

Garrett, Betty

From: Linton, Ron
Sent: Thursday, December 22, 2011 10:03 AM
To: Sarah Fields
Cc: VonTill, Bill; Sollenberger, Dennis; Mandeville, Douglas
Subject: RE: Standard Review Plan for Conventional Mill Applications
Attachments: Sara Fields SRP response 12-2011.doc

Sara:

See the attached for responses to your four questions. If you have any additional questions, please contact me.

Ron C. Linton
Project Manager/Hydrogeologist
U.S. NRC
Office of Federal and State Materials and Environmental
Management Programs
MS T-8F5, 11545 Rockville Pike
Rockville, MD 20852
phone 301-415-7777
fax 301-415-5369
ron.linton@nrc.gov

From: Sarah Fields [<mailto:sarah@uraniumwatch.org>]
Sent: Monday, November 28, 2011 3:14 PM
To: Linton, Ron
Subject: Standard Review Plan for Conventional Mill Applications

Dear Mr. Linton,

The NRC is likely to receive an application for a convention uranium mill in New Mexico in the near future, and there are licensed uranium mills in Agreement States. The review of new applications, license renewals, and license amendments is supposed to be based on an NRC Standard Review Plan (SRP). However, the NRC does not have a Standard Review Plan for the review of applications associated with conventional mills. There are SRPs for the review of ISL applications and reclamation plans for uranium mills.

In the State of Utah, Denison Mines' Environmental Report (ER) for the renewal of the White Mesa Mill license renewal states that Denison is required to include responses to the Licensing Guide that the Division of Radiation Control has advised is the applicable NRC Standard Review Plan for the type of activity being licensed. The 2007 ER states that Denison has been advised by the NRC that the applicable plan is the *Standard Review Plan for In Situ Leach Uranium Extraction License Applications*, NUREG-1569. However, NUREG-1569 states (page xvii): "This standard review plan is intended to cover only those mission related to the licensing of an in situ leach facility." Therefore, it does not appear that NUREG-1569 can be used for conventional mill applications.

QUESTIONS:

1. Does the NRC believe that the *Standard Review Plan for In Situ Leach Uranium Extraction License Applications*, NUREG-1569, is applicable to the review of conventional mill applications?
2. Will the NRC be using NUREG-1569 to review the application for the Roca Honda uranium mill proposal?

3. If NUREG-1569 is not applicable to conventional mill applications, which Standard Review Plan is applicable?
4. Is the NRC in the process of developing a Standard Review Plan for conventional and heap-leach uranium recovery applications, license renewals, and license amendments? If so, what is the schedule for that SRP process?

Thank you,

Sarah Fields
Uranium Watch
PO Box 344
Moab, Utah 84532
435-259-9450

Q1. Does the NRC believe that the *Standard Review Plan for In Situ Leach Uranium Extraction License Applications*, NUREG-1569, is applicable to the review of conventional mill applications?

A1. No, however, the guidance in the *Standard Review Plan for In Situ Leach Uranium Extraction License Applications*, NUREG-1569 (SRP) may be applicable to conventional sites in some areas. For example, the general format and content of an application would be similar as well as some of the technical areas. The subheadings under SRP chapters 2, 3, 4, and 5 would be similar, but tailored to the conventional mill site. Differences between the SRP and conventional or heap leach facilities would exist when considering design of a liner system for an impoundment or heap leach pad and when considering reclamation activities.

Q2. Will the NRC be using NUREG-1569 to review the application for the Roca Honda uranium mill proposal?

A2. Staff will use this guidance as it may apply in a general sense unless a new draft or final SRP for conventional mills has been published.

Q3. If NUREG-1569 is not applicable to conventional mill applications, which Standard Review Plan is applicable?

A3. See answers to questions Q1, Q2 and Q4. Note that the staff has updated Regulatory Guide 3.11 "Design, Construction, and Inspection of Embankment Retention Systems at Uranium Recovery Facilities." While this is not a standard review plan, it does provide guidance on design and construction of tailings impoundments and evaporation ponds. This document was revised in 2008 and is available in ADAMS under accession number ML082380144.

Q4. Is the NRC in the process of developing a Standard Review Plan for conventional and heap-leach uranium recovery applications, license renewals, and license amendments? If so, what is the schedule for that SRP process?

A4. Yes, the staff is developing a standard review plan for conventional and heap leach uranium recovery applications. The staff anticipates that this document will be available for public comment in year 2012. The comment period will be noticed in the *Federal Register*.

Please note, guidance documents (Regulatory Guides, Standard Review Plans, or Staff Technical Positions) are used to aid the NRC staff in determining whether an applicant's license application demonstrates they have met regulatory requirements, i.e., the regulations in 10 *CFR*. The information in these guidance documents are used by applicants and staff as acceptable ways to make this demonstration, but are not the only way to meet the regulatory requirements.