Monitoring Results.

J. Other Noncompliance Reporting. Instances of noncompliance not required to be reported within 24 hours, shall be reported at the time that monitoring reports for Condition II. D are submitted.

K. Inspection and Entry. The permittee shall allow the Director, or an authorized representative, upon the presentation of credentials and other documents as may be required by law, to:

1. Enter upon the permittee's premises where a regulated facility or activity is located or conducted, or where records must be kept under the conditions of the permit;
2. Have access to and copy, at reasonable times, any records that must be kept under the conditions of this permit;
3. Inspect at reasonable times any facilities, equipment (including monitoring and control equipment), practices, or operations regulated or required under this permit; and,

4. Sample or monitor at reasonable times, for the purpose of assuring permit compliance or as otherwise authorized by the Act, any substances or parameters at any location.

III. COMPLIANCE RESPONSIBILITIES

- A. **Duty to Comply.** The permittee shall comply with all conditions of this permit. Any permit noncompliance constitutes a violation of the Act and is grounds for enforcement action; for permit termination, revocation and reissuance, or modification; or for denial of a permit renewal application. The permittee shall give advance notice to the Director of any planned changes in the permitted facility or activity which may result in noncompliance with permit requirements.
- B. **Penalties for Violations of Permit Conditions.** The Act provides that any person who violates a permit condition implementing provisions of the Act is subject to a civil penalty not to exceed \$10,000 per day of such violation. Any person who willfully or negligently violates permit conditions is subject to a fine not exceeding \$25,000 per day of violation. Any person convicted under Section 19-5-115(2) of the Act a second time shall be punished by a fine not exceeding \$50,000 per day. Nothing in this permit shall be construed to relieve the permittee of the civil or criminal penalties for noncompliance.
- C. **Need to Halt or Reduce Activity not a Defense.** It shall not be a defense for a permittee in an enforcement action that it would have been necessary to halt or reduce the permitted activity in order to maintain compliance with the conditions of this permit.
- D. **Duty to Mitigate.** The permittee shall take all reasonable steps to minimize or prevent any discharge in violation of this permit which has a reasonable likelihood of adversely affecting human health or the environment.
- E. **Proper Operation and Maintenance.** The permittee shall at all times properly operate and maintain all facilities and systems of treatment and control (and related appurtenances) which are installed or used by the permittee to achieve compliance with the conditions of this permit. Proper operation and maintenance also includes adequate laboratory controls and quality assurance procedures. This provision requires the operation of back-up or auxiliary facilities or similar systems which are installed by a permittee only when the operation is necessary to achieve compliance with conditions of the permit.
- F. **Affirmative Defense.** In the event that a compliance action is initiated against the permittee for violation of permit conditions relating to discharge minimization technology, the permittee may affirmatively defend against that action by demonstrating the following:
1. The permittee submitted notification according to Conditions I.F., II.I.1 and II.I.2;
 2. The failure was not intentional or caused by the permittee's negligence, either in action or in failure to act;

3. The permittee has taken adequate measures to meet permit conditions in a timely manner or has submitted to the Director, for the Director's approval, an adequate plan and schedule for meeting permit conditions; and
4. The provisions of UAC 19-5-107 have not been violated.

IV. GENERAL REQUIREMENTS

- A. Planned Changes. The permittee shall give notice to the Director as soon as possible of any planned physical alterations or additions to the permitted facility. Notice is required when the alteration or addition could significantly change the nature of the facility or increase the quantity of pollutants discharged.
- B. Anticipated Noncompliance. The permittee shall give advance notice of any planned changes in the permitted facility or activity which may result in noncompliance with permit requirements.
- C. Spill Reporting. The Permittee shall immediately report in accordance with UCA 19-5-114 of the Utah Water Quality Act any spill that comes into contact with the ground surface or ground water that causes pollution or has the potential to cause pollution to waters of the state. This report shall be made to the phone numbers given in Condition II.I.1. A written report will be required within 5 days of the occurrence and should address the requirements of UCA 19-5-114 and Conditions II.I.2 and 3 of this permit.
- D. Permit Actions. This permit may be modified, revoked and reissued, or terminated for cause. The filing of a request by the permittee for a permit modification, revocation and reissuance, or termination, or a notification of planned changes or anticipated noncompliance, does not stay any permit condition.
- E. Duty to Reapply. If the permittee wishes to continue an activity regulated by this permit after the expiration date of this permit, the permittee must apply for and obtain a permit renewal or extension. The application should be submitted at least 180 days before the expiration date of this permit.
- F. Duty to Provide Information. The permittee shall furnish to the Director, within a reasonable time, any information which the Director may request to determine whether cause exists for modifying, revoking and reissuing, or terminating this permit, or to determine compliance with this permit. The permittee shall also furnish to the Director, upon request, copies of records required to be kept by this permit.
- G. Other Information. When the permittee becomes aware that it failed to submit any relevant facts in a permit application, or submitted incorrect information in a permit application or any report to the Director, it shall promptly submit such facts or information.
- H. Signatory Requirements. All applications, reports or information submitted to the Director shall be signed and certified.
 - 1. All permit applications shall be signed as follows:
 - a. For a corporation: by a responsible corporate officer;
 - b. For a partnership or sole proprietorship: by a general partner or the proprietor, respectively.

- c. For a municipality, State, Federal, or other public agency: by either a principal executive officer or ranking elected official.
2. All reports required by the permit and other information requested by the Director shall be signed by a person described above or by a duly authorized representative of that person. A person is a duly authorized representative only if:
 - a. The authorization is made in writing by a person described above and submitted to the Director, and,
 - b. The authorization specifies either an individual or a position having responsibility for the overall operation of the regulated facility or activity, such as the position of plant manager, operator of a well or a well field, superintendent, position of equivalent responsibility, or an individual or position having overall responsibility for environmental matters for the company. (A duly authorized representative may thus be either a named individual or any individual occupying a named position.)
3. Changes to Authorization. If an authorization under Condition IV.H.2 is no longer accurate because a different individual or position has responsibility for the overall operation of the facility, a new authorization satisfying the requirements of Condition V.H.2 shall be submitted to the Director prior to or together with any reports, information, or applications to be signed by an authorized representative.
4. Certification. Any person signing a document under this section shall make the following certification:

"I certify under penalty of law that this document and all attachments were prepared under my direction or supervision in accordance with a system designed to assure that qualified personnel properly gather and evaluate the information submitted. Based on my inquiry of the person or persons who manage the system, or those persons directly responsible for gathering the information, the information submitted is, to the best of my knowledge and belief, true, accurate, and complete. I am aware that there are significant penalties for submitting false information, including the possibility of fine and imprisonment for knowing violations."

- I. Penalties for Falsification of Reports. The Act provides that any person who knowingly makes any false statement, representation, or certification in any record or other document submitted or required to be maintained under this permit, including monitoring reports or reports of compliance or noncompliance shall, upon conviction be punished by a fine of not more than \$10,000 per violation, or by imprisonment for not more than six months per violation, or by both.
- J. Availability of Reports. Except for data determined to be confidential by the permittee, all reports prepared in accordance with the terms of this permit shall be available for public inspection at the offices of the Director. As required by the Act, permit

applications, permits, effluent data, and ground-water quality data shall not be considered confidential.

- K. Property Rights. The issuance of this permit does not convey any property rights of any sort, or any exclusive privileges, nor does it authorize any injury to private property or any invasion of personal rights, nor any infringement of federal, state or local laws or regulations.
- L. Severability. The provisions of this permit are severable, and if any provision of this permit, or the application of any provision of this permit to any circumstance, is held invalid, the application of such provision to other circumstances, and the remainder of this permit, shall not be affected thereby.
- M. Transfers. This permit may be automatically transferred to a new permittee if:
1. The current permittee notifies the Director at least 30 days in advance of the proposed transfer date;
 2. The notice includes a written agreement between the existing and new permittee containing a specific date for transfer of permit responsibility, coverage, and liability between them; and,
 3. The Director does not notify the existing permittee and the proposed new permittee of his or her intent to modify, or revoke and reissue the permit. If this notice is not received, the transfer is effective on the date specified in the agreement as described in Condition IV.M.2, above.
- N. State Laws. Nothing in this permit shall be construed to preclude the institution of any legal action or relieve the permittee from any responsibilities, liabilities, penalties established pursuant to any applicable state law or regulation under authority preserved by Section 19-5-117 of the Act.
- O. Reopener Provisions. This permit may be reopened and modified pursuant to R317-6-6.6.B or R317-6-6.10.C of the Utah Administrative Code to include the appropriate limitations and compliance schedule, if necessary, if one or more of the following events occurs:
1. If new ground water standards are adopted by the Board, the permit may be reopened and modified to extend the terms of the permit or to include pollutants covered by new standards. The permittee may apply for a variance under the conditions outlined in R317-6-6.4.D.
 2. When the Accelerated Background Monitoring Report has been approved by the Director, and if future changes have been determined in background ground water quality.
 3. When sufficient data are available and protection levels for the new wells are established.

4. When approval of any Compliance Schedule Item, under Condition I.H, is considered by the Director to be a major modification to the permit.
5. A determination by the Director that changes are necessary in either the permit or the facility to protect human health or the environment.

**UTAH DEPARTMENT OF ENVIRONMENTAL QUALITY
DIVISION OF WASTE MANAGEMENT AND RADIATION CONTROL
RADIOACTIVE MATERIAL LICENSE**

Pursuant to Utah Code Annotated, Title 19, Chapter 3 and R313 of the Utah Administrative Code (Radiation Control Rules) and in reliance on statements and representations heretofore made by the licensee designated below, a license is hereby issued authorizing such licensee to transfer, receive, possess and use the radioactive material designated below; and to use such radioactive material for the purpose(s) and at the place(s) designated below. This licensee is subject to all applicable rules, and orders now or hereafter in effect and to any conditions specified below.

| | | |
|------------|-----------------------------------|--------------------------------|
| | LICENSEE |) 3. License Number UT 0900480 |
| | |) Amendment # 7 |
| 1. Name | Anfield Resources Holdings, Corp. |) ***** |
| 2. Address | P.O. Box 901537 |) 4. Expiration Date |
| | Sandy, UT 84090 |) April 30, 2014 |
| | |) ***** |
| | |) 5. License Category 2-b |

| | | |
|---|----------------------------------|--|
| 6. Radioactive material (element and mass number) | 7. Chemical and/or physical form | 8. Maximum quantity licensee may possess at any one time |
| Natural Uranium 11(e).2 By-product Material | Any | Unlimited |

Section 9: Administrative Conditions

- 9.1 The authorized place of use shall be the licensee's Shootaring Canyon uranium milling facility, located at latitude 37° 42' 30", longitude 110° 41' 30 West in Garfield County, Utah.
- 9.2 All written notices and reports to the Director required under this license, with the exception of incident and event notifications under the Utah Administrative Codes (UAC) R313-15-1202 and UAC R313-19-50 (Nuclear Regulatory Commission (NRC), Code of Federal Regulations (CFR), Title 10, Part 20, Section 20.2202 and 10 CFR 40.6 incorporated by reference), requiring telephone notification, shall be addressed to the Director, Division of Waste Management and Radiation Control, Utah Department of Environmental Quality (DEQ). Incident and event notifications that require telephone notification shall be made to the Director at (801) 536-0200 during normal business hours or after hours to the DEQ Duty Officer at (801) 536-4123.

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[Applicable NRC Amendment: 7, 8]

- 9.3 The licensee shall conduct operations in accordance with statements, representations and conditions contained in Sections 1-9 of the license renewal application dated March 1, 1996, as revised by submittals to the NRC dated September 16, and November 15, 1996, and April 17, 1997, except where amendments have superseded license conditions herein.

Whenever the word "will" is used in the above referenced sections, it shall denote a requirement.

[Applicable NRC Amendment: 1]

- 9.4 A. The licensee may, without prior approval from the Director, and subject to the conditions specified in Part B of this condition:
- (1) Make changes in the facility or process, as presented in the approved license application.
 - (2) Make changes in the procedures presented in the approved license application.
 - (3) Conduct tests or experiments not presented in the approved license application.
- B. The licensee shall file an application for an amendment to the license, unless the following conditions are satisfied.
- (1) The change, test, or experiment does not conflict with any requirement specifically stated in this license, or impair the licensee's ability to meet all applicable State and Federal regulations.
 - (2) There is no degradation in the essential safety or environmental commitments in the license application or provided by the approved reclamation plan.
 - (3) The change, test, or experiment is consistent with the conclusions of actions analyzed and selected in the Environmental Assessment (EA) dated April 1997.

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- C. The licensee's determinations concerning Part B of this condition shall be made by a Safety and Environmental Review Panel (SERP). The SERP shall consist of a minimum of three individuals. One member of the SERP shall have expertise in management and shall be responsible for managerial and financial approval changes; one member shall have expertise in operations and/or construction and shall have responsibility for implementing any operational changes; and, one member shall be the corporate radiation safety officer (CRSO) or equivalent, with the responsibility of assuring changes conform to radiation safety and environmental requirements. Additional members may be included in the SERP as appropriate, to address technical aspects such as health physics, groundwater hydrology, surface-water hydrology, specific earth sciences and other technical disciplines. Temporary members or permanent members, other than the three above-specified individuals, may be consultants. One member of the SERP shall be designated as Chairman.
- D. The licensee shall maintain records of any changes made pursuant to this condition until license termination. These records shall include written safety and environmental evaluations, made by the SERP, that provide the basis for determining changes are in compliance with the requirements referred to in Part B of this condition. The licensee shall furnish, in an annual report to the Director, a description of such changes, tests or experiments, including a summary of the safety and environmental evaluation of each. In addition, the licensee shall submit to the Director annually, a summary of changes made to the approved license application and copies of the revised documents that reflect the changes made under this condition. The licensee's SERP shall function in accordance with the standard operating procedures submitted to the NRC by letter dated December 19, 1997.

[Applicable NRC Amendment: 1]

- 9.5 The licensee shall have 30 days from the signatory date of this license to submit an updated revised surety estimate in accordance with the latest approved reclamation and decommissioning plan for Director approval consistent with UAC R313-24-4 (10 CFR 40, Appendix A, Criterion 9 and 10, as incorporated by reference). The Licensee shall maintain a financial surety arrangement that satisfies the requirements of UAC R313-24 naming the Director as the beneficiary to this arrangement. The surety arrangement shall ensure that sufficient funds will be available to carry out the decontamination and decommissioning of the mill and site and for the reclamation of any tailings or waste disposal areas, ground water restoration as warranted and the long-term surveillance fee, if accomplished by a third party.

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Within 30 days of receiving the Director's approval of the revised surety estimate, the licensee shall submit, for the Director's approval, corresponding financial surety documents if the amount in the revised surety estimate exceeds the amount covered in the existing financial surety. The revised surety shall then be in effect immediately upon receipt of written approval from the Director. Annual updates to the surety amount, required by UAC R313-24 (10 CFR 40, Appendix A, Criteria 9 and 10, incorporated by reference) shall be submitted to the Director on or before April 23, of each year. If the Director has not approved a proposed revision to the surety coverage 30 days prior to the expiration date of the existing surety arrangement, the licensee shall extend the existing surety arrangement for one year. Along with each proposed revision or annual update, the licensee shall submit supporting documentation showing a breakdown of the costs and the basis for the cost estimates with adjustments for inflation, maintenance of a minimum 15 percent contingency fee, changes in engineering plans, activities performed and any other conditions affecting estimated costs for site closure. The basis for the cost estimate is the Director approved reclamation/decommissioning plan or Director approved revisions to the plan. The previously provided guidance entitled "Recommended Outline for Site Specific Reclamation and Stabilization Cost Estimates" outlines the minimum considerations used by the NRC in the review of site closure estimates. Reclamation/decommissioning plans and annual updates should follow this outline. The currently approved financial surety arrangement, a Surety Trust Agreement between Uranium One Americas, Inc. and Wells Fargo Bank, National Association, shall be continuously maintained in an amount no less than \$8,110,771 for the purpose of complying with UAC R313-24 (10 CFR 40, Appendix A, Criteria 9 and 10, as incorporated by reference) until a replacement is approved by the Director.

[Applicable UDRC Amendments: 2, 3, 4, 5.]

[Applicable NRC Amendments: 2, 5, 6, 8, 9, 11] The amount of funds to be ensured by such surety arrangements shall be based on Director-approved cost estimates in a Director-approved plan for decontamination and decommissioning of mill buildings and the milling site to levels which allow unrestricted use of these areas upon decommissioning and the reclamation of tailings and/or waste areas in accordance with technical criteria delineated in UAC R313-24. The licensee shall submit this plan in conjunction with an environmental report that addresses the expected environmental impacts of the milling operation, decommissioning and tailings reclamation and evaluates alternatives for mitigating these impacts. The surety shall also cover the payment of the charge for long-term surveillance and control required by UAC R313-24-4. In establishing specific surety arrangements, the licensee's cost estimates shall take into account total costs that would be incurred if an independent contractor were hired to perform the decommissioning and reclamation work. The licensee's surety mechanism will be reviewed annually by the Director to ensure that sufficient funds are available for completion of the reclamation plan. The amount of surety liability shall be adjusted to recognize any increases or decreases resulting from inflation,

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changes in engineering plans, activities performed and any other conditions affecting costs. Regardless of whether reclamation is phased through the life of the operation or takes place at the end of operations, an appropriate portion of surety liability shall be retained until final compliance with the reclamation plan is determined by the Director.

- 9.6 Written procedures shall be established for site reclamation, personnel and environmental monitoring and survey instrument calibrations. These procedures shall be reviewed and approved in writing by the CRSO before implementation and whenever a change in procedure is proposed to ensure that proper radiation protection principles are being applied. In addition, the CRSO shall perform a documented review of all existing site procedures at least annually. An up-to-date copy of each written procedure shall be kept by the CRSO.

[Applicable NRC Amendment: 10]

- 9.7 The licensee shall have an archeological survey performed prior to disturbing any previously unsurveyed areas. The licensee shall immediately notify the Director and the Office of State Historic Preservation if artifacts are discovered during disturbance.
- 9.8 The licensee is hereby authorized to possess 11e.(2) byproduct material as defined in 10 CFR 20.103 and adopted by UAC R313-12-3, in the form of uranium waste tailings and other uranium byproduct waste generated by the licensee's milling operations authorized by this license within the State of Utah where the Division maintains jurisdiction for regulating the byproduct material. Mill tailings shall not be transferred from the site without specific prior approval from the Director in the form of a license amendment. The licensee shall maintain a permanent record of all transfers made under the provisions of this condition.
- 9.9 The licensee is hereby exempted from the requirements of Section 20.1902(e) of 10 CFR Part 20 incorporated by reference UAC R313-15-902(5) for areas within the mill, provided that all entrances to the mill are conspicuously posted in accordance with Section 20.1902(e) [UAC R313-15-902(5)] and with the words, "Any Area Within this Mill May Contain Radioactive Material."
- 9.10 The licensee shall have a training program for all site employees as described in the NRC Regulatory Guide 8.31 "Information Relevant To Ensuring That Occupational Radiation Exposures At Uranium Recovery Facilities Will Be As Low As Is Reasonably Achievable", and Section 5.3 of the approved license application. The CRSO, or the licensee's designee, shall have the education, training and experience as specified in NRC Regulatory Guide 8.31. The CRSO shall also receive 40 hours of related health and safety refresher training every two years. Individuals designated as the Radiation Technician

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(RT) shall report directly to the CRSO on matters dealing with radiological safety. In addition, the CRSO shall be accessible to the RT at all times. The RT shall have the qualifications specified in NRC Regulatory Guide 8.31, or equivalent. Any person newly hired as an RT shall have all work reviewed and approved by the CRSO as part of a comprehensive training program until appropriate course training is completed and at least for six months from the date of appointment.

[Applicable NRC Amendments: 1,10]

- 9.11 Prior to termination of this license, the licensee shall provide for transfer of title to byproduct material and land, including any interests therein (other than land owned by the United States or the State of Utah), which is used for the disposal of such byproduct material or is essential to ensure the long-term stability of such disposal site to the United States or the State of Utah, at the State's option.

[Applicable NRC Amendment: 10]

The licensee shall submit an application for license renewal by June 30, 2016.
The following activities shall occur as part of the renewal application process:

- A. A meeting shall be held between the licensee and the division to determine the information to be covered in the renewal application.
- B. A public comment period with a public comment meeting shall be conducted to allow the public to comment on the information to be covered in the renewal application.
- C. Comments from the public comment period shall be addressed by the licensee as part of the license renewal application.

[Applicable DWMRC Amendments: 7]

Section 10: Operational Controls, Limits, and Restrictions

- 10.1 Prior to changing the status of the Mill from a standby status (current status) to an operational status, all construction activities shall not commence until an evaluation is conducted in accordance with UAC R313-22-33(1)(f). This evaluation shall also include an engineering, an environmental monitoring (including groundwater) and a radiation safety evaluation. Therefore, in order to bring the Mill back into operation, facilities at the Mill shall meet the Best Available Technology requirements specified in UAC R317-6.

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[Applicable DWMRC Amendment: 7]

- 10.2 DELETED by NRC Amendment No. 10.
- 10.3 DELETED by NRC Amendment No. 10.
- 10.4 DELETED by NRC Amendment No. 10.
- 10.5 DELETED by NRC Amendment No. 10.
- 10.6 DELETED by NRC Amendment No. 10.
- 10.7 DELETED by NRC Amendment No. 10.
- 10.8 DELETED by NRC Amendment No. 10.
- 10.9 All radiation monitoring, sampling and detection equipment shall be recalibrated after each repair and as recommended by the manufacturer, or at least annually, whichever is more frequent. In addition, all radiation survey instruments shall be operationally checked with a radiation source each day when in use.

[Applicable NRC Amendment: 1]

- 10.10 The licensee shall reclaim the tailings disposal area in accordance with the Tailings Reclamation and Decommissioning Plan for the Shootaring Canyon Uranium Project submitted by letter to the NRC dated October 24, 2002, as amended by NRC submittals dated February 24, April 24, July 30, September 5, November 26, 2003, January 3, 2005, and January 10, 2005.

[Applicable UDRC Amendment: 1]

- A. DELETED by NRC Amendment No. 12.
- B. DELETED by NRC Amendment No. 10.
- C. DELETED by NRC Amendment No. 10.

[Applicable NRC Amendment: 12]

Section 11: Monitoring, Recording, and Bookkeeping Requirements

**DIVISION OF WASTE MANAGEMENT AND RADIATION CONTROL
RADIOACTIVE MATERIALS LICENSE
SUPPLEMENTARY SHEET**

License # UT 0900480
Amendment # 7

- 11.1 The results of sampling, analyses, surveys and monitoring, the results of calibration of equipment, reports on audits and inspections, all meetings and training courses required by this license and any subsequent reviews, investigations and corrective actions shall be documented. Unless otherwise specified by the Director, the licensee shall retain the records for five (5) years after the record is made.
- 11.2 The licensee shall conduct the environmental monitoring program described in Table 5.5-8 of the license renewal application and UAC R313-24-3.

For each license renewal, major license amendment, or before engaging in any activity not previously assessed by the Director or specified in the license application or this License, the licensee shall prepare and record an Environmental Analysis environmental evaluation of such activity. When the evaluation indicates that such activity may result in a significant adverse environmental impact that was not assessed or that is greater than that assessed, the licensee shall provide a written evaluation describing the proposed action, a statement of its purposes and the environment affected. The environmental report shall present a discussion of the following: (a) an assessment of the radiological and nonradiological impacts to the public health from the activities to be conducted pursuant to the license or amendment; (b) an assessment of any impact on waterways and groundwater resulting from the activities conducted pursuant to the license or amendment; (c) consideration of alternatives, including alternative sites and engineering methods, to the activities to be conducted pursuant to the license or amendment; and (d) consideration of the long-term impacts including decommissioning, decontamination and reclamation impacts associated with activities to be conducted. Commencement of such activities prior to issuance of the license or amendment shall be grounds for denial of the license or amendment. The Director shall provide a written analysis of the environmental report, which shall be available for public notice and comment pursuant to UAC R313-17-2.

- A. DELETED by NRC Amendment No. 10.
- B. DELETED by NRC Amendment No. 10.
- 11.3 The licensee shall implement a groundwater detection-monitoring program to ensure compliance with UAC R317-6, Ground Water Quality Protection and UAC R313-24 (10 CFR 40, Appendix A, as incorporated by reference) as follows:
- A. The licensee shall sample monitoring wells RM1, RM2R, RM7, RM12, RM14, RM18 and RM19 on a semiannual basis, with samples taken at least 4 months apart. The samples shall be analyzed for arsenic, chloride, selenium, U-nat, sulfate, barium, cadmium, chromium, copper, lead, mercury, molybdenum, silver, zinc, ammonia, fluoride, nitrate, nitrite, conductivity, total dissolved solids and pH.

**DIVISION OF WASTE MANAGEMENT AND RADIATION CONTROL
RADIOACTIVE MATERIALS LICENSE
SUPPLEMENTARY SHEET**

License # UT 0900480Amendment # 7

The licensee shall measure water level in monitoring wells RM1, RM2R, RM7, RM8, RM12, RM14, RM18, RM19, RM20, RM21, and RM22, on a semiannual basis, with measurements taken at least 4 months apart.

- B. The licensee shall compare the analysis results against the following threshold values:

| | | |
|----------|---|---------------------|
| Arsenic | = | 0.022 mg/l, |
| Chloride | = | 40 mg/l, |
| Selenium | = | 0.022 mg/l, |
| U-nat | = | 0.037 mg/l, and |
| pH | = | 6.8 standard units. |

If the threshold values listed above or in UAC R313-24-4 are exceeded (for pH, an exceedance is a pH less than 6.8) the licensee shall propose, within 60 days of a measured exceedance, an expanded detection monitoring program to define the extent and concentration of hazardous constituents in the uppermost aquifer.

- C. The licensee shall submit the data and comparison results required under subsections A and B, respectively, with the semiannual reports required under UAC R313-24-3 (10 CFR 40.65, as incorporated by reference).
- D. The licensee shall report at least annually in accordance with the reporting requirements specified in subsection C and UAC R313-24-3, the rate and direction of groundwater flow under the tailings impoundment.

[Applicable NRC Amendment: 10, 12]

11.4 DELETED by NRC Amendment No. 10.

11.5 DELETED by NRC Amendment No. 10.

11.6 DELETED by NRC Amendment No. 10.

11.7 The licensee shall perform an annual ALARA audit of the radiation safety program in accordance with UAC R313-15-101 and in the NRC Regulatory Guide 8.31, "Information Relevant to Ensuring that Occupational Radiation Exposures at Uranium Recovery Facilities Will Be As Low As Is Reasonably Achievable."

Section 12: Reporting Requirements


**DIVISION OF WASTE MANAGEMENT AND RADIATION CONTROL
RADIOACTIVE MATERIALS LICENSE
SUPPLEMENTARY SHEET**

License # UT 0900480Amendment # 7

- 12.1 DELETED by NRC Amendment No. 10.
- 12.2 The Licensee shall, within 60 days after January 1 and July 1 of each year, submit a report to the Director. The report shall specify the quantity of each of the principal radionuclides released to unrestricted areas in liquid and in gaseous effluents during the previous six months of operation, and such other information as the Director may require to estimate maximum potential annual radiation doses to the public resulting from effluent releases. The report shall specifically cover quantities of radioactive materials released during the reporting period to ensure compliance with the licensee's requirements.

On the basis of such reports and any additional information the Director may obtain from the licensee or others, the Director may from time to time require the licensee to take such action as the Director deems appropriate. The results of all effluent and environmental monitoring data required by this license shall be reported in accordance with requirements of 10 CFR 40.65 incorporated by reference in UAC R313-24-3 and UAC R313-17-2 to the Director. Monitoring data provided in accordance with the requirements of 10 CFR 40.65 shall be reported in the format shown in the NRC guidance entitled, "Sample Format for Reporting Monitoring Data."

DIVISION OF WASTE MANAGEMENT AND RADIATION CONTROL



Scott T. Anderson, Director29 January 2016

Date

Public Participation Summary
Amendment #7 Transfer of Control from Uranium One Inc. to Anfield Holdings Corporation
Radioactive Material License No. UT0900480
Groundwater Quality Discharge Permit UGW 170003
Shootaring Canyon Uranium Mill
Garfield County, Utah
January 14, 2016

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Public Comments

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ATTACHMENTS

| | |
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| Attachment 1 | Copies of Written Public Comments Received by the DWRC for the Uranium One/Anfield Resources Transfer of Control |
| Attachment 2 | Transcript of Oral Comments Received at the December 14, 2015 Public Hearing |
| Attachment 3 | January 14, 2016 Final Radioactive Material License Amendment 7 and Final Ground Water Quality Discharge Permit UGW 170003 |

Introduction

The purpose of this document is to summarize public comments received by the Utah Division of Waste Management and Radiation Control (DWMRC) regarding the Transfer of Control of the Shootaring Canyon Uranium Mill's RML and GWQDP from Uranium One Inc. (hereafter U-One) to Anfield Resources Holding Corporation (hereafter Anfield). Three sets of written comments were received from the public during the comment period that ended on December 24, 2015 (see Attachment 1). Each of the comments received are listed below in italics, followed by a DWMRC response. The DWMRC responses have been numbered for reference purposes.

On December 14, 2015 a Cross-Examination hearing was held that gave the public the opportunity to ask questions and be answered in accordance with Utah Administrative Code R313-17-4. Two separate individuals made comment and had questions for the parties involved, which were answered during the meeting. A transcript of the hearing is included as Attachment 2. A public meeting to receive public comment only was also held on December 10, 2015 in Panguitch, Utah; however, no one from the public attended or provided comment.

Comments from Garfield County Commission submitted on November 30, 2015.

Dear Mr. Anderson,

We, the Garfield County Commission, write to express our strong support for Anfield Resources' proposed reopening of the Shootaring Canyon Mill. Garfield County recently declared a state of emergency due to declining enrollment in our school district. That declining enrollment is symptomatic of the larger economic distress the county is experiencing. Since the 2010 census, and even though the population of the State of Utah as a whole has grown by 6.5%, it is estimated that Garfield County's population has declined by 2.9%. The median household income for Garfield County residents is \$45,357, versus the state median household income of \$58,821

Because of the county's seasonal leisure and hospitality industries, unemployment during winter months peaks at around 16%. During the summer months, demand for labor is filled by nonresidents, meaning that the majority of those extra summer-month wages leave the county. Full-time, year-round employment is desperately needed. The Shootaring Canyon Mill would provide the very kinds of jobs and industrial diversity our economy needs.

Even though the mill hasn't operated since the early 1980s, its appraised value was approximately \$60 million until a few years ago. That valuation was reduced in recent years to about \$2 million, shifting the tax burden to the rest of the property owners in Garfield County. If the mill were to reopen, the valuation would rise accordingly and provide tax relief to our taxpayers.

When Uranium One and Denison Mines divested their interests in infrastructure assets at the

Public Participation Summary
January 14, 2016

Ticaboo townsite a few years ago, Garfield County hired a law firm, at no trivial cost, to sponsor legislation that would empower what is now the Ticaboo Utility Improvement District (TUID) to provide electricity everywhere in the area. Because TUID has to produce it's own electricity, and because those costs must be shared among a few residents and a couple of businesses, the cost of electricity in Ticaboo is not only the highest in the state of Utah, but the highest in the lower 48 states and possibly the highest in the entire country.

If the mill were to reopen, more residents in Ticaboo would result in TUID being able to lower electricity rates, and lower electricity rates would contribute to the economic viability of the town. Businesses that have considered locating in the Ticaboo area, but have opted not to because of utility prices, would have that barrier to entry removed.

It is our belief that reopening the Shootaring Canyon Mill would be a boon to our county and encourage the Department of Environmental Quality to allow Anfield Resources to do so.

Sincerely,

*Commission Chair
Leland F. Pollock*

*County Commissioner
H. Dell LeFevre*

*County Commissioner
David B. Tebbs*

DWMRC Response #1:

The DWMRC appreciates the efforts made by the Garfield County Commission to provide the Division with information on the anticipated social and economic benefits to Garfield County of the proposed transfer of control. Thank you for your comments.

Comments from Ms. Sarah Fields submitted on December 7, 2015 for the Public Hearing held on December 14, 2015.

Note: Ms. Sarah Fields submitted these comments for the Cross-Examination Hearing that was held in the Multi Agency State Office Building (MASOB) on December 14, 2015. Transcripts of Ms. Fields' comments/questions and answers given during the Public Hearing Meeting can be found in Attachment 2. Although, Ms. Fields questions were answered during the December 14, 2015 meeting, the answers given then have been further clarified below.

Below are Questions regarding the Utah Division of Waste Management and Radiation Control (DWMRC) authorization of the transfer of the Radioactive Material License (RML) No. UT 0900480 and the Utah Ground Water Discharge Permit No. UGWI70003 for the Shootaring Canyon Uranium Mill near Ticaboo, Garfield County, Utah, from Uranium One Americas Inc. to Anfield Resources Holding Corp, (Anfield). The Questions are in anticipation of the hearing to be held on December 14, 2015, at the Department of Environmental Quality headquarters in Salt Lake City. The Questions are addressed to the DWMRC staff and to Anfield staff, if they wish to address the questions. The DWMRC

(formerly Utah Division of Radiation Control, or DRC) Technical Evaluation and Environmental Analysis describes the proposed changes to Radioactive Material License (RML) No. UT 0900480 and the Utah Ground Water Discharge Permit No. UGWI70003 for the Shootaring Canyon Uranium Mill and states: DRC reviewed the information provided in the above referenced submittal using the United States Nuclear Regulatory Commission's NUREG 1556, Volume 15, Consolidated Guidance about Materials Licenses: Guidance about Changes of Control and about Bankruptcy Involving Byproduct, Source, or Special Nuclear Materials Licenses, NUREG-1556, Vol. 15) as guidance."

QUESTIONS

1. NUREG-1556, Vol. 15, Section 5, Change of Control (page 5-2), states:

In the area of materials licensing, there are no categorical foreign ownership, control, or domination limitations. However, under Sections 57c, 63b, and 82b of the AEA, NRC must make a finding that issuance of the license for special nuclear material, source material, or byproduct material would not be "inimical to the common defense and security, and would not constitute unreasonable risk to the health and safety of the public." The Commission must make the same finding when consenting to a change of control. As a part of that determination, NRC will consider foreign ownership, control, and domination.

The transfer of the license will be from one Canadian company to another Canadian company.

1.1. QUESTION: *Has the DWMRC made any determination that the control of the Shootaring Canyon Mill by a foreign company would not be "inimical to the common defense and security, and would not constitute unreasonable risk to the health and safety of the public"? If not, why not? If so, what is the basis for that determination?*

DWMRC Response #2:

Since the State of Utah took over Agreement State status for uranium mills in August 2004, all of the uranium companies that the DWMRC (formally DRC) have had foreign companies within the company corporate structure. The current owner of the Mill Uranium One's current parent company is a Russian company as documented in RML Amendment #5. It required Nuclear Regulatory Commission approval before the Russian company could take over any of Uranium One's United States assets. Foreign ownership is not considered a health and safety risk because the Shootaring Canyon Mill is a permanent facility within the State of Utah and the radioactive materials used are kept onsite within the restricted area of the Mill with no public access.

2. NUREG-1556, Vol. 15, Section 5.4, Change of Control, Surveillance Records (page 5-5), states:

Prior to the approval of a change of control, licensees or applicants must submit a review of the status of all applicable surveillance requirements and records. This should include an

indication of whether the surveillance program is current and if it will be current at the time of transfer.

2.1. QUESTION: Have the applicants complied with this requirement? What documents were submitted to demonstrate compliance?

DWMRC Response #3:

In the August 15, 2014 and in the September 29, 2014 documents submitted by Uranium One and Anfield, both companies committed to transferring all of the required documents. These documents include:

- Surveillance documents (i.e. surveys, air monitoring and etc.);
- Decommissioning documents (i.e. reclamation and decommissioning plan); and
- Documents showing current and ambient conditions (i.e. reclamation and decommissioning plan).

In addition to the written commitments, representatives from both Uranium One and Anfield confirmed, in the public hearing held on December 14, 2015, that the records already have or will be transferred as soon as the RML is transferred to Anfield. This included any historical documents that Uranium One has from before the State of Utah became an agreement State in August 2004.

3. NUREG-1556, Vol. 15, Section 5.5, Change of Control, Decommissioning and Related Records Transfer (page 5-6), states:

Prior to the approval of a change of control, NRC regulations require that licensees arrange for the transfer and maintenance of records important to the safe and effective decommissioning of facilities involved in licensed activities.

No change of control or ownership or license termination will be authorized until all required records have been transferred to the new licensee or to NRC, as appropriate.

These regulations require that before licenses are transferred or assigned, all records be transferred to the new licensee. The regulations require that all records of measurements and calculations used to evaluate the release of radioactive effluents to the environment and records of certain disposals be transferred to the new licensee prior to the license being transferred or assigned, unless the existing licensee was only authorized to possess and use unsealed material with a half life of less than 65 days or material in a sealed source form.

3.1. QUESTION: Have the licensing documents in the possession of Uranium One been transferred to Anfield?

DWMRC Response #4:

Please refer to DWMRC response #3.

3.2. QUESTION: Do these documents include all the Shootaring (or Shootering) Mill documents for the Nuclear Regulatory Commission (NRC) Docket No. 40-8698 that have been indexed to the NRC Public Legacy Library.1 There about 1,025 such NRC records. (Note that the Mill and Canyon are spelled "Shootering" in many NRC, Plateau Resources, and other documents and references.)

DWMRC Response #5:

Please refer to DWMRC response #3.

3.3. QUESTION: Do these documents include the documents that pertain to the disposal of waste from the Hydro-Jet heap leach operation (NRC Docket No. 40-7869, License SUA-1013) in the Shootaring Mill tailings impoundment?

DWMRC Response #6:

Please refer to DWMRC response #3.

3.4. QUESTION: Does the DWMRC intend to accession all the historical Shootaring Canyon Mill and Hydro-Jet Heap Leach documents in their possession? Such records are pertinent to the License Renewal process and any proposals to reopen the Mill.

DWMRC Response #7:

Please refer to DWMRC response #3.

4. NUREG-1556, Vol. 15, Section 5.5, Change of Control, Decommissioning and Related Records Transfer (page 5-6), states:

NRC also requires a description of the status of the licensed facility with regard to ambient radiation levels and fixed and/or removable contamination as a result of NRC licensed activities. The parties must confirm, in writing, that they accept full responsibility for the decommissioning of the site, including any contaminated facilities and equipment.

4.1. QUESTION: Has Anfield complied with this requirement? Which documents were submitted to demonstrate compliance?

DWMRC Response #8:

Please refer to DWMRC response #3.

5. NUREG-1556, Vol. 15, Section 5.5 Change of Control, Decommissioning and Related Records Transfer (page 5-7), states:

The current licensee must document ambient radiation levels and the presence or absence of contamination. The documentation must include, as appropriate, the method and sensitivity of the evaluation. If contamination is present, the documentation should describe how and

when decontamination will occur or indicate that the timing and means of decontamination and/or decommissioning have not yet been determined.

5.1. QUESTION: Has the current licensee complied with this requirement? If so, please cite the documents that have been submitted to demonstrate compliance?

DWMRC Response #9:

Please refer to DWMRC response #3.

6. NUREG-1556, Vol. 15, Section 5.5, Change of Control, Decommissioning and Related Records Transfer (page 5-7), states:

The current licensee must also discuss how the parties agree to assume responsibility for the decontamination and decommissioning of licensed facilities. Those licensees required under 10 CFR 30.35, 40.36, and/or 70.25 to provide evidence of adequate resources to fund any required decommissioning must describe the effect that the change of control will have on financial assurance for decommissioning. As necessary, documents describing financial assurance must be amended to reflect the change in control. This documentation may refer to decontamination plans, including any required financial assurance arrangements of the transferor, that [sic] were previously submitted in support of a decommissioning funding plan.

6.1. QUESTION: Has the current licensee complied with these requirements? If so, please cite the documents that demonstrate compliance with these requirements.

DWMRC Response #10:

The transfer of control could not be completed until the DWMRC received confirmation from Anfield that a surety method had been established for the Shootaring Canyon Uranium Mill. A standby trust agreement and a surety bond have been submitted to the DWMRC. DWMRC staff has reviewed these documents and have issued a letter dated September 28, 2015, approving the surety bond from Anfield. This surety bond is currently in effect. The requirements for final assurance for the Mill are found in License Condition 9.5 of the License.

7. NUREG-1556, Vol. 15, Section 5.5, Decommissioning and Related Records Transfer (page 5-7), states regarding "Response from the Licensee":

If decommissioning will not occur until after the change of control, describe any contamination and confirm that the transferee is knowledgeable of the extent and levels of contamination and applicable decommissioning requirements.

7.1. QUESTION: Has the licensee complied with this requirement? If so, please cite the documents that demonstrate compliance.

DWMRC Response #11:

Please refer to DWMRC response #3.

8. Anfield has submitted a surety to replace the Uranium One surety instrument. However, Anfield will have to submit a new Reclamation Plan. It is likely that the cost of reclamation will increase once that Reclamation Plan is approved.

8.1. QUESTION: Has the DWMRC determined that Anfield will have adequate financial resources to implement a revised Reclamation Plan? Considering Anfield's current limited financial resources and debt, this is an important issue.

DWMRC Response #12:

Yes, DWMRC staff has reviewed and approved the current surety bond. The current value is \$9,346,014, as approved following review of the 2015 annual update on December 15, 2015.

9. If the license is transferred to Anfield, Anfield must submit a License Renewal application, which is overdue.

9.1. QUESTION: How much time will the DWMRC give Anfield to submit the License Renewal application?

DWMRC Response #13:

In a letter (DRC-2015-008220) dated November 17, 2015, Uranium One and Anfield requested an additional six months to submit a RML renewal application. In a letter (DRC-2015-8531) dated December 2, 2015, the Director of the DWMRC gave Anfield until June 30, 2016 to submit a renewal application.

10. The surety arrangement with the current licensee, Uranium One Americas Inc. is a letter of Credit in the amount of \$8,791,724.00. In an April 1, 2015, News Release, Anfield stated: "Anfield expects that the surety bond will be provided with a collateral reduction of 25% of the total reclamation bond with an annual premium of 3% of the bond value. Within twenty four months following closing, the Company will make an additional deposit to cover the remaining amount of the reclamation bonds."

10.1. QUESTION: Was the "Standby Trust Agreement and Surety Payment Bond" for the Shootaring Canyon Uranium Mill, submitted by Anfield on September 9, 2015, for \$8,791,724.00?

DWMRC Response #14:

The current amount in the Shootaring Canyon Mill's surety is \$9,346,014. Anfield's surety had to be in place before the transfer of the RML and GWQDP could occur. Anfield and their financial institution submitted the appropriate documentation on September 9, 2015 and the DWMRC extended approval in a letter dated September 28, 2015. The update detailing

the current surety amount was submitted on October 26, 2015, with approval extended on December 15, 2015.

10.2. QUESTION: If Anfield received a collateral reduction on their surety bond, how would that impact the bond if that bond must be called in?

DWMRC Response #15:

No reduction to the surety occurred. Please refer to DWMRC response #14.

11. The August 15, 2014, Notice of Change of Control and Ownership Information, Radioactive Material License UT 09004580, Grand Water Quality Discharge Permit, USW 170003, Uranium One Americas, Inc. and Anfield Resources Holding Corp., Shootaring Canyon Uranium Mill, Garfield County, Utah (Application), included Anfield Resources Inc.'s Transaction Presentation (Exhibit 4) and Anfield Resources Inc.'s financial model for operation of the Shootaring Mill (Exhibit 9). These Exhibits were marked "Confidential" and are not available for public review. Anfield claimed confidentiality, based on provisions in Utah Code 63G-2-305(2), which states:

The following records are protected if properly classified by a governmental entity:

(2) commercial information or nonindividual financial information obtained from a person if:

(a) disclosure of the information could reasonably be expected to result in unfair competitive injury to the person submitting the information or would impair the ability of the governmental entity to obtain necessary information in the future;

(b) the person submitting the information has a greater interest in prohibiting access than the public in obtaining access; and

(c) the person submitting the information has provided the governmental entity with the information specified in Section 63G-2-309.

11.1. QUESTION: Did the DWMRC make a determination that Anfield complied with the requirement at 63G-2-309(a)(1)(B) that "a concise statement of reasons supporting the claim of business confidentiality"?

DWMRC Response #16:

During the public hearing held on December 14, 2015 Laura Lockhart of the Utah Attorney Generals Office responded to this question as follows:

"The standard that applies actually is not the one that you cited. DEQ has its own standard, which is spelled out at 19-1-306, Subsection 2. The standard that is included in there is identical to the federal freedom of information standards. The answer to all your questions under Question 11 (so far), is that we do not ordinary consider matters of confidentiality until we get a request. We get a lot of documents that are labeled confidential, under the

Government Records Access and Management Act (GRAMA), we are allowed to classify those records at any time and ordinarily that is not done ahead of time.

With respect to your last question 11.3 we did not request non-proprietary versions of these. We did consider it after we received your request, but it is clear that all the information in there is of a single type, as all are related to financial issues and it would be meaningless to include a version that did not include the numbers for which confidentiality is being claimed. This is being said without making a determination about whether the documents are entitled to confidentiality as that is a separate question.”

Since the hearing, Ms. Lockhart learned that the questioner had submitted a GRAMA request for records that had been labeled “confidential.” A review of that claim is underway.

11.2. QUESTION: Did the DWMRC make a determination that the records withheld are protected, because 1) disclosure of the information could reasonably be expected to result in unfair competitive injury to the person submitting the information or would impair the ability of the governmental entity to obtain necessary information in the future and 2) the person submitting the information has a greater interest in prohibiting access than the public in obtaining access?

DWMRC Response #17:

Please refer to DWMRC response #16.

11.3. QUESTION: Did the DWMRC request that non-proprietary versions of these documents be submitted to the DWMRC?

DWMRC Response #18:

Anfield did not submit a non-proprietary version of the documents.

11.4. QUESTION: Has the DWMRC reviewed Anfield's financial model and made any specific findings regarding that model and the financial and other information that went into that model? If so, what findings or conclusions were made, and what was the basis for those conclusions?

DWMRC Response #19:

It is not the intent of the DWMRC to interfere with business decisions of Anfield or any other uranium mill licensee. The DWMRC's focus is on the health and safety aspects of the facilities that we regulate and not the financial actions of the proposed transactions. The regulatory requirement that Anfield has to meet is having appropriate financial surety for the Shootaring Canyon Uranium Mill in place when they assume responsibility for the Mill.

12. Anfield's Application cover letter states (pages 1 to 2):

Furthermore, Anfield has entered into the Proposed Transaction with the express intention of recommencing operations at the Shootaring Canyon Uranium Mill in the near to medium

term. As such Ul Americas and Anfield request that concurrent with the Director's approval of the transfer of the Mill Permits from Ul Americas to Anfield, that the Director also approve the extension of the Mill Permits for a further 12 months from and after the closing of the Proposed Transaction, to allow Anfield sufficient time to prepare a formal license renewal application and the related documentation required to recommence operations at the Shootaring Canyon Uranium Mill. We understand that the approval of such an extension may be dependent on the potential economic viability of the recommencement of operations at the Shootaring Canyon Uranium Mill. In a separate letter, Anfield's parent company, Anfield Resources Inc., will submit its proposed strategy and timelines for the development of its uranium assets in the U.S., which includes the recommencement of operations at the Shootaring Canyon Uranium Mill.

12.1. QUESTION: Has Anfield Resources Inc. submitted the letter with its "proposed strategy and timelines for the development of its uranium assets in the U.S., which includes the recommencement of operations at the Shootaring Canyon Uranium Mill"? If so, is there a claim of confidentiality?

DWMRC Response #20:

Anfield provided the DWMRC with a "proposed strategy and timelines" in Exhibit 4. Exhibit 4 has been marked confidential by Anfield and the documents are being reviewed the Utah Attorney General's office to determine if they will be kept confidential. However, the "proposed strategy and timelines" in Exhibit 4 are estimates and not detailed plans on how the Mill will be brought back into operation. The DWMRC expects those details for the Shootaring Canyon Mill to be included in the RML renewal application due on June 30, 2016. Development of any other uranium assets is beyond the regulatory authority of the DWMRC.

12.2. QUESTION: What is the DWMRC's interpretation of the statement in the Application that: "We understand that the approval of such an extension may be dependent on the potential economic viability of the recommencement of operations at the Shootaring Canyon Uranium Mill"?

DWMRC Response #21:

The DWMRC has no interpretation for the cited statement.

12.3. QUESTION: Will the DWMRC take into consideration the above mentioned letter (if such a letter has been or is going to be submitted) regarding Anfield's "proposed strategy and timelines for the development of its uranium assets" when approving the extension and determining the length of the extension of the current license?

DWMRC Response #22:

The DWMRC looked at the regulatory requirements for extending the time for a renewal application. R313-22-36(3) of the Utah Administrative Code states that "A specific license continues in effect, beyond the expiration date if necessary, with respect to possession of

radioactive material until the Director notifies the licensee in writing that the license is terminated. During this time, the licensee shall:

- (a) limit actions involving radioactive material to those related to decommissioning; and
- (b) continue to control entry to restricted areas until they are suitable for release so that there is not an undue hazard to public health and safety or the environment."

In the request to extend the RML Anfield committed to maintaining staff at the facility. DWMRC staff also determined that as long as the Shootaring Canyon Uranium Mill remains in standby status no additional public health and environmental concerns will occur by transferring the RML.

12.4. QUESTION: What other information might the DWMRC take into consideration, such as the limited financial resources of Anfield, when approving a license extension and determining the length of the extension?

DWMRC Response #23:

The financial resources of Anfield were not considered by the DWMRC in approving an extension to submit a renewal application. (See DWMRC Response #19)

13. Over the past few years Anfield has made some inaccurate and misleading claims regarding the development of the Shootaring Canyon Mill and its uranium assets. The Canadian Securities Commissions have been concerned about Canadian mining companies providing investors with misleading information in their news releases and investor presentations. In 2015 Anfield deleted an investor presentation that contained inaccurate and misleading information from its website.

The presentation, "Shootaring Canyon Uranium Mill and Production Acquisition," claimed that the Mill "is in good condition and should be able to be refurbished relatively quickly and at low cost." Uranium One stated in the November 18, 2007, "Management's Discussion and Analysis of Financial Condition and Results of Operations" that "approximately \$33.0 million would be required to refurbish the [Shootaring Canyon] Mill, including the addition of the vanadium circuit." I do not know if that includes construction of a new tailings impoundment. Clearly, it would take time and money to renew the license, license a new impoundment and active Mill operation, refurbish the Mill, and construct a new tailings cell. It would take time and money to permit, develop, and produce ore from Anfield's mining assets, none of which are currently permitted to operate.

With respect the Velvet Wood Mine Complex, the presentation, under "Permits," stated: "Notice of Intent (NOI) to Commence Large Mining Approved with DOGM." 2 Anfield claimed "the potential to recommence production within 12 months based on current permits in place." The Velvet Mine is on US Bureau of Land Management (BLM) administered lands. Neither the BLM nor DOGM have permitted the Velvet Mine³ to operate. The current DOGM Velvet Mine NOI is for mine reclamation, not operation. It would take 2 to 3 years to obtain all the required permits for the Velvet Mine to operate.

Anfield has made other unsubstantiated claims regarding its cash flow and its intentions. In a June 17, 2014, Interview4 with Corey Dias, CEO and Director of Anfield, claimed that they had approximately \$500,000 in cash. However, Anfield's consolidated interim statements of financial position submitted to the Canadian authorities indicate that Anfield had \$7,399 cash assets as of September 31, 2014, and \$7,492 cash assets as of December 31, 2014. The cash assets of March 31, 2013, were \$469,137; those of December 31, 2013, were \$38,056.

13.1. QUESTION: Has DWMRC verified the information provided by Anfield in the Transaction Presentation and Financial Model for the Shootaring Canyon Mill?

DWMRC Response #24:

Please refer to DWMRC response #19.

13.2. QUESTION: How is DWMRC going to take into consideration Anfield's propensity to make misleading statements to the media and investors?

DWMRC Response #25:

Any statements made by Anfield to the media and investors are not under the regulatory jurisdiction of the DWMRC.

14. Anfield submitted the Anfield Resources Inc. Consolidated Financial Statements for the Years Ended December 31, 2013 and 2012 as Exhibit 6 to the 2014 Application.

14.1. QUESTION: Has the DWMRC looked at and considered Anfield's subsequent Consolidated Financial Statements?

DWMRC Response #26:

Please refer to DWMRC response #19.

15. It is apparent that Anfield has a substantial debt and limited financial resources. In order to obtain all the permits and licenses necessary to produce uranium ore and operate the Mill to process that ore, develop and operate at least one uranium mine, prepare the Mill for operation, maintain mine claims and leases, and other necessary actions, it will take from \$50 to \$100 million. It is not at all apparent where that money is going to come from.

15.1. QUESTION: How is the DWMRC go to take into consideration Anfield limited financial resources, given Anfield's plans to commence operation of the Mill?

DWMRC Response #27:

Please refer to DWMRC response #19.

Sarah Fields

Public Participation Summary
January 14, 2016

Uranium Watch
December 7, 2015

Comment from Mr. David Curtis – Owner of Ticaboo Resort- an oral comment from the Public hearing on December 14, 2015.

I am the owner of the Ticaboo Resort and off-shore Marina, located a few miles from the mill. I just want to go on record, from the business side, we are excited to be able to see something happen here. Whether Anfield is able to get the mill going and create some jobs and create some economic basis there or whether down the road it gets decommission, I think this is a positive step that Anfield's coming in and working with Uranium One on the transfer process.

DWMRC Response #28:

Thank you for your interest in this matter and your comment.

Comments from Ms. Sarah Fields, Director of Uranium Watch and Mr. John Weisheit, Conservation Director of Living Rivers, submitted December 24, 2015.

Dear Mr. Anderson:

Below please find Uranium Watch and Living Rivers' Comment on Uranium One/Anfield Transfer of Control Amendment Request.

1. Uranium Watch and Living Rivers (Commenters) primary concern with the transfer of the Shotaring Canyon Mill license to Anfield Resources Holding Corp. (Anfield) is the lack of working capital to carry out Anfield plans to renew the Mill license; amend the license to authorize new activities, such as the refurbishment of the Mill and construction of a new tailings impoundment; operation of the Mill; permitting of uranium mine(s); and operation of uranium mine(s).

There is a large stockpile of ore at the Mill and an ore stockpile in Lisbon Valley. Anfield must submit an application to the Bureau of Land Management (BLM) to remove the stockpile in the Lisbon Valley. The approval process includes compliance with the National Environmental Policy Act. Anfield does not own or control any uranium mines that are permitted to operate.

The current owner, Uranium One Americas Inc. (Uranium One), stated in its November 18, 2007, "Management's Discussion and Analysis of Financial Condition and Results of Operations," that "approximately \$33.0 million would be required to refurbish the [Shootaring Canyon] Mill, including the addition of the vanadium circuit." It is unclear if that estimate includes the construction of a new tailings impoundment and closure of the old impoundment. Anfield does not have the resources necessary to refurbish the Mill. This fact has implications for the future status of the Mill and the reclamation of the Mill.

DWMRC Response #29:

The DWMRC recognizes that the commenters concerns is the financial viability of Anfield. Please refer to DWMRC Response #19;

2. The most recent Anfield filing to the Canadian Securities Administrators provides further evidence of Anfield's lack of resources. The November 30, 2015, "Anfield Resources Inc. Management Discussion and Analysis (Formerly Equinox Copper Corp.) for the Nine Month Period Ended September 30, 2015 and the Subsequent Period Ended November 25, 2015" 1 (pages 15 to 16), with respect "Liquidity and Capital Resources," states:

At September 30, 2015, the Company had a working capital deficit of \$1,504,061 as compared to a deficit of \$1,728,783 at December 31, 2014, which management considers being insufficient to continue operations for the coming year. In addition there are insufficient funds to meet all property commitments and agreements as they now stand. The Company's continuation as a going concern is dependent upon the successful results from its mineral property exploration activities and its ability to attain profitable operations and generate funds there from and/or raise equity capital or borrowings sufficient to meet current and future obligations. These factors indicate the existence of a material uncertainty that casts significant doubt about the Company's ability to continue as a going concern. Management intends to finance operating costs over the next twelve months with loans from directors and companies controlled by directors and or private placement of common shares or the issuance of debt, to meet future commitments or may seek extensions to the exploration schedule, however, there are no guarantees that the Company can do so in the future.

That Management and Analysis (page 21) also states:

The Company has no history of profitable operations and its present business is at an early stage. As such, the Company is subject to many risks common to other companies in the same business, including undercapitalization, cash shortages, and limitations with respect to personnel, financial and other resources and the lack of revenues.

Based on that Analysis, there can be no expectation that Anfield will be able to refurbish and operate the Shootaring Canyon Mill.

DWMRC Response #30:

Please refer to DWMRC response #19.

3. According to the Management and Analysis (page 18), with respect the Mill reclamation bond, states:

An amount of \$9,477,336 (USD \$7,075,807) was paid into a separate trust bank account for reclamation claims, by an-arms length party as surety bond, as part of the transaction purchasing the Shootaring Mill. No interest is to be charged against this amount. The Company had to purchase insurance to preserve this amount.

The Company also agreed to replace US\$7.1 million in long-term government reclamation bonds that are currently in place over the Shootaring Mill as a surety. Uranium One has agreed to initially provide the US\$7.1 million cash (USD \$7,075,807 as mentioned above) collateral required for the issuance of the replacement surety bond. The surety bond will be provided with a collateral reduction of 25%. Consequently the full US\$9.4 million required bond amount will be secured by approximately US\$7.1 million (USD \$7,075,807 as above). The Company will be required to pay the 3% annual bond premium and, within 24 months following closing, the Company will replace the surety bond cash collateral and cause the full release of Uranium One's cash collateral.

The Division of Waste Management and Radiation Control (DWMRC) must take a hard look at all of arrangements related to the Shootaring Canyon Mill surety bond. Anfield states that they "will be required to pay the 3% annual bond premium and, within 24 months following closing, the Company will replace the surety bond cash collateral and cause the full release of Uranium One's cash collateral." What if Anfield cannot pay the 3% annual bond premium or, within 24 months, replace the surety bond cash collateral and cause the full release of Uranium One's cash collateral?

The DWMRC must evaluate all contingencies and assure that the required bonding remains in place no matter what Anfield is able to do in compliance with the premium or replacement bonding agreements.

DWMRC Response #31:

The issues brought forward in this comment include several details of the asset purchase agreement between the parties to the sale of the mill. Those agreements do not affect the total surety held by the State; they only define who pays which portions of the premium on the bond. The total surety was approved by letter dated September 28, 2015. Since that time, an updated surety, with an upward adjustment in the surety value to account for inflation, was approved on December 15, 2015.

4. The current uranium market does not support the operation of the only conventional uranium mill in the United States licensed to operate, the White Mesa Mill. The White Mesa Mill is on standby, and all of the permitted uranium mines in Utah have been on standby since 2012 or before. There is no evidence that the current price of uranium will support the operation of a new mill and new mines, even if Anfield has all the capital it needed to refurbish the Mill and permit and operate mines to produce uranium ore.

DWMRC Response #32:

Please refer to DWMRC response #19.

5. The August 15, 2014, Notice of Change of Control and Ownership Information, Radioactive Material License UT 09004580, Grand Water Quality Discharge Permit, USW 170003, Uranium One Americas, Inc. and Anfield Resources Holding Corp., Shootaring

Canyon Uranium Mill, Garfield County, Utah (Application), included Anfield Resources Inc.'s financial model for operation of the Shootaring Mill (Exhibit 9). Exhibit 9 was marked "Confidential" and is not available for public review. Therefore, the public is not able to comment on one of the more important documents submitted in support of the license transfer. Commenters urge the DWMRC to carefully review Anfield's financial model for the operation of the Mill and compare that information with the current financial information provide [sic] by Anfield to the Canadian Securities Administrators. If the current financial information does not support Anfield's financial model, then the license transfer request should be denied.

DWMRC Response #33:

Please refer to DWMRC response #19.

6. Commenters reasonably foresee a situation where the new Mill owner will not have the funding to refurbish and restart the Mill, or if it does obtain the necessary capital, it will take several years to do so. Even with the necessary capital to process ore and produce uranium concentrate, the current price of uranium would not support such an operation. There is no information on the public record that would support a contrary conclusion.

This means that the Shootaring Canyon Mill will continue to remain on standby indefinitely, without reclamation. The Nuclear Regulatory Commission and Environmental Protection Agency statutes and regulations do not support the authorization of indefinite standby status for a uranium mill and indefinite presence of unreclaimed uranium mill tailings. It has been over 30 years since uranium ore was processed at the Mill and waste from the Hydro-Jet heap leach operation was disposed of along with the processing fluids and mill tailings.

The DWMRC should not approve a license transfer, which, inevitability, will result in continued nonoperational status of the Mill. Another decade or more of standby is not acceptable.

DWMRC Response #34:

Please refer to DWMRC response #19.

Thank you for providing this opportunity for comment.

Sincerely,

Sarah Fields

Director

sarah@uraniumwatch.org

John Weisheit

Conservation Director

Living Rivers

PO Box 466

Moab, Utah 84532

Additional DRC License Amendments since Close of Public Comment Period

After the public comment period, the DWMRC made an additional changes to the License. Anfield provided the DWMRC a new mailing address. The new address is as follows:

Anfield Resources Holding Corp.
P. O. Box 901537
Sandy, Utah 84090

At the request of Anfield, this address will be on the RML and the Permit

References

- Anfield Resources Holding Corp., August 27, 2015, Shootaring Canyon Uranium Mill Facility Radioactive Materials License UT 0900480 Ground Water Quality Discharge Permit UGW 170003: "Notice of Transaction Completion". (DRC-2015-006557)
- Uranium One Americas Inc. and Anfield Resources Holding Corp., August 15, 2014, Shootaring Canyon Uranium Mill Facility Radioactive Materials License UT 0900480 Ground Water Quality Discharge Permit UGW 170003: "Request to Transfer Radioactive Materials License and Ground Water Discharge Permit". (DRC-2014-004922)
- Uranium One Americas Inc. and Anfield Resources Holding Corp., September 29, 2014, "Response to Request for Additional Information: Shootaring Canyon Uranium Mill Facility Radioactive Materials License UT 0900480 Ground Water Quality Discharge Permit UGW 170003". (DRC-2014-005722)
- Uranium One Americas Inc. and Anfield Resources Holding Corp., November 17, 2015, "Radioactive Materials License (RML) UT 0900480: Request for a Six-Month Extension of the Current Shootaring Canyon Mill RML and the Postponement of the Initiation of the Requirements of Timelines in Decommissioning Pursuant to Utah Administrative Code (UAC) R313-22-36(6)". (DRC-2015-004220)
- Utah Division of Radiation Control, September 16, 2014, "Radioactive Material License Number UT 0900480: Request for Additional Information for Transfer of Control from Uranium One Americas, Inc. to Anfield Resources Holding Corporation". (DRC-2014-005384)
- Utah Division of Radiation Control, October 17, 2014, "Change of Ownership and Transfer of Control of the Shootaring Canyon Uranium Mill Radioactive Material License (RML) Number UT 0900480 and Ground Water Quality Discharge Permit UGW 170003 (Permit)". (DRC-2014-006205)
- Utah Division of Waste Management and Radiation Control, September 28, 2015, "Shootaring Canyon Uranium Mill, Termination of [Uranium One] Surety Bond and Standby Trust Agreement, Radioactive Material License Number UT 0900480". (DRC-2015-006563)
- Utah Division of Waste Management and Radiation Control, December 2, 2015, "Request to Extend Radioactive Material License (RML) Number UT 0900480". (DRC-2015-008531)

Public Participation Summary
January 14, 2016

**Attachment 1-Copies of Written Public Comments Received by the DWRC for
the Uranium One/Anfield Resources Transfer of Control**

Comments from Garfield County Commission submitted on November 30, 2015. (DRC-2015-008570)

**Comments from Ms. Sarah Fields submitted on December 7, 2015 for the Public
Hearing held on December 14, 2015. (DRC-2015-009628)**

**Comments from Ms. Sarah Fields, Director of Uranium Watch and Mr. John Weisheit,
Conservation Director of Living Rivers, submitted December 24, 2015. (DRC-2015-
009550)**

Public Participation Summary
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Attachment 2-Transcript of Oral Comments Received at the December 14, 2015
Public Hearing

Public Participation Summary
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Attachment 3-January 11, 2016 Final Radioactive Material License
Amendment 7 and Final Ground Water Quality Discharge Permit UWG 170003

Shootaring Canyon Cross-Examination Hearing Transcript regarding the Shootaring Canyon Mill License transfer from Uranium One to Anfield Resources Inc.

December 14, 2015

Attendees: John Eckersley, Consulting Attorney, Anfield Resources; Russ Topham, Environmental Engineer/DWMRC; Craig Anderson, Utah Attorney General's Office (Hearing Officer); Scott Schierman, Corporate Radiation Safety Officer, Uranium One; Toby Wright, Board of Director, Anfield Resources; and Phil Goble, Uranium Mills/RAD Materials Section Manager, DWMRC.

Telephone Participants: Laura Lockhart, Utah Attorney General's Office; Sarah Fields, Uranium Watch

Phil Goble, Uranium Mills/RAD Materials Section Manager, opened the Hearing at 1:56 p.m. Mr. Goble asked if Laura Lockhart, Utah Attorney General's Office, had anything she wanted to add before the meeting started.

Laura Lockhart mentioned that the questions that Ms. Sarah Fields would be asking are regarding Nuclear Regulatory Commission's NUREG 1556, Vol. 15 and Ms. Lockhart wanted point out the legal status of guidance. Ms. Lockhart stated, "We are prohibited from using guidance as an enforcement tool/enforcement document. We are allowed to use guidance to help us reasonably help interpret a regulatory or statutory requirement. However, it cannot be used directly. In some cases, we may find other parallel ways to meet the same requirements or in some instances the suggestions may not be relevant." Phil Goble clarified that, "most of the questions that Sarah is asking are in regards to the Change of Control Section of the Nuclear Regulatory Commission's NUREG 1556, Volume 15, and that is guidance. We do not follow that in particular; we follow it as a reference and there is no absolute requirement that we follow NUREG 1556, Volume 15."

NOTE:

On December 7, 2015, Ms. Sarah Fields submitted to the DWMRC questions for the December 14, 2015 hearing regarding the authorization of the transfer of the Radioactive Material License (RML) No. UT 0900480 and the Utah Ground Water Discharge Permit No. UGW170003 for the Shootaring Canyon Uranium Mill near Ticaboo, Garfield County, Utah, from Uranium One Americas Inc. to Anfield Resources Holding Corp. (Anfield). For ease of reference, questions numbers 1 through 15.1 were asked by Ms. Fields during the hearing and are show below in the same format presented in the December 7, 2015 questions document where she describes a requirement and then asks a question for that requirement. The questions were answered by individuals from either the DWMRC, Utah Attorney General's Office, Uranium One or Anfield.

QUESTIONS:

1: NUREG-1556, Vol. 15 Section 5, Change of Control (page 5-2), states:

"In the area of materials licensing, there are no categorical foreign ownership, control, or domination limitations. However, under Sections 57e, 63b, and 82b, of the AEA, NRC must make a finding that issuance of the license for special nuclear material, source material, or byproduct material would not be "inimical to the common defense and security, and would not constitute unreasonable risk to the health and safety of the public." The Commission must make the same finding when consenting to a change of control. As a part of that determination, NRC will consider foreign ownership, control, and domination.

1.1 Question:

Has the DWMRC made any determination that the control of the Shootaring Canyon Mill by a foreign company would not be "inimical to the common defense and security, and would not constitute unreasonable risk to the health and safety of the public"? If not, why not? If so, what is the basis for that determination?

[Phil Goble] "The primary owner of the Shootaring Canyon Mill is actually owned by a Russian Company. The NRC had to sign-off before the Russian company could take over that license. As for Anfield being a Canadian company, that is not a concern. At the Shootaring Canyon Mill facility, they still have a restricted area, with radioactive materials there on-site; and there is no easy access to it. Therefore, the DWMRC has no concerns with Anfield taking over from this perspective."

2: NUREG-1556, Vol. 15, Section 5.4, Change of Control, Surveillance Records (page 5-5) states:

Prior to the approval of a change of control, licensees or applicants must submit a review of the status of all applicable surveillance requirements and record. This should include an indication of whether the surveillance program is current and if it will be current at the time of transfer.

2.1 Question:

Have the applicants complied with this requirement? What documents were submitted to demonstrate compliance?

[Toby Wright] "The records that Anfield has received and will receive before the transfer of the license, constitutes all those records within Uranium One's possession. Those records do not necessary correlate directly to the NRC docket records, although there is a great deal of over-lap. What records have been transferred have been compiled, but at this time, they have not finished the review of all the materials available."

[Scott Schierman] "The only thing I would like to add to that is that records, as far as the transfer of records, have been transferred to Anfield and the records are available at the Shootaring Mill and the remainder has been transferred to where it was requested by Anfield Records be submitted."

Sarah Fields commented she has encountered audio problems and did not hear the responses of Mr. Wright and Mr. Schierman and asked for clarification if they have submitted a review of the status of all applicable surveillance requirements.

[Phil Goble] "In the original document sent to DWMRC, they specified that the documents had been transferred to them (Anfield)."

3. NUREG-1556, Vol. 15, Section 5.5, Change of Control, Decommissioning and Related Records Transfer (page 5-6), states:

Prior to the approval of a change of control, NRC regulations require that licensees arrange for the transfer and maintenance of records important to the safe and effective decommissioning of facilities involved in licensed activities. No change of control or ownership or license termination will be authorized until all required records have been transferred to the new licensee or to NRC, as appropriate. These regulations require that before licenses are transferred or assigned, all records be transferred to the new licensee. The regulations require that all records of measurements and calculations used to evaluate the release of radioactive effluents to the environment and records of certain disposals be transferred to the new licensee prior to the license being transferred or assigned, unless the existing licensee was only authorized to possess and use unsealed material with a half-life of less than 65 days or material in a sealed source form.

3.1 Question:

Have the licensing documents in the possession of Uranium One been transferred to Anfield?

3.2 Question:

Do these documents include all the Shootaring (or Shootering) Mill documents for the Nuclear Regulatory Commission (NRC) Docket No. 40-8698 that have been indexed to the NRC Public Legacy Library. There about 1,025 such NRC records. (Note that the Mill and Canyon are spelled "Shootering" in many NRC, Plateau Resources, and other documents and references.)

[Sarah Fields] "This question has to deal with the transfer of the licensing documents and one of the questions has been answered, that the documents have been transferred from Uranium One to Anfield and the second question is in regards to the NRC documents. Do the documents transferred to the Mill include the NRC documents, accession prior to 1999 and wondered what the documents consist of."

[Phil Goble] "Your question 2.1 was talking about surveillance records, your question 3.1 has to deal with licensing documents and Anfield and Uranium One have indicated those documents have been transferred and your 3.2 question you're requesting information pertaining to all the NRC documents associated with the Mill?"

[Sarah Fields] "Right, the overwriting concern is that there a lot of historic records, and I assume that most of the historic records have been transferred to the State of Utah, however, they are not publically available on your eDocs website and with the license renewal coming up I want to

make sure Anfield has all the old documents, because they would inform any license renewal process, any reclamation plan, and I want to make sure they have all the old records, and it would be helpful if those documents were made publically available by the DWMRC.”

[Toby Wright] “I was involved with the transfer of assets from U.S. Energy, when Uranium One acquired it from U.S. Energy. I was involved in transferring those documents to Uranium One, when Uranium One acquired the facility. I am confident that the records that Uranium One received, when it acquired the assets, which do include a significant number of pre-1999 licensing material, have been transferred and/or will be transferred to Anfield by the time the transaction is closed and the license is transferred.”

[Sarah Fields] “Does the DWMRC intend to make available some of these historical documents?”

[Phil Goble] “Whatever documents that they (Anfield) submit as part of the license renewal will be placed on the website and will also be available on our easy-search on the web. However, documents prior to that when the State of Utah took over Agreement State status in August in 2004, the NRC did provide some documents. I would like to say those documents received are comprehensive for every document the NRC used for the Shootaring Canyon Mill, but that is simply not the case. When the electronic document storage began to be utilized, we basically went from that point forward, older dated documents/historic documents were not scanned in; so the answer is no. However, if they submit something as part of the license renewal application, we will include that on-line.”

3.3 Question:

Do these documents include the documents that pertain to the disposal of waste from the Hydro-Jet heap leach operation (NRC Docket No. 40-7869, License SUA-1013) in the Shootaring Mill tailing impoundment?

3.4 Question:

Does the DWMRC intend to accession all the historical Shootaring Canyon Mill and Hydro-Jet Heap Leach documents in their possession? Such records are pertinent to the License Renewal process and any proposals to reopen the Mill.

[Sarah Fields] “Historical Shootaring Documents, what I would like to make sure is that Anfield has copies of the old Hydro-Jet Heap Leach facility and I did send those records to the DWMRC, the electronic copy. Because at some point, I came to understand that neither Uranium One nor the DWMRC was aware that waste from the clean-up of the old Hydro-Jet Heap Leach facility had been disposed of in the tailings impoundment. So, Anfield should be sure to get ahold of all those old documents if the license is transferred to Anfield.”

[Laura Lockhart] “Let me clarify what you are asking, does DWMRC intend to provide all the historical documents to Anfield?”

[Sarah Fields] “Yes, that is question.”

[Toby Wright] "I am sure that some of the records Uranium One has and will transfer to Anfield contains some information about the old Hydro-Jet operations and materials that were collected. Anfield, at this time, has not done a comprehensive of those specific materials, so I cannot speak to their content or the robustness of the information in there, but, I am confident that everything that Uranium One had on that topic is in/or will be shortly within Anfield's possession."

[Sarah Fields] "What you can do is go to the Nuclear Regulatory Commission public document room and they can send you a print-out and then you can order all those records from the old Hydro-Jet documents from the NRC, because I got my copies from the NRC from microfiche in Washington, D.C. If they don't have everything, they can get a print-out from the public document room and make sure they have all the pertinent information."

[Toby Wright] "Thanks for that information."

[Scott Schierman] "John Hultquist did send us copies of the Hydro-Jet information also for Uranium One."

4: NUREG-1556, Vol. 15, Section 5.5, Change of Control, Decommissioning and Related Records Transfer (page 5-6), states:

NRC also requires a description of the status of the licensed facility with regard to ambient radiation levels and fixed and/or removable contamination as a result of NRC licensed activities. The parties must confirm, in writing, that they accept full responsibility for the decommissioning of the site, including any contaminated facilities and equipment.

4.1 Question:

Has Anfield complied with this requirement? Which documents were submitted to demonstrate compliance?

[Phil Goble] "In their August 15, 2014 (page 5) document submitted to the State, they actually included a statement talking about that, saying they understand what there is and they accept responsibility."

5. NUREG-1556, Vol. 15, Section 5.5 Change of Control, Decommissioning and Related Records Transfer (page 5-7), states:

The current licensee must document ambient radiation levels and the presence or absence of contamination. The documentation must include, as appropriate, the method and sensitivity of the evaluation. If contamination is present, the documentation should describe how and when decontamination will occur or indicate that the timing and means of decontamination and/or decommissioning have not yet been determined.

5.1 Question:

Has the current licensee complied with this requirement? If so, please cite the documents that have been submitted to demonstrate compliance?

[Scott Schierman] "The contamination levels at the Mill, are included in the current approved decommissioning and reclamation plan for the Shootaring Canyon Mill."

[Sarah Fields] "What is the date of the approved decommissioning and reclamation, when was that submitted and when was it approved?"

[Scott Schierman] "I am not real sure of the date for that plan, it was approximately a 2004/2005 document."

[Phil Goble] "The Division has not approved a revised reclamation plan, since we took over Agreement State status in August of 2004, so that would have been the most current."

[Sarah Fields] "I guess I would have to go back into the license, but I don't think there is a specific reclamation plan that has been incorporated into the license. I will take another look at that."

[Phil Goble] "It should be on our website. If you have problems finding it on our website, go ahead and send me an email and I will send you a location where you can find it."

[Sarah Fields] "Okay. So there still has to be a revision of that plan."

[Phil Goble] "If Anfield chooses to bring the site back on-line and make some changes to the Mill site, then yes, there would be a revised reclamation plan. At its currently situation, being in stand-by for so long, there is no reason to submit a revised reclamation plan. It is my understanding that they did submit a revised reclamation plan in 2012, but I do not remember what it was pertaining to. As stated, before they can come back on line they would have to update the reclamation plan as to what they were going to do for the site. But, where it currently is, there is no reason to submit one."

6. NUREG-1556, Vol. 15, Section 5.5, Change of Control, Decommissioning and Related Records Transfer (page 5-7), states:

The current licensee must also discuss how the parties agree to assume responsibility for the decontamination and decommissioning of licensed facilities. Those licensees required under 10 CFR 30.35, 40.36, and/or 70.25 to provide evidence of adequate resources to fund any required decommissioning must describe the effect that the change of control will have on financial assurance for decommissioning. As necessary, documents describing financial assurance must be amended to reflect the change in control. This documentation may refer to decontamination plans, including any required financial assurance arrangements of the transferor that were previously submitted in support of a decommissioning funding plan

6.1 Question:

Has the current licensee complied with these requirements? If so, please cite the documents that demonstrate compliance with these requirements.

[Phil Goble] "On September 28, 2015, we actually approved the surety for Anfield Resources. The financial assurance surety bond for the Mill site is actually currently in the name of Anfield Resources for a total amount of \$9,346,014. They have adequate financial assurance in a surety bond to take care of this."

7 NUREG-1556 Vol. 15, Section 5.5, Decommissioning and Related Records Transfer (page 5-7), states regarding "Response from the Licensee": If decommissioning will not occur until after the change of control, describe any contamination and confirm that the transferee is knowledgeable of the extent and levels of contamination and applicable decommissioning requirements.

7.1 Question:

Has the licensee complied with this requirement? If so, please cite the documents that demonstrate compliance.

[Toby Wright] "In speaking for Anfield we are aware of the requirement."

8. Anfield has submitted a surety to replace the Uranium One surety instrument. However, Anfield will have to submit a new Reclamation Plan. It is likely that the cost of reclamation will increase once that Reclamation Plan is approved.

8.1 Question:

Has the DWMRC determined that Anfield will have adequate financial resources to implement a revised Reclamation Plan? Considering Anfield's current limited-financial resources and debt, this is an important issue.

[Phil Goble] "In going back to the surety for the site, now that they have shown they can post the amount for the financial assurance for the site, in our eyes, yes. If they were to walk away today, we would have monies available to close the site."

[Sarah Fields] "So any changes they would be required to demonstrate compliance that they have sufficient financial resources for any revised reclamation plan, the revised bond. You are only looking at the situation now."

[Phil Goble] "Correct. If Anfield, chose to lets say construct a new tailing cell, they would have to put that in the reclamation plan and post financial assurance for that additional tailing cell before we would let them actually begin construction. So yes, they would have to submit a new reclamation plan if they decided to do that."

9. If the license is transferred to Anfield, Anfield must submit a License Renewal application, which is overdue.

9.1 Question:

How much time will the DWMRC give Anfield to submit the License Renewal application?

[Phil Goble] "As you know, we have granted at least two extensions for the Shootaring Canyon License Renewal, because Uranium One thought they had a buyer; they were pursuing a buyer. As you know, we have extended it two times, we also on November 17, 2015 we received a combined letter from Uranium One and Anfield Resources and they have asked for another extension. So, the extension they asked for was to submit the license renewal application six months from the date of November 17, 2015. The Division decided that the renewal submittal date would be extended to June 30, 2016. This was done in a letter dated December 2, 2015, and it should be on our website. If you cannot find it on our website, please contact me and I will get you a copy."

[Sarah Fields] "So it is going to be six months from the approval of the transfer."

[Phil Goble] "That is what they asked for, but we gave them a little bit more additional time, June 30, 2016."

10: The surety arrangement with the current licensee, Uranium One Americas Inc. is a letter of Credit in the amount of \$8,791,724.00. In an April 1, 2015, News Release, Anfield stated:

"Anfield expects that the surety bond will be provided with a collateral reduction of 25% of the total reclamation bond with an annual premium of 3% of the bond value. Within twenty four months following closing, the Company will make an additional deposit to cover the remaining amount of the reclamation bonds."

10.1 Question:

Was the "Standby Trust Agreement and Surety Payment Bond" for the Shootaring Canyon Uranium Mill, submitted by Anfield on September 9, 2015, for \$8,791,724.00?

10.2 Question:

If Anfield received a collateral reduction on their surety bond, how would that impact the bond if that bond must be called in?

[Toby Wright] "That is absolute correct."

[Phil Goble] "The amount is actually \$9,346,014. So, what happened is during the state of limbo where they are trying to finish the transaction, Uranium One submitted their updated surety for 2015, and that increased it from \$8.7 million up to the \$9.3 million. The bond exchange that Anfield submitted was actually for the new amount of \$9.3 million, and next year Anfield will need to submit an updated surety for the site."

[Sarah Fields] "Ok, I just want to be sure that if there is a necessity the State can bring in all that money. We had a bad experience here in Moab where the federal government was not able to bring in the surety for the Atlas Mill."

11. The August 15, 2014, Notice of Change of Control and Ownership Information, Radioactive Material License UT 09004580, Grand Water Quality Discharge Permit, USW 170003, Uranium One Americas, Inc. and Anfield Resources Holding Corp.,

Shootaring Canyon Uranium Mill, Garfield County, Utah (Application), included Anfield Resources Inc.'s Transaction Presentation (Exhibit 4) and Anfield Resources Inc.'s financial model for operation of the Shootaring Mill (Exhibit 9). These Exhibits were marked "Confidential" and are not available for public review. Anfield claimed confidentiality, based on provisions in Utah Code 63G-2-305(2), which states: The following records are protected if properly classified by a governmental entity: (2) commercial information or nonindividual financial information obtained from a person if:

- (a) disclosure of the information could reasonably be expected to result in unfair competitive injury to the person submitting the information or would impair the ability of the governmental entity to obtain necessary information in the future;
- (b) the person submitting the information has a greater interest in prohibiting access than the public in obtaining access; and
- (c) the person submitting the information has provided the governmental entity with the information specified in Section 63G-2-309.

11.1 Question:

Did the DWMRC make a determination that Anfield complied with the requirement at 63-G-2-309(a)(1)(B) that a "concise statement of reasons supporting the claim of business confidentiality"?

11.2 Question:

Did the DWMRC make a determination that the records withheld are protected, because 1) disclosure of the information could reasonably be expected to result in unfair competitive injury to the person submitting the information or would impair the ability of the governmental entity to obtain necessary information in the future and 2) the person submitting the information has a greater interest in prohibiting access than the public in obtaining access?

11.3 Question:

Did the DWMRC request that non-proprietary versions of these documents be submitted to the DWMRC?

[Laura Lockhart] "The standard that applies actually is not the one that you cited. DEQ has its own standard, which is spelled out at 19-1-306, Subsection 2. The standard that is included in there is identical to the federal freedom of information standards. The answer to all your questions under Question 11 (so far), is that we do not ordinarily consider matters of confidentiality until we get a request. We get a lot of documents that are labeled confidential, under the Government Records Access and Management Act (GRAMA), we are allowed to classify those records at any time and ordinarily that is not done ahead of time.

With respect to your last question 11.3 we did not request non-proprietary versions of these. We did consider it after we received your request, but it is clear that all the information in there is of a single type, as all are related to financial issues and it would be meaningless to include a version that did not include the numbers for which confidentiality is being claimed. This is being said without making a determination about whether the documents are entitled to confidentiality as that is a separate question."

[Sarah Fields] "So basically any final determination would be made, if someone submitted a GRAMA requests for those documents?"

[Laura Lockhart] "Yes, that is correct; then the normal GRAMA process would apply."

[Sarah Fields] "I believe I referred to sections and statutes which were included in the application, I guess I should have reviewed it a little further."

[Laura Lockhart] "If that is the case, Phil and I need to chat."

11.4 Question

Has the DWMRC reviewed Anfield's financial model and made any specific findings regarding that model and the financial and other information that went into that model? If so, what findings or conclusions were made, and what was the basis for those conclusions?

[Phil Goble] "It is not the intent of the Division to interfere with business decisions of licensees. The Division's focus is on the health and safety aspects not the financial actions of the proposed transaction. In the eyes of the Division, in the State of Utah, what's paramount for us is having appropriate financial surety for the site itself. Yes, we did look at; but did we come to some kind of conclusion, no; because for us, what is most important is to have adequate financial assurance for the site."

[Sarah Fields] "Okay, their ability or lack of ability to move forward with any other proposals, at this time, is not relevant at this time, you are covering the basis now is what's important."

[Phil Goble] "That is correct."

12. Anfield's Application cover letter states (pages 1 to 2):

Furthermore, Anfield has entered into the Proposed Transaction with the express intention of recommencing operations at the Shootaring Canyon Uranium Mill in the near to medium term. As such UI Americas and Anfield request that concurrent with the Director's approval of the transfer of the Mill permits from UI Americas to Anfield, that the Director also approve the extension of the Mill Permits for a further 12 months from and after the closing of the Proposed Transaction, to all Anfield sufficient time to prepare a formal license renewal application and the related documentation required to recommence operations at the Shootaring Canyon Uranium Mill. We understand that the approval of such an extension may be dependent on the potential economic viability of the recommencement of operations at the Shootaring Canyon Uranium Mill. In a separate letter, Anfield's parent company, Anfield Resources Inc., will submit its proposed strategy and timelines for the development of its uranium assets in the U.S., which includes the recommencement of operations at the Shootaring Canyon Uranium Mill.

12.1 Question:

Has Anfield Resources Inc. submitted the letter with its proposed strategy and timelines for the development of its uranium assets in the U.S., which includes the recommencement of operations at the Shootaring Canyon Uranium Mill? If so, is there a claim of confidentiality? (They indicated that what a future document, letter or report that they would be submitting, and I wonder if they have yet submitted that to the Division?)

[Phil Goble] "So, in the fall of 2014, Anfield Resources talked about their timeline and plan for the Shootaring Canyon Mill. We have not seen anything in writing, at the present moment, but that may have been part of the license renewal, when they were planning on submitting that. We are expecting to see that come June 30, 2016."

12.2 Question:

What is the DWMRC's interpretation of the statement in the Application that: "We understand that the approval of such an extension may be dependent on the potential economic viability of the recommencement of operations at the Shootaring Canyon Uranium Mill"?

12.3 Question:

Will the DWMRC take into consideration the above mentioned letter (if such a letter has been or is going to be submitted) regarding Anfield's proposed strategy and timelines for the development of its uranium assets" when approving the extension and determining the length of the extension of the current license?

12.4 Question:

What other information might the DWMRC take into consideration, such as the limited financial resources of Anfield, when approving a license extension and determining the length of the extension?

[The questions above are relevant to approval of the extension, but depending on the potential economic viability of the commencement of operations, apparently that is not an issue here, since you have already established a date certain for submittal of the license renewal- I think that has been answered.]

[Phil Goble] "Yes and also going back to our position that what is most important for us, for the Mill site itself, is having adequate financial assurance, which they have met."

13. Over the past few years Anfield has made some inaccurate and misleading claims regarding the development of the Shootaring Canyon Mill and its uranium assets. The Canadian Securities Commissions have been concerned about Canadian mining companies providing investors with misleading information in their news releases and investor presentations. In 2015 Anfield deleted an investor presentation that contained inaccurate and misleading information from its website.

The presentation "Shootaring Canyon Uranium Mill and Production Acquisition," claimed that the Mill "is in good condition and should be able to be refurbished relatively quickly and at a low cost." Uranium One stated in the November 18, 2007.

“Management’s Discussion and Analysis of Financial Condition and Results of Operations” that “approximately \$33.0 million would be required to refurbish the [Shootaring Canyon] Mill, including the addition of the vanadium circuit.” I do not know if that includes construction of a new tailing impoundment. Clearly, it would take time and money to renew the license, license a new impoundment and active Mill operation, refurbish the Mill, and construct a new tailings cell. It would take time and money to permit, develop, and produce ore from Anfield’s mining assets, none of which are currently permitted to operate.

With respect the Velvet Wood Mine Complex, the presentation, under “Permits,” stated: “Notice of Intent (NOI) to Commence Large Mining Approved with DOGM.” Anfield claimed “the potential to recommence production within 12 months based on current permits in place.” The Velvet Mine is on US Bureau of Land Management (BLM) administered lands. Neither the BLM nor DOGM have permitted the Velvet Mine to operate. The current DOGM Velvet Mine NOI is for mine reclamation, not operation. It would take 2 to 3 years to obtain all the required permits for the Velvet Mine to operate.

Anfield has made other unsubstantiated claims regarding its cash flow and its intentions. In a June 17, 2014 Interview with Corey Dias, CEO and Direct of Anfield, claimed that they had approximately \$500,000 in cash. However, Anfield’s consolidated interim statements of financial position submitted to the Canadian authorities indicate that Anfield had \$7,399 cash assets as of September 31, 2014, and \$7,492 cash assets as of December 31, 2014. The cash assets of March 31, 2013 were \$469,137; those of December 31, 2013, were \$38,056.

13.1 Question:

Has DWMRC verified the information provided by Anfield in the Transaction Presentation and Financial Model for the Shootaring Canyon Mill?

[Phil Goble] “In response to the 13.1 Question. We did look at the information provided to us; but once again what is important to us is appropriate financial assurance for the site. That’s what is most important.”

[Sarah Fields] “That may be the same answer for Question 2.”

13.2 Question:

How is the DWMRC going to take into consideration Anfield’s propensity to make misleading statements to the media and investors?

[Laura Lockhart] “Obviously surety helps us feel better about that; but, we also need to put this into perspective. The statements were made about matters that are primarily related to stockholders and were resolved by informal means and was not the cause of any action that would be difficult for us to use in any action, before the DWMRC. We do not have any current plans to consider them. But, we would invite anyone who thinks there is a basis for that, and there is value in considering that, and you are welcome to provide us with information and authorities.”

[Sarah Fields] "Okay, hopefully the Canadian securities will be doing their job and that Anfield will take all that into consideration."

14. Anfield submitted the Anfield Resources Inc. Consolidated Financial Statements for the Years Ended December 31, 2013 and 2012 as Exhibit 6 to the 2014 Application. (Apparently the Division is not really taking a look at their financial statements as far as making a determination on the license transferring, as the most important thing is submitting the full surety amount, which they have done.)

14.1 Question:

Has the DWMRC looked at and considered Anfield's subsequent Consolidated Financial Statements?

[Phil Goble] "So our statement is still the same. What is the most important is the financial assurance for this site; adequate surety. So, we did look at the documents you are referring to yes, but like we said, most important is an adequate surety."

15. It is apparent that Anfield has a substantial debt and limited financial resources. In order to obtain all the permits and licenses necessary to produce uranium ore and operate the Mill to process that ore, develop and operate at least one uranium mine, prepare the Mill for operation, maintain mine claims and leases, and other necessary actions, it will take from \$50 to \$100 million. It is not at all apparent where that money is going to come from.

15.1 Question:

How is the DWMRC going to take into consideration Anfield limited financial resources, given Anfield's plans to commence operation of the Mill?

[Phil Goble] "Correct. If Anfield's wants to expand operations or do something else on site they are going to have to post adequate financial assurance for that, through a revised reclamation plan."

[Sarah Fields] "Thank you very much for taking the time to respond to these questions. I realize now that some of them are a little redundant. So, I just want to make a comment that I think my big concern is this...several years ago, the Mill, which has not operated since 1982, was transferred to Uranium One. Uranium One did not do anything with the Mill and that was during the recent boom of the uranium boom/bust cycle on the Colorado Plateau. Now another company has come along and has said they want to re-open the Mill, and this company has even fewer/very limited assets. Maybe they think that by getting the Mill license, there will be a lot of investors jumping on board, and they will have sufficient resources to renew the license, upgrade the Mill, but with Uranium One stating in 2007, that it would cost \$33 million dollars to refurbish the Mill, and I don't know if that includes building a new tailings impoundment. It is pretty apparent that Anfield does not have the financial resources to do anything with the Mill, except reclaim it. I am really concerned with the Mill standing there for another decade (or more) without being reclaimed. I do not think this is what congress had in mind, or the NRC or the EPA with respect of licensing uranium mills. I think that as this goes forward, the Division is

going to have to make a hard decision as to how long this license can remain in effect. Without any changes at the Mill and without reclamation, without operation, just another indefinite/infinite stand-by, and that is my biggest concern. So those will go into comments and go into comments when the license renewals and any new plans come about. This company does not appear to have the funding to carry out this project and I think that is pretty apparent.”

[Phil Goble] “To let everyone know, written comments can be received until the end of business on December 24, 2015. A transcript of this hearing will also be made. These questions will also be responded to in writing. When you have hearings like this, you repeat some of your questions and your written questions we will make sure everything is addressed appropriately. In addition to Sarah, we have someone from the public come in here in this room and wants to make a public comment, his name is David Curtis.”

[David Curtis] “I am the owner of the Ticaboo Resort and off-shore Marina, located a few miles from the Mill. I just want to go on record, from the business side, we are excited to be able to see something happen here. Whether Anfield is able to get the Mill going and create some jobs and create some economic basis there or whether down the road it gets decommissioned, I think this is a positive step that Anfield is coming in and working with Uranium One on the transfer process.”

[Phil Goble] Thank you Mr. Curtis. Craig is there anything you’d like to add?

[Craig Anderson] “The only thing I had to include; you have already covered. The comments, questions and responses that were made today will be included in the public record and that written comments will be received until the close of business on December 24, 2015.”

[Phil Goble] “Okay. That is all we have today. I want to thank everyone for being here today, and I wish all of you a Happy Holiday season and we will go ahead and end this meeting. Thank You.”

Meeting ended at 2:54 p.m.



State of Utah

GARY R. HERBERT
Governor

SPENCER J. COX
Lieutenant Governor

Department of
Environmental Quality

Alan Matheson
Executive Director

DIVISION OF WASTE MANAGEMENT
AND RADIATION CONTROL
Scott T. Anderson
Director

January 29, 2016

Joshua Bleak, President
Anfield Resources Holding Corporation
P. O. Box 901537
Sandy, Utah 84090

CERTIFIED MAIL
RETURN RECEIPT REQUESTED
7003 2260 0003 2353 8167

RE: Transfer of Control for Radioactive Material License Number UT 0900480 and
Groundwater Quality Discharge Permit UGW 170003

Dear Mr. Bleak:

Please find enclosed Amendment #7 of Utah Radioactive Material License (RML) UT0900480 and Groundwater Quality Discharge Permit (Permit) UGW 170003. The Division of Waste Management and Radiation Control (DWMRC) has transferred the Shootaring Canyon Uranium Mill's RML and Permit from Uranium One America's Inc. to Anfield Resource Holding Corp.

If you have any questions, please call Ryan Johnson or Phil Goble at (801) 536-0200.

Sincerely,

Scott T. Anderson, Director
Division of Waste Management and Radiation Control

STA/RMJ/ka

Enclosure(s): Shootaring Mod 5 (DRC-2015-007679)
UT 0900480 Uranium One to Anfield Amendment 7 (DRC-2015-007680)

c: Norman Schwab, Uranium One Americas, Inc.
David Blodgett, M.D., Health Officer, Southwest Utah Public Health Dept.
Robert Beers, MBA, EHS, Environmental Health Director, Southwest Utah Public Health Dept.
Paul Wright, P.E., DEQ District Engineer

DRC-2016-002081

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www.deq.utah.gov
Printed on 100% recycled paper

CERTIFICATE OF MAILING

I HEREBY CERTIFY that I mailed a true and correct copy of the Transfer of Control for Radioactive Material License Number UT 0900480 and Groundwater Quality Discharge Permit UGW 170003 on January 29, 2016 by US Certified Mail, Return Receipt No. 7003 2260 0003 2353 8167 to:

Joshua Bleak, President
Anfield Resources Holding Corporation
P. O. Box 901537
Sandy, Utah 84090


Kathleen Allred, Office Specialist

Permit No. UGW170003

**STATE OF UTAH DIVISION OF
WATER QUALITY
DEPARTMENT OF ENVIRONMENTAL QUALITY
P.O. BOX 16690
SALT LAKE CITY, UTAH 84116-0690**

Ground Water Quality Discharge Permit

In compliance with the provisions of the Utah Water Pollution Control Act, Title 19, Chapter 5, Utah Code Annotated 1953, as amended,

**Anfield Resources Holding, Corp.
P.O. Box 901537
Sandy, Utah 84090**

is granted a Ground Water Quality Discharge Permit for the **Shootaring Canyon Uranium Facility** located at latitude 37° 42' 30" North, longitude 110° 41' 30" West in accordance with conditions set forth herein.

This modified Ground Water Quality Discharge Permit amends and supersedes all other Ground Water Discharge permits for this facility issued previously.

This Permit shall become effective January 29, 2016.

This Permit shall expire January 14, 2009 (This Permit is in Timely Renewal)

Application for Permit Renewal was received June 3, 2013.

Signed this 29th day of January, 2016



Scott T. Anderson, Director
Division of Waste Management and Radiation Control

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I. SPECIFIC CONDITIONS

A. Ground Water Classification

In accordance with UAC R317-6-3, ground water at the existing monitoring wells is classified as Class IA, Pristine Ground Water, based upon the ground water standards as defined in UAC R317-6-2.

B. Background Ground Water Quality

1. **Background Quality from Existing Monitoring Wells.** Based on ground water quality samples collected through October 2002, background quality for Class IA water is defined as the mean concentration of any contaminant in any individual well as determined by the Director.
2. **Determination and Revision of Background Ground Water Quality.** After submittal of additional ground water quality data, background ground water quality values may be revised by the Director.

C. Ground Water Compliance Limits

As stipulated in UAC R317-6-4, Class IA ground water will be protected to the maximum extent feasible from degradation by facilities that discharge or would probably discharge to ground water such as the tailings cell at the Shootaring Canyon Uranium Mill. During reclamation activities, the site-wide ground water compliance limits in Table 1 will apply to all compliance monitoring wells. After reclamation activities have been completed, well-specific compliance limits will be established for the wells and parameters in Table 2, which will replace and supersede Table 1.

1. **Ground Water Compliance Limits (GWCLs) for Compliance Monitoring Wells.** Ground water quality at compliance monitoring wells shall not exceed the GWCLs provided in Table 1 during reclamation and Table 2 after reclamation. The GWCLs in Table 2 apply to Class IA ground water and are defined as follows:
 - a. Total dissolved solids or any specific contaminant present in a detectable amount as a background concentration may not exceed the greater of 1.1 times the background (mean) concentration, or the mean concentration plus the second standard deviation, or 0.1 times the value of the ground water quality standard as specified in Table 1;
 - b. A contaminant not present in a detectable amount as a background concentration may not exceed the greater of 0.1 times the value of the ground water quality standard, or the limit of detection.

Table 1

Site-Wide Groundwater Compliance Monitoring Well Background Levels and Compliance Limits During Reclamation and the Accelerated Background Monitoring Program

| Water Quality Data | | Site-Wide | | |
|------------------------|--------------------------------------|--------------------------------------|--------------------|--------------------------------------|
| Parameters | Ground Water Quality Standard (mg/l) | Ground Water Background Level (mg/l) | | Ground Water Compliance Limit (mg/l) |
| | | Mean | Standard Deviation | |
| Arsenic | 0.05 | 0.005 | 0.015 | 0.006 ^(a) |
| Barium | 2.0 | 0.28 | 0.28 | 0.31 ^(a) |
| Cadmium | 0.005 | 0.001 | 0.002 | 0.0014 ^(a) |
| Chromium | 0.1 | 0.006 | 0.010 | 0.010 ^(b) |
| Copper | 1.3 | 0.006 | 0.005 | 0.130 ^(b) |
| Lead | 0.015 | 0.002 | 0.004 | 0.003 ^(a) |
| Mercury | 0.002 | 0.0013 | 0.0048 | 0.0014 ^(a) |
| Molybdenum | 0.040 ^(c) | 0.03 | 0.04 | 0.04 ^(a) |
| Selenium | 0.05 | 0.003 | 0.005 | 0.005 ^(b) |
| Silver | 0.1 | 0.001 | 0.002 | 0.010 ^(b) |
| Zinc | 5.0 | 0.04 | 0.07 | 0.50 ^(b) |
| Ammonia as N | 30.0 | ID | ID | 3.0 ^(b) |
| Chloride | 250 ^(d) | 7.4 | 4.0 | 25.0 ^(b) |
| Fluoride | 4.0 | 0.24 | 0.15 | 0.40 ^(b) |
| Nitrate+Nitrite (as N) | 10.0 | ID | ID | 1.0 ^(b) |
| Sulfate | 500 ^(e) | 22.3 | 30.3 | 50.0 ^(b) |
| TDS | 500 | 237 | 128 | 261 ^(a) |
| pH (units) | 6.5-8.5 | 8.03 | 0.60 | 6.5-8.5 |
| Radionuclides | | | | |
| Radium-226 D | 5.0 pCi/l | 1.01 | 4.10 | NA |
| Uranium D | 0.030 mg/l ^(f) | 2.81 | 3.90 | NA |

(a) Protection Level based on 1.1 times the mean background concentration.

(b) Protection Level based on 0.1 times the Ground Water Quality Standard.

(c) Ad hoc GWQS for ammonia (as N) and molybdenum based on EPA drinking water lifetime health advisories.

(d) Final EPA Secondary Drinking Water maximum contaminant level (MCL).

(e) Proposed EPA Drinking Water maximum contaminant level (MCL).

(f) Ad hoc GWQS for uranium based on final EPA drinking water maximum concentration limit (MCL).

ID Insufficient data

NA Not applicable

Table 2. Post-Reclamation Groundwater Compliance Parameters, Wells, and Limits

| Ground Water Compliance Parameters | Ground Water Quality Standard | COMPLIANCE MONITORING WELLS | | | | | |
|------------------------------------|-------------------------------|-----------------------------|--------------------|--------------------|--------------------|--------------------|--|
| | | RM2R | RM7 | RM14 | RM18 | RM19 | |
| | | GWCL | GWCL | GWCL | GWCL | GWCL | |
| <i>Nutrients (mg/l)</i> | | | | | | | |
| Ammonia (as N) | 25 ⁽²⁾ | TBD ⁽⁸⁾ | TBD ⁽⁸⁾ | TBD ⁽⁸⁾ | TBD ⁽⁸⁾ | TBD ⁽⁸⁾ | |
| Nitrate + Nitrite (as N) | 10 | TBD ⁽⁸⁾ | TBD ⁽⁸⁾ | TBD ⁽⁸⁾ | TBD ⁽⁸⁾ | TBD ⁽⁸⁾ | |
| <i>Heavy Metals (mg/l)</i> | | | | | | | |
| Arsenic | 0.050 | TBD ⁽⁸⁾ | TBD ⁽⁸⁾ | TBD ⁽⁸⁾ | TBD ⁽⁸⁾ | TBD ⁽⁸⁾ | |
| Barium | 2.0 | TBD ⁽⁸⁾ | TBD ⁽⁸⁾ | TBD ⁽⁸⁾ | TBD ⁽⁸⁾ | TBD ⁽⁸⁾ | |
| Cadmium | 0.005 | TBD ⁽⁸⁾ | TBD ⁽⁸⁾ | TBD ⁽⁸⁾ | TBD ⁽⁸⁾ | TBD ⁽⁸⁾ | |
| Chromium | 0.100 | TBD ⁽⁸⁾ | TBD ⁽⁸⁾ | TBD ⁽⁸⁾ | TBD ⁽⁸⁾ | TBD ⁽⁸⁾ | |
| Copper | 1.3 | TBD ⁽⁸⁾ | TBD ⁽⁸⁾ | TBD ⁽⁸⁾ | TBD ⁽⁸⁾ | TBD ⁽⁸⁾ | |
| Lead | 0.015 | TBD ⁽⁸⁾ | TBD ⁽⁸⁾ | TBD ⁽⁸⁾ | TBD ⁽⁸⁾ | TBD ⁽⁸⁾ | |
| Mercury | 0.002 | TBD ⁽⁸⁾ | TBD ⁽⁸⁾ | TBD ⁽⁸⁾ | TBD ⁽⁸⁾ | TBD ⁽⁸⁾ | |
| Molybdenum | 0.040 ⁽²⁾ | TBD ⁽⁸⁾ | TBD ⁽⁸⁾ | TBD ⁽⁸⁾ | TBD ⁽⁸⁾ | TBD ⁽⁸⁾ | |
| Selenium | 0.050 | TBD ⁽⁸⁾ | TBD ⁽⁸⁾ | TBD ⁽⁸⁾ | TBD ⁽⁸⁾ | TBD ⁽⁸⁾ | |
| Silver | 0.100 | TBD ⁽⁸⁾ | TBD ⁽⁸⁾ | TBD ⁽⁸⁾ | TBD ⁽⁸⁾ | TBD ⁽⁸⁾ | |
| Uranium | 0.030 ⁽³⁾ | TBD ⁽⁸⁾ | TBD ⁽⁸⁾ | TBD ⁽⁸⁾ | TBD ⁽⁸⁾ | TBD ⁽⁸⁾ | |
| Zinc | 5.0 | TBD ⁽⁸⁾ | TBD ⁽⁸⁾ | TBD ⁽⁸⁾ | TBD ⁽⁸⁾ | TBD ⁽⁸⁾ | |
| <i>Others</i> | | | | | | | |
| Gross Alpha (pCi/l) | 15.0 | TBD ⁽⁸⁾ | TBD ⁽⁸⁾ | TBD ⁽⁸⁾ | TBD ⁽⁸⁾ | TBD ⁽⁸⁾ | |
| Field pH (S.U.) | 6.5-8.5 | TBD ⁽⁸⁾ | TBD ⁽⁸⁾ | TBD ⁽⁸⁾ | TBD ⁽⁸⁾ | TBD ⁽⁸⁾ | |
| Chloride (mg/l) | 250 ⁽⁴⁾ | TBD ⁽⁸⁾ | TBD ⁽⁸⁾ | TBD ⁽⁸⁾ | TBD ⁽⁸⁾ | TBD ⁽⁸⁾ | |
| Fluoride (mg/l) | 4.0 | TBD ⁽⁸⁾ | TBD ⁽⁸⁾ | TBD ⁽⁸⁾ | TBD ⁽⁸⁾ | TBD ⁽⁸⁾ | |
| Sulfate (mg/l) | 250 ⁽⁴⁾ | TBD ⁽⁸⁾ | TBD ⁽⁸⁾ | TBD ⁽⁸⁾ | TBD ⁽⁸⁾ | TBD ⁽⁸⁾ | |
| TDS (mg/l) | 500 | TBD ⁽⁸⁾ | TBD ⁽⁸⁾ | TBD ⁽⁸⁾ | TBD ⁽⁸⁾ | TBD ⁽⁸⁾ | |

1. Utah Ground Water Quality Standards (GWQS) as defined in UAC R317-6, Table 2. Ad hoc GWQS also provided herein, as noted, and as allowed by UAC R317-6-2.2.

2. Ad hoc GWQS for ammonia (as N) and molybdenum based on EPA drinking water lifetime health advisories.

3. Ad hoc GWQS for uranium based on final EPA drinking water maximum concentration limit (MCL).

4. Ad hoc GWQS for chloride and sulfate based on EPA secondary drinking water regulations.

5. Ground water compliance limit (GWCL) based on 0.1 times the GWQS.

6. GWCL based on the limit of detection.

7. GWCL based on the mean concentration plus two standard deviations (X+2σ).

8. TBD = to be determined when sufficient background monitoring data are available.

2. **Compliance Determination Method.** Compliance with ground water compliance limits shall be accomplished using compliance monitoring wells. If future monitoring data indicate an exceedance of compliance limits, the compliance status will be determined in accordance with Part II.F, below, and if necessary, reference to the methods described in the EPA Interim Final Guidance Document titled *Statistical Analysis of Ground Water Monitoring Data at RCRA Facilities* (February 1989). Subsequent updates of this document shall be utilized after the Director's approval.

D. Discharge Minimization Technology

1. **Discharge Minimization Design Standards.** The design of the tailings cell shall incorporate discharge minimization technology through the use of earthen materials in both the bottom liner and cover system. The tailings cell shall be constructed in accordance with the approved Tailings Reclamation and Decommissioning Plan for the Shootaring Canyon Uranium Project (SUA-1371 Docket No. 40-8698).

The tailings cell design shall include, but is not limited to, the following elements:

- a) **Cover System.** The cover system shall be constructed of the following materials, as described from the top down:
 - 1) **Erosion Barrier.** The erosion barrier shall consist of a rock mulch layer with a riprap rock apron at the downstream edge of rock mulch areas.
 - i) **Rock Mulch Layer.** The rock mulch layer shall be at least 8 inches thick with a minimum D₅₀ of 2 inches.
 - ii) **Intermediate RipRap.** A 12-inch thick rock layer with a minimum D₅₀ of 6 inches shall be placed at the downstream edge of rock mulch areas and in the upstream section of the primary channel inside the tailings cell as indicated by Figures 6-2 and 6-6 of the approved Reclamation Plan.

Slopes will vary from 2% and 20% as indicated in Figures 6-2 and 6-6 of the approved Reclamation Plan.
- 2) **Freeze-Thaw Barrier.** The Freeze-Thaw Barrier (rocky soil layer) shall consist of a 24-inch layer of sand, silt and rock.
- 3) **Radon Barrier.** The Radon Barrier shall consist of an 18-inch compacted clay layer with a maximum permeability of 1.0E-7 cm/sec.
- 4) **Interim Waste Cover.** The Interim Waste Cover shall consist of a 12-inch layer of sand, clay, or mixed clay with a minimum moisture content of 10 percent for sandy material and 15 percent for material with greater than 20 percent fines passing #200 sieve.

- 5) Waste. The Waste Layer shall consist of an approximate thickness of 18 feet of existing tailings material overlain by an approximate thickness of 12 feet of ore material.
 - 6) Bottom Clay Liner. The Bottom Clay Liner shall consist of 24 inches of compacted clay with a maximum field hydraulic conductivity of $1.0E-7$ cm/sec.
- b) Conveyance Channel Bedding. Channel beds of drainage conveyances shall be constructed of the following materials:
- 1) Upstream Section of Primary Channel consisting of the following riprap layer and underlying filter layer:
 - i. A 12-inch thick riprap rock layer with a minimum D_{50} of six inches
 - ii. An 8-inch thick layer of quarry area material that is unsorted with the exception of the removal of the +9-inch fraction.
 - 2) Primary Channel consisting of the following two-layer, 40-inch riprap configuration and underlying two-layer, 16-inch filter system:
 - i. Upper RipRap layer with a minimum thickness of 30 inches and a minimum D_{50} of 20 inches.
 - ii. Lower RipRap layer with a minimum thickness of 10 inches and a minimum D_{50} of six inches.
 - iii. Upper Filter Layer with an 8-inch rock mulch layer with a minimum D_{50} of two inches.
 - iv. Lower Filter Layer with an 8-inch thick layer of quarry area material that is unsorted with the exception of the removal of the +9-inch fraction.
 - 3) Porous Rock Ledge structure constructed in the transition zone between the upstream section of the primary channel and the primary channel. This structure shall be constructed of the following materials as shown in Figure 6-8 of the approved PRL Reclamation Plan:
 - i. Upper RipRap layer four feet thick with a minimum D_{50} of 24 inches.
 - ii. Middle RipRap layer 12 inches thick with a minimum D_{50} of six inches.
 - iii. Lower RipRap Layer 12 inches thick with a minimum D_{50} of six inches.

- iv. Filter Layer eight inches thick of quarry area material that is unsorted with the exception of the removal of the +9-inch fraction.
- 4) Channel Toe Protection at least four feet thick with a minimum D_{50} of 24 inches and extending a distance of 30 feet from the terminus of the primary channel as indicated in Figure 6-7 of the approved PRL Reclamation Plan.

E. Compliance Monitoring Requirements

1. Ground Water Monitoring Requirements.

- a) Ground-Water Monitoring Quality Assurance Plan. All water quality monitoring to be conducted under this permit shall be conducted in accordance with the general requirements hereunder, and the specific requirements of the Shootaring Canyon Uranium Mill Ground-Water Monitoring Quality Assurance Plan most recently approved by the Director.
- b) Compliance Monitoring Points. For the purposes of this permit, the permittee shall monitor the following wells identified below.
 - i. Water Level Measurements: wells RM1, RM2R, RM7, RM8, RM12, RM14, RM18, RM19 and RM20.
 - ii. Water Quality Samples: wells RM1, RM2R, RM7, RM12, RM14, RM18, and RM19.
- c) Protection of Monitoring Well Network. All compliance monitoring wells shall be protected from damage due to surface vehicular traffic or contamination due to surface spills. The wells shall be maintained in full operational condition for the life of this Permit. Any well that becomes damaged beyond repair or is rendered unusable for any reason shall be replaced by the permittee within 90 days or as directed by the Director.
- d) Ground Water Monitoring\Frequency Requirements.
 - i. Ground Water Level Measurements. Ground water levels shall be measured quarterly during the accelerated background monitoring program for all existing monitoring wells specified in Part I.E.1.b.i. After the accelerated background monitoring program has been completed and approved by the Director, ground water levels shall be measured semi-annually in conjunction with the compliance monitoring program. Measurements made in conjunction with quarterly or semi-annual ground water sampling shall be made prior to any collection of ground water samples. These measurements shall be made from a permanent single reference point clearly demarcated on the top of the well or surface casing. Measurements shall be made to the nearest 0.01 feet.

Ground water level measurements for all nested well pairs such as RM8/RM20 shall be used to define the vertical hydraulic gradient.

ii. **Ground Water Quality Sampling.** The permittee shall conduct ground water quality sampling for all compliance monitoring wells in accordance with the most recent Ground-Water Monitoring Quality Assurance Plan that has been approved by the Director.

A) **Background Monitoring Program.** The permittee shall implement an accelerated quarterly background ground water monitoring program for all monitoring wells and parameters to determine ground water compliance limits for these wells during the post closure compliance monitoring program.

B) **Compliance Monitoring Program.** After completion of accelerated quarterly background monitoring program and subsequent approval by the Director, the permittee shall begin compliance ground water quality sampling.

e) **Ground Water Analysis Requirements.**

i. **Analysis by Certified Laboratories.** Analysis of any ground water sample shall be performed by laboratories certified by the Utah State Health Laboratory.

ii. **Ground Water Analytical Methods.** Methods used to analyze ground water samples shall comply with the following:

A) Method references cited in UAC R317-6-6.3.L; and

B) Detection limits which are less than or equal to the ground water compliance limits shown in Table 1 of this permit.

iii. **Analysis Parameters.** The following shall be collected:

A) **Field Parameters:** pH, temperature, and specific conductance;

B) **Laboratory Parameters:**

1) **Background Monitoring Program.** During the accelerated quarterly background monitoring program, grab samples shall be collected from each compliance monitoring well and analyzed for all of the water quality parameters listed in Table 2 of this permit.

In addition, samples shall be analyzed for the following six major ions: bicarbonate, carbonate, calcium, magnesium, potassium, and sodium.

2) Compliance Monitoring Program. During the post-reclamation semi-annual compliance monitoring program, grab samples shall be collected from each compliance monitoring well and analyzed for the following parameters:

- Ammonia as nitrogen,
- Chloride,
- Molybdenum,
- Nitrate + Nitrite as nitrogen,
- Sulfate,
- Total dissolved solids (TDS) and
- Total uranium

2. **Hydrogeologic Monitoring Requirements.** The permittee shall prepare and submit an annual update of the *Ground-Water Hydrology of the Shootaring Canyon Tailings Site* report (Hydro-Engineering, LLC, 1998) for the Director's approval. The update report shall be submitted according to the schedule and reporting requirements of Part I.G.4 below. The purpose of the annual ground-water hydrology report is to update the physical and chemical hydrogeologic conditions of the Entrada aquifer beneath the site to determine if any changes have occurred since the last report submittal. Of particular interest is the lateral extent of the ground water mound in the Upper Low-Permeability Entrada, the horizontal head gradient of the Entrada aquifer and vertical head gradients in the Entrada aquifer, Carmel aquitard and Navajo aquifer. The annual report shall also include an evaluation of the updated background database to determine if GWPLs should be adjusted.

F. Non-Compliance Status

1. **Probable Out-of-Compliance Based on Exceedance of Ground Water Compliance Limits.**

Upon determination by the permittee that the data indicate a GWCL may have been exceeded at any compliance monitoring well, the permittee shall:

- a) Immediately resample the monitoring well(s) found to be in probable out-of-compliance for the parameters that have been exceeded; submit the analytical results therefrom, and notify the Director of the probable out-of-compliance status within 30 days of the initial detection.
- b) Immediately implement an accelerated schedule of quarterly ground water sampling and analysis of parameters that exceeded the GWCLs, consistent with the requirements of Part I.E.1, above. This quarterly accelerated compliance sampling shall continue for two quarters or until the compliance status can be determined by the Director. Reports of the results of this sampling shall be submitted to the Director as soon as they are available, but not later than 30 days from the date the analytical data is received by the permittee.

2. **Out-of-Compliance Status Based on Confirmed Exceedance of Permit Ground Water Compliance Limits.**

- a) **Out of Compliance Status shall be defined as follows:**
 - 1) For parameters that have been defined as detectable in the background and for which compliance limits have been established based on 1.1 times the mean background concentration or 0.1 times the groundwater quality standard, out-of-compliance shall be defined as two consecutive samples that:
 - (i) exceed the GWCL; and
 - (ii) exceed the mean background concentration plus two standard deviations.
- b) **Notification and Accelerated Compliance Monitoring.** Upon determination by the permittee or the Director, in accordance with UAC R317-6-6.17, that an out-of-compliance status exists, the permittee shall:
 - 1) Verbally notify the Director of the out-of-compliance status or acknowledge the Director's notice that such a status exists within 24 hours of receipt of data; and
 - 2) Provide written notice within 5 days of the determination; and
 - 3) Continue an accelerated schedule of ground water monitoring for the parameters that exceeded GWCLs for at least two quarters or until compliance is achieved.
- c) **Source and Contamination Assessment Study Plan.** Within 30 days of the written notice to the Director required in Condition I.F.2.b, above, the permittee shall submit an assessment study plan and compliance schedule for:
 - 1) Assessing the source or cause of the contamination, and determining the steps necessary to correct the source.
 - 2) Assessing the extent of the ground water contamination. At a minimum, this assessment shall include: (a) conducting groundwater flow modeling and a well-spacing evaluation to determine appropriate locations, horizontal well spacing, and vertical screened intervals for additional monitoring wells and nested piezometers; (b) installing additional monitoring wells and nested piezometers to better define vertical and horizontal head gradients in the Entrada aquifer; and (c) expanding the analyte list to include additional chemical constituents contained in the tailings leachate in addition to those listed in Condition I.E.1.e.iii.B of this permit.

- 3) Evaluating potential remedial actions to restore and maintain ground water quality, and ensure that permit limits will not be exceeded at the compliance monitoring wells.

G. Reporting Requirements

1. **Ground-Water Monitoring Report.** The Permittee shall submit a groundwater monitoring report that includes the following:

- a) A schedule for semi-annual sampling and analysis required in Condition I.E.1, above, as follows:

| <u>Half</u> | <u>Report Due On</u> |
|-----------------------------|----------------------|
| 1st (January through June) | August 30 |
| 2nd (July through December) | February 28* |

* This report can be combined with the annual hydrogeologic update report required in Condition I.G.2.

- b) A Sampling and Analysis Report that includes:
 - 1) Field data sheets, or copies thereof, including the field measurements, required in Condition I.E.1.e.iii.A above, and other pertinent field data, such as well name/number, date and time of sample collection, names of sampling crew, sampling method and type of sampling pump or bail, measured casing volume and volume of water purged before sampling.
 - 2) Laboratory reports and tabulated results of groundwater analyses including date sampled, date received by the certified lab, ion balance, and the analytical results for each parameter, including: value or concentration, units of measurement, minimum detection limit, analytical method, and the date of the analysis.
 - 3) Quality assurance evaluation and data validation including a written description and findings of all quality assurance and data validation efforts conducted by the permittee in compliance with the currently approved Groundwater Monitoring Quality Assurance Plan. The report shall verify the accuracy and reliability of the groundwater quality compliance data after evaluation of sample collection techniques and equipment, sample handling and preservation and analytical methods used.
 - 3) Uranium data in addition to the analytes required by this permit. The permittee shall also report uranium ground water data acquired and submitted semi-annually to the Nuclear Regulatory Commission.

- 4) Groundwater level measurements from ground-water monitoring wells reported in both measured depth to ground water and ground water elevation above mean sea level.
 - 5) A potentiometric map illustrating the ground-water elevation of the uppermost aquifer beneath the tailings facility for the semi-annual sampling month. The map shall be superimposed on a topographic base map of at least 1:2400 (1 inch equals 200 feet) or other scale approved by the Director and shall be inclusive of the entire processing site. Known contours shall be distinguished from estimated or inferred contours. Other pertinent geologic, hydrologic, or man-made features, including wells, shall be displayed.
 - 6) The vertical hydraulic gradient as determined from nested well pair RM8/RM20.
- c) Electronic Filing Requirements. In addition to submittal of the hard copy data, above, the permittee will electronically submit the required ground water monitoring data including ground water quality and head data in Excel spreadsheet format. The data may be sent by e-mail, floppy disc, modem or other approved transmittal mechanism.

2. Hydrogeologic Report.

- a) The permittee shall submit an annual update of the *Ground-Water Hydrology of the Shootaring Canyon Tailings Site* (Hydro-Engineering, LLC, 1998) by February 28 of each year. The permittee shall revise and resubmit the report within 60 days of receipt of written notice from the Director of any deficiencies or omissions.

H. Compliance Schedule

1. Background Ground Water Monitoring Report. The permittee shall submit a groundwater monitoring report for the Director's approval 60 days after the accelerated quarterly background monitoring program has been completed. Ground water quality samples for the background monitoring program shall be collected in accordance with the following requirements:
 - a) At least eight (8) samples shall be collected for each of the compliance monitoring wells and parameter over a two-year period at a quarterly sampling frequency utilizing the procedures outlined in the currently approved Ground-Water Monitoring Quality Assurance Plan.
 - b) Each sampling event or episode shall include independent grab samples for each of the compliance monitoring wells.

- c) Sampling parameters shall include all parameters listed in Table 2 of this permit plus the following major ions: bicarbonate, carbonate, calcium, magnesium, potassium and sodium.
- d) After the Director's approval of the background monitoring report, sampling shall continue at a semi-annual frequency for the abbreviated compliance parameter list specified in Condition I.E.1.e.iii.B.2 of this permit.

II. MONITORING, RECORDING AND REPORTING REQUIREMENTS

- A. Representative Sampling. Samples taken in compliance with the monitoring requirements established under Section I shall be representative of the monitored activity.
- B. Analytical Procedures. Water sample analysis shall be conducted according to test procedures specified under UAC R317-6-6.3.L, unless other test procedures have been specified in this permit.
- C. Penalties for Tampering. The Act provides that any person who falsifies, tampers with, or knowingly renders inaccurate, any monitoring device or method required to be maintained under this permit shall, upon conviction, be punished by a fine of not more than \$10,000 per violation, or by imprisonment for not more than six months per violation, or by both.
- D. Reporting of Monitoring Results. Monitoring results obtained during each reporting period specified in the permit, shall be submitted to the Director, Utah Division of Water Quality at the following address no later than the 30th day of the month following the completed reporting period:

State of Utah
Department of Environmental Quality
Division of Waste Management and Radiation Control
Salt Lake City, Utah 84114-4810
Attention: Ground Water Protection Section

- E. Compliance Schedules. Reports of compliance or noncompliance with, or any progress reports on interim and final requirements contained in any Compliance Schedule of this permit shall be submitted no later than 14 days following each schedule date.
- F. Additional Monitoring by the Permittee. If the permittee monitors any pollutant more frequently than required by this permit, using approved test procedures as specified in this permit, the results of this monitoring shall be included in the calculation and reporting of the data submitted. Such increased frequency shall also be indicated.
- G. Records Contents. Records of monitoring information shall include:
 - 1. The date, exact place, and time of sampling or measurements;
 - 2. The individual(s) who performed the sampling or measurements;
 - 3. The date(s) and time(s) analyses were performed;
 - 4. The individual(s) who performed the analyses;
 - 5. The analytical techniques or methods used; and,
 - 6. The results of such analyses.
- H. Retention of Records. The permittee shall retain records of all monitoring information, including all calibration and maintenance records and copies of all reports required by

this permit, and records of all data used to complete the application for this permit, for a period of at least three years from the date of the sample, measurement, report or application. This period may be extended by request of the Director at any time.

I. Twenty-four Hour Notice of Noncompliance Reporting.

1. The permittee shall verbally report any noncompliance with permit conditions or limits as soon as possible, but no later than twenty-four (24) hours from the time the permittee first became aware of the circumstances. The report shall be made to the Utah Department of Environmental Quality 24 hour number, (801) 536-4123, or to the Division of Waste Management and Radiation Control at (801) 536-0200, during normal business hours from 8:00 AM - 5:00 PM Mountain Time.
2. A written submission of any noncompliance with permit conditions or limits shall be provided to the Director within five days of the time that the permittee becomes aware of the circumstances. The written submission shall contain:
 - a. A description of the noncompliance and its cause;
 - b. The period of noncompliance, including exact dates and times;
 - c. The estimated time noncompliance is expected to continue if it has not been corrected;
 - d. Steps taken or planned to reduce, eliminate, and prevent reoccurrence of the noncompliance.
 - e. When applicable, either an estimation of the quantity of material discharged or an estimation of the quantity of material released outside containment structures.
3. Written reports shall be submitted to the addresses in Condition II.D, Reporting of Monitoring Results.

J. Other Noncompliance Reporting. Instances of noncompliance not required to be reported within 24 hours, shall be reported at the time that monitoring reports for Condition II. D are submitted.

K. Inspection and Entry. The permittee shall allow the Director, or an authorized representative, upon the presentation of credentials and other documents as may be required by law, to:

1. Enter upon the permittee's premises where a regulated facility or activity is located or conducted, or where records must be kept under the conditions of the permit;
2. Have access to and copy, at reasonable times, any records that must be kept under the conditions of this permit;
3. Inspect at reasonable times any facilities, equipment (including monitoring and control equipment), practices, or operations regulated or required under this permit; and,

4. Sample or monitor at reasonable times, for the purpose of assuring permit compliance or as otherwise authorized by the Act, any substances or parameters at any location.

III. COMPLIANCE RESPONSIBILITIES

- A. **Duty to Comply.** The permittee shall comply with all conditions of this permit. Any permit noncompliance constitutes a violation of the Act and is grounds for enforcement action; for permit termination, revocation and reissuance, or modification; or for denial of a permit renewal application. The permittee shall give advance notice to the Director of any planned changes in the permitted facility or activity which may result in noncompliance with permit requirements.
- B. **Penalties for Violations of Permit Conditions.** The Act provides that any person who violates a permit condition implementing provisions of the Act is subject to a civil penalty not to exceed \$10,000 per day of such violation. Any person who willfully or negligently violates permit conditions is subject to a fine not exceeding \$25,000 per day of violation. Any person convicted under Section 19-5-115(2) of the Act a second time shall be punished by a fine not exceeding \$50,000 per day. Nothing in this permit shall be construed to relieve the permittee of the civil or criminal penalties for noncompliance.
- C. **Need to Halt or Reduce Activity not a Defense.** It shall not be a defense for a permittee in an enforcement action that it would have been necessary to halt or reduce the permitted activity in order to maintain compliance with the conditions of this permit.
- D. **Duty to Mitigate.** The permittee shall take all reasonable steps to minimize or prevent any discharge in violation of this permit which has a reasonable likelihood of adversely affecting human health or the environment.
- E. **Proper Operation and Maintenance.** The permittee shall at all times properly operate and maintain all facilities and systems of treatment and control (and related appurtenances) which are installed or used by the permittee to achieve compliance with the conditions of this permit. Proper operation and maintenance also includes adequate laboratory controls and quality assurance procedures. This provision requires the operation of back-up or auxiliary facilities or similar systems which are installed by a permittee only when the operation is necessary to achieve compliance with conditions of the permit.
- F. **Affirmative Defense.** In the event that a compliance action is initiated against the permittee for violation of permit conditions relating to discharge minimization technology, the permittee may affirmatively defend against that action by demonstrating the following:
1. The permittee submitted notification according to Conditions I.F., II.I.1 and II.I.2;
 2. The failure was not intentional or caused by the permittee's negligence, either in action or in failure to act;

3. The permittee has taken adequate measures to meet permit conditions in a timely manner or has submitted to the Director, for the Director's approval, an adequate plan and schedule for meeting permit conditions; and
4. The provisions of UAC 19-5-107 have not been violated.

IV. GENERAL REQUIREMENTS

- A. Planned Changes. The permittee shall give notice to the Director as soon as possible of any planned physical alterations or additions to the permitted facility. Notice is required when the alteration or addition could significantly change the nature of the facility or increase the quantity of pollutants discharged.
- B. Anticipated Noncompliance. The permittee shall give advance notice of any planned changes in the permitted facility or activity which may result in noncompliance with permit requirements.
- C. Spill Reporting. The Permittee shall immediately report in accordance with UCA 19-5-114 of the Utah Water Quality Act any spill that comes into contact with the ground surface or ground water that causes pollution or has the potential to cause pollution to waters of the state. This report shall be made to the phone numbers given in Condition II.I.1. A written report will be required within 5 days of the occurrence and should address the requirements of UCA 19-5-114 and Conditions II.I.2 and 3 of this permit.
- D. Permit Actions. This permit may be modified, revoked and reissued, or terminated for cause. The filing of a request by the permittee for a permit modification, revocation and reissuance, or termination, or a notification of planned changes or anticipated noncompliance, does not stay any permit condition.
- E. Duty to Reapply. If the permittee wishes to continue an activity regulated by this permit after the expiration date of this permit, the permittee must apply for and obtain a permit renewal or extension. The application should be submitted at least 180 days before the expiration date of this permit.
- F. Duty to Provide Information. The permittee shall furnish to the Director, within a reasonable time, any information which the Director may request to determine whether cause exists for modifying, revoking and reissuing, or terminating this permit, or to determine compliance with this permit. The permittee shall also furnish to the Director, upon request, copies of records required to be kept by this permit.
- G. Other Information. When the permittee becomes aware that it failed to submit any relevant facts in a permit application, or submitted incorrect information in a permit application or any report to the Director, it shall promptly submit such facts or information.
- H. Signatory Requirements. All applications, reports or information submitted to the Director shall be signed and certified.
 - 1. All permit applications shall be signed as follows:
 - a. For a corporation: by a responsible corporate officer;
 - b. For a partnership or sole proprietorship: by a general partner or the proprietor, respectively.

- c. For a municipality, State, Federal, or other public agency: by either a principal executive officer or ranking elected official.
2. All reports required by the permit and other information requested by the Director shall be signed by a person described above or by a duly authorized representative of that person. A person is a duly authorized representative only if:
 - a. The authorization is made in writing by a person described above and submitted to the Director, and,
 - b. The authorization specifies either an individual or a position having responsibility for the overall operation of the regulated facility or activity, such as the position of plant manager, operator of a well or a well field, superintendent, position of equivalent responsibility, or an individual or position having overall responsibility for environmental matters for the company. (A duly authorized representative may thus be either a named individual or any individual occupying a named position.)
3. Changes to Authorization. If an authorization under Condition IV.H.2 is no longer accurate because a different individual or position has responsibility for the overall operation of the facility, a new authorization satisfying the requirements of Condition V.H.2 shall be submitted to the Director prior to or together with any reports, information, or applications to be signed by an authorized representative.
4. Certification. Any person signing a document under this section shall make the following certification:

“I certify under penalty of law that this document and all attachments were prepared under my direction or supervision in accordance with a system designed to assure that qualified personnel properly gather and evaluate the information submitted. Based on my inquiry of the person or persons who manage the system, or those persons directly responsible for gathering the information, the information submitted is, to the best of my knowledge and belief, true, accurate, and complete. I am aware that there are significant penalties for submitting false information, including the possibility of fine and imprisonment for knowing violations.”
- I. Penalties for Falsification of Reports. The Act provides that any person who knowingly makes any false statement, representation, or certification in any record or other document submitted or required to be maintained under this permit, including monitoring reports or reports of compliance or noncompliance shall, upon conviction be punished by a fine of not more than \$10,000 per violation, or by imprisonment for not more than six months per violation, or by both.
- J. Availability of Reports. Except for data determined to be confidential by the permittee, all reports prepared in accordance with the terms of this permit shall be available for public inspection at the offices of the Director. As required by the Act, permit

applications, permits, effluent data, and ground-water quality data shall not be considered confidential.

- K. Property Rights. The issuance of this permit does not convey any property rights of any sort, or any exclusive privileges, nor does it authorize any injury to private property or any invasion of personal rights, nor any infringement of federal, state or local laws or regulations.
- L. Severability. The provisions of this permit are severable, and if any provision of this permit, or the application of any provision of this permit to any circumstance, is held invalid, the application of such provision to other circumstances, and the remainder of this permit, shall not be affected thereby.
- M. Transfers. This permit may be automatically transferred to a new permittee if:
1. The current permittee notifies the Director at least 30 days in advance of the proposed transfer date;
 2. The notice includes a written agreement between the existing and new permittee containing a specific date for transfer of permit responsibility, coverage, and liability between them; and,
 3. The Director does not notify the existing permittee and the proposed new permittee of his or her intent to modify, or revoke and reissue the permit. If this notice is not received, the transfer is effective on the date specified in the agreement as described in Condition IV.M.2, above.
- N. State Laws. Nothing in this permit shall be construed to preclude the institution of any legal action or relieve the permittee from any responsibilities, liabilities, penalties established pursuant to any applicable state law or regulation under authority preserved by Section 19-5-117 of the Act.
- O. Reopener Provisions. This permit may be reopened and modified pursuant to R317-6-6.6.B or R317-6-6.10.C of the Utah Administrative Code to include the appropriate limitations and compliance schedule, if necessary, if one or more of the following events occurs:
1. If new ground water standards are adopted by the Board, the permit may be reopened and modified to extend the terms of the permit or to include pollutants covered by new standards. The permittee may apply for a variance under the conditions outlined in R317-6-6.4.D.
 2. When the Accelerated Background Monitoring Report has been approved by the Director, and if future changes have been determined in background ground water quality.
 3. When sufficient data are available and protection levels for the new wells are established.

Part IV
Permit No. UGW170003

4. When approval of any Compliance Schedule Item, under Condition I.H, is considered by the Director to be a major modification to the permit.
5. A determination by the Director that changes are necessary in either the permit or the facility to protect human health or the environment.

**UTAH DEPARTMENT OF ENVIRONMENTAL QUALITY
DIVISION OF WASTE MANAGEMENT AND RADIATION CONTROL
RADIOACTIVE MATERIAL LICENSE**

Pursuant to Utah Code Annotated, Title 19, Chapter 3 and R313 of the Utah Administrative Code (Radiation Control Rules) and in reliance on statements and representations heretofore made by the licensee designated below, a license is hereby issued authorizing such licensee to transfer, receive, possess and use the radioactive material designated below; and to use such radioactive material for the purpose(s) and at the place(s) designated below. This licensee is subject to all applicable rules, and orders now or hereafter in effect and to any conditions specified below.

| | | |
|------------|-----------------------------------|--------------------------------|
| | LICENSEE |) 3. License Number UT 0900480 |
| | |) Amendment # 7 |
| 1. Name | Anfield Resources Holdings, Corp. |) ***** |
| | |) 4. Expiration Date |
| 2. Address | P.O. Box 901537 |) April 30, 2014 |
| | Sandy, UT 84090 |) |
| | |) ***** |
| | |) 5. License Category 2-b |

| | | |
|---|----------------------------------|--|
| 6. Radioactive material (element and mass number) | 7. Chemical and/or physical form | 8. Maximum quantity licensee may possess at any one time |
| Natural Uranium 11(e).2 By-product Material | Any | Unlimited |

Section 9: Administrative Conditions

- 9.1 The authorized place of use shall be the licensee's Shootaring Canyon uranium milling facility, located at latitude 37° 42' 30", longitude 110° 41' 30 West in Garfield County, Utah.
- 9.2 All written notices and reports to the Director required under this license, with the exception of incident and event notifications under the Utah Administrative Codes (UAC) R313-15-1202 and UAC R313-19-50 (Nuclear Regulatory Commission (NRC), Code of Federal Regulations (CFR), Title 10, Part 20, Section 20.2202 and 10 CFR 40.6 incorporated by reference), requiring telephone notification, shall be addressed to the Director, Division of Waste Management and Radiation Control, Utah Department of Environmental Quality (DEQ). Incident and event notifications that require telephone notification shall be made to the Director at (801) 536-0200 during normal business hours or after hours to the DEQ Duty Officer at (801) 536-4123.

**DIVISION OF WASTE MANAGEMENT AND RADIATION CONTROL
RADIOACTIVE MATERIALS LICENSE
SUPPLEMENTARY SHEET**

License # UT 0900480
Amendment # 7

[Applicable NRC Amendment: 7, 8]

- 9.3 The licensee shall conduct operations in accordance with statements, representations and conditions contained in Sections 1-9 of the license renewal application dated March 1, 1996, as revised by submittals to the NRC dated September 16, and November 15, 1996, and April 17, 1997, except where amendments have superseded license conditions herein.

Whenever the word "will" is used in the above referenced sections, it shall denote a requirement.

[Applicable NRC Amendment: 1]

- 9.4 A. The licensee may, without prior approval from the Director, and subject to the conditions specified in Part B of this condition:
- (1) Make changes in the facility or process, as presented in the approved license application.
 - (2) Make changes in the procedures presented in the approved license application.
 - (3) Conduct tests or experiments not presented in the approved license application.
- B. The licensee shall file an application for an amendment to the license, unless the following conditions are satisfied.
- (1) The change, test, or experiment does not conflict with any requirement specifically stated in this license, or impair the licensee's ability to meet all applicable State and Federal regulations.
 - (2) There is no degradation in the essential safety or environmental commitments in the license application or provided by the approved reclamation plan.
 - (3) The change, test, or experiment is consistent with the conclusions of actions analyzed and selected in the Environmental Assessment (EA) dated April 1997.

**DIVISION OF WASTE MANAGEMENT AND RADIATION CONTROL
RADIOACTIVE MATERIALS LICENSE
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License # UT 0900480
Amendment # 7

- C. The licensee's determinations concerning Part B of this condition shall be made by a Safety and Environmental Review Panel (SERP). The SERP shall consist of a minimum of three individuals. One member of the SERP shall have expertise in management and shall be responsible for managerial and financial approval changes; one member shall have expertise in operations and/or construction and shall have responsibility for implementing any operational changes; and, one member shall be the corporate radiation safety officer (CRSO) or equivalent, with the responsibility of assuring changes conform to radiation safety and environmental requirements. Additional members may be included in the SERP as appropriate, to address technical aspects such as health physics, groundwater hydrology, surface-water hydrology, specific earth sciences and other technical disciplines. Temporary members or permanent members, other than the three above-specified individuals, may be consultants. One member of the SERP shall be designated as Chairman.
- D. The licensee shall maintain records of any changes made pursuant to this condition until license termination. These records shall include written safety and environmental evaluations, made by the SERP, that provide the basis for determining changes are in compliance with the requirements referred to in Part B of this condition. The licensee shall furnish, in an annual report to the Director, a description of such changes, tests or experiments, including a summary of the safety and environmental evaluation of each. In addition, the licensee shall submit to the Director annually, a summary of changes made to the approved license application and copies of the revised documents that reflect the changes made under this condition. The licensee's SERP shall function in accordance with the standard operating procedures submitted to the NRC by letter dated December 19, 1997.

[Applicable NRC Amendment: 1]

- 9.5 The licensee shall have 30 days from the signatory date of this license to submit an updated revised surety estimate in accordance with the latest approved reclamation and decommissioning plan for Director approval consistent with UAC R313-24-4 (10 CFR 40, Appendix A, Criterion 9 and 10, as incorporated by reference). The Licensee shall maintain a financial surety arrangement that satisfies the requirements of UAC R313-24 naming the Director as the beneficiary to this arrangement. The surety arrangement shall ensure that sufficient funds will be available to carry out the decontamination and decommissioning of the mill and site and for the reclamation of any tailings or waste disposal areas, ground water restoration as warranted and the long-term surveillance fee, if accomplished by a third party.

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Within 30 days of receiving the Director's approval of the revised surety estimate, the licensee shall submit, for the Director's approval, corresponding financial surety documents if the amount in the revised surety estimate exceeds the amount covered in the existing financial surety. The revised surety shall then be in effect immediately upon receipt of written approval from the Director. Annual updates to the surety amount, required by UAC R313-24 (10 CFR 40, Appendix A, Criteria 9 and 10, incorporated by reference) shall be submitted to the Director on or before April 23, of each year. If the Director has not approved a proposed revision to the surety coverage 30 days prior to the expiration date of the existing surety arrangement, the licensee shall extend the existing surety arrangement for one year. Along with each proposed revision or annual update, the licensee shall submit supporting documentation showing a breakdown of the costs and the basis for the cost estimates with adjustments for inflation, maintenance of a minimum 15 percent contingency fee, changes in engineering plans, activities performed and any other conditions affecting estimated costs for site closure. The basis for the cost estimate is the Director approved reclamation/decommissioning plan or Director approved revisions to the plan. The previously provided guidance entitled "Recommended Outline for Site Specific Reclamation and Stabilization Cost Estimates" outlines the minimum considerations used by the NRC in the review of site closure estimates. Reclamation/decommissioning plans and annual updates should follow this outline. The currently approved financial surety arrangement, a Surety Trust Agreement between Uranium One Americas, Inc. and Wells Fargo Bank, National Association, shall be continuously maintained in an amount no less than \$8,110,771 for the purpose of complying with UAC R313-24 (10 CFR 40, Appendix A, Criteria 9 and 10, as incorporated by reference) until a replacement is approved by the Director.

[Applicable UDRC Amendments: 2, 3, 4, 5.]

[Applicable NRC Amendments: 2, 5, 6, 8, 9, 11] The amount of funds to be ensured by such surety arrangements shall be based on Director-approved cost estimates in a Director-approved plan for decontamination and decommissioning of mill buildings and the milling site to levels which allow unrestricted use of these areas upon decommissioning and the reclamation of tailings and/or waste areas in accordance with technical criteria delineated in UAC R313-24. The licensee shall submit this plan in conjunction with an environmental report that addresses the expected environmental impacts of the milling operation, decommissioning and tailings reclamation and evaluates alternatives for mitigating these impacts. The surety shall also cover the payment of the charge for long-term surveillance and control required by UAC R313-24-4. In establishing specific surety arrangements, the licensee's cost estimates shall take into account total costs that would be incurred if an independent contractor were hired to perform the decommissioning and reclamation work. The licensee's surety mechanism will be reviewed annually by the Director to ensure that sufficient funds are available for completion of the reclamation plan. The amount of surety liability shall be adjusted to recognize any increases or decreases resulting from inflation,

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License # UT 0900480
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changes in engineering plans, activities performed and any other conditions affecting costs. Regardless of whether reclamation is phased through the life of the operation or takes place at the end of operations, an appropriate portion of surety liability shall be retained until final compliance with the reclamation plan is determined by the Director.

- 9.6 Written procedures shall be established for site reclamation, personnel and environmental monitoring and survey instrument calibrations. These procedures shall be reviewed and approved in writing by the CRSO before implementation and whenever a change in procedure is proposed to ensure that proper radiation protection principles are being applied. In addition, the CRSO shall perform a documented review of all existing site procedures at least annually. An up-to-date copy of each written procedure shall be kept by the CRSO.

[Applicable NRC Amendment: 10]

- 9.7 The licensee shall have an archeological survey performed prior to disturbing any previously unsurveyed areas. The licensee shall immediately notify the Director and the Office of State Historic Preservation if artifacts are discovered during disturbance.
- 9.8 The licensee is hereby authorized to possess 11e.(2) byproduct material as defined in 10 CFR 20.103 and adopted by UAC R313-12-3, in the form of uranium waste tailings and other uranium byproduct waste generated by the licensee's milling operations authorized by this license within the State of Utah where the Division maintains jurisdiction for regulating the byproduct material. Mill tailings shall not be transferred from the site without specific prior approval from the Director in the form of a license amendment. The licensee shall maintain a permanent record of all transfers made under the provisions of this condition.
- 9.9 The licensee is hereby exempted from the requirements of Section 20.1902(e) of 10 CFR Part 20 incorporated by reference UAC R313-15-902(5) for areas within the mill, provided that all entrances to the mill are conspicuously posted in accordance with Section 20.1902(e) [UAC R313-15-902(5)] and with the words, "Any Area Within this Mill May Contain Radioactive Material."
- 9.10 The licensee shall have a training program for all site employees as described in the NRC Regulatory Guide 8.31 "Information Relevant To Ensuring That Occupational Radiation Exposures At Uranium Recovery Facilities Will Be As Low As Is Reasonably Achievable", and Section 5.3 of the approved license application. The CRSO, or the licensee's designee, shall have the education, training and experience as specified in NRC Regulatory Guide 8.31. The CRSO shall also receive 40 hours of related health and safety refresher training every two years. Individuals designated as the Radiation Technician

**DIVISION OF WASTE MANAGEMENT AND RADIATION CONTROL
RADIOACTIVE MATERIALS LICENSE
SUPPLEMENTARY SHEET**

License # UT 0900480Amendment# 7

(RT) shall report directly to the CRSO on matters dealing with radiological safety. In addition, the CRSO shall be accessible to the RT at all times. The RT shall have the qualifications specified in NRC Regulatory Guide 8.31, or equivalent. Any person newly hired as an RT shall have all work reviewed and approved by the CRSO as part of a comprehensive training program until appropriate course training is completed and at least for six months from the date of appointment.

[Applicable NRC Amendments: 1,10]

- 9.11 Prior to termination of this license, the licensee shall provide for transfer of title to byproduct material and land, including any interests therein (other than land owned by the United States or the State of Utah), which is used for the disposal of such byproduct material or is essential to ensure the long-term stability of such disposal site to the United States or the State of Utah, at the State's option.

[Applicable NRC Amendment: 10]

The licensee shall submit an application for license renewal by June 30, 2016.
The following activities shall occur as part of the renewal application process:

- A. A meeting shall be held between the licensee and the division to determine the information to be covered in the renewal application.
- B. A public comment period with a public comment meeting shall be conducted to allow the public to comment on the information to be covered in the renewal application.
- C. Comments from the public comment period shall be addressed by the licensee as part of the license renewal application.

[Applicable DWMRC Amendments: 7]

Section 10: Operational Controls, Limits, and Restrictions

- 10.1 Prior to changing the status of the Mill from a standby status (current status) to an operational status, all construction activities shall not commence until an evaluation is conducted in accordance with UAC R313-22-33(1)(f). This evaluation shall also include an engineering, an environmental monitoring (including groundwater) and a radiation safety evaluation. Therefore, in order to bring the Mill back into operation, facilities at the Mill shall meet the Best Available Technology requirements specified in UAC R317-6.

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[Applicable DWMRC Amendment: 7]

- 10.2 DELETED by NRC Amendment No. 10.
- 10.3 DELETED by NRC Amendment No. 10.
- 10.4 DELETED by NRC Amendment No. 10.
- 10.5 DELETED by NRC Amendment No. 10.
- 10.6 DELETED by NRC Amendment No. 10.
- 10.7 DELETED by NRC Amendment No. 10.
- 10.8 DELETED by NRC Amendment No. 10.
- 10.9 All radiation monitoring, sampling and detection equipment shall be recalibrated after each repair and as recommended by the manufacturer, or at least annually, whichever is more frequent. In addition, all radiation survey instruments shall be operationally checked with a radiation source each day when in use.

[Applicable NRC Amendment: 1]

- 10.10 The licensee shall reclaim the tailings disposal area in accordance with the Tailings Reclamation and Decommissioning Plan for the Shootaring Canyon Uranium Project submitted by letter to the NRC dated October 24, 2002, as amended by NRC submittals dated February 24, April 24, July 30, September 5, November 26, 2003, January 3, 2005, and January 10, 2005.

[Applicable UDRC Amendment: 1]

- A. DELETED by NRC Amendment No. 12.
- B. DELETED by NRC Amendment No. 10.
- C. DELETED by NRC Amendment No. 10.

[Applicable NRC Amendment: 12]

Section 11: Monitoring, Recording, and Bookkeeping Requirements

**DIVISION OF WASTE MANAGEMENT AND RADIATION CONTROL
RADIOACTIVE MATERIALS LICENSE
SUPPLEMENTARY SHEET**

License # UT 0900480Amendment # 7

-
- 11.1 The results of sampling, analyses, surveys and monitoring, the results of calibration of equipment, reports on audits and inspections, all meetings and training courses required by this license and any subsequent reviews, investigations and corrective actions shall be documented. Unless otherwise specified by the Director, the licensee shall retain the records for five (5) years after the record is made.
- 11.2 The licensee shall conduct the environmental monitoring program described in Table 5.5-8 of the license renewal application and UAC R313-24-3.

For each license renewal, major license amendment, or before engaging in any activity not previously assessed by the Director or specified in the license application or this License, the licensee shall prepare and record an Environmental Analysis environmental evaluation of such activity. When the evaluation indicates that such activity may result in a significant adverse environmental impact that was not assessed or that is greater than that assessed, the licensee shall provide a written evaluation describing the proposed action, a statement of its purposes and the environment affected. The environmental report shall present a discussion of the following: (a) an assessment of the radiological and nonradiological impacts to the public health from the activities to be conducted pursuant to the license or amendment; (b) an assessment of any impact on waterways and groundwater resulting from the activities conducted pursuant to the license or amendment; (c) consideration of alternatives, including alternative sites and engineering methods, to the activities to be conducted pursuant to the license or amendment; and (d) consideration of the long-term impacts including decommissioning, decontamination and reclamation impacts associated with activities to be conducted. Commencement of such activities prior to issuance of the license or amendment shall be grounds for denial of the license or amendment. The Director shall provide a written analysis of the environmental report, which shall be available for public notice and comment pursuant to UAC R313-17-2.

A. DELETED by NRC Amendment No. 10.

B. DELETED by NRC Amendment No. 10.

- 11.3 The licensee shall implement a groundwater detection-monitoring program to ensure compliance with UAC R317-6, Ground Water Quality Protection and UAC R313-24 (10 CFR 40, Appendix A, as incorporated by reference) as follows:
- A. The licensee shall sample monitoring wells RM1, RM2R, RM7, RM12, RM14, RM18 and RM19 on a semiannual basis, with samples taken at least 4 months apart. The samples shall be analyzed for arsenic, chloride, selenium, U-nat, sulfate, barium, cadmium, chromium, copper, lead, mercury, molybdenum, silver, zinc, ammonia, fluoride, nitrate, nitrite, conductivity, total dissolved solids and pH.

**DIVISION OF WASTE MANAGEMENT AND RADIATION CONTROL
RADIOACTIVE MATERIALS LICENSE
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License # UT 0900480
Amendment # 7

The licensee shall measure water level in monitoring wells RM1, RM2R, RM7, RM8, RM12, RM14, RM18, RM19, RM20, RM21, and RM22, on a semiannual basis, with measurements taken at least 4 months apart.

- B. The licensee shall compare the analysis results against the following threshold values:

| | | |
|----------|---|---------------------|
| Arsenic | = | 0.022 mg/l, |
| Chloride | = | 40 mg/l, |
| Selenium | = | 0.022 mg/l, |
| U-nat | = | 0.037 mg/l, and |
| pH | = | 6.8 standard units. |

If the threshold values listed above or in UAC R313-24-4 are exceeded (for pH, an exceedance is a pH less than 6.8) the licensee shall propose, within 60 days of a measured exceedance, an expanded detection monitoring program to define the extent and concentration of hazardous constituents in the uppermost aquifer.

- C. The licensee shall submit the data and comparison results required under subsections A and B, respectively, with the semiannual reports required under UAC R313-24-3 (10 CFR 40.65, as incorporated by reference).
- D. The licensee shall report at least annually in accordance with the reporting requirements specified in subsection C and UAC R313-24-3, the rate and direction of groundwater flow under the tailings impoundment.

[Applicable NRC Amendment: 10, 12]

11.4 DELETED by NRC Amendment No. 10.

11.5 DELETED by NRC Amendment No. 10.

11.6 DELETED by NRC Amendment No. 10.

11.7 The licensee shall perform an annual ALARA audit of the radiation safety program in accordance with UAC R313-15-101 and in the NRC Regulatory Guide 8.31, "Information Relevant to Ensuring that Occupational Radiation Exposures at Uranium Recovery Facilities Will Be As Low As Is Reasonably Achievable."

Section 12: Reporting Requirements

**DIVISION OF WASTE MANAGEMENT AND RADIATION CONTROL
RADIOACTIVE MATERIALS LICENSE
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License # UT 0900480
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- 12.1 DELETED by NRC Amendment No. 10.
- 12.2 The Licensee shall, within 60 days after January 1 and July 1 of each year, submit a report to the Director. The report shall specify the quantity of each of the principal radionuclides released to unrestricted areas in liquid and in gaseous effluents during the previous six months of operation, and such other information as the Director may require to estimate maximum potential annual radiation doses to the public resulting from effluent releases. The report shall specifically cover quantities of radioactive materials released during the reporting period to ensure compliance with the licensee's requirements.

On the basis of such reports and any additional information the Director may obtain from the licensee or others, the Director may from time to time require the licensee to take such action as the Director deems appropriate. The results of all effluent and environmental monitoring data required by this license shall be reported in accordance with requirements of 10 CFR 40.65 incorporated by reference in UAC R313-24-3 and UAC R313-17-2 to the Director. Monitoring data provided in accordance with the requirements of 10 CFR 40.65 shall be reported in the format shown in the NRC guidance entitled, "Sample Format for Reporting Monitoring Data."

DIVISION OF WASTE MANAGEMENT AND RADIATION CONTROL



Scott T. Anderson, Director

29 January 2016

Date

Public Participation Summary
Amendment #7 Transfer of Control from Uranium One Inc. to Anfield Holdings Corporation
Radioactive Material License No. UT0900480
Groundwater Quality Discharge Permit UGW 170003
Shootaring Canyon Uranium Mill
Garfield County, Utah
January 14, 2016

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Public Comments

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ATTACHMENTS

| | |
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| Attachment 1 | Copies of Written Public Comments Received by the DWRC for the Uranium One/Anfield Resources Transfer of Control |
| Attachment 2 | Transcript of Oral Comments Received at the December 14, 2015 Public Hearing |
| Attachment 3 | January 14, 2016 Final Radioactive Material License Amendment 7 and Final Ground Water Quality Discharge Permit UGW 170003 |

Public Participation Summary
January 14, 2016

Introduction

The purpose of this document is to summarize public comments received by the Utah Division of Waste Management and Radiation Control (DWMRC) regarding the Transfer of Control of the Shootaring Canyon Uranium Mill's RML and GWQDP from Uranium One Inc. (hereafter U-One) to Anfield Resources Holding Corporation (hereafter Anfield). Three sets of written comments were received from the public during the comment period that ended on December 24, 2015 (see Attachment 1). Each of the comments received are listed below in italics, followed by a DWMRC response. The DWMRC responses have been numbered for reference purposes.

On December 14, 2015 a Cross-Examination hearing was held that gave the public the opportunity to ask questions and be answered in accordance with Utah Administrative Code R313-17-4. Two separate individuals made comment and had questions for the parties involved, which were answered during the meeting. A transcript of the hearing is included as Attachment 2. A public meeting to receive public comment only was also held on December 10, 2015 in Panguitch, Utah; however, no one from the public attended or provided comment.

Comments from Garfield County Commission submitted on November 30, 2015.

Dear Mr. Anderson,

We, the Garfield County Commission, write to express our strong support for Anfield Resources' proposed reopening of the Shootaring Canyon Mill. Garfield County recently declared a state of emergency due to declining enrollment in our school district. That declining enrollment is symptomatic of the larger economic distress the county is experiencing. Since the 2010 census, and even though the population of the State of Utah as a whole has grown by 6.5%, it is estimated that Garfield County's population has declined by 2.9%. The median household income for Garfield County residents is \$45,357, versus the state median household income of \$58,821

Because of the county's seasonal leisure and hospitality industries, unemployment during winter months peaks at around 16%. During the summer months, demand for labor is filled by nonresidents, meaning that the majority of those extra summer-month wages leave the county. Full-time, year-round employment is desperately needed. The Shootaring Canyon Mill would provide the very kinds of jobs and industrial diversity our economy needs.

Even though the mill hasn't operated since the early 1980s, its appraised value was approximately \$60 million until a few years ago. That valuation was reduced in recent years to about \$2 million, shifting the tax burden to the rest of the property owners in Garfield County. If the mill were to reopen, the valuation would rise accordingly and provide tax relief to our taxpayers.

When Uranium One and Denison Mines divested their interests in infrastructure assets at the

Public Participation Summary
January 14, 2016

Ticaboo townsite a few years ago, Garfield County hired a law firm, at no trivial cost, to sponsor legislation that would empower what is now the Ticaboo Utility Improvement District (TUID) to provide electricity everywhere in the area. Because TUID has to produce it's own electricity, and because those costs must be shared among a few residents and a couple of businesses, the cost of electricity in Ticaboo is not only the highest in the state of Utah, but the highest in the lower 48 states and possibly the highest in the entire country.

If the mill were to reopen, more residents in Ticaboo would result in TUID being able to lower electricity rates, and lower electricity rates would contribute to the economic viability of the town. Businesses that have considered locating in the Ticaboo area, but have opted not to because of utility prices, would have that barrier to entry removed.

It is our belief that reopening the Shootaring Canyon Mill would be a boon to our county and encourage the Department of Environmental Quality to allow Anfield Resources to do so.

Sincerely,

*Commission Chair
Leland F. Pollock*

*County Commissioner
H. Dell LeFevre*

*County Commissioner
David B. Tebbs*

DWMRC Response #1:

The DWMRC appreciates the efforts made by the Garfield County Commission to provide the Division with information on the anticipated social and economic benefits to Garfield County of the proposed transfer of control. Thank you for your comments.

Comments from Ms. Sarah Fields submitted on December 7, 2015 for the Public Hearing held on December 14, 2015.

Note: Ms. Sarah Fields submitted these comments for the Cross-Examination Hearing that was held in the Multi Agency State Office Building (MASOB) on December 14, 2015. Transcripts of Ms. Fields' comments/questions and answers given during the Public Hearing Meeting can be found in Attachment 2. Although, Ms. Fields questions were answered during the December 14, 2015 meeting, the answers given then have been further clarified below.

Below are Questions regarding the Utah Division of Waste Management and Radiation Control (DWMRC) authorization of the transfer of the Radioactive Material License (RML) No. UT 0900480 and the Utah Ground Water Discharge Permit No. UGWI70003 for the Shootaring Canyon Uranium Mill near Ticaboo, Garfield County, Utah, from Uranium One Americas Inc. to Anfield Resources Holding Corp, (Anfield). The Questions are in anticipation of the hearing to be held on December 14, 2015, at the Department of Environmental Quality headquarters in Salt Lake City. The Questions are addressed to the DWMRC staff and to Anfield staff, if they wish to address the questions. The DWMRC

(formerly Utah Division of Radiation Control, or DRC) Technical Evaluation and Environmental Analysis describes the proposed changes to Radioactive Material License (RML) No. UT 0900480 and the Utah Ground Water Discharge Permit No. UGWI70003 for the Shootaring Canyon Uranium Mill and states: DRC reviewed the information provided in the above referenced submittal using the United States Nuclear Regulatory Commission's NUREG 1556, Volume 15, Consolidated Guidance about Materials Licenses: Guidance about Changes of Control and about Bankruptcy Involving Byproduct, Source, or Special Nuclear Materials Licenses, NUREG-1556, Vol. 15) as guidance."

QUESTIONS

1. NUREG-1556, Vol. 15, Section 5, Change of Control (page 5-2), states:

In the area of materials licensing, there are no categorical foreign ownership, control, or domination limitations. However, under Sections 57c, 63b, and 82b of the AEA, NRC must make a finding that issuance of the license for special nuclear material, source material, or byproduct material would not be "inimical to the common defense and security, and would not constitute unreasonable risk to the health and safety of the public." The Commission must make the same finding when consenting to a change of control. As a part of that determination, NRC will consider foreign ownership, control, and domination.

The transfer of the license will be from one Canadian company to another Canadian company.

1.1. QUESTION: Has the DWMRC made any determination that the control of the Shootaring Canyon Mill by a foreign company would not be "inimical to the common defense and security, and would not constitute unreasonable risk to the health and safety of the public"? If not, why not? If so, what is the basis for that determination?

DWMRC Response #2:

Since the State of Utah took over Agreement State status for uranium mills in August 2004, all of the uranium companies that the DWMRC (formally DRC) have had foreign companies within the company corporate structure. The current owner of the Mill Uranium One's current parent company is a Russian company as documented in RML Amendment #5. It required Nuclear Regulatory Commission approval before the Russian company could take over any of Uranium One's United States assets. Foreign ownership is not considered a health and safety risk because the Shootaring Canyon Mill is a permanent facility within the State of Utah and the radioactive materials used are kept onsite within the restricted area of the Mill with no public access.

2. NUREG-1556, Vol. 15, Section 5.4, Change of Control, Surveillance Records (page 5-5), states:

Prior to the approval of a change of control, licensees or applicants must submit a review of the status of all applicable surveillance requirements and records. This should include an

indication of whether the surveillance program is current and if it will be current at the time of transfer.

2.1. QUESTION: Have the applicants complied with this requirement? What documents were submitted to demonstrate compliance?

DWMRC Response #3:

In the August 15, 2014 and in the September 29, 2014 documents submitted by Uranium One and Anfield, both companies committed to transferring all of the required documents. These documents include:

- Surveillance documents (i.e. surveys, air monitoring and etc.);
- Decommissioning documents (i.e. reclamation and decommissioning plan); and
- Documents showing current and ambient conditions (i.e. reclamation and decommissioning plan).

In addition to the written commitments, representatives from both Uranium One and Anfield confirmed, in the public hearing held on December 14, 2015, that the records already have or will be transferred as soon as the RML is transferred to Anfield. This included any historical documents that Uranium One has from before the State of Utah became an agreement State in August 2004.

3. NUREG-1556, Vol. 15, Section 5.5, Change of Control, Decommissioning and Related Records Transfer (page 5-6), states:

Prior to the approval of a change of control, NRC regulations require that licensees arrange for the transfer and maintenance of records important to the safe and effective decommissioning of facilities involved in licensed activities.

No change of control or ownership or license termination will be authorized until all required records have been transferred to the new licensee or to NRC, as appropriate.

These regulations require that before licenses are transferred or assigned, all records be transferred to the new licensee. The regulations require that all records of measurements and calculations used to evaluate the release of radioactive effluents to the environment and records of certain disposals be transferred to the new licensee prior to the license being transferred or assigned, unless the existing licensee was only authorized to possess and use unsealed material with a half life of less than 65 days or material in a sealed source form.

3.1. QUESTION: Have the licensing documents in the possession of Uranium One been transferred to Anfield?

DWMRC Response #4:

Please refer to DWMRC response #3.

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3.2. QUESTION: Do these documents include all the Shootaring (or Shootering) Mill documents for the Nuclear Regulatory Commission (NRC) Docket No. 40-8698 that have been indexed to the NRC Public Legacy Library.1 There about 1,025 such NRC records. (Note that the Mill and Canyon are spelled "Shootering" in many NRC, Plateau Resources, and other documents and references.)

DWMRC Response #5:

Please refer to DWMRC response #3.

3.3. QUESTION: Do these documents include the documents that pertain to the disposal of waste from the Hydro-Jet heap leach operation (NRC Docket No. 40-7869, License SUA-1013) in the Shootaring Mill tailings impoundment?

DWMRC Response #6:

Please refer to DWMRC response #3.

3.4. QUESTION: Does the DWMRC intend to accession all the historical Shootaring Canyon Mill and Hydro-Jet Heap Leach documents in their possession? Such records are pertinent to the License Renewal process and any proposals to reopen the Mill.

DWMRC Response #7:

Please refer to DWMRC response #3.

4. NUREG-1556, Vol. 15, Section 5.5, Change of Control, Decommissioning and Related Records Transfer (page 5-6), states:

NRC also requires a description of the status of the licensed facility with regard to ambient radiation levels and fixed and/or removable contamination as a result of NRC licensed activities. The parties must confirm, in writing, that they accept full responsibility for the decommissioning of the site, including any contaminated facilities and equipment.

4.1. QUESTION: Has Anfield complied with this requirement? Which documents were submitted to demonstrate compliance?

DWMRC Response #8:

Please refer to DWMRC response #3.

5. NUREG-1556, Vol. 15, Section 5.5 Change of Control, Decommissioning and Related Records Transfer (page 5-7), states:

The current licensee must document ambient radiation levels and the presence or absence of contamination. The documentation must include, as appropriate, the method and sensitivity of the evaluation. If contamination is present, the documentation should describe how and

when decontamination will occur or indicate that the timing and means of decontamination and/or decommissioning have not yet been determined.

5.1. QUESTION: Has the current licensee complied with this requirement? If so, please cite the documents that have been submitted to demonstrate compliance?

DWMRC Response #9:

Please refer to DWMRC response #3.

6. NUREG-1556, Vol. 15, Section 5.5, Change of Control, Decommissioning and Related Records Transfer (page 5-7), states:

The current licensee must also discuss how the parties agree to assume responsibility for the decontamination and decommissioning of licensed facilities. Those licensees required under 10 CFR 30.35, 40.36, and/or 70.25 to provide evidence of adequate resources to fund any required decommissioning must describe the effect that the change of control will have on financial assurance for decommissioning. As necessary, documents describing financial assurance must be amended to reflect the change in control. This documentation may refer to decontamination plans, including any required financial assurance arrangements of the transferor, that [sic] were previously submitted in support of a decommissioning funding plan.

6.1. QUESTION: Has the current licensee complied with these requirements? If so, please cite the documents that demonstrate compliance with these requirements.

DWMRC Response #10:

The transfer of control could not be completed until the DWMRC received confirmation from Anfield that a surety method had been established for the Shootaring Canyon Uranium Mill. A standby trust agreement and a surety bond have been submitted to the DWMRC. DWMRC staff has reviewed these documents and have issued a letter dated September 28, 2015, approving the surety bond from Anfield. This surety bond is currently in effect. The requirements for final assurance for the Mill are found in License Condition 9.5 of the License.

7. NUREG-1556, Vol. 15, Section 5.5, Decommissioning and Related Records Transfer (page 5-7), states regarding "Response from the Licensee":

If decommissioning will not occur until after the change of control, describe any contamination and confirm that the transferee is knowledgeable of the extent and levels of contamination and applicable decommissioning requirements.

7.1. QUESTION: Has the licensee complied with this requirement? If so, please cite the documents that demonstrate compliance.

DWMRC Response #11:

Please refer to DWMRC response #3.

8. Anfield has submitted a surety to replace the Uranium One surety instrument. However, Anfield will have to submit a new Reclamation Plan. It is likely that the cost of reclamation will increase once that Reclamation Plan is approved.

8.1. QUESTION: Has the DWMRC determined that Anfield will have adequate financial resources to implement a revised Reclamation Plan? Considering Anfield's current limited financial resources and debt, this is an important issue.

DWMRC Response #12:

Yes, DWMRC staff has reviewed and approved the current surety bond. The current value is \$9,346,014, as approved following review of the 2015 annual update on December 15, 2015.

9. If the license is transferred to Anfield, Anfield must submit a License Renewal application, which is overdue.

9.1. QUESTION: How much time will the DWMRC give Anfield to submit the License Renewal application?

DWMRC Response #13:

In a letter (DRC-2015-008220) dated November 17, 2015, Uranium One and Anfield requested an additional six months to submit a RML renewal application. In a letter (DRC-2015-8531) dated December 2, 2015, the Director of the DWMRC gave Anfield until June 30, 2016 to submit a renewal application.

10. The surety arrangement with the current licensee, Uranium One Americas Inc. is a letter of Credit in the amount of \$8,791,724.00. In an April 1, 2015, News Release, Anfield stated: "Anfield expects that the surety bond will be provided with a collateral reduction of 25% of the total reclamation bond with an annual premium of 3% of the bond value. Within twenty four months following closing, the Company will make an additional deposit to cover the remaining amount of the reclamation bonds."

10.1. QUESTION: Was the "Standby Trust Agreement and Surety Payment Bond" for the Shootaring Canyon Uranium Mill, submitted by Anfield on September 9, 2015, for \$8,791,724.00?

DWMRC Response #14:

The current amount in the Shootaring Canyon Mill's surety is \$9,346,014. Anfield's surety had to be in place before the transfer of the RML and GWQDP could occur. Anfield and their financial institution submitted the appropriate documentation on September 9, 2015 and the DWMRC extended approval in a letter dated September 28, 2015. The update detailing

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the current surety amount was submitted on October 26, 2015, with approval extended on December 15, 2015.

10.2. QUESTION: If Anfield received a collateral reduction on their surety bond, how would that impact the bond if that bond must be called in?

DWMRC Response #15:

No reduction to the surety occurred. Please refer to DWMRC response #14.

11. The August 15, 2014, Notice of Change of Control and Ownership Information, Radioactive Material License UT 09004580, Grand Water Quality Discharge Permit, USW 170003, Uranium One Americas, Inc. and Anfield Resources Holding Corp., Shootaring Canyon Uranium Mill, Garfield County, Utah (Application), included Anfield Resources Inc.'s Transaction Presentation (Exhibit 4) and Anfield Resources Inc.'s financial model for operation of the Shootaring Mill (Exhibit 9). These Exhibits were marked "Confidential" and are not available for public review. Anfield claimed confidentiality, based on provisions in Utah Code 63G-2-305(2), which states:

The following records are protected if properly classified by a governmental entity:

(2) commercial information or nonindividual financial information obtained from a person if:

(a) disclosure of the information could reasonably be expected to result in unfair competitive injury to the person submitting the information or would impair the ability of the governmental entity to obtain necessary information in the future;

(b) the person submitting the information has a greater interest in prohibiting access than the public in obtaining access; and

(c) the person submitting the information has provided the governmental entity with the information specified in Section 63G-2-309.

11.1. QUESTION: Did the DWMRC make a determination that Anfield complied with the requirement at 63G-2-309(a)(1)(B) that "a concise statement of reasons supporting the claim of business confidentiality"?

DWMRC Response #16:

During the public hearing held on December 14, 2015 Laura Lockhart of the Utah Attorney Generals Office responded to this question as follows:

"The standard that applies actually is not the one that you cited. DEQ has its own standard, which is spelled out at 19-1-306, Subsection 2. The standard that is included in there is identical to the federal freedom of information standards. The answer to all your questions under Question 11 (so far), is that we do not ordinary consider matters of confidentiality until we get a request. We get a lot of documents that are labeled confidential, under the

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Government Records Access and Management Act (GRAMA), we are allowed to classify those records at any time and ordinarily that is not done ahead of time.

With respect to your last question 11.3 we did not request non-proprietary versions of these. We did consider it after we received your request, but it is clear that all the information in there is of a single type, as all are related to financial issues and it would be meaningless to include a version that did not include the numbers for which confidentiality is being claimed. This is being said without making a determination about whether the documents are entitled to confidentiality as that is a separate question.”

Since the hearing, Ms. Lockhart learned that the questioner had submitted a GRAMA request for records that had been labeled “confidential.” A review of that claim is underway.

11.2. QUESTION: Did the DWMRC make a determination that the records withheld are protected, because 1) disclosure of the information could reasonably be expected to result in unfair competitive injury to the person submitting the information or would impair the ability of the governmental entity to obtain necessary information in the future and 2) the person submitting the information has a greater interest in prohibiting access than the public in obtaining access?

DWMRC Response #17:

Please refer to DWMRC response #16.

11.3. QUESTION: Did the DWMRC request that non-proprietary versions of these documents be submitted to the DWMRC?

DWMRC Response #18:

Anfield did not submit a non-proprietary version of the documents.

11.4. QUESTION: Has the DWMRC reviewed Anfield's financial model and made any specific findings regarding that model and the financial and other information that went into that model? If so, what findings or conclusions were made, and what was the basis for those conclusions?

DWMRC Response #19:

It is not the intent of the DWMRC to interfere with business decisions of Anfield or any other uranium mill licensee. The DWMRC's focus is on the health and safety aspects of the facilities that we regulate and not the financial actions of the proposed transactions. The regulatory requirement that Anfield has to meet is having appropriate financial surety for the Shootaring Canyon Uranium Mill in place when they assume responsibility for the Mill.

12. Anfield's Application cover letter states (pages 1 to 2):

Furthermore, Anfield has entered into the Proposed Transaction with the express intention of recommencing operations at the Shootaring Canyon Uranium Mill in the near to medium

term. As such Ul Americas and Anfield request that concurrent with the Director's approval of the transfer of the Mill Permits from Ul Americas to Anfield, that the Director also approve the extension of the Mill Permits for a further 12 months from and after the closing of the Proposed Transaction, to allow Anfield sufficient time to prepare a formal license renewal application and the related documentation required to recommence operations at the Shootaring Canyon Uranium Mill. We understand that the approval of such an extension may be dependent on the potential economic viability of the recommencement of operations at the Shootaring Canyon Uranium Mill. In a separate letter. Anfield's parent company, Anfield Resources Inc., will submit its proposed strategy and timelines for the development of its uranium assets in the U.S., which includes the recommencement of operations at the Shootaring Canyon Uranium Mill.

12.1. QUESTION: Has Anfield Resources Inc. submitted the letter with its "proposed strategy and timelines for the development of its uranium assets in the U.S., which includes the recommencement of operations at the Shootaring Canyon Uranium Mill"? If so, is there a claim of confidentiality?

DWMRC Response #20:

Anfield provided the DWMRC with a "proposed strategy and timelines" in Exhibit 4. Exhibit 4 has been marked confidential by Anfield and the documents are being reviewed the Utah Attorney General's office to determine if they will be kept confidential. However, the "proposed strategy and timelines" in Exhibit 4 are estimates and not detailed plans on how the Mill will be brought back into operation. The DWMRC expects those details for the Shootaring Canyon Mill to be included in the RML renewal application due on June 30, 2016. Development of any other uranium assets is beyond the regulatory authority of the DWMRC.

12.2. QUESTION: What is the DWMRC's interpretation of the statement in the Application that: "We understand that the approval of such an extension may be dependent on the potential economic viability of the recommencement of operations at the Shootaring Canyon Uranium Mill"?

DWMRC Response #21:

The DWMRC has no interpretation for the cited statement.

12.3. QUESTION: Will the DWMRC take into consideration the above mentioned letter (if such a letter has been or is going to be submitted) regarding Anfield's "proposed strategy and timelines for the development of its uranium assets" when approving the extension and determining the length of the extension of the current license?

DWMRC Response #22:

The DWMRC looked at the regulatory requirements for extending the time for a renewal application. R313-22-36(3) of the Utah Administrative Code states that "A specific license continues in effect, beyond the expiration date if necessary, with respect to possession of

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radioactive material until the Director notifies the licensee in writing that the license is terminated. During this time, the licensee shall:

- (a) limit actions involving radioactive material to those related to decommissioning; and
- (b) continue to control entry to restricted areas until they are suitable for release so that there is not an undue hazard to public health and safety or the environment."

In the request to extend the RML Anfield committed to maintaining staff at the facility. DWMRC staff also determined that as long as the Shootaring Canyon Uranium Mill remains in standby status no additional public health and environmental concerns will occur by transferring the RML.

12.4. QUESTION: What other information might the DWMRC take into consideration, such as the limited financial resources of Anfield, when approving a license extension and determining the length of the extension?

DWMRC Response #23:

The financial resources of Anfield were not considered by the DWMRC in approving an extension to submit a renewal application. (See DWMRC Response #19)

13. Over the past few years Anfield has made some inaccurate and misleading claims regarding the development of the Shootaring Canyon Mill and its uranium assets. The Canadian Securities Commissions have been concerned about Canadian mining companies providing investors with misleading information in their news releases and investor presentations. In 2015 Anfield deleted an investor presentation that contained inaccurate and misleading information from its website.

The presentation, "Shootaring Canyon Uranium Mill and Production Acquisition," claimed that the Mill "is in good condition and should be able to be refurbished relatively quickly and at low cost." Uranium One stated in the November 18, 2007, "Management's Discussion and Analysis of Financial Condition and Results of Operations" that "approximately \$33.0 million would be required to refurbish the [Shootaring Canyon] Mill, including the addition of the vanadium circuit." I do not know if that includes construction of a new tailings impoundment. Clearly, it would take time and money to renew the license, license a new impoundment and active Mill operation, refurbish the Mill, and construct a new tailings cell. It would take time and money to permit, develop, and produce ore from Anfield's mining assets, none of which are currently permitted to operate.

With respect the Velvet Wood Mine Complex, the presentation, under "Permits," stated: "Notice of Intent (NOI) to Commence Large Mining Approved with DOGM." 2 Anfield claimed "the potential to recommence production within 12 months based on current permits in place." The Velvet Mine is on US Bureau of Land Management (BLM) administered lands. Neither the BLM nor DOGM have permitted the Velvet Mine³ to operate. The current DOGM Velvet Mine NOI is for mine reclamation, not operation. It would take 2 to 3 years to obtain all the required permits for the Velvet Mine to operate.

Anfield has made other unsubstantiated claims regarding its cash flow and its intentions. In a June 17, 2014, Interview4 with Corey Dias, CEO and Director of Anfield, claimed that they had approximately \$500,000 in cash. However, Anfield's consolidated interim statements of financial position submitted to the Canadian authorities indicate that Anfield had \$7,399 cash assets as of September 31, 2014, and \$7,492 cash assets as of December 31, 2014. The cash assets of March 31, 2013, were \$469,137; those of December 31, 2013, were \$38,056.

13.1. QUESTION: Has DWMRC verified the information provided by Anfield in the Transaction Presentation and Financial Model for the Shootaring Canyon Mill?

DWMRC Response #24:

Please refer to DWMRC response #19.

13.2. QUESTION: How is DWMRC going to take into consideration Anfield's propensity to make misleading statements to the media and investors?

DWMRC Response #25:

Any statements made by Anfield to the media and investors are not under the regulatory jurisdiction of the DWMRC.

14. Anfield submitted the Anfield Resources Inc. Consolidated Financial Statements for the Years Ended December 31, 2013 and 2012 as Exhibit 6 to the 2014 Application.

14.1. QUESTION: Has the DWMRC looked at and considered Anfield's subsequent Consolidated Financial Statements?

DWMRC Response #26:

Please refer to DWMRC response #19.

15. It is apparent that Anfield has a substantial debt and limited financial resources. In order to obtain all the permits and licenses necessary to produce uranium ore and operate the Mill to process that ore, develop and operate at least one uranium mine, prepare the Mill for operation, maintain mine claims and leases, and other necessary actions, it will take from \$50 to \$100 million. It is not at all apparent where that money is going to come from.

15.1. QUESTION: How is the DWMRC go to take into consideration Anfield limited financial resources, given Anfield's plans to commence operation of the Mill?

DWMRC Response #27:

Please refer to DWMRC response #19.

Sarah Fields

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Uranium Watch
December 7, 2015

Comment from Mr. David Curtis – Owner of Ticaboo Resort- an oral comment from the Public hearing on December 14, 2015.

I am the owner of the Ticaboo Resort and off-shore Marina, located a few miles from the mill. I just want to go on record, from the business side, we are excited to be able to see something happen here. Whether Anfield is able to get the mill going and create some jobs and create some economic basis there or whether down the road it gets decommission, I think this is a positive step that Anfield's coming in and working with Uranium One on the transfer process.

DWMRC Response #28:

Thank you for your interest in this matter and your comment.

Comments from Ms. Sarah Fields, Director of Uranium Watch and Mr. John Weisheit, Conservation Director of Living Rivers, submitted December 24, 2015.

Dear Mr. Anderson:

Below please find Uranium Watch and Living Rivers' Comment on Uranium One/Anfield Transfer of Control Amendment Request.

1. Uranium Watch and Living Rivers (Commenters) primary concern with the transfer of the Shootaring Canyon Mill license to Anfield Resources Holding Corp. (Anfield) is the lack of working capital to carry out Anfield plans to renew the Mill license; amend the license to authorize new activities, such as the refurbishment of the Mill and construction of a new tailings impoundment; operation of the Mill; permitting of uranium mine(s); and operation of uranium mine(s).

There is a large stockpile of ore at the Mill and an ore stockpile in Lisbon Valley. Anfield must submit an application to the Bureau of Land Management (BLM) to remove the stockpile in the Lisbon Valley. The approval process includes compliance with the National Environmental Policy Act. Anfield does not own or control any uranium mines that are permitted to operate.

The current owner, Uranium One Americas Inc. (Uranium One), stated in its November 18, 2007, "Management's Discussion and Analysis of Financial Condition and Results of Operations," that "approximately \$33.0 million would be required to refurbish the [Shootaring Canyon] Mill, including the addition of the vanadium circuit." It is unclear if that estimate includes the construction of a new tailings impoundment and closure of the old impoundment. Anfield does not have the resources necessary to refurbish the Mill. This fact has implications for the future status of the Mill and the reclamation of the Mill.

DWMRC Response #29:

The DWMRC recognizes that the commenters concerns is the financial viability of Anfield. Please refer to DWMRC Response #19;

2. The most recent Anfield filing to the Canadian Securities Administrators provides further evidence of Anfield's lack of resources. The November 30, 2015, "Anfield Resources Inc. Management Discussion and Analysis (Formerly Equinox Copper Corp.) for the Nine Month Period Ended September 30, 2015 and the Subsequent Period Ended November 25, 2015" 1 (pages 15 to 16), with respect "Liquidity and Capital Resources," states:

At September 30, 2015, the Company had a working capital deficit of \$1,504,061 as compared to a deficit of \$1,728,783 at December 31, 2014, which management considers being insufficient to continue operations for the coming year. In addition there are insufficient funds to meet all property commitments and agreements as they now stand. The Company's continuation as a going concern is dependent upon the successful results from its mineral property exploration activities and its ability to attain profitable operations and generate funds there from and/or raise equity capital or borrowings sufficient to meet current and future obligations. These factors indicate the existence of a material uncertainty that casts significant doubt about the Company's ability to continue as a going concern. Management intends to finance operating costs over the next twelve months with loans from directors and companies controlled by directors and or private placement of common shares or the issuance of debt, to meet future commitments or may seek extensions to the exploration schedule, however, there are no guarantees that the Company can do so in the future.

That Management and Analysis (page 21) also states:

The Company has no history of profitable operations and its present business is at an early stage. As such, the Company is subject to many risks common to other companies in the same business, including undercapitalization, cash shortages, and limitations with respect to personnel, financial and other resources and the lack of revenues.

Based on that Analysis, there can be no expectation that Anfield will be able to refurbish and operate the Shootaring Canyon Mill.

DWMRC Response #30:

Please refer to DWMRC response #19.

3. According to the Management and Analysis (page 18), with respect the Mill reclamation bond, states:

An amount of \$9,477,336 (USD \$7,075,807) was paid into a separate trust bank account for reclamation claims, by an arms length party as surety bond, as part of the transaction purchasing the Shootaring Mill. No interest is to be charged against this amount. The Company had to purchase insurance to preserve this amount.

The Company also agreed to replace US\$7.1 million in long-term government reclamation bonds that are currently in place over the Shootaring Mill as a surety. Uranium One has agreed to initially provide the US\$7.1 million cash (USD \$7,075,807 as mentioned above) collateral required for the issuance of the replacement surety bond. The surety bond will be provided with a collateral reduction of 25%. Consequently the full US\$9.4 million required bond amount will be secured by approximately US\$7.1 million (USD \$7,075,807 as above). The Company will be required to pay the 3% annual bond premium and, within 24 months following closing, the Company will replace the surety bond cash collateral and cause the full release of Uranium One's cash collateral.

The Division of Waste Management and Radiation Control (DWMRC) must take a hard look at all of arrangements related to the Shootaring Canyon Mill surety bond. Anfield states that they "will be required to pay the 3% annual bond premium and, within 24 months following closing, the Company will replace the surety bond cash collateral and cause the full release of Uranium One's cash collateral." What if Anfield cannot pay the 3% annual bond premium or, within 24 months, replace the surety bond cash collateral and cause the full release of Uranium One's cash collateral?

The DWMRC must evaluate all contingencies and assure that the required bonding remains in place no matter what Anfield is able to do in compliance with the premium or replacement bonding agreements.

DWMRC Response #31:

The issues brought forward in this comment include several details of the asset purchase agreement between the parties to the sale of the mill. Those agreements do not affect the total surety held by the State; they only define who pays which portions of the premium on the bond. The total surety was approved by letter dated September 28, 2015. Since that time, an updated surety, with an upward adjustment in the surety value to account for inflation, was approved on December 15, 2015.

4. The current uranium market does not support the operation of the only conventional uranium mill in the United States licensed to operate, the White Mesa Mill. The White Mesa Mill is on standby, and all of the permitted uranium mines in Utah have been on standby since 2012 or before. There is no evidence that the current price of uranium will support the operation of a new mill and new mines, even if Anfield has all the capital it needed to refurbish the Mill and permit and operate mines to produce uranium ore.

DWMRC Response #32:

Please refer to DWMRC response #19.

5. The August 15, 2014, Notice of Change of Control and Ownership Information, Radioactive Material License UT 09004580, Grand Water Quality Discharge Permit, USW 170003, Uranium One Americas, Inc. and Anfield Resources Holding Corp., Shootaring

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Canyon Uranium Mill, Garfield County, Utah (Application), included Anfield Resources Inc.'s financial model for operation of the Shootaring Mill (Exhibit 9). Exhibit 9 was marked "Confidential" and is not available for public review. Therefore, the public is not able to comment on one of the more important documents submitted in support of the license transfer. Commenters urge the DWMRC to carefully review Anfield's financial model for the operation of the Mill and compare that information with the current financial information provide [sic] by Anfield to the Canadian Securities Administrators. If the current financial information does not support Anfield's financial model, then the license transfer request should be denied.

DWMRC Response #33:

Please refer to DWMRC response #19.

6. Commenters reasonably foresee a situation where the new Mill owner will not have the funding to refurbish and restart the Mill, or if it does obtain the necessary capital, it will take several years to do so. Even with the necessary capital to process ore and produce uranium concentrate, the current price of uranium would not support such an operation. There is no information on the public record that would support a contrary conclusion.

This means that the Shootaring Canyon Mill will continue to remain on standby indefinitely, without reclamation. The Nuclear Regulatory Commission and Environmental Protection Agency statutes and regulations do not support the authorization of indefinite standby status for a uranium mill and indefinite presence of unreclaimed uranium mill tailings. It has been over 30 years since uranium ore was processed at the Mill and waste from the Hydro-Jet heap leach operation was disposed of along with the processing fluids and mill tailings.

The DWMRC should not approve a license transfer, which, inevitability, will result in continued nonoperational status of the Mill. Another decade or more of standby is not acceptable.

DWMRC Response #34:

Please refer to DWMRC response #19.

Thank you for providing this opportunity for comment.

Sincerely,

Sarah Fields

Director

sarah@uraniumwatch.org

John Weisheit

Conservation Director

Living Rivers

PO Box 466

Moab, Utah 84532

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Additional DRC License Amendments since Close of Public Comment Period

After the public comment period, the DWMRC made an additional changes to the License. Anfield provided the DWMRC a new mailing address. The new address is as follows:

Anfield Resources Holding Corp.
P. O. Box 901537
Sandy, Utah 84090

At the request of Anfield, this address will be on the RML and the Permit

References

- Anfield Resources Holding Corp., August 27, 2015, Shootaring Canyon Uranium Mill Facility Radioactive Materials License UT 0900480 Ground Water Quality Discharge Permit UGW 170003: "Notice of Transaction Completion". (DRC-2015-006557)
- Uranium One Americas Inc. and Anfield Resources Holding Corp., August 15, 2014, Shootaring Canyon Uranium Mill Facility Radioactive Materials License UT 0900480 Ground Water Quality Discharge Permit UGW 170003: "Request to Transfer Radioactive Materials License and Ground Water Discharge Permit". (DRC-2014-004922)
- Uranium One Americas Inc. and Anfield Resources Holding Corp., September 29, 2014, "Response to Request for Additional Information: Shootaring Canyon Uranium Mill Facility Radioactive Materials License UT 0900480 Ground Water Quality Discharge Permit UGW 170003". (DRC-2014-005722)
- Uranium One Americas Inc. and Anfield Resources Holding Corp., November 17, 2015, "Radioactive Materials License (RML) UT 0900480: Request for a Six-Month Extension of the Current Shootaring Canyon Mill RML and the Postponement of the Initiation of the Requirements of Timelines in Decommissioning Pursuant to Utah Administrative Code (UAC) R313-22-36(6)". (DRC-2015-004220)
- Utah Division of Radiation Control, September 16, 2014, "Radioactive Material License Number UT 0900480: Request for Additional Information for Transfer of Control from Uranium One Americas, Inc. to Anfield Resources Holding Corporation". (DRC-2014-005384)
- Utah Division of Radiation Control, October 17, 2014, "Change of Ownership and Transfer of Control of the Shootaring Canyon Uranium Mill Radioactive Material License (RML) Number UT 0900480 and Ground Water Quality Discharge Permit UGW 170003 (Permit)". (DRC-2014-006205)
- Utah Division of Waste Management and Radiation Control, September 28, 2015, "Shootaring Canyon Uranium Mill, Termination of [Uranium One] Surety Bond and Standby Trust Agreement, Radioactive Material License Number UT 0900480". (DRC-2015-006563)
- Utah Division of Waste Management and Radiation Control, December 2, 2015, "Request to Extend Radioactive Material License (RML) Number UT 0900480". (DRC-2015-008531)

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**Attachment 1-Copies of Written Public Comments Received by the DWRC for
the Uranium One/Anfield Resources Transfer of Control**

Comments from Garfield County Commission submitted on November 30, 2015. (DRC-2015-008570)

**Comments from Ms. Sarah Fields submitted on December 7, 2015 for the Public
Hearing held on December 14, 2015. (DRC-2015-009628)**

**Comments from Ms. Sarah Fields, Director of Uranium Watch and Mr. John Weisheit,
Conservation Director of Living Rivers, submitted December 24, 2015. (DRC-2015-
009550)**

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Attachment 2-Transcript of Oral Comments Received at the December 14, 2015
Public Hearing

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Attachment 3-January 11, 2016 Final Radioactive Material License
Amendment 7 and Final Ground Water Quality Discharge Permit UWG 170003

Shootaring Canyon Cross-Examination Hearing Transcript regarding the Shootaring Canyon Mill License transfer from Uranium One to Anfield Resources Inc.

December 14, 2015

Attendees: John Eckersley, Consulting Attorney, Anfield Resources; Russ Topham, Environmental Engineer/DWMRC; Craig Anderson, Utah Attorney General's Office (Hearing Officer); Scott Schierman, Corporate Radiation Safety Officer, Uranium One; Toby Wright, Board of Director, Anfield Resources; and Phil Goble, Uranium Mills/RAD Materials Section Manager, DWMRC.

Telephone Participants: Laura Lockhart, Utah Attorney General's Office; Sarah Fields, Uranium Watch

Phil Goble, Uranium Mills/RAD Materials Section Manager, opened the Hearing at 1:56 p.m. Mr. Goble asked if Laura Lockhart, Utah Attorney General's Office, had anything she wanted to add before the meeting started.

Laura Lockhart mentioned that the questions that Ms. Sarah Fields would be asking are regarding Nuclear Regulatory Commission's NUREG 1556, Vol. 15 and Ms. Lockhart wanted point out the legal status of guidance. Ms. Lockhart stated, "We are prohibited from using guidance as an enforcement tool/enforcement document. We are allowed to use guidance to help us reasonably help interpret a regulatory or statutory requirement. However, it cannot be used directly. In some cases, we may find other parallel ways to meet the same requirements or in some instances the suggestions may not be relevant." Phil Goble clarified that, "most of the questions that Sarah is asking are in regards to the Change of Control Section of the Nuclear Regulatory Commission's NUREG 1556, Volume 15, and that is guidance. We do not follow that in particular; we follow it as a reference and there is no absolute requirement that we follow NUREG 1556, Volume 15."

NOTE:

On December 7, 2015, Ms. Sarah Fields submitted to the DWMRC questions for the December 14, 2015 hearing regarding the authorization of the transfer of the Radioactive Material License (RML) No. UT 0900480 and the Utah Ground Water Discharge Permit No. UGW170003 for the Shootaring Canyon Uranium Mill near Ticaboo, Garfield County, Utah, from Uranium One Americas Inc. to Anfield Resources Holding Corp. (Anfield). For ease of reference, questions numbers 1 through 15.1 were asked by Ms. Fields during the hearing and are show below in the same format presented in the December 7, 2015 questions document where she describes a requirement and then asks a question for that requirement. The questions were answered by individuals from either the DWMRC, Utah Attorney General's Office, Uranium One or Anfield.

QUESTIONS:

1: NUREG-1556, Vol. 15 Section 5, Change of Control (page 5-2), states:

“In the area of materials licensing, there are no categorical foreign ownership, control, or domination limitations. However, under Sections 57c, 63b, and 82b, of the AEA, NRC must make a finding that issuance of the license for special nuclear material, source material, or byproduct material would not be “inimical to the common defense and security, and would not constitute unreasonable risk to the health and safety of the public.” The Commission must make the same finding when consenting to a change of control. As a part of that determination, NRC will consider foreign ownership, control, and domination.

1.1 Question:

Has the DWMRC made any determination that the control of the Shootaring Canyon Mill by a foreign company would not be “inimical to the common defense and security, and would not constitute unreasonable risk to the health and safety of the public”? If not, why not? If so, what is the basis for that determination?

[Phil Goble] “The primary owner of the Shootaring Canyon Mill is actually owned by a Russian Company. The NRC had to sign-off before the Russian company could take over that license. As for Anfield being a Canadian company, that is not a concern. At the Shootaring Canyon Mill facility, they still have a restricted area, with radioactive materials there on-site; and there is no easy access to it. Therefore, the DWMRC has no concerns with Anfield taking over from this perspective.”

2: NUREG-1556, Vol. 15, Section 5.4, Change of Control, Surveillance Records (page 5-5) states:

Prior to the approval of a change of control, licensees or applicants must submit a review of the status of all applicable surveillance requirements and record. This should include an indication of whether the surveillance program is current and if it will be current at the time of transfer.

2.1 Question:

Have the applicants complied with this requirement? What documents were submitted to demonstrate compliance?

[Toby Wright] “The records that Anfield has received and will receive before the transfer of the license, constitutes all those records within Uranium One’s possession. Those records do not necessarily correlate directly to the NRC docket records, although there is a great deal of over-lap. What records have been transferred have been compiled, but at this time, they have not finished the review of all the materials available.”

[Scott Schierman] “The only thing I would like to add to that is that records, as far as the transfer of records, have been transferred to Anfield and the records are available at the Shootaring Mill and the remainder has been transferred to where it was requested by Anfield Records be submitted.”

Sarah Fields commented she has encountered audio problems and did not hear the responses of Mr. Wright and Mr. Schierman and asked for clarification if they have submitted a review of the status of all applicable surveillance requirements.

[Phil Goble] "In the original document sent to DWMRC, they specified that the documents had been transferred to them (Anfield)."

3. NUREG-1556, Vol. 15, Section 5.5, Change of Control, Decommissioning and Related Records Transfer (page 5-6), states:

Prior to the approval of a change of control, NRC regulations require that licensees arrange for the transfer and maintenance of records important to the safe and effective decommissioning of facilities involved in licensed activities. No change of control or ownership or license termination will be authorized until all required records have been transferred to the new licensee or to NRC, as appropriate. These regulations require that before licenses are transferred or assigned, all records be transferred to the new licensee. The regulations require that all records of measurements and calculations used to evaluate the release of radioactive effluents to the environment and records of certain disposals be transferred to the new licensee prior to the license being transferred or assigned, unless the existing licensee was only authorized to possess and use unsealed material with a half-life of less than 65 days or material in a sealed source form.

3.1 Question:

Have the licensing documents in the possession of Uranium One been transferred to Anfield?

3.2 Question:

Do these documents include all the Shootaring (or Shootering) Mill documents for the Nuclear Regulatory Commission (NRC) Docket No. 40-8698 that have been indexed to the NRC Public Legacy Library. There about 1,025 such NRC records. (Note that the Mill and Canyon are spelled "Shootering" in many NRC, Plateau Resources, and other documents and references.)

[Sarah Fields] "This question has to deal with the transfer of the licensing documents and one of the questions has been answered, that the documents have been transferred from Uranium One to Anfield and the second question is in regards to the NRC documents. Do the documents transferred to the Mill include the NRC documents, accession prior to 1999 and wondered what the documents consist of."

[Phil Goble] "Your question 2.1 was talking about surveillance records, your question 3.1 has to deal with licensing documents and Anfield and Uranium One have indicated those documents have been transferred and your 3.2 question you're requesting information pertaining to all the NRC documents associated with the Mill?"

[Sarah Fields] "Right, the overwriting concern is that there a lot of historic records, and I assume that most of the historic records have been transferred to the State of Utah, however, they are not publically available on your eDocs website and with the license renewal coming up I want to

make sure Anfield has all the old documents, because they would inform any license renewal process, any reclamation plan, and I want to make sure they have all the old records, and it would be helpful if those documents were made publically available by the DWMRC.”

[Toby Wright] “I was involved with the transfer of assets from U.S. Energy, when Uranium One acquired it from U.S. Energy. I was involved in transferring those documents to Uranium One, when Uranium One acquired the facility. I am confident that the records that Uranium One received, when it acquired the assets, which do include a significant number of pre-1999 licensing material, have been transferred and/or will be transferred to Anfield by the time the transaction is closed and the license is transferred.”

[Sarah Fields] “Does the DWMRC intend to make available some of these historical documents?”

[Phil Goble] “Whatever documents that they (Anfield) submit as part of the license renewal will be placed on the website and will also be available on our easy-search on the web. However, documents prior to that when the State of Utah took over Agreement State status in August in 2004, the NRC did provide some documents. I would like to say those documents received are comprehensive for every document the NRC used for the Shootaring Canyon Mill, but that is simply not the case. When the electronic document storage began to be utilized, we basically went from that point forward, older dated documents/historic documents were not scanned in; so the answer is no. However, if they submit something as part of the license renewal application, we will include that on-line.”

3.3 Question:

Do these documents include the documents that pertain to the disposal of waste from the Hydro-Jet heap leach operation (NRC Docket No. 40-7869, License SUA-1013) in the Shootaring Mill tailing impoundment?

3.4 Question:

Does the DWMRC intend to accession all the historical Shootaring Canyon Mill and Hydro-Jet Heap Leach documents in their possession? Such records are pertinent to the License Renewal process and any proposals to reopen the Mill.

[Sarah Fields] “Historical Shootaring Documents, what I would like to make sure is that Anfield has copies of the old Hydro-Jet Heap Leach facility and I did send those records to the DWMRC, the electronic copy. Because at some point, I came to understand that neither Uranium One nor the DWMRC was aware that waste from the clean-up of the old Hydro-Jet Heap Leach facility had been disposed of in the tailings impoundment. So, Anfield should be sure to get ahold of all those old documents if the license is transferred to Anfield.”

[Laura Lockhart] “Let me clarify what you are asking, does DWMRC intend to provide all the historical documents to Anfield?”

[Sarah Fields] “Yes, that is question.”

[Toby Wright] "I am sure that some of the records Uranium One has and will transfer to Anfield contains some information about the old Hydro-Jet operations and materials that were collected. Anfield, at this time, has not done a comprehensive of those specific materials, so I cannot speak to their content or the robustness of the information in there, but, I am confident that everything that Uranium One had on that topic is in/or will be shortly within Anfield's possession."

[Sarah Fields] "What you can do is go to the Nuclear Regulatory Commission public document room and they can send you a print-out and then you can order all those records from the old Hyrdo-Jet documents from the NRC, because I got my copies from the NRC from microfiche in Washington, D.C. If they don't have everything, they can get a print-out from the public document room and make sure they have all the pertinent information."

[Toby Wright] "Thanks for that information."

[Scott Schierman] "John Hultquist did send us copies of the Hydro-Jet information also for Uranium One."

4: NUREG-1556, Vol. 15, Section 5.5, Change of Control, Decommissioning and Related Records Transfer (page 5-6), states:

NRC also requires a description of the status of the licensed facility with regard to ambient radiation levels and fixed and/or removable contamination as a result of NRC licensed activities. The parties must confirm, in writing, that they accept full responsibility for the decommissioning of the site, including any contaminated facilities and equipment.

4.1 Question:

Has Anfield complied with this requirement? Which documents were submitted to demonstrate compliance?

[Phil Goble] "In their August 15, 2014 (page 5) document submitted to the State, they actually included a statement talking about that, saying they understand what there is and they accept responsibility."

5. NUREG-1556, Vol. 15, Section 5.5 Change of Control, Decommissioning and Related Records Transfer (page 5-7), states:

The current licensee must document ambient radiation levels and the presence or absence of contamination. The documentation must include, as appropriate, the method and sensitivity of the evaluation. If contamination is present, the documentation should describe how and when decontamination will occur or indicate that the timing and means of decontamination and/or decommissioning have not yet been determined.

5.1 Question:

Has the current licensee complied with this requirement? If so, please cite the documents that have been submitted to demonstrate compliance?

[Scott Schierman] "The contamination levels at the Mill, are included in the current approved decommissioning and reclamation plan for the Shootaring Canyon Mill."

[Sarah Fields] "What is the date of the approved decommissioning and reclamation, when was that submitted and when was it approved?"

[Scott Schierman] "I am not real sure of the date for that plan, it was approximately a 2004/2005 document."

[Phil Goble] "The Division has not approved a revised reclamation plan, since we took over Agreement State status in August of 2004, so that would have been the most current."

[Sarah Fields] "I guess I would have to go back into the license, but I don't think there is a specific reclamation plan that has been incorporated into the license. I will take another look at that."

[Phil Goble] "It should be on our website. If you have problems finding it on our website, go ahead and send me an email and I will send you a location where you can find it."

[Sarah Fields] "Okay. So there still has to be a revision of that plan."

[Phil Goble] "If Anfield chooses to bring the site back on-line and make some changes to the Mill site, then yes, there would be a revised reclamation plan. At its currently situation, being in stand-by for so long, there is no reason to submit a revised reclamation plan. It is my understanding that they did submit a revised reclamation plan in 2012, but I do not remember what it was pertaining to. As stated, before they can come back on line they would have to update the reclamation plan as to what they were going to do for the site. But, where it currently is, there is no reason to submit one."

6. NUREG-1556, Vol. 15, Section 5.5, Change of Control, Decommissioning and Related Records Transfer (page 5-7), states:

The current licensee must also discuss how the parties agree to assume responsibility for the decontamination and decommissioning of licensed facilities. Those licensees required under 10 CFR 30.35, 40.36, and/or 70.25 to provide evidence of adequate resources to fund any required decommissioning must describe the effect that the change of control will have on financial assurance for decommissioning. As necessary, documents describing financial assurance must be amended to reflect the change in control. This documentation may refer to decontamination plans, including any required financial assurance arrangements of the transferor that were previously submitted in support of a decommissioning funding plan

6.1 Question:

Has the current licensee complied with these requirements? If so, please cite the documents that demonstrate compliance with these requirements.

[Phil Goble] "On September 28, 2015, we actually approved the surety for Anfield Resources. The financial assurance surety bond for the Mill site is actually currently in the name of Anfield Resources for a total amount of \$9,346,014. They have adequate financial assurance in a surety bond to take care of this."

7 NUREG-1556 Vol. 15, Section 5.5, Decommissioning and Related Records Transfer (page 5-7), states regarding "Response from the Licensee": If decommissioning will not occur until after the change of control, describe any contamination and confirm that the transferee is knowledgeable of the extent and levels of contamination and applicable decommissioning requirements.

7.1 Question:

Has the licensee complied with this requirement? If so, please cite the documents that demonstrate compliance.

[Toby Wright] "In speaking for Anfield we are aware of the requirement."

8. Anfield has submitted a surety to replace the Uranium One surety instrument. However, Anfield will have to submit a new Reclamation Plan. It is likely that the cost of reclamation will increase once that Reclamation Plan is approved.

8.1 Question:

Has the DWMRC determined that Anfield will have adequate financial resources to implement a revised Reclamation Plan? Considering Anfield's current limited-financial resources and debt, this is an important issue.

[Phil Goble] "In going back to the surety for the site, now that they have shown they can post the amount for the financial assurance for the site, in our eyes, yes. If they were to walk away today, we would have monies available to close the site."

[Sarah Fields] "So any changes they would be required to demonstrate compliance that they have sufficient financial resources for any revised reclamation plan, the revised bond. You are only looking at the situation now."

[Phil Goble] "Correct. If Anfield, chose to lets say construct a new tailing cell, they would have to put that in the reclamation plan and post financial assurance for that additional tailing cell before we would let them actually begin construction. So yes, they would have to submit a new reclamation plan if they decided to do that."

9. If the license is transferred to Anfield, Anfield must submit a License Renewal application, which is overdue.

9.1 Question:

How much time will the DWMRC give Anfield to submit the License Renewal application?

[Phil Goble] "As you know, we have granted at least two extensions for the Shootaring Canyon License Renewal, because Uranium One thought they had a buyer; they were pursuing a buyer. As you know, we have extended it two times, we also on November 17, 2015 we received a combined letter from Uranium One and Anfield Resources and they have asked for another extension. So, the extension they asked for was to submit the license renewal application six months from the date of November 17, 2015. The Division decided that the renewal submittal date would be extended to June 30, 2016. This was done in a letter dated December 2, 2015, and it should be on our website. If you cannot find it on our website, please contact me and I will get you a copy."

[Sarah Fields] "So it is going to be six months from the approval of the transfer."

[Phil Goble] "That is what they asked for, but we gave them a little bit more additional time, June 30, 2016."

10: The surety arrangement with the current licensee, Uranium One Americas Inc. is a letter of Credit in the amount of \$8,791,724.00. In an April 1, 2015, News Release, Anfield stated:

"Anfield expects that the surety bond will be provided with a collateral reduction of 25% of the total reclamation bond with an annual premium of 3% of the bond value. Within twenty four months following closing, the Company will make an additional deposit to cover the remaining amount of the reclamation bonds."

10.1 Question:

Was the "Standby Trust Agreement and Surety Payment Bond" for the Shootaring Canyon Uranium Mill, submitted by Anfield on September 9, 2015, for \$8,791,724.00?

10.2 Question:

If Anfield received a collateral reduction on their surety bond, how would that impact the bond if that bond must be called in?

[Toby Wright] "That is absolute correct."

[Phil Goble] "The amount is actually \$9,346,014. So, what happened is during the state of limbo where they are trying to finish the transaction, Uranium One submitted their updated surety for 2015, and that increased it from \$8.7 million up to the \$9.3 million. The bond exchange that Anfield submitted was actually for the new amount of \$9.3 million, and next year Anfield will need to submit an updated surety for the site."

[Sarah Fields] "Ok, I just want to be sure that if there is a necessity the State can bring in all that money. We had a bad experience here in Moab where the federal government was not able to bring in the surety for the Atlas Mill."

11. The August 15, 2014, Notice of Change of Control and Ownership Information, Radioactive Material License UT 09004580, Grand Water Quality Discharge Permit, USW 170003, Uranium One Americas, Inc. and Anfield Resources Holding Corp.,

Shootaring Canyon Uranium Mill, Garfield County, Utah (Application), included Anfield Resources Inc.'s Transaction Presentation (Exhibit 4) and Anfield Resources Inc.'s financial model for operation of the Shootaring Mill (Exhibit 9). These Exhibits were marked "Confidential" and are not available for public review. Anfield claimed confidentiality, based on provisions in Utah Code 63G-2-305(2), which states: The following records are protected if properly classified by a governmental entity: (2) commercial information or nonindividual financial information obtained from a person if:

- (a) disclosure of the information could reasonably be expected to result in unfair competitive injury to the person submitting the information or would impair the ability of the governmental entity to obtain necessary information in the future;
- (b) the person submitting the information has a greater interest in prohibiting access than the public in obtaining access; and
- (c) the person submitting the information has provided the governmental entity with the information specified in Section 63G-2-309.

11.1 Question:

Did the DWMRC make a determination that Anfield complied with the requirement at 63-G-2-309(a)(1)(B) that a "concise statement of reasons supporting the claim of business confidentiality"?

11.2 Question:

Did the DWMRC make a determination that the records withheld are protected, because 1) disclosure of the information could reasonably be expected to result in unfair competitive injury to the person submitting the information or would impair the ability of the governmental entity to obtain necessary information in the future and 2) the person submitting the information has a greater interest in prohibiting access than the public in obtaining access?

11.3 Question:

Did the DWMRC request that non-proprietary versions of these documents be submitted to the DWMRC?

[Laura Lockhart] "The standard that applies actually is not the one that you cited. DEQ has its own standard, which is spelled out at 19-1-306, Subsection 2. The standard that is included in there is identical to the federal freedom of information standards. The answer to all your questions under Question 11 (so far), is that we do not ordinarily consider matters of confidentiality until we get a request. We get a lot of documents that are labeled confidential, under the Government Records Access and Management Act (GRAMA), we are allowed to classify those records at any time and ordinarily that is not done ahead of time.

With respect to your last question 11.3 we did not request non-proprietary versions of these. We did consider it after we received your request, but it is clear that all the information in there is of a single type, as all are related to financial issues and it would be meaningless to include a version that did not include the numbers for which confidentiality is being claimed. This is being said without making a determination about whether the documents are entitled to confidentiality as that is a separate question."

[Sarah Fields] “So basically any final determination would be made, if someone submitted a GRAMA requests for those documents?”

[Laura Lockhart] “Yes, that is correct; then the normal GRAMA process would apply.”

[Sarah Fields] “I believe I referred to sections and statutes which were included in the application, I guess I should have reviewed it a little further.”

[Laura Lockhart] “If that is the case, Phil and I need to chat.”

11.4 Question

Has the DWMRC reviewed Anfield’s financial model and made any specific findings regarding that model and the financial and other information that went into that model? If so, what findings or conclusions were made, and what was the basis for those conclusions?

[Phil Goble] “It is not the intent of the Division to interfere with business decisions of licensees. The Division’s focus is on the health and safety aspects not the financial actions of the proposed transaction. In the eyes of the Division, in the State of Utah, what’s paramount for us is having appropriate financial surety for the site itself. Yes, we did look at; but did we come to some kind of conclusion, no; because for us, what is most important is to have adequate financial assurance for the site.”

[Sarah Fields] “Okay, their ability or lack of ability to move forward with any other proposals, at this time, is not relevant at this time, you are covering the basis now is what’s important.”

[Phil Goble] “That is correct.”

12. Anfield’s Application cover letter states (pages 1 to 2):

Furthermore, Anfield has entered into the Proposed Transaction with the express intention of recommencing operations at the Shootaring Canyon Uranium Mill in the near to medium term. As such UI Americas and Anfield request that concurrent with the Director’s approval of the transfer of the Mill permits from UI Americas to Anfield, that the Director also approve the extension of the Mill Permits for a further 12 months from and after the closing of the Proposed Transaction, to all Anfield sufficient time to prepare a formal license renewal application and the related documentation required to recommence operations at the Shootaring Canyon Uranium Mill. We understand that the approval of such an extension may be dependent on the potential economic viability of the recommencement of operations at the Shootaring Canyon Uranium Mill. In a separate letter, Anfield’s parent company, Anfield Resources Inc., will submit its proposed strategy and timelines for the development of its uranium assets in the U.S., which includes the recommencement of operations at the Shootaring Canyon Uranium Mill.

12.1 Question:

Has Anfield Resources Inc. submitted the letter with its proposed strategy and timelines for the development of its uranium assets in the U.S., which includes the recommencement of operations at the Shootaring Canyon Uranium Mill? If so, is there a claim of confidentiality? (They indicated that what a future document, letter or report that they would be submitting, and I wonder if they have yet submitted that to the Division?)

[Phil Goble] “So, in the fall of 2014, Anfield Resources talked about their timeline and plan for the Shootaring Canyon Mill. We have not seen anything in writing, at the present moment, but that may have been part of the license renewal, when they were planning on submitting that. We are expecting to see that come June 30, 2016.”

12.2 Question:

What is the DWMRC’s interpretation of the statement in the Application that: “We understand that the approval of such an extension may be dependent on the potential economic viability of the recommencement of operations at the Shootaring Canyon Uranium Mill”?

12.3 Question:

Will the DWMRC take into consideration the above mentioned letter (if such a letter has been or is going to be submitted) regarding Anfield’s proposed strategy and timelines for the development of its uranium assets” when approving the extension and determining the length of the extension of the current license?

12.4 Question:

What other information might the DWMRC take into consideration, such as the limited financial resources of Anfield, when approving a license extension and determining the length of the extension?

[The questions above are relevant to approval of the extension, but depending on the potential economic viability of the commencement of operations, apparently that is not an issue here, since you have already established a date certain for submittal of the license renewal- I think that has been answered.]

[Phil Goble] “Yes and also going back to our position that what is most important for us, for the Mill site itself, is having adequate financial assurance, which they have met.”

13. Over the past few years Anfield has made some inaccurate and misleading claims regarding the development of the Shootaring Canyon Mill and its uranium assets. The Canadian Securities Commissions have been concerned about Canadian mining companies providing investors with misleading information in their news releases and investor presentations. In 2015 Anfield deleted an investor presentation that contained inaccurate and misleading information from its website.

The presentation “Shootaring Canyon Uranium Mill and Production Acquisition,” claimed that the Mill “is in good condition and should be able to be refurbished relatively quickly and at a low cost.” Uranium One stated in the November 18, 2007.

“Management’s Discussion and Analysis of Financial Condition and Results of Operations” that “approximately \$33.0 million would be required to refurbish the [Shootaring Canyon] Mill, including the addition of the vanadium circuit.” I do not know if that includes construction of a new tailing impoundment. Clearly, it would take time and money to renew the license, license a new impoundment and active Mill operation, refurbish the Mill, and construct a new tailings cell. It would take time and money to permit, develop, and produce ore from Anfield’s mining assets, none of which are currently permitted to operate.

With respect the Velvet Wood Mine Complex, the presentation, under “Permits,” stated: “Notice of Intent (NOI) to Commence Large Mining Approved with DOGM.” Anfield claimed “the potential to recommence production within 12 months based on current permits in place.” The Velvet Mine is on US Bureau of Land Management (BLM) administered lands. Neither the BLM nor DOGM have permitted the Velvet Mine to operate. The current DOGM Velvet Mine NOI is for mine reclamation, not operation. It would take 2 to 3 years to obtain all the required permits for the Velvet Mine to operate.

Anfield has made other unsubstantiated claims regarding its cash flow and its intentions. In a June 17, 2014 Interview with Corey Dias, CEO and Direct of Anfield, claimed that they had approximately \$500,000 in cash. However, Anfield’s consolidated interim statements of financial position submitted to the Canadian authorities indicate that Anfield had \$7,399 cash assets as of September 31, 2014, and \$7,492 cash assets as of December 31, 2014. The cash assets of March 31, 2013 were \$469,137; those of December 31, 2013, were \$38,056.

13.1 Question:

Has DWMRC verified the information provided by Anfield in the Transaction Presentation and Financial Model for the Shootaring Canyon Mill?

[Phil Goble] “In response to the 13.1 Question. We did look at the information provided to us; but once again what is important to us is appropriate financial assurance for the site. That’s what is most important.”

[Sarah Fields] “That may be the same answer for Question 2.”

13.2 Question:

How is the DWMRC going to take into consideration Anfield’s propensity to make misleading statements to the media and investors?

[Laura Lockhart] “Obviously surety helps us feel better about that; but, we also need to put this into perspective. The statements were made about matters that are primarily related to stockholders and were resolved by informal means and was not the cause of any action that would be difficult for us to use in any action, before the DWMRC. We do not have any current plans to consider them. But, we would invite anyone who thinks there is a basis for that, and there is value in considering that, and you are welcome to provide us with information and authorities.”

[Sarah Fields] "Okay, hopefully the Canadian securities will be doing their job and that Anfield will take all that into consideration."

14. Anfield submitted the Anfield Resources Inc. Consolidated Financial Statements for the Years Ended December 31, 2013 and 2012 as Exhibit 6 to the 2014 Application. (Apparently the Division is not really taking a look at their financial statements as far as making a determination on the license transferring, as the most important thing is submitting the full surety amount, which they have done.)

14.1 Question:

Has the DWMRC looked at and considered Anfield's subsequent Consolidated Financial Statements?

[Phil Goble] "So our statement is still the same. What is the most important is the financial assurance for this site; adequate surety. So, we did look at the documents you are referring to yes, but like we said, most important is an adequate surety."

15. It is apparent that Anfield has a substantial debt and limited financial resources. In order to obtain all the permits and licenses necessary to produce uranium ore and operate the Mill to process that ore, develop and operate at least one uranium mine, prepare the Mill for operation, maintain mine claims and leases, and other necessary actions, it will take from \$50 to \$100 million. It is not at all apparent where that money is going to come from.

15.1 Question:

How is the DWMRC going to take into consideration Anfield limited financial resources, given Anfield's plans to commence operation of the Mill?

[Phil Goble] "Correct. If Anfield's wants to expand operations or do something else on site they are going to have to post adequate financial assurance for that, through a revised reclamation plan."

[Sarah Fields] "Thank you very much for taking the time to respond to these questions. I realize now that some of them are a little redundant. So, I just want to make a comment that I think my big concern is this...several years ago, the Mill, which has not operated since 1982, was transferred to Uranium One. Uranium One did not do anything with the Mill and that was during the recent boom of the uranium boom/bust cycle on the Colorado Plateau. Now another company has come along and has said they want to re-open the Mill, and this company has even fewer/very limited assets. Maybe they think that by getting the Mill license, there will be a lot of investors jumping on board, and they will have sufficient resources to renew the license, upgrade the Mill, but with Uranium One stating in 2007, that it would cost \$33 million dollars to refurbish the Mill, and I don't know if that includes building a new tailings impoundment. It is pretty apparent that Anfield does not have the financial resources to do anything with the Mill, except reclaim it. I am really concerned with the Mill standing there for another decade (or more) without being reclaimed. I do not think this is what congress had in mind, or the NRC or the EPA with respect of licensing uranium mills. I think that as this goes forward, the Division is

going to have to make a hard decision as to how long this license can remain in effect. Without any changes at the Mill and without reclamation, without operation, just another indefinite/infinite stand-by, and that is my biggest concern. So those will go into comments and go into comments when the license renewals and any new plans come about. This company does not appear to have the funding to carry out this project and I think that is pretty apparent.”

[Phil Goble] “To let everyone know, written comments can be received until the end of business on December 24, 2015. A transcript of this hearing will also be made. These questions will also be responded to in writing. When you have hearings like this, you repeat some of your questions and your written questions we will make sure everything is addressed appropriately. In addition to Sarah, we have someone from the public come in here in this room and wants to make a public comment, his name is David Curtis.”

[David Curtis] “I am the owner of the Ticaboo Resort and off-shore Marina, located a few miles from the Mill. I just want to go on record, from the business side, we are excited to be able to see something happen here. Whether Anfield is able to get the Mill going and create some jobs and create some economic basis there or whether down the road it gets decommissioned, I think this is a positive step that Anfield is coming in and working with Uranium One on the transfer process.”

[Phil Goble] Thank you Mr. Curtis. Craig is there anything you’d like to add?

[Craig Anderson] “The only thing I had to include; you have already covered. The comments, questions and responses that were made today will be included in the public record and that written comments will be received until the close of business on December 24, 2015.”

[Phil Goble] “Okay. That is all we have today. I want to thank everyone for being here today, and I wish all of you a Happy Holiday season and we will go ahead and end this meeting. Thank You.”

Meeting ended at 2:54 p.m.