

**PERFORMANCE BOND**

Date bond executed: May 1, 1997

Effective Date: May 1, 1997

Principal: International Uranium (USA) Corporation

Type of organization: Corporation

State of incorporation: Delaware

Surety(ies): National Union Fire Insurance Company of Pittsburgh, PA , 70 Pine Street, New York, New York 10270

**CANCELLED**

NRC Source Material License Number, name, address, and reclamation, decommissioning, stabilization, and long-term surveillance and control amount(s) for each uranium recovery facility guaranteed by this bond:

License Number: **SUA-1358**

Name: **White Mesa Uranium Mill  
6425 South Highway 191  
P.O. Box 989  
Blanding, Utah 84511**

Total penal sum of bond: **Ten Million Nine Hundred Fifteen Thousand Four Hundred Sixty-Seven Dollars (\$10,915,467.00)**

Surety's bond number: **18-23-17**

Know All Persons By These Present, That we, the Principal and Surety(ies) hereto are firmly bound to the U. S. Nuclear Regulatory Commission (hereinafter called NRC), in the above penal sum for the payment of which we bind ourselves, our heirs, executors, administrators, successors, and assigns jointly and severally; provided that, where the Surety(ies) are corporations acting as co-sureties, we, the Sureties, bind ourselves in such sum "jointly and severally" only for the

purpose of allowing a joint action or actions against any or all of us, and for all other purposes each Surety binds itself, jointly and severally with the Principal, for the payment of such sum only as is set forth opposite the name of such Surety, but if no limit of liability is indicated, the limit of liability shall be the full amount of the penal sum.

WHEREAS, the NRC, an agency of the United States Government, pursuant to the Atomic Energy Act of 1954, as amended, the Energy Reorganization Act of 1974, and the Uranium Mill Tailings Radiation Control Act of 1978, has promulgated regulations in Title 10, Chapter I of the Code of Federal Regulations, Part 40, Appendix A, Criteria 9 and 10. These regulations, applicable to the Principal, require that a licensee of a uranium recovery facility shall provide assurance that funds will be available when needed in accordance with the approved Reclamation and Decommissioning Plan and also for the long-term surveillance and control of the uranium recovery facility.

WHEREAS, said Principal is required under these regulations, to have license in order to own or operate each uranium recovery facility identified above, and

WHEREAS, said Principal is required to provide financial assurance for decommissioning, reclamation and long-term surveillance and control as a condition of the license, and

WHEREAS, said Principal shall establish a standby trust fund when a surety bond is used to provide such financial assurance;

NOW, THEREFORE, the conditions of the obligation are such that if the Principal shall faithfully perform reclamation and decommissioning and make arrangements to transfer funds for long-term surveillance and control to an approved regulatory authority, whenever required to do so, of each uranium recovery facility for which this bond guarantees reclamation and decommissioning in accordance with license conditions, pursuant to all applicable laws, statutes, rules, and regulations, as such laws, statutes, rules, and regulations may be amended;

Or, if the Principal shall provide alternate financial assurance, and obtain the NRC's written approval of such assurance, within 30 days after the date of notice of cancellation is received by both the Principal and the NRC from the Surety(ies), then this obligation shall be null and void, otherwise it is to remain in full force and effect.

The Surety(ies) shall become liable on this bond obligation only when the Principal has failed to fulfill the conditions described above.

Upon notification by NRC that the Principal has been found in violation of the license conditions of 10 CFR Part 40, Appendix A, for a uranium recovery facility for which this bond guarantees

performance of reclamation, decommissioning, and long-term surveillance and control, the Surety(ies) or their agents shall either perform in accordance with license requirements, or place the amount guaranteed for the uranium recovery facility into the standby trust fund, as directed by the NRC.

Upon notification by the NRC that the Principal has failed to provide alternate financial assurance and obtain written approval of such assurance from the NRC during the 90 days following receipt by both the Principal and the NRC of a notice of cancellation of the bond, the Surety(ies) shall place funds in the amount guaranteed for the uranium recovery facility(ies) into the standby trust fund, as directed by the NRC.

The Surety(ies) hereby waive(s) notification of amendments to decommissioning and reclamation plans, permits, applicable laws, statutes, rules, and regulations and agrees that no such amendment shall in any way alleviate its (their) obligation on this bond.

The liability of the Surety(ies) shall not be discharged by any payment or succession of payments hereunder, unless and until such payment or payments shall amount in the aggregate to the penal sum of the bond, but in no event shall the obligation of the Surety(ies) hereunder exceed the amount of said penal sum.

The Surety(ies) may cancel the bond by sending notice of cancellation by certified mail to the uranium recovery licensee and to the NRC, provided, however, that cancellation shall not occur during the 90 days beginning on the date of receipt of the notice of cancellation by both the Principal and the NRC, as evidenced by the return receipts.

The Principal may terminate this bond by sending written notice to the Surety(ies), provided, however, that no such notice shall become effective until the Surety(ies) receive(s) written authorization for termination of the bond from the NRC.

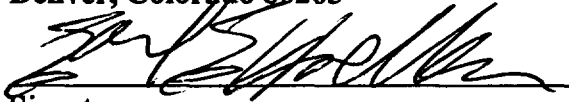
In Witness Whereof, The Principal(s) and Surety(ies) have executed this Performance Bond and have affixed their seals on the date set forth above.

The persons whose signatures appear below hereby certify that they are authorized to execute this surety bond on behalf of the Principal and Surety(ies).

**CANCELLED**

**PRINCIPAL:**

**International Uranium (USA) Corporation  
1050 Seventeenth Street, #950  
Denver, Colorado 80265**

  
\_\_\_\_\_  
Signature

**Earl E. Hoellen, President**  
Name and Title

**CANCELLED**

**(Corporate Seal)**

**SURETY**

**National Union Fire Insurance Company of  
Pittsburgh, PA  
70 Pine Street  
New York, New York 10270**

  
\_\_\_\_\_  
Signature

**Ava M. Schaefer, Attorney-In-Fact**  
Name and Title

**CANCELLED**

**(Corporate Seal)**

American Home Assurance Company  
National Union Fire Insurance Company of Pittsburgh, Pa.  
Principal Bond Office: 70 Pine Street, New York, N.Y. 10270

POWER OF ATTORNEY

No. 02-B-54926

KNOW ALL MEN BY THESE PRESENTS:

That American Home Assurance Company, a New York corporation, and National Union Fire Insurance Company of Pittsburgh, Pa., a Pennsylvania corporation, does each hereby appoint

—James H. Godfrey Jr., Phillip S. McCrorie, Ava M. Schaefer: of Lexington, Kentucky—

its true and lawful Attorney(s)-in-Fact, with full authority to execute on its behalf bonds, undertakings, recognizances and other contracts of indemnity and writings obligatory in the nature thereof, issued in the course of its business, and to bind the respective company thereby.

IN WITNESS WHEREOF, American Home Assurance Company and National Union Fire Insurance Company of Pittsburgh, Pa. have each executed these presents

this 20th day of May, 1996.



*[Signature]*

Kristian P. Moor, President  
National Union Fire Insurance Company of Pittsburgh, PA.  
Executive Vice President  
American Home Assurance Company

STATE OF NEW YORK }  
COUNTY OF NEW YORK }ss.

On this 20th day of May, 1996, before me came the above-named officer of American Home Assurance Company and National Union Fire Insurance Company of Pittsburgh, Pa., to me personally known to be the individual and officer described herein, and acknowledged that he executed the foregoing instrument and affixed the seals of said corporations thereto by authority of his office.

*Carol Ragab*

CAROL RAGAB  
Notary Public, State of New York  
No. 01RA5052011  
Qualified in Kings County  
Commission Expires Nov. 13, 1997

CERTIFICATE

Excerpts of Resolutions adopted by the Boards of Directors of American Home Assurance Company and National Union Fire Insurance Company of Pittsburgh, Pa. on May 18, 1976:

"RESOLVED, that the Chairman of the Board, the President, or any Vice President be; and hereby is, authorized to appoint Attorneys-in-Fact to represent and act for and on behalf of the Company to execute bonds, undertakings, recognizances and other contracts of indemnity and writings obligatory in the nature thereof, and to attach thereto the corporate seal of the Company, in the transaction of its surety business;

"RESOLVED, that the signatures and attestations of such officers and the seal of the Company may be affixed to any such Power of Attorney or to any certificate relating thereto by facsimile, and any such Power of Attorney or certificate bearing such facsimile signatures or facsimile seal shall be valid and binding upon the Company when so affixed with respect to any bond, undertaking, recognizance or other contract of indemnity or writing obligatory in the nature thereof;

"RESOLVED, that any such Attorney-in-Fact delivering a secretarial certification that the foregoing resolutions still be in effect may insert in such certification the date thereof, said date to be not later than the date of delivery thereof by such Attorney-in-Fact."

I, Elizabeth M. Tuck, Secretary of American Home Assurance Company and of National Union Fire Insurance Company of Pittsburgh, Pa. do hereby certify that the foregoing excerpts of Resolutions adopted by the Boards of Directors of these corporations, and the Powers of Attorney issued pursuant thereto, are true and correct, and that both the Resolutions and the Powers of Attorney are in full force and effect.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the facsimile seal of each corporation



**CANCELLED** this 1st day of May, 19 97.  
*Elizabeth M. Tuck*  
Elizabeth M. Tuck, Secretary

**RIDER TO  
CORPORATE SURETY BOND**

Principal: INTERNATIONAL URANIUM (USA) CORPORATION  
Bond Number: 18-23-17  
Surety: NATIONAL UNION FIRE INSURANCE COMPANY  
OF PITTSBURGH, PA.  
Date: May 1, 1997  
Project: WHITE MESA URANIUM MILL, Blanding, UT  
License Number: SUA-1358

Effective April 15, 2004 , Bond Number 18-23-17, consisting of a performance bond for White Mesa Uranium Mill, Blanding, UT, given to U.S. Nuclear Regulatory Commission, as Obligee is hereby amended as follows:

In consideration of the agreed premium charged for this bond, it is understood and agreed that the amount of said bond is increased

from:

*Ten Million Five Hundred Twenty Two Thousand Nine Hundred Fourteen and NO/100* \_\_\_\_\_  
*(\$10,522,914.00)*

to:

*Ten Million Six Hundred Eighteen Thousand Eight Hundred Ninety Five and NO/100* \_\_\_\_\_  
*(\$10,618,895.00)*

All other terms and conditions of said bond remain unchanged.

Signed, sealed and delivered this 15<sup>th</sup> day of April, 2004.

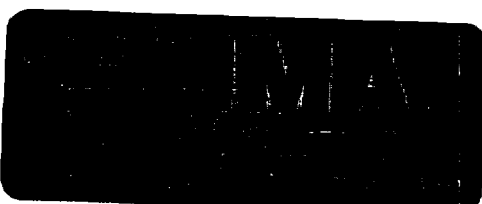
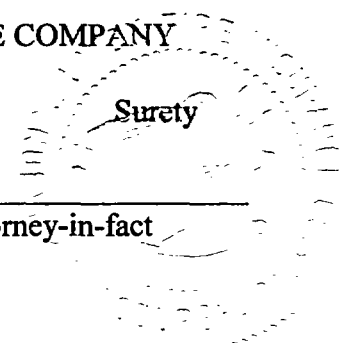
INTERNATIONAL URANIUM (USA) CORPORATION  
Principal

**CANCELLED**

By: \_\_\_\_\_

NATIONAL UNION FIRE INSURANCE COMPANY  
OF PITTSBURGH, PA

By: *Sheryll Shaw* \_\_\_\_\_  
Sheryll Shaw Attorney-in-fact



American Home Assurance Company  
National Union Fire Insurance Company of Pittsburgh, Pa.  
Principal Bond Office: 70 Pine Street, New York, N.Y. 10270

POWER OF ATTORNEY

No. 23-B-40987

KNOW ALL MEN BY THESE PRESENTS:

That American Home Assurance Company, a New York corporation, and National Union Fire Insurance Company of Pittsburgh, Pa., a Pennsylvania corporation, does each hereby appoint

---Robert L. Cohen, Sheryll Shaw, Conrad Pobuda, Doug Koeltzow, Sarah Finn, Nicole L. McCollam: of Denver, Colorado---

its true and lawful Attorney(s)-in-Fact, with full authority to execute on its behalf bonds, undertakings, recognizances and other contracts of indemnity and writings obligatory in the nature thereof, issued in the course of its business, and to bind the respective company thereby.

IN WITNESS WHEREOF, American Home Assurance Company and National Union Fire Insurance Company of Pittsburgh, Pa. have each executed these presents

this 29th day of August, 2000.



*Lawrence W. Carlstrom*  
Lawrence W. Carlstrom, Senior Vice President  
National Union Fire Insurance Company of Pittsburgh, PA.  
Vice President, American Home Assurance Company

STATE OF NEW YORK     }  
COUNTY OF NEW YORK }ss.

On this 29th day of August, 2000 before me came the above named officer of American Home Assurance Company and National Union Fire Insurance Company of Pittsburgh, Pa., to me personally known to be the individual and officer described herein, and acknowledged that he executed the foregoing instrument and affixed the seals of said corporations thereto by authority of his office.

*Lara A. Bruzese*  
LARA A. BRUZZESE *CA 111101*  
NOTARY PUBLIC STATE OF NEW YORK  
No. 01BR5021984 — *OICASD1381*  
QUALIFIED IN RICHMOND COUNTY  
CERTIFICATE FILED NEW YORK COUNTY  
COMMISSION EXPIRES DECEMBER 13, 2001

CERTIFICATE

Excerpts of Resolutions adopted by the Boards of Directors of American Home Assurance Company and National Union Fire Insurance Company of Pittsburgh, Pa. on May 18, 1976:

"RESOLVED, that the Chairman of the Board, the President, or any Vice President be, and hereby is, authorized to appoint Attorneys-in-Fact to represent and act for and on behalf of the Company to execute bonds, undertakings, recognizances and other contracts of indemnity and writings obligatory in the nature thereof, and to attach thereto the corporate seal of the Company, in the transaction of its surety business;

"RESOLVED, that the signatures and attestations of such officers and the seal of the Company may be affixed to any such Power of Attorney or to any certificate relating thereto by facsimile, and any such Power of Attorney or certificate bearing such facsimile signatures or facsimile seal shall be valid and binding upon the Company when so affixed with respect to any bond, undertaking, recognizance or other contract of indemnity or writing obligatory in the nature thereof;

"RESOLVED, that any such Attorney-in-Fact delivering a secretarial certification that the foregoing resolutions still be in effect may insert in such certification the date thereof, said date to be not later than the date of delivery thereof by such Attorney-in-Fact."

I, Elizabeth M. Tuck, Secretary of American Home Assurance Company and of National Union Fire Insurance Company of Pittsburgh, Pa. do hereby certify that the foregoing excerpts of Resolutions adopted by the Boards of Directors of these corporations, and the Powers of Attorney issued pursuant thereto, are true and correct, and that both the Resolutions and the Powers of Attorney are in full force and effect.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the facsimile seal of each corporation

this 15th day of April, 2004



**CANCELLED**

*Elizabeth M. Tuck*  
Elizabeth M. Tuck, Secretary