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Remsburg, Kristy

From: Cohen, Stephen *FSME*
Sent: Friday, October 23, 2009 9:31 AM
To: Olmstead, Joan; Hull, John
Cc: Jones, Bradley
Subject: RE: GEIS In-situ Uranium Recovery
Attachments: 842009_69_NRC_License_Amendment_8_061609.pdf

6/5

Hey Kids:

(b)(5)

EX-15

Steve

From: Olmstead, Joan *OGC*
Sent: Friday, October 23, 2009 9:07 AM
To: Hull, John; Cohen, Stephen
Cc: Jones, Bradley
Subject: RE: GEIS In-situ Uranium Recovery

Steve,

Are you asking for OGC's help on responding to this letter? If so, what is the turn around time? Thanks. Joan

From: Hull, John *OGC*
Sent: Friday, October 23, 2009 8:53 AM
To: Cohen, Stephen
Cc: Olmstead, Joan
Subject: FW: GEIS In-situ Uranium Recovery
Importance: High

Steve,

(b)(5)

EX-15

NOTICE: THE ABOVE INFORMATION MAY CONTAIN ATTORNEY WORK PRODUCT. DO NOT DISCLOSE OUTSIDE NRC WITHOUT COMMISSION APPROVAL

From: Cohen, Stephen *FSME*
Sent: Friday, October 23, 2009 8:30 AM
To: Hull, John

Information in this record was deleted in accordance with the Freedom of Information Act.
Exemptions 5, 6
FOIA/PA 2010-0292

J/48

Subject: FW: GEIS In-situ Uranium Recovery
Importance: High

John:

Any way you can help with this?

(b)(5)

Ex. 5

EX 5

Steve

From: Roger Garling [mailto:ragarling@bresnan.net]

Sent: Thursday, October 22, 2009 4:05 PM

To: Cohen, Stephen

Cc: 'Sheryl Garling'

Subject: GEIS In-situ Uranium Recovery

Importance: High

Mr. Cohen,

We have been associated with all aspects of the uranium industry; ISL/ISR, decommissioning/decontamination, construction and operations, analytical baselines, etc. for over 30 years. With the recent advent of the GEIS released in May 2009, several questions have been raised with respect to identification of regulated byproduct material. Several of our clients are concerned as to the effect on current and future operations.

We appreciate your time and look forward to your response.

Sincerely,

Sheryl and Roger Garling
R and D Enterprises, Inc.
PO Box 3321
Casper, WY 82602
Cell (b)(6)
Land 307.237.4188
sagarling1@bresnan.net
ragarling@bresnan.net

EX 6



UNITED STATES
NUCLEAR REGULATORY COMMISSION
REGION IV
612 EAST LAMAR BLVD, SUITE 400
ARLINGTON, TEXAS 76011-4125

June 16, 2009

Energy Laboratories, Inc.
ATTN: Dee Fairservis
Radiation Safety Officer
P.O. Box 3258
Casper, Wyoming 82602

SUBJECT: LICENSE AMENDMENT

Please find enclosed Amendment No. 08 to NRC License No. 49-26846-01 **authorizing Dee Fairservis as the Radiation Safety Officer**. An environmental assessment for this action is not required, since this action is categorically excluded under 10 CFR 51.22(c)(14)(xvi). You should review the enclosed document carefully and be sure that you understand all conditions. You can contact me at (817) 860-8189 if you have any questions about this license.

NRC expects licensees to conduct their programs with meticulous attention to detail and a high standard of compliance. Because of the serious consequences to employees and the public that can result from failure to comply with NRC requirements, you must conduct your radiation safety program according to the conditions of your NRC license, representations made in your license application, and NRC regulations. In particular, note that you must:

1. Operate by NRC regulations 10 CFR Part 19, "Notices, Instructions and Reports to Workers: Inspection and Investigations," 10 CFR Part 20, "Standards for Protection Against Radiation," and other applicable regulations.
2. Notify NRC in writing of any change in mailing address.
3. By 10 CFR 30.36(d) and/or license condition, notify NRC, promptly, in writing, and request termination of the license:
 - a. When you decide to terminate all activities involving materials authorized under the license whether at the entire site or any separate building or outdoor area;
 - b. If you decide not to acquire or possess and use authorized material; or
 - c. When no principal activities under the license have been conducted for a period of 24 months.
4. Request and obtain a license amendment before you:
 - a. Change Radiation Safety Officers;
 - b. Order byproduct material in excess of the amount, radionuclide or form authorized on the license;

- c. Add or change the areas or addresses of use identified in the license application or on the license; or
 - d. Change the name or ownership of your organization.
5. Submit a complete renewal application or termination request at least 30 days before the expiration date on your license. You will receive a reminder notice approximately 90 days before the expiration date. Possession of radioactive material after your license expires is a violation of NRC regulations.

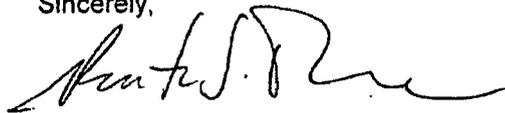
NRC will periodically inspect your radiation safety program. Failure to conduct your program according to NRC regulations, license conditions, and representations made in your license application and supplemental correspondence with NRC may result in enforcement action against you. This could include issuance of a notice of violation; imposition of a civil penalty; or an order suspending, modifying, or revoking your license as specified in the NRC Enforcement Policy. The NRC Enforcement Policy is available on the following internet address:
<http://www.nrc.gov/reading-rm/doc-collections/enforcement/>.

An electronic version of the NRC's regulations is available on the NRC Web site at www.nrc.gov. Additional information regarding use of radioactive materials may be obtained on the NRC Web site at <http://www.nrc.gov/materials/miau/mat-toolkits.html>. This site also provides the link to the toolbox for updated information on the revised regulations for naturally-occurring and accelerator-produced radioactive materials (NARM).

In accordance with 10 CFR 2.390 of the NRC's "Rules of Practice," a copy of this letter and its enclosure will be available electronically for public inspection in the NRC Public Document Room or from the NRC's document system (ADAMS). ADAMS is accessible from the NRC Web site at <http://www.nrc.gov/reading-rm/adams.html>.

Thank you for your cooperation.

Sincerely,



Roberto J. Torres, Senior Health Physicist
Nuclear Materials Safety Branch B

Docket: 030-29502
License: 49-26846-01
Control: 472172

Enclosure: As stated

MATERIALS LICENSE

Pursuant to the Atomic Energy Act of 1954, as amended, the Energy Reorganization Act of 1974 (Public Law 93-438), and Title 10, Code of Federal Regulations, Chapter I, Parts 30, 31, 32, 33, 34, 35, 36, 39, 40, and 70, and in reliance on statements and representations heretofore made by the licensee, a license is hereby issued authorizing the licensee to receive, acquire, possess, and transfer byproduct, source, and special nuclear material designated below; to use such material for the purpose(s) and at the place(s) designated below; to deliver or transfer such material to persons authorized to receive it in accordance with the regulations of the applicable Part(s). This license shall be deemed to contain the conditions specified in Section 183 of the Atomic Energy Act of 1954, as amended, and is subject to all applicable rules, regulations, and orders of the Nuclear Regulatory Commission now or hereafter in effect and to any conditions specified below.

Licensee 1. Energy Laboratories, Inc. 2. P.O. Box 3258 Casper, Wyoming 82602	In accordance with letter dated March 17, 2009 3. License number 49-26846-01 is amended in its entirety to read as follows: 4. Expiration date April 30, 2013 5. Docket No. 030-29502 Reference No.
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6. Byproduct, source, and/or special nuclear material	Chemical and/or physical form	8. Maximum amount that licensee may possess at any one time under this license
A. Americium-241	A. Any	A. 1.0 microcurie
B. Barium-133	B. Any	B. 1.0 microcurie
C. Cesium-137	C. Any	C. 1.0 microcurie
D. Cobalt-60	D. Any	D. 1.0 microcurie
E. Radium-226	E. Any	E. 1.0 microcurie
F. Polonium-209	F. Any	F. 1.0 microcurie
G. Lead-210	G. Any	G. 1.0 microcurie
H. Curium-244	H. Any	H. 1.0 microcurie
I. Plutonium-239	I. Any	I. 1.0 microcurie
J. Any byproduct material as defined in 10 CFR 40.4	J. Uranium mill tailings and waste	J. 68 kilograms



9. Authorized Use:
- A. through I. For use as calibration and reference standards
 - J. Bioassay sample analysis and radiochemical, inorganic and organic analysis to determine material characterization.

CONDITIONS

10. Licensed material shall be used or stored only at the licensee's facilities located at:
- A. 2393 Salt Creek Highway, Casper, Wyoming, and
 - B. 2325 Kerzell Lane, Casper, Wyoming.

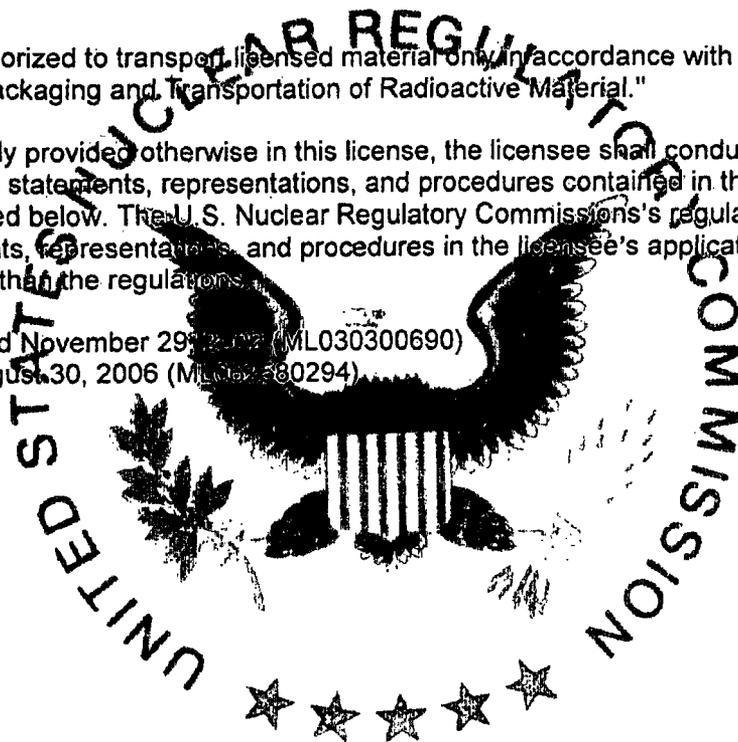
**MATERIALS LICENSE
SUPPLEMENTARY SHEET**

License Number
49-26846-01

Docket or Reference Number
030-29502

Amendment No. 08

- 11. A. Licensed materials shall be used by, or under the supervision of Dave Blaida or Dee Fairservis.
B. The Radiation Safety Officer for this license is Dee Fairservis.
- 12. The licensee shall conduct a physical inventory every 6 months, or at other intervals approved by the U.S. Nuclear Regulatory Commission, to account for all sources and/or devices received and possessed under the license. Records of inventories shall be maintained for 5 years from the date of each inventory, and shall include the radionuclides, quantities, manufacturer's name and model numbers, and the date of the inventory.
- 13. The licensee is authorized to transport licensed material only in accordance with the provisions of 10 CFR Part 71, "Packaging and Transportation of Radioactive Material."
- 14. Except as specifically provided otherwise in this license, the licensee shall conduct its program in accordance with the statements, representations, and procedures contained in the documents, including any enclosures, listed below. The U.S. Nuclear Regulatory Commission's regulations shall govern unless the statements, representations, and procedures in the licensee's application and correspondence are more restrictive than the regulations.
 - A. Application dated November 29, 2002 (ML030300690)
 - B. Letter dated August 30, 2006 (ML030300294)



FOR THE U.S. NUCLEAR REGULATORY COMMISSION

Date: June 16, 2009

By: 

Roberto J. Torres, Senior Health Physicist
Nuclear Materials Safety Branch B
Region IV
Arlington, Texas 76011