



State of Utah

Department of Environmental Quality

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December 23, 2003

Paul Lohaus, Director
NRC Office of State and Tribal Programs
Washington, D.C. 20555-0001

Dear Mr. Lohaus:

Thank you for the recent opportunity to discuss the status of the pending Agreement for Utah to regulate uranium mills and tailings. As a result of the discussion, we wish to emphasize the following points:

- The Division of Radiation Control has trained and qualified at least two staff in the areas of health physics, engineering, and hydrogeology. These staff will be available upon the effective date of the Agreement to perform all necessary functions of the uranium mills regulatory program as stated in the application. These staff will serve as mentors to the new staff and will fulfill needed responsibilities in the uranium mill program until new staff is fully trained.
- The Division of Radiation Control has initiated the recruitment process to hire two new technical staff (an engineer and a health physicist) to staff the program. In addition, a support staff (office technician) will be hired. Currently, a hydrogeologist is functioning full-time in the uranium mills regulatory program and will continue that role. We anticipate having the new staff on board as soon as possible, hopefully well in advance of the signing of the Agreement.
- The impact to the existing program of using existing staff until new staff is fully trained is anticipated to be minimal. Staff have been fully engaged in addressing many of the uranium mill issues in concert with NRC staff and have participated in and have accompanied NRC on inspections of the Envirocare facility and International Uranium, especially over the last year
- Staff is already fully engaged at the Envirocare facility in all areas of responsibility. State staff has also been fully engaged with International Uranium to address groundwater issues, including a release of chloroform from the facility. As Plateau Resources and Rio Algom have moved towards completion of reclamation/decommissioning plans and/or groundwater cleanups, state staff has been involved in these projects as well. It is anticipated that upon transfer of the Agreement, a reclamation plan for Plateau Resources and a major modification to a groundwater cleanup plan (alternate concentration limits) for Rio Algom will have been approved by the NRC and implemented by these licensees that will lessen the state plan review workload for those facilities.

If we can provide further clarification, please do not hesitate to contact me.

Sincerely,

William J. Sinclair
Deputy Director

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