



State of Utah

GARY R. HERBERT
Governor

SPENCER J. COX
Lieutenant Governor

Department of
Environmental Quality

L. Scott Baird
Executive Director

DIVISION OF WASTE MANAGEMENT
AND RADIATION CONTROL
Ty L. Howard
Director

May 29, 2020

Manuel Heart, Tribal Chairman
Ute Mountain Ute Tribe
P.O. Box 248
Towaoc, CO 01334-0240

RE: Response to Letter Dated May 20, 2020
Request for Extension of Time Period for Submittal of Public Comments
White Mesa Mill License Amendment #10 of Radioactive Materials License UT 1900479

Honorable Chairman Heart:

The Division of Waste Management and Radiation Control (DWMRC) has reviewed your letter dated May 20, 2020 (received May 26, 2020) requesting the extension of the public comment period for Amendment #10 of the Radioactive Material License (RML) UT 1900479 and the modifications to Groundwater Quality Discharge Permit UGW370004.

The DWMRC followed Utah Administrative Code R313-17-2 and R313-17-4 in planning the public comment period that is currently under way. Below and continuing to the back of this page is a table of the requirements and how the DWMRC met the requirements.

Requirement	DWMRC Actions
R313-17-2(1)(a)(J) the renewal of RML UT 1900479 is a major amendment and requires an opportunity for public comment	Prepared a public notice
R313-17-2(3) requires that the public comment period to be at least 30 days	The DWMRC public comment period is for 45 days: Starting April 20, 2020 and Ending June 5, 2020

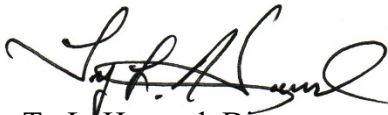
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R313-17-2(5) requires that the public notice for the public comment period to be published in a newspaper and/or placed on the DWMRC web page	It was placed on the DWMRC webpage on April 15, 2020
R313-17-4(3) requires the opportunity for a question and answer hearing for major RML amendments for uranium mill facilities	The notice documents that the hearing will be held on May 20, 2020 from 1:00 to 5:00 p.m.
R313-17-4(4)(a) notice of question and answer hearing at least 30 days prior to hearing	Noticed posted on the DWMRC webpage April 15, 2020, and hearing scheduled for May 20, 2020

The rule requires a minimum public comment period of 30 days. In this matter, the DWMRC anticipated that there would be significant interest in Amendment #10 of the White Mesa Uranium Mill's RML. Therefore, the DWMRC adopted a 45-day comment period to accommodate that significant interest. The radiation control rules also require a public meeting and a formal transcript. The DWMRC believes that the procedures employed meet the purposes of public comment in the rules. Nevertheless, I am willing to grant the Ute Mountain Ute Tribe an accommodation in this matter by extending the public comment period from June 5 to July 10, 2020. As a result, public comments will be accepted by the DWMRC until the close of business on July 10, 2020. These procedures meet the applicable rules and provide the public an increased opportunity to develop and submit comments regarding this matter. We appreciate the opportunity of working with the Tribe as an important and valuable stakeholder.

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

Sincerely,



Ty L. Howard, Director

Division of Waste Management and Radiation Control

TLH/RMJ/as

- c: Kirk Bengé, Health Officer, San Juan Public Health Department
Rick Meyer, Environmental Health Director, San Juan Public Health Department
Russell Seeley, UDEQ District Engineer