

**McIntyre, David**

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**From:** McIntyre, David  
**Sent:** Tuesday, March 13, 2012 5:50 PM  
**To:** 'kamprichard' (b)(6)  
**Cc:** 'Warren.Smith@dphe.state.co.us'  
**Subject:** RE: NRC response and CDPHE response  
**Attachments:** ML1133600720.pdf

Richard – Duncan White is busy on another issue and asked me to respond to your inquiry. We cannot answer these questions at this time, because they are essentially the questions we have asked Colorado to answer in writing within 30 days. Our February 27 letter to the state is attached. The final question, relating to the SMA lawsuit, would also need to be answered by CDPHE.

Regards,

*David McIntyre*  
Office of Public Affairs  
U.S. Nuclear Regulatory Commission  
(301) 415-8200

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**From:** richard kamp (b)(6)  
**Sent:** Tuesday, March 13, 2012 5:36 PM  
**To:** White, Duncan  
**Cc:** Smith, Warren  
**Subject:** Fw: NRC response and CDPHE response

Dear Mr White: Warren Smith at CDPHE suggested I get a response from your office to the following questions sent to CDPHE regarding the Energy Fuels Pinon Ridge Mill license. This is a bit odd, but I am following up on your letter to Jeff Parsons attached. I am sorry for any confusion but perhaps you can clarify questions I was asking the state of Colorado.

"---Will CDPHE be putting the Pinon Ridge License on hold until there have been public hearings?

---Will CDPHE respond to such hearings by responding to all concerns raised?

---How will CDPHE be revising their regulation as described in the NRC letter?

---What is the agency estimated timeline for a hearing, for public comment? Will this timeline include a draft revised permit?

---Since NRC has accepted the fundamental argument of Mr Parsons that CDPHE failed to comply with public participation requirements of the law, how will this impact CDPHE response to Sheep Mountain's litigation of 2011?"

best  
Dick Kamp  
Wick Communications Environmental Liaison/Montrose Press  
505 670 1337

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

**From:** Smith, Warren  
**To:** Richard Kamp  
**Sent:** Tuesday, March 13, 2012 3:25 PM  
**Subject:** RE: NRC response and CDPHE response

Hi Richard:

NRC has not sent us a letter notifying us of this, so there's not much I can say until they do. I suggest you call Duncan White at NRC ~ 1301-415-2598.

Warren Smith, APR  
Community Involvement Manager  
Colorado Department of Public Health and Environment  
Hazardous Materials and Waste Management Division  
303.692.3373



Colorado Department  
of Public Health  
and Environment



**From:** Richard Kamp (b)(6)  
**Sent:** Tuesday, March 13, 2012 3:25 PM  
**To:** Smith, Warren  
**Subject:** NRC response and CDPHE response

Hi Warren: (for tonight) can you provide some CDPHE response to the NRC letter attached?  
particularly looking at the substance:

"the NRC staff does not believe that the licensing of the Pinon Ridge Uranium Mill provided the public with an opportunity for comment or an opportunity for a public hearing as required by the AEA, Section 27 4o. through the Colorado amended Agreement."

"2. The COP HE will work with Energy Fuels in order to provide an opportunity for a public hearing regarding the issuance of the new license for the Pinon Ridge Uranium Mill and the Environmental Impact Analysis."

- Will CDPHE be putting the Pinon Ridge License on hold until there have been public hearings?
- Will CDPHE respond to such hearings by responding to all concerns raised?
- How will CDPHE be revising their regulation as described in the NRC letter?
- What is the agency estimated timeline for a hearing, for public comment? Will this timeline include a draft revised permit?
- Since NRC has accepted the fundamental argument of Mr Parsons that CDPHE failed to comply with public participation requirements of the law, how will this impact CDPHE response to Sheep Mountain's litigation of 2011?

Email is fine. I will try and write this up late tonight, unfortunately. You can reach me at times at 505 670 1337

take care Dick Kamp