



State of Utah

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Department of
Environmental Quality

Alan Matheson
Executive Director

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

July 20, 2017

Lauren Kaljur
Unit A 1320 West Fillmore Street
Phoenix, AZ 85007

RE: Response to Email Dated July 13, 2017

Dear Ms. Kaljur:

Your electronic mail dated July 13, 2017 sent to the Division of Waste Management and Radiation Control's Government Records Access Management Act (GRAMA) Specialist contained the following request:

"Could you please confirm for me that, at the Salt Lake City White Mesa Uranium Mill permitting meeting in June of this year, state officials confirmed that Energy Fuels' permit does not require them to inform residents of White Mesa in the event of an accidental release of radioactive waste or other emergencies? Or let me know who can confirm or deny this?"

The Utah Radioactive Materials License issued by the Division does not require Energy Fuels Resources, Inc. (EFRI) to notify residents of Blanding or the residents of the White Mesa Community in the event of an accidental release of radioactive material or any emergency situation that arises. There are specific requirements in the Utah Administrative Code that require EFRI to report radioactive material incidents and releases of radioactive materials that meet certain criteria to the Division Director within specified time frames. EFRI is also required to report accidental releases of radioactive materials or other emergencies when certain conditions are met. The Utah Administrative Code also does not alleviate the licensee from complying with reporting requirements of other federal, state or local agencies. However, the Division does not have the authority to compel compliance with the requirements of other agencies.

Condition 9.2 of the White Mesa Uranium Mill's Radioactive Material License (RML) requires the Mill to notify the Division in accordance with R313-15-1202 and R313-19-50 of the Utah Administrative Code. Due to the kinds and quantities of materials received and processed at the Mill, the typical incident that may occur would require notification to the Division within 24 hours. EFRI would then be required to file a written report with the Division regarding the incident within 30 days.

DRC-2017-005081

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Transportation incidents are required to be reported in accordance with United States Department of Transportation requirements which would mean the shipper is responsible for reporting the incident in compliance with 49 CFR 171.15. The shipper is required to notify the National Response Center as soon as possible but no later than 12 hours after the incident. Please note that the Mill is not the shipper of the materials.

If the incident requires emergency response (e.g., a fire or a chemical spill), the Mill would follow its Emergency Response Plan and contact local emergency responders (fire department, sheriff's department, etc.)

Please note that the radioactive materials received and processed at the Mill are not high level radioactive materials. The final product the Mill produces is yellowcake which must go through conversion and enrichment at other facilities before it becomes concentrated to the point that it can be used as fuel for a nuclear power plant. The Mill is the first step in this process and material at the Mill does not have the same level of hazards found at a nuclear power plant. The material at the Mill cannot cause a fission event to occur, so the emergency response requirements for power plants do not apply to the Mill.

If you have any questions, please call Phil Goble at (801) 536-4044 or Ryan Johnson at (801) 536-4255.

Sincerely,

A handwritten signature in black ink, appearing to read "Scott T. Anderson", with a large, stylized flourish at the end.

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

STA/RMJ/ka