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**From:** Stephen Cohen  
**Sent:** Sunday, July 13, 2008 10:02 AM  
**To:** Betty Garrett  
**Subject:** Can you make sure these are docketed? Thanks AGAIN  
**Attachments:** FW: Nuclear Regulatory Commission (NRC) Surety; RE: Catchment Basin Report and Surety;  
RE: Catchment Basin Report and Surety; Catchment Basin Report and Surety; Images of  
Spill; Spill of Pumpback Fluid

Received: from HQCLSTR01.nrc.gov ([148.184.44.79]) by TWMS01.nrc.gov  
([148.184.200.145]) with mapi; Sun, 13 Jul 2008 10:02:10 -0400  
Content-Type: application/ms-tnef; name="winmail.dat"  
Content-Transfer-Encoding: binary  
From: Stephen Cohen <Stephen.Cohen@nrc.gov>  
To: Betty Garrett <Betty.Garrett@nrc.gov>  
Date: Sun, 13 Jul 2008 10:02:03 -0400  
Subject: Can you make sure these are docketed? Thanks AGAIN  
Thread-Topic: Can you make sure these are docketed? Thanks AGAIN  
Thread-Index: Acjk8QcJApPjxTt7SvWHITHk5ChPtA==  
Message-ID:  
<3AF7DEF82ADA8944AD8247B7ED7FD65169790EFFCE@HQCLSTR01.nrc.gov>  
Accept-Language: en-US  
Content-Language: en-US  
X-MS-Has-Attach: yes  
X-MS-Exchange-Organization-SCL: -1  
X-MS-TNEF-Correlator:  
<3AF7DEF82ADA8944AD8247B7ED7FD65169790EFFCE@HQCLSTR01.nrc.gov>  
MIME-Version: 1.0

## Betty Garrett

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**From:** Paulson, Oscar (RTEA) [Oscar.Paulson@riotinto.com]  
**Sent:** Tuesday, June 03, 2008 12:53 PM  
**To:** Stephen Cohen  
**Cc:** Schutterle, Shelley (RTEA)  
**Subject:** FW: Nuclear Regulatory Commission (NRC) Surety

Stephen Cohen:

Below the horizontal line please find an e-mail from Jack Welch Rio Tinto Shared Services/Treasury Services – Manager, Cash and Investments. The surety will be replaced but not until closer to the expiry date since there will be no pro rata return of the unused premium. There was an article about Wachovia Corp in the Tuesday, June 3, 2008 Wall Street Journal on the front page.

Oscar Paulson

Facility Supervisor  
Kennecott Uranium Company  
Sweetwater Uranium Project  
P.O. Box 1500  
42 Miles Northwest of Rawlins  
Rawlins, Wyoming 82301-1500

Telephone: (307)-324-4924  
Fax: (307)-324-4925  
Cellular: (307)-320-8758

E-mail: [oscar.paulson@riotinto.com](mailto:oscar.paulson@riotinto.com)

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**From:** Welch, Jack (RTSS)  
**Sent:** Monday, June 02, 2008 5:07 PM  
**To:** Paulson, Oscar (RTEA)  
**Subject:** RE: Nuclear Regulatory Commission (NRC) Surety

Oscar,

We will replace this but not until it gets closer to the expiree date. LC will not return a pro rata % of the premium so we want to use up what we have paid for. Fee free to remind me as we get closer.

Jack R. Welch

Rio Tinto Shared Services  
Treasury Services  
Manager, Cash and Investments  
Tel: 801-252-3526  
Fax: 801-252-3527  
E-mail: [jack.welch@riotinto.com](mailto:jack.welch@riotinto.com)

**Global Services and Solutions, Delivered Locally**

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## Betty Garrett

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**From:** Paulson, Oscar (RTEA) [Oscar.Paulson@riotinto.com]  
**Sent:** Wednesday, May 28, 2008 10:30 AM  
**To:** Stephen Cohen  
**Cc:** Kenneth Kline; Schutterle, Shelley (RTEA)  
**Subject:** RE: Catchment Basin Report and Surety

Stephen Cohen:

Thank you! Can you provide me with a scanned copy of the letter?

Oscar Paulson

Facility Supervisor  
Kennecott Uranium Company  
Sweetwater Uranium Project  
P.O. Box 1500  
42 Miles Northwest of Rawlins  
Rawlins, Wyoming 82301-1500

Telephone: (307)-324-4924  
Fax: (307)-324-4925  
Cellular: (307)-320-8758

E-mail: [oscar.paulson@riotinto.com](mailto:oscar.paulson@riotinto.com)

---

**From:** Stephen Cohen [mailto:Stephen.Cohen@nrc.gov]  
**Sent:** Wednesday, May 28, 2008 4:39 AM  
**To:** Paulson, Oscar (RTEA)  
**Cc:** Kenneth Kline  
**Subject:** RE: Catchment Basin Report and Surety

Oscar:

The letter was from Wachovia Bank, Standby Letter of Credit Department in the amount of \$8,575,000, and it was dated April 24, 2008. Our financial person, Ken Kline, contacted Wachovia and could not get a reason for this action.

Steve

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**From:** Paulson, Oscar (RTEA) [mailto:Oscar.Paulson@riotinto.com]  
**Sent:** Tuesday, May 27, 2008 10:38 PM  
**To:** Stephen Cohen  
**Cc:** Schutterle, Shelley (RTEA)  
**Subject:** Catchment Basin Report and Surety

Stephen Cohen:

I do not know anything about why the surety will not be extended beyond October 2008. This is the first I have heard about it. The following is being done:

- I made some telephone calls this evening regarding the surety and why it might not be extended and found out nothing.

- I will e-mail Jack R. Welch Rio Tinto Shared Services, Treasury Services Manager, Cash and Investments about it immediately

Could you please e-mail to me the notice that you received? Was it from the company granting the Letter of Credit, Rio Tinto Energy America (RTEA) or from Rio Tinto?

Oscar Paulson

Facility Supervisor  
Kennecott Uranium Company  
Sweetwater Uranium Project  
P.O. Box 1500  
42 Miles Northwest of Rawlins  
Rawlins, Wyoming 82301-1500

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Cellular: (307)-320-8758

E-mail: [oscar.paulson@riotinto.com](mailto:oscar.paulson@riotinto.com)

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**From:** Oscar Paulson - Bresnan - Proxy [mailto:[oscar.paulson@bresnan.net](mailto:oscar.paulson@bresnan.net)]  
**Sent:** Tuesday, May 27, 2008 9:13 PM  
**To:** Paulson, Oscar (RTEA)  
**Subject:** Fw: Catchment Basin Report and Surety

----- Original Message -----

**From:** Stephen Cohen  
**To:** Oscar Paulson  
**Sent:** Tuesday, May 27, 2008 8:21 AM  
**Subject:** Catchment Basin Report and Surety

Oscar:

We received Kennecott's report on the Catchment Basin Remediation and it's being placed into ADAMS. We also received a notice that Kennecott's surety is not being extended beyond October 2008. Could you provide an explanation?

Thanks,

Stephen J. Cohen  
Team Leader - New Facility Licensing  
Office of Federal and State Materials  
and Environmental Management Programs  
U.S. Nuclear Regulatory Commission  
Mailstop T8F5  
Washington, DC 20555  
301-415-7182  
[stephen.cohen@nrc.gov](mailto:stephen.cohen@nrc.gov)

## Betty Garrett

---

**From:** Paulson, Oscar (RTEA) [Oscar.Paulson@riotinto.com]  
**Sent:** Tuesday, May 27, 2008 4:45 PM  
**To:** Stephen Cohen  
**Cc:** Schutterle, Shelley (RTEA); Kelley, Harold (RTEA)  
**Subject:** Spill of Pumpback Fluid  
**Attachments:** TMW-59\_spill.ppt

Stephen Cohen:

As described briefly to you in our telephone conversation at 1:50 p.m. this afternoon, a strong windstorm at approximately 11:00 p.m. on the evening on Monday, May 26, 2008 blew a hose carrying pumpback fluid from TWM-59 out of the tailings impoundment and on to the embankment such that the pumpback fluids ran down the exterior of the impoundment's West side South of the access ramp.

The following pertains to the incident:

### Spill Description

	<b>Date:</b>	<b>Time:</b>		
<b>Start:</b>	26-May-08	23:00		
<b>Stop:</b>	27-May-08	9:30		
<b>Duration:</b>	630	minutes		
<b>Flow Rate of Well:</b>	5.2	gallons per minute		
<b>Volume Released:</b>	3276	gallons		
<b>Radionuclides:</b>	<b>Table 2 Effluent Concentration (pCi/L)</b>	<b>Concentration (pCi/L)</b>	<b>Fractional Concentration</b>	
<b>Natural uranium:</b>	300	13.1	0.0437	
<b>Radium-226</b>	60	4.6	0.0767	
<b>Radium-228</b>	60	9.0	0.1500	
<b>Thorium-230</b>	100	0.0	0.0000	
<b>Sum of fractions:</b>			0.2703	

**Notes:** Fluid concentrations are based on a sample collected on 13-Jan-2008 from TMW-59  
A small volume of spilled fluid was still on the ground in two (2) locations, near TMW-59 and on top of the embankment.  
The fluid on the ground was sampled.

The total volume of fluid that had not soaked into the ground at the time of sampling did not exceed twenty (20) gallons.

The concentrations of radionuclides in the fluid are below the limits in 10 CFR 20 Appendix B Table 2 - Ef

Radionuclide concentrations were below the allowable Effluent Concentrations in Table 2 of Appendix B of 10 CFR Part 20 and the quantities involved do not exceed any Allowable Limits of Intake (ALIs). The residual fluid on the surface rapidly soaked into the ground and could not be effectively removed since the area became a muddy area as opposed to one with pooled fluid.

Images of the spill as a Microsoft PowerPoint (\*.ppt) file will be sent attached to a separate e-mail.

Oscar Paulson

Facility Supervisor  
Kennecott Uranium Company  
Sweetwater Uranium Project  
P.O. Box 1500  
42 Miles Northwest of Rawlins  
Rawlins, Wyoming 82301-1500

Telephone: (307)-324-4924

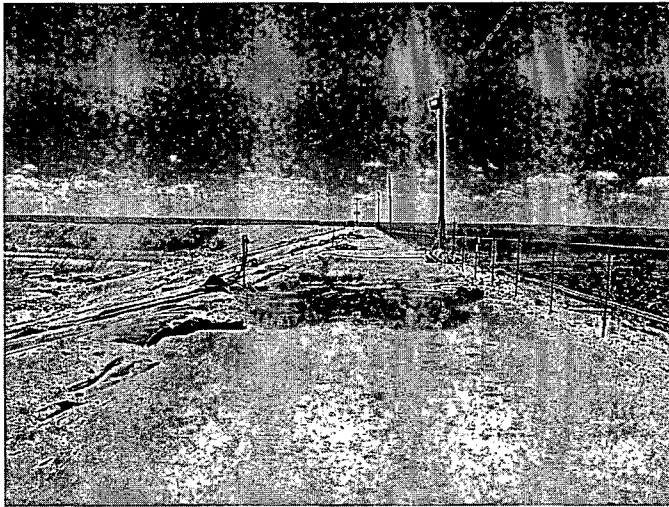
Fax: (307)-324-4925

Cellular: (307)-320-8758

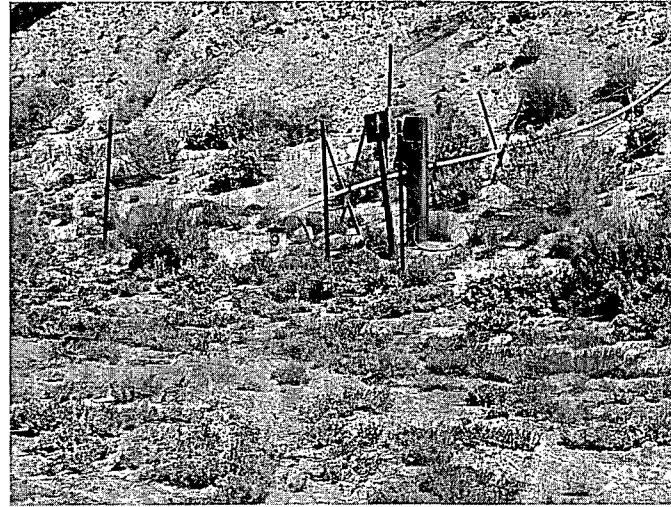
E-mail: [oscar.paulson@riotinto.com](mailto:oscar.paulson@riotinto.com)

# TMW-59 Pumpback Fluid Spill

Wet Spot – Top of Impoundment Embankment



Wet Spot – Around TMW-59 at Base of Impoundment Embankment





## Betty Garrett

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**From:** Paulson, Oscar (RTEA) [Oscar.Paulson@riotinto.com]  
**Sent:** Wednesday, May 28, 2008 12:12 PM  
**To:** Stephen Cohen  
**Cc:** Kenneth Kline; Schutterle, Shelley (RTEA)  
**Subject:** RE: Catchment Basin Report and Surety

Stephen Cohen:

The following explanation regarding the surety was received this morning from Christopher Wykstra of Treasury Services:

*Wachovia has made a decision to discontinue providing surety for Rio Tinto as a whole. Jack(Welch) is aware of the situation and is in process of securing coverage for all business units. We will keep you posted as to the progress. Jack is in New York for a few days and will be back on Monday. Meanwhile I will keep the process continuing until his return.*

Oscar Paulson

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**Subject:** Fw: Catchment Basin Report and Surety

----- Original Message -----

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**To:** 'Oscar Paulson'  
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Oscar:

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Thanks,

Stephen J. Cohen  
Team Leader - New Facility Licensing  
Office of Federal and State Materials  
and Environmental Management Programs  
U.S. Nuclear Regulatory Commission  
Mailstop T8F5