

February 18, 2010

Ms. Donna Wichers
Senior Vice President, ISR Operations
Uranium One Americas, Inc.
907 N. Poplar Street, Suite 260
Casper, Wyoming 82601

SUBJECT: SUMMARY OF JANUARY 14, 2010, MEETING AND TELECONFERENCE –
COGEMA MINING, INC., LICENSE RENEWAL APPLICATION AND OPEN
ISSUES RELATED TO NRC'S SAFETY REVIEW

Dear Ms. Wichers:

Enclosed is a summary of the teleconference held on January 14, 2010, between U. S. Nuclear Regulatory Commission (NRC) staff, current NRC licensee staff from Cogema Mining, Inc. (Cogema), represented by Uranium One Americas staff, and prior NRC licensee staff from Cogema, represented by Pathfinder Mines Corporation staff. Uranium One Americas is the parent company of Uranium One Exploration, U.S.A. (Uranium One) that was approved by the NRC to become the parent company of the licensee, Cogema. Uranium One completed the share purchase of Cogema on January 25, 2010. All in attendance actively participated in the meeting. The meeting was publicly noticed on December 29, 2009, on the NRC public website.

If you have any questions regarding this letter or the enclosed meeting summary, please contact me at (301) 415-7777, or by email at ron.linton@nrc.gov.

In accordance with 10 CFR 2.390 of the NRC's "Rules of Practice for Domestic Licensing Proceedings and Issuance of Orders," a copy of this letter will be available electronically for public inspection in the NRC Public Document Room or from the Publicly Available Records component of NRC's Agencywide Documents Access and Management System (ADAMS). ADAMS is accessible from the NRC Web site at <http://www.nrc.gov/reading-rm/adams.html>.

Sincerely,

/RA/

Ron C. Linton, Project Manager
Uranium Recovery Licensing Branch
Decommissioning and Uranium Recovery
Licensing Directorate
Division of Waste Management
and Environmental Protection
Office of Federal and State Materials
and Environmental Management Programs

Docket No.: 040-08502
License No.: SUA-1341

Enclosure: Meeting Summary

cc: Meeting Attendees
G. Mooney (WDEQ)

Ms. Donna Wichers
Senior Vice President, ISR Operations
Uranium One Americas, Inc.
907 N. Poplar Street, Suite 260
Casper, Wyoming 82601

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Docket No.: 040-08502
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DISTRIBUTION:

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Office	DWMEP	DWMEP	DWMEP	DWMEP	DWMEP
Name	RLinton	BGarrett	TOxenber	BVonTill	RLinton
Date	01/26/10	01/26/10	01/28/10	02/16/10	02/18/10

OFFICIAL RECORD COPY

MEETING REPORT

DATE: January 14, 2010

TIME: 10:00 p.m. – 1:00 p.m.

PLACE: U.S. Nuclear Regulatory Commission
Two White Flint North, Rockville, Maryland
Room T8C5c

PURPOSE: Teleconference to Discuss Cogema Mining, Inc.'s Source Materials License Renewal Application and Open Issues Related to U.S. Nuclear Regulatory Commission Safety Evaluation.

ATTENDEES: SEE ATTACHED ATTENDEE LIST

BACKGROUND:

The purpose of this meeting was for Cogema Mining, Inc. (Cogema) and Nuclear Regulatory Commission (NRC) staff to discuss Cogema's Source Materials License Renewal Application and open issues related to NRC's safety evaluation. This meeting was publicly announced on NRC's public webpage on December 29, 2009. The meeting and teleconference started at 10:00 a.m. eastern time in T8C5c. An opening statement was presented by Ron Linton, NRC. Participants introduced themselves.

The meeting was attended by NRC staff, NRC licensee staff from Cogema, (represented by Uranium One Americas staff), and prior NRC licensee staff from Cogema, (represented by Pathfinder Mines Corporation staff). Uranium One Americas is the parent company of Uranium One Exploration, U.S.A. (Uranium One) that was approved by the NRC to become the parent company of the licensee, Cogema. Uranium One completed the share purchase and change of ownership of Cogema on January 25, 2010. All in attendance actively participated in the meeting.

DISCUSSION:

The participants discussed the open issues and confirmatory items as listed below.

2.7 Site Groundwater Hydrogeology

- A. Provide a methodology for differentiating potential contamination caused by Coal Bed Methane (CBM) production water vs. contamination caused by spillages from *in-situ* recovery (ISR) operations in the uppermost aquifer. CBM production water discharges may alter the baseline water quality and interfere with water quality in the overlying aquifer (i.e., the J unit) if they infiltrate into the aquifer. CBM water by Anadarko will be transported through a pipeline for reinjection into a deep aquifer near Midwest, Wyoming (Cogema

Enclosure

License Renewal Application (LRA), p. B-1a). Other companies may discharge CBM production water to reservoirs. Three such reservoirs are permitted within 1.9 km [1.2 mi] of the permit area under the Wyoming Pollution Discharge Elimination System (WYPDES) permit WY0044059 (Cogema LRA, Figure B.1.A), and others may be permitted in the licensed boundary in the future. **This is an open issue.**

Discussion: Cogema understands the issue and will address.

3.1.2 Christensen Ranch Site

- A. Provide a discussion of future mine units in the Heldt Draw and Table Mountain area and the amount of buffer that will be provided between the monitoring well ring and the permit boundary. Figure 3.3 shows future mining areas extending to the border of the permit boundary in both the Heldt Draw and Table Mountain areas. **This is a confirmatory item.**

Discussion: Participants discussed the issue and the possibilities of agreements with adjacent landowners. Cogema and Uranium One understood that if the permit boundary needed to be adjusted to accommodate production outside of the currently permitted area, Cogema would need to apply to NRC and the Wyoming Department of Environmental Quality (WDEQ) for approval. Cogema understands and will confirm this item.

- B. Confirm that the LRA is for operations only at Christensen Ranch Mine Units (MUs) 6 through 12, with the possibility of reentering MUs 5 and 6, and that future uranium recovery at Irigaray or Christensen Ranch MUs will not occur without prior review and approval by the NRC. **This is a confirmatory item.**

Discussion: Participants confirmed that this is the intent of the LRA and that production in other areas would require a licensing action. Cogema understands and will confirm this item.

3.3.1.2 Monitor Wells - Past and Current

- A. Provide a determination of the ability of underlying and overlying monitoring wells to detect an excursion that may be influenced by CBM operations due to possible artificial connections, as suggested by Cogema, between the production zone and the underlying or overlying aquifers. Cogema has shown the locations of CBM wells in LRA figure B.1 and some potential CBM wells appear to be located within future production zones. For those potential or existing CBM wells located within future production zones, the ability of underlying and overlying aquifer monitor wells to detect the excursion should be determined. It is not certain whether such excursions may be detected by monitor wells installed in these aquifers as proposed in the LRA. **This is an open issue.**

Discussion: NRC staff explained that the current one well per three acres in the underlying aquifer or one well per three and one half acres for the overlying aquifer, randomly placed, may not be able to detect an excursion in a timely manner if an excursion occurs due to an artificial connection from CBM wells. Cogema understands the issue and will address.

4.1 Gaseous and Airborne Particulates

- A. Provide a discussion of the emanation of radon in the header houses and methods to control build-up of radon gas and radon progeny (particulates) in the header houses to ensure worker and public exposures are ALARA. The possible buildup of the radon and progeny in the header houses in the wellfields at the Christensen Ranch and Irigaray sites exposure is not discussed. **This is an open issue.**

Discussion: Cogema confirmed that there are ventilation fans in the header houses and fans operate while operations are ongoing. Cogema understands the issue and will address.

- B. Provide a discussion of the release of the build-up of radon progeny from the process facility at the Irigaray site and any alarms or other methods that are used to determine when the exhaust fans are needed to release radon and progeny from the facility. The section states that the process facility is equipped with exhaust fans to remove radon that is released inside the plant on an “as-needed basis.” The description implies that the fans are not used continuously, but only if radon gas concentrations within the building reach an amount that must be lowered for worker protection. The method to determine when the use of fans is needed is not described. If fans are not used continuously and the closed building is constantly supplied with radon, the concentration of short-lived progeny will increase until equilibrium is reached within a few hours. Radon progeny are solids with electrostatic charges that adhere to surfaces or dust particles. **This is an open issue.**

Discussion: Cogema understands the issue and will address.

4.2 Liquid and Solids

- A. Demonstrate that hydraulic control will be maintained in all wellfields if the loss of one or both of the deep disposal wells occurs during production and/or restoration and discuss operational contingency planning if disposal capacity is lost for an extended period. The two deep disposal wells give Cogema a combined effluent capacity of 150 gal/min. If one or both deep disposal wells become inoperable, Cogema may use the evaporation ponds to store liquid effluents temporarily. Cogema should demonstrate or provide a plan for waste water disposal and maintaining hydraulic control of wellfields if one or both wells are lost. **This is an open issue.**

Discussion: Cogema understands the issue and will address.

- B. Confirm the number of licensed deep disposal wells at both the Irigaray site and the Christensen Ranch site. The LRA indicates four wells are permitted at Christensen Ranch (page 4-11) and two are permitted at Irigaray (page 4-14). However, only four wells are listed as approved in SUA-1341, License Amendment 15, LC 10.7. **This is a confirmatory item.**

Discussion: Cogema clarified that the four deep disposal wells licensed in SUA-1341 are located at the Christensen Ranch permit area. Cogema has two deep disposal wells

approved by the WDEQ at the Irigaray permit area, but these wells are not included in NRC license. Cogema understands and will confirm this item.

5.1 Corporate Organization and Administrative Procedures

- A. Provide the current management structure of Cogema. The change of control from Areva, NC, Inc., to Uranium One was approved by the NRC on December 17, 2009 and the sale and ownership change was executed January 25, 2010 and the management structure needs to be updated in the LRA. **This is a confirmatory item.**

Discussion: Cogema understands and will confirm this item.

5.7.1 Effluent Control Techniques

- A. Demonstrate compliance with the requirements of 10 CFR Part 40, Appendix A, Criterion 8, as related to yellowcake stack emission controls. Current license conditions 10.8 B and C are contrary to Criterion 8 requirements. As required in 10 CFR Part 40, Appendix A, Criterion 8, parameters that determine the efficiency of yellowcake stack emission control must be identified and these parameters must be checked and logged hourly. If automated systems are used to satisfy the checking and logging requirements, Cogema must demonstrate how the automated system will meet the hourly requirement. **This is an open issue.**

Discussion: Cogema understands the issue and will address.

- B. Identify the type and locations of human interfaces (alarms, lights, monitoring stations), and how and what frequency the operability of emission control systems are tested and recorded. In the case of inoperability, describe how shutdown is initiated (manually or automatically). **This is an open issue.**

Discussion: Cogema understands the issue and will address.

5.7.3 Airborne Radiation Monitoring Program

- A. Demonstrate that radon and radon progeny exposure in header houses are ALARA and not a danger to human health. The possible build-up of the radon and progeny in the header houses in the wellfields and subsequent exposure is not discussed in section 4.1. There is no discussion of air sampling in the header houses at the Irigaray and Christensen Ranch sites. **This is an open issue.**

Discussion: NRC staff indicated that there was no discussion of the header houses and air monitoring program related to the header houses. Cogema stated that air monitoring is conducted in the header houses occasionally. Cogema understands the issue and will address.

- B. Demonstrate that calculations converting gross alpha measurements of air samples to uranium concentrations are acceptable to use in exposure calculations. The applicant did not include information on the efficiency of the detector, the probe used, or if the lower limit of detection meets NRC criteria. **This is an open issue.**

Discussion: Cogema indicated that much of this discussion is contained in the Site Operating Procedures. Cogema proposed to expand the discussion in the LRA to cover this issue without including the procedure. NRC staff agreed that including the procedure is not needed. Cogema understands the issue and will address.

5.7.4 Exposure Calculations

- A. Provide methodology to calculate dose to the fetus and provide a commitment to perform dose assessment, when necessary. Dose to the fetus is needed for compliance with 10 CFR 20.1208, which specifies the exposure limits to a fetus during pregnancy, and to be in conformance with NRC guidance (NRC, 1992). **This is an open issue.**

Discussion: NRC staff indicated that Cogema should provide a commitment in the LRA. Cogema understands the issue and will address.

- B. Demonstrate that calculations are consistent with requirements in 10 CFR 20.1204(c), (f), (g), and (h). The applicant does not demonstrate that requirements in this subsection are met for concentrations of unknown mixtures. **This is an open issue.**

Discussion: Cogema indicated that the section on dose may need to be expanded. Participants had a discussion on the solubility class and the mixture rule. Cogema indicated that they thought this was done several years ago but may have been left out of the LRA. Cogema understands the issue and will address.

5.7.6 Contamination Control Program

- A. Provide a commitment to conduct beta analysis during periodic surveys of areas with residual uranium contamination. Alpha surveys alone are not sufficient in these areas. U-238 decays to Th-234 and Pa-234m, both of which are beta emitters and are in secular equilibrium within 6 months. They are not alpha emitters and cannot be detected by alpha surveys alone. **This is an open issue.**

Discussion: Participants discussed the need for a commitment or clarification to perform beta surveys on equipment leaving the facility for free release. NRC staff agreed that beta surveys were not required for personnel leaving control areas on a regular basis, but suggested this may be done if personnel have become contaminated. Cogema understands the issue and will address.

5.8.1 Airborne Effluent and Environmental Monitoring Program

- A. Demonstrate that effluent and environmental monitoring program meets the requirements of 10 CFR 40, Appendix A, Criterion 7 and 8. The requirements in 10 CFR 40.31(h), states that applications “must clearly demonstrate how the requirements and objectives set forth in Appendix A of this part have been addressed.” Regulatory Guide 4.14 recommends that effluent and environmental monitoring programs for operational facilities include air particulate sampling where soil samples are collected and analyzed for the same isotopes as the effluent samples. Cogema only describes effluent monitoring in the yellowcake stack and has not provided a description of effluent monitoring at vents or stacks at other locations in the Irigaray and Christensen Ranch sites. 10 CFR 40.65 requires Cogema to report every 6 months 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. Air particulate, soil and vegetation samples are not included in the wellfields, which may be affected by spills (Criterion 7). **This is an open issue.**

Discussion: Cogema asked that NRC staff expand on the open issue. Participants discussed air effluent monitoring at the Irigaray site other than from the yellowcake dryer stack. NRC staff stated it is unclear how Cogema is determining the effluent releases from the vents used to release radon and radon progeny, and what, if any, samples are collected to validate their MILDOS calculations. Criterion 8 requires operations be conducted so that all airborne effluent releases are reduced to ALARA. Further, the licensee is responsible for ensuring that occupational and public doses comply with 10 CFR 20 subparts B, C and D for all aspects of operations in all areas. Please specify radiological monitoring that the applicant will perform during operations to confirm its licensing basis and the validity of calculations used for estimating public and occupational exposure for all aspects of its operations.

In addition, a discussion involved environmental monitoring at Irigaray and Christensen Ranch. It appears an environmental monitoring program for the central processing facility exists, but that the environmental monitoring program at Christensen Ranch is limited. Criterion 7 requires baseline and operational monitoring programs conducted (a) to measure or evaluate compliance with applicable standards and regulations; (b) to evaluate performance of control systems and procedures; (c) to evaluate environmental impacts of operation; and (d) to detect potential long-term effects. Air particulate, soil and vegetation samples are not included in the wellfields, which may be affected by spills. It is unclear how Cogema will determine that an area is free from contamination following a spill. Gamma surveys may indicate background exposure readings whereas the soil concentrations may exceed background concentrations following a spill. Further, no air particulate samples and no baseline samples were collected near the ore bodies (existing and proposed wellfields) according to Figure 5.5. The only monitoring locations at Christensen Ranch appear to be near the evaporation ponds, a background location, and at the nearest residence. It is not clear how the applicant will be able to show long-term radiological effects.

Regulatory Guide 4.14 recommends that the preoperational sampling program include air particulate samples collected continuously at a minimum of three locations at or near the site boundary, at or near the structure with the highest predicted airborne concentration due

to operations, and at a remote location that represents background conditions at the site; such as a location in the least prevalent wind direction from the site and unaffected by operations. Further, preoperational sampling locations should be the same as operational locations so that the applicant can meet requirements in criterion 7 and analyze for natural uranium, thorium-230, radium-226, and lead-210. Radon-222 and surface soil sampling locations should be the same as those for the continuous air particulate samples. With this said, Regulatory Guides are guidance and do not provide legally binding requirements. Additionally, Regulatory Guide 4.14 was prepared for conventional milling operations rather than ISR operations. Therefore, Cogema may propose alternative sampling sites and methods that will enable the regulatory requirements to be met. The NRC staff indicated that Cogema should demonstrate that their environmental monitoring program complies with Criterion 7.

Cogema understands the issue and will address.

5.8.2.2 Mine Unit Groundwater Monitoring

- A. Confirm that Table 5.25, as referenced in 1998 LRA (page 5-77) and in SUA-1341, LC 10.3, is equivalent to Table 5.24 in 2008 LRA (page 5-68) and should be referenced as such in the new license. **This is a confirmatory item.**

Discussion: Cogema understands and will confirm this item.

- B. Confirm that as a basis for determining the groundwater quality restoration goals for a particular mine unit, Cogema collects samples from representative injection or production wells at a density of one well for every three acres of wellfield pattern area. SUA-1341, LC 10.3 states Ore Zone Baseline (restoration) well density will be sampled one well per four acres of pattern area. **This is a confirmatory item.**

Discussion: Cogema understands and will confirm this item.

- C. Confirm that table 5.24 is correct as presented. It appears that the columns may be misplaced when compared to table 5.25 from the 1998 LRA. **This is a confirmatory item.**

Discussion: Cogema understands and will confirm this item.

5.8.2.4 Surface Water Monitoring

- A. Demonstrate that surface water sampling location GS-01 "Down Stream Willow Creek" captures the runoff from the entire Christensen Ranch operation. The sampling location GS-01 appears to be upstream of a large portion of the Heldt Draw and Table Mountain area drainage basins and may not capture runoff from these areas. An additional sampling location may be needed downstream on Willow Creek downstream of these areas. This is an open issue.

Discussion: Participants indicated that the location GS-01 was likely chosen because a water sample could be taken on a regular basis as Willow Creek sampling areas are

somewhat limited. Cogema will investigate further. Cogema understands the issue and will address.

5.10.1.3 Mine Unit Data Submittals

- A. The NRC should be copied on all MU baseline data packages and supplemental information submitted to the WDEQ for their approval of operations in the new MU. **This is a confirmatory item.**

Discussion: Cogema understands and will confirm this item.

6.1 Groundwater Restoration

- A. Provide a commitment to determine and submit preoperational, operational, post-operational, and stability groundwater piezometric surface maps for wells in the production zone, including the monitoring well ring, and piezometric surface maps for monitoring wells located in aquifers both above and below the production zone. Water levels are not shown as one of the analytical parameters on Table 6.1, Restoration Groundwater Monitoring Schedule and Analyses. This information is needed to allow comparison of groundwater levels before and after ISR operations and to evaluate the effects of local CBM operations on ISR operations (see Table 5.24). Additionally, groundwater stability should be considered in the overall stability of the mine unit. **This is a confirmatory item.**

Discussion: Cogema understands and will confirm this item.

6.1.3.1 Restoration Schedule

- A. Provide clarification for compliance with 10 CFR 40.42 (timeliness in decommissioning) for MUs 7 through 12 where restoration is shown as beginning two years after the completion of lixiviant injection as shown in figure 3.14, dated May, 2008. NRC letter dated July 7, 2008, Compliance with 10 CFR 40.42's Timely Decommissioning Requirements (Agencywide Documents Access and Management System (ADAMS) accession number ML081490589) states, "The separate outdoor area provisions (see, e.g., 10 CFR 10.42(d)) mean that the timeliness requirements apply to the CR [Christensen Ranch] facility on a mine unit-by-mine unit basis." Cogema has stated that if a mining unit is located adjacent to an active production area or shares a trunk line with an active production area, restoration may be delayed until the production is accomplished in the adjacent unit or the trunk line is available for restoration. The currently approved LRA shows a one year delay between the end of lixiviant injection and the start of restoration for all mine units except for MU 11 (Figure 3.16 (ADAMS ML0902107721)). This scheduling appears to be in conflict with the requirements of 10 CFR 40.42. **This is an open issue.**

Discussion: NRC staff discussed the need for Cogema to present a more detailed restoration schedule and expanded discussion of compliance with 10 CFR 40.42. This issue is related to the start of restoration at mine units. Cogema understands the issue and will address.

- B. Discuss the MUs that may have restoration extended and methodologies to ensure compliance with 10 CFR 40.42 (timeliness in decommissioning). Cogema stated in the 2008 LRA that restoration of each mining unit is designed to be accomplished within a 3-year period to keep up with its production schedules (COGEMA Mining, Inc., 2009b, Section 6.1.3.1, p. 6–8). Cogema stated that the average historical time span to complete wellfield restoration at Christensen Ranch is about 4 years (COGEMA Mining, Inc., 2009b, Section 6.1.3.1, p. 6–8a). **This is an open issue.**

Discussion: NRC staff discussed the need for Cogema to present a more detailed restoration schedule and expanded discussion of compliance with 10 CFR 40.42. This issue is related to the duration of restoration at MUs. Cogema understands the issue and will address.

- C. Provide confirmation or a methodology that ensures that hydraulic control of the wellfield will be maintained after lixiviant injection and production has ended and prior to active restoration. The LRA does not discuss maintaining an inward hydraulic gradient in wellfields between production and restoration. **This is an open issue.**

Discussion: Cogema understands the issue and will address.

6.2 Decontamination and Decommissioning

- A. Clarify that surface reclamation timing will be in compliance with NRC timeliness in decommissioning rule. Decommissioning of a wellfield should occur in accordance with 10 CFR 40.42 after groundwater restoration approvals have been obtained. **This is a confirmatory item.**

Discussion: Cogema understands and will confirm this item.

7.5 Accidents Involving Radioactivity

- A. Discuss the possible scenario(s) resulting in multiple tank failures, such as a failure that would cause a tank to topple into another tank, and how Cogema will handle possible multiple failures. The applicant identified single tank failures as potential accidents that could pose radiological risk, but has not discussed multiple tank spills. **This is an open issue.**

Discussion: Uranium One participants indicated that they had done a similar analysis for their Moore Ranch application. Cogema understands the issue and will address.

- B. Discuss the possible scenario(s) resulting in a large pipeline failure that is not noticed and contained in a timely manner and discuss how Cogema will handle this possible accident. This should be discussed for in plant failures and in a wellfield or trunk line failures. **This is an open issue.**

Discussion: Uranium One participants indicated that they had done a similar analysis for their Moore Ranch application. Cogema understands the issue and will address.

General:

- A. NRC staff suggests Cogema review the current approved license and the current LRA for accuracy of referenced tables, figures, sections, etc. NRC suggests that Cogema cross reference the current license conditions to the sections/tables in the LRA submitted in 2008, as supplemented.

Discussion: Cogema understood the general item and will look at the license and the LRA for accuracy.

- B. NRC staff suggests that participants should review License SUA-1341 for outdated information and accuracy.

Discussion: NRC staff and participants discussed items in the license that may need to be changed for accuracy and discussed possible outdated information.

- C. NRC staff will be reviewing consistency of generic license conditions among NRC ISR licenses. NRC staff may propose some minor wording changes based on this review.

Discussion: Cogema understood the general item.

PUBLIC DISCUSSION:

There were no members of the public in attendance.

ACTION ITEMS:

NRC will provide a detailed meeting summary of the issues discussed.

The meeting and teleconference ended at approximately 1:00 p.m. eastern time.

ATTACHMENTS: Attendee List
 Meeting Agenda



MEETING ATTENDEES

Date: January 14, 2010

Topic: Discuss Cogema Mining, Inc. Application for Change of Control

NAME	AFFILIATION	PHONE NUMBER	E-MAIL
Ron Linton	NRC	301-415-7777	ron.linton@nrc.gov
Tanya Oxenberg	NRC	301-415-6142	tanya.oxenberg@nrc.gov
Tom Hardgrove	Pathfinder Mining Corp.	307-234-5019 x304	tom.hardgrove@areva.com
Donna Wichers	Cogema, Uranium One Americas	307-234-8235 x333	donna.wichers@uranium1.com
Mike Griffin	Cogema, Uranium One Americas	307-234-8235 x329	mike.griffin@uranium1.com
Jon Winter	Cogema, Uranium One Americas	307-234-8235 x331	jon.winter@uranium1.com

MEETING AGENDA
Cogema Mining, Inc.
January 14, 2009

MEETING PURPOSE: Teleconference to Discuss Cogema Mining, Inc.'s Source Materials License Renewal Application and Open Issues Related to NRC Safety Evaluation.

MEETING PROCESS:

<u>Time</u>	<u>Topic</u>	<u>Lead</u>
10:00 a.m. (eastern)	Introductions	All
	Discussion of Health Physics (HP) Open Issues	All
	Discussion of Hydrology Open Issues	All
1:00 p.m.	Lunch Break	
1:45 p.m.	Resume	
	Continuation of HP/Hydrology Open Issues (if needed)	All
	Discussion of Additional Items	All
	Summary of Action Items	Moderator
	Public Comment/Questions	Moderator
4:00 p.m.	Adjourn	