

PUBLIC NOTICE

**Amendment #10 of the 11e.(2) Byproduct License No. UT1900479
And
Modification to Groundwater Quality Discharge Permit No. UGW370004
Energy Fuels Resources Inc.
White Mesa Uranium Mill
San Juan County, Utah**

The Utah Department of Environmental Quality (DEQ), Division of Waste Management and Radiation Control (DWMRC) is requesting public comment regarding a proposed Licensing Action to amend the Energy Fuels Resources (USA) Inc. (Licensee) 11e.(2) Byproduct Radioactive Material License (RML UT1900479) and the Groundwater Quality Discharge Permit (Permit UGW370004) for the White Mesa Uranium Mill site near Blanding, San Juan County, Utah.

Licensee Information:

NAME: Energy Fuels Resources (USA) Inc.
MAILING ADDRESS: 225 Union Boulevard, Suite 600
Lakewood, Colorado 80228
TELEPHONE NUMBER: (303) 389-4160

FACILITY LOCATION: Five Miles South of Blanding, San Juan County, Utah along U.S.
Highway 191

Major proposed changes in the License Amendment include:

- 1) Modified License Condition 10.5. The proposed modification changes the limit of the 5,000 cubic yards of 11e.(2) material from a single source In-Situ Recovery (ISR) (aka ISL) facility to an annual limit of 10,000 cubic yards per year to be placed in the Mill's tailings impoundments. It also allows an unlimited amount of 11e.(2) material from ISR facilities owned by the Licensee and uranium recovery facilities within the State of Utah provided there is adequate volume available in the tailings impoundments.
- 2) New License Condition 10.10 which will authorize the Licensee to accept alternate feed material from Silmet, Estonia. The License is requesting that the uranium material be authorized for receipt and processing at the White Mesa Mill as alternate feed material based on its uranium content.
- 3) New License Condition 10.12 which will authorize the Licensee to accept additional alternate feed material from the Union Pacific Railroad Moffat Tunnel located in Colorado. The License is requesting that the uranium material be authorized for receipt and processing at the White Mesa Mill as alternate feed material based on its uranium content.

The Ground Water Permit Modification proposes to:

- 1) Modify action limits for specific constituents in MW-11, MW-25, and MW-30. The Permittee has submitted three Source Assessment Reports (SAR's) since the last Permit modification (March 19, 2019). The SAR's were required by the Permit and were reviewed and approved by the Director. A copy of the review memorandums and letters can be found on the DWMRC website at: <https://deq.utah.gov/waste-management-and-radiation-control/stipulated-consent->

The draft License, draft Permit and all other documents associated with this licensing/permitting action are available on the DWMRC website at: <https://deq.utah.gov/NewsNotices/notices/waste/index.htm>

Public Comment Information:

- A forty-five day public comment period for the proposed Licensing/Permitting Action.
- Begins on April 20, 2020 by publication of this notice on the DWMRC's webpage.
- Ends at the close of business on June 5, 2020.

Written comments should be directed either by correspondence to the DWMRC mailing address at P.O. Box 144880, Salt Lake City, UT 84114-4850, street address at 195 North 1950 West, Salt Lake City, UT 84116, or by email to dwmrcpublic@utah.gov. Comments sent via email should be identified by putting the following in the subject line: Public Comment on White Mesa RML Renewal. All comments received within the comment period will be considered for inclusion in the final modified RML and Permit.

Public Meeting Information:

On March 18, 2020 Governor Herbert signed an Executive Order prohibiting public meetings during the state of emergency that has been declared due to the COVID-19 virus. See the Governor's Order Attached below. Therefore, an electronic public hearing will be held if requested but no additional public meetings will be held.

Public Hearing Information:

- If requested, an electronic public hearing will be held on Wednesday May 20, 2020 from 1:00 p.m. to 5:00 p.m.
- The purpose of the public hearing is to take comments from the public and includes an opportunity for questions and answers relating to the amendment of the RML and Permit of the Licensee's White Mesa Uranium Mill site.
- A Hearing Officer will manage the hearing, and the hearing will be recorded.
- The purpose of this hearing is to meet the requirements of 42 U.S.C. § 2021(o)(3)(A)(i)(ii).
- Interested persons must submit their questions to the Director at least 15 calendar days before the hearing (May 5, 2020).
- If a question that an interested person would like to ask relies on information that is not in the record, that information should also be provided with the question. Those who submitted questions will be allowed to follow up with additional questions based on the response provided. All questions submitted will be considered part of the record.
- If a public hearing is scheduled, it will be held using Google Meets. Access information to the hearing will be given out to interested individuals. All comments received within the comment period will be considered for inclusion in the final Licensing Action.

Under Utah Code Ann. Section 19-1-301.5, a person who wishes to challenge a Licensing Action (permit/license amendment approval) must do so in an adjudicatory proceeding and may only raise an issue or argument that he or she has previously raised during the public comment period. Further, the issue or argument must be one that is supported by sufficient information or documentation to enable the Director to fully consider the substance and significance of the issue.

After (i) the completion of the forty-five day public comment period, (ii) the holding of the public hearing, and (iii) a DWMRC analysis of the information received from the public during the comment

period, the DWMRC will finalize its review of the proposed License Amendment.

In compliance with the Americans with Disabilities Act, individuals with special needs (including auxiliary communicative aids and services) should contact Larene Wyss, Office of Human Resources, at (801) 536-4281, TDD (801) 903-3978 or by email at lwyss@utah.gov.