

January 21, 2009

Mr. Ken Milmine
Manager of Environmental
& Regulatory Affairs, Wyoming
Uranium One
907 N. Poplar
Suite 260
Casper, WY 82601

SUBJECT: ENERGY METALS CORPORATION LICENSE APPLICATION, ANTELOPE AND
JAB URANIUM PROJECT, SWEETWATER COUNTY, WYOMING (TAC
J00570)

Dear Mr. Milmine:

By letter dated November 20, 2008 (ML083240632) the U.S. Nuclear Regulatory Commission (NRC) acknowledged receipt of an application for a license for the proposed Antelope and JAB Uranium Project. The letter stated that NRC had begun its acceptance review, which usually is completed within 90 days. This is to inform you that, based on a deficiency found in the application, NRC is suspending its acceptance review.

By letter dated July 3, 2008 (ML082730315), Energy Metals Corporation (EMC), a subsidiary of Uranium One, submitted a source material license application for the Antelope and JAB Uranium Project in Sweetwater County, Wyoming. The application was accompanied by three copies of the Technical Report (TR). By letter dated October 17, 2008 (ML083110404), EMC transmitted three additional copies of the TR to NRC. The application and supporting documents were not placed in our Agencywide Documents Access and Management System (ADAMS) until November 5, 2008, because of delays by EMC in providing a complete version of the Environmental Report.

The NRC staff's acceptance review identified a significant difference among the six copies of the TR. Specifically, two copies contain an addendum to chapter 5 entitled "Wyoming In Situ Recovery Projects Quality Assurance Plan," while four copies, including the copy in ADAMS, do not. NRC staff has not performed a page by page comparison of the six copies of the TR to determine if there are other inconsistencies among the copies.

NRC cannot review an application with different versions of its supporting documents. It is the applicant's responsibility to ensure that all submitted copies of its supporting documents are identical. As NRC staff cannot be sure that it is reviewing the correct version of the TR, it is suspending its review until EMC can provide copies of the TR that are identical to each other and to the copy available to the public through ADAMS. After receiving the copies, we will reassess the schedule for completing the acceptance review.

If you have any questions, please contact Dr. Myron Fliegel, NRC Project Manager for the Antelope and JAB application, at Myron.Fliegel@nrc.gov or (301) 415-6629.

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 ADAMS. ADAMS is accessible from the NRC Web site at <http://www.nrc.gov/reading-rm/adams.html>.

Sincerely,

/RA/

Stephen J. Cohen, Team Leader
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.: 04009079

cc: A. Boyle, WDEQ
M. Moxley, WDEQ
J. Kaminsky, BLM

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 ADAMS. ADAMS is accessible from the NRC Web site at <http://www.nrc.gov/reading-rm/adams.html>.

Sincerely,

/RA/

Stephen J. Cohen, Team Leader
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.: 04009079

cc: A. Boyle, WDEQ
M. Moxley, WDEQ
J. Kaminsky, BLM

Distribution: JWhitten, RIV EStriz DGillen TYoungblood
DOrlando JMoore KMcConnell

ML090120552

OFC	FSME	FSME	FSME	FMSE	FMSE	
NAME	M Fliegel	B Garrett	S Cohen	B VonTill	SCohen	
DATE	01/13 /09	01/13/09	01/15/09	01/21/09	01 /21/09	

OFFICIAL RECORD COPY