



**UNITED STATES
NUCLEAR REGULATORY COMMISSION**
REGION IV
1600 E. LAMAR BLVD
ARLINGTON, TX 76011-4511

April 20, 2017

Aaron Linard, Manager
Environmental, Health and Safety
Uranerz Energy Corporation
1701 East E Street, Suite 100
Casper, WY 82601

SUBJECT: NRC INSPECTION REPORT 040-09067/2017-001

Dear Mr. Linard:

The U.S. Nuclear Regulatory Commission (NRC) conducted an unannounced routine inspection at your Nichols Ranch In-situ Recovery (ISR) Project in Campbell and Johnson Counties, Wyoming, on March 21-23, 2017. The purpose of the inspection was to examine activities conducted under your license as they relate to public health and safety, and to confirm compliance with the Commission's rules and regulations and the conditions of your license. Within these areas, the inspection consisted of selected examination of procedures and representative records, observations of activities, tours of the uranium recovery facilities, environmental monitoring locations, and interviews with personnel. At the conclusion of the inspection, the inspection findings were discussed with you at the exit on March 23, 2017.

In accordance with 10 CFR 2.390 of the NRC's "Agency Rules of Practice and Procedure," a copy of this letter, its enclosure, and your response, will be made available electronically for public inspection in the NRC Public Document Room or from the NRC's Agencywide Documents Access and Management System (ADAMS), accessible from the NRC Web site at <http://www.nrc.gov/reading-rm/adams.html>. To the extent possible, your response should not include any personal privacy or proprietary, information so that it can be made available to the Public without redaction.

Should you have any questions concerning this matter, please contact Ms. Bernadette Baca, Health Physicist, at (817) 200-1235.

Sincerely,

/RA/

Ray L. Kellar, P.E., Chief
Fuel Cycle and Decommissioning Branch
Division of Nuclear Materials Safety

Docket: 040-09067
License: SUA-1597

Enclosure:
NRC Inspection Report 040-09067/2017-001
w/Attachment: Supplemental Information

cc:
S. Ramsay, Radiological Services Supervisor,
Wyoming Office of Homeland Security
C. Bilbrough, Natural Resources Prog. Manager,
Wyoming Dept. of Environmental Quality (WDEQ)
M. Rogaczewski, District 3 Supervisor, WDEQ
R. Schierman, Uranium Recovery Program Manager, WDEQ

U.S. NUCLEAR REGULATORY COMMISSION
REGION IV

Docket: 040-09067

License: SUA-1597

Report: 040-09067/2017-001

Licensee: Uranerz Energy Corporation

Location: Nichols Ranch ISR Project. Nichols Ranch Unit
Johnson and Campbell Counties, Wyoming

Dates: March 21-23, 2017

Inspectors: Bernadette Baca, Health Physicist
Fuel Cycle and Decommissioning Branch
Division of Nuclear Materials Safety

Martha Poston-Brown, Health Physicist
Fuel Cycle and Decommissioning Branch
Division of Nuclear Materials Safety

Approved By: Ray L. Kellar, P.E., Chief
Fuel Cycle and Decommissioning Branch
Division of Nuclear Materials Safety

Attachment: Supplemental Information

EXECUTIVE SUMMARY

Uranerz Energy Corporation, In-Situ Recovery Facility NRC Inspection Report 040-09067/2017-001

The U.S. Nuclear Regulatory Commission (NRC) performed an unannounced inspection from March 21 - 23, 2017, which included observations of site activities, independent surveys, review of records, and interviews with site personnel. In summary, the license was conducting operations in accordance with regulatory and license requirements described below.

Management Control and Organization

The organizational structure and staffing levels maintained by the licensee during the inspection period met the requirements specified in the license and were sufficient for the work in progress. The licensee's safety and environmental reviews were performed in accordance with the license requirements, with one exception. The licensee conducted audits and inspections as required by regulatory requirements and the license. (Section 1.2)

In-Situ Leach Facilities

The licensee conducted in-situ recovery and operations in accordance with the license and regulatory requirements. Plant parameters were within the limits specified in the license and license application. The licensee conducted slurry transfers in accordance with the license and regulatory requirements. The licensee has trained operators regarding the slurry transfer with continued training to provide adequate staff coverage. Radiological controls including signs and postings were implemented in accordance with license and regulatory requirements. (Section 2.2)

Radiation Protection

The licensee implemented a radiation protection program that met the requirements of 10 CFR 20 and the license. Occupational doses were less than the annual regulatory limits. (Section 3.2)

Effluent Control and Environmental Protection and Maintaining Effluents from Materials Facilities As Low As Reasonably Achievable

The licensee conducted environmental monitoring in accordance with license requirements. The licensee reported the results in semi-annual reports to the NRC. The annual dose to members of the public remained below regulatory limits. The licensee was conducting excursion sampling as specified in the license. (Section 4.2)

Inspection of Transportation Activities and Radioactive Waste Processing, Handling, Storage and Transportation.

Waste water treatment, transportation of slurry, disposal of byproduct material and management of 11e.(2) wastes were conducted in accordance with license and regulatory requirements. (Section 5.2)

Report Details

Site Status

At the time of inspection, Uranerz Energy Corporation (licensee) was conducting in-situ recovery (ISR) operations at the Nichols Ranch ISR Project, Nichols Ranch Unit. Uranium recovery operations were conducted in Production Area (PA) Number 1 (PA-1). Nine header houses were in service at the time of the inspection. The uranium-bearing lixiviant from the wellfield was pumped to the Nichols Ranch Unit central processing plant where uranium was extracted from the fluid using ion exchange columns. The barren solution was then refortified with chemicals prior to re-injection into the ore zone aquifer. The licensee is processing the uranium bearing resin through the elution and precipitation tanks to the filter press and then shipping the output from the filter press, a yellowcake slurry to an out of state uranium mill for drying and packaging.

The licensee is authorized to construct a dryer and related support equipment at the Nichols Ranch Unit central processing plant, but at the time of this inspection, the licensee had not started construction of the dryer. The licensee is also allowed to conduct uranium operations in Production Area No. 2, this area was in limited operation at the time of the inspection. Finally, the licensee is authorized to construct a satellite facility at the Hank Unit, but the licensee has not started construction at this facility.

1 Management Organization and Control (88005)

1.1 Inspection Scope

Ensure that the licensee has established an organization to administer the technical programs and to perform internal reviews, self-assessments and audits.

1.2 Observations and Findings

a. Organizational Structure

The inspectors compared the licensee's organizational structure in effect at the time of inspection to the NRC approved structure provided in the License Application Section 5.1.1 (ML15076A032). The licensee has a total of 26 full time employees, two long term contractors and two contract drillers. Since the previous inspection, the organization structure has changed to reflect the retirement of the Environmental, Health and Safety (EHS) Manager and the assumption of his duties by the former Assistant ESH Manager/Radiation Safety Officer (RSO). The ESH Manager/RSO now reports directly to the Mine Manager with an indirect reporting line to the Vice President of Regulatory Affairs.

This organizational structure change was approved through the Safety and Environmental Review Panel (SERP) process in fiscal year 2016 (SERP-1-2016). SERP-3-2016 was performed to show the interim organization at the time of a previous NRC inspection (040-09067/2016-001) versus the organizational chart approved in SERP-1-2016. An additional SERP evaluation (SERP-3-2017) was needed to clarify the responsibilities of the ESH Manager and establish an end date for the interim SERP evaluation (SERP-3-2016) as the licensee prepared for the ESH Manager's retirement. The organizational chart also reflects the movement of individuals from one job position

to another and a redistribution of responsibilities to address attrition. The inspectors found that the movement of duties and responsibilities associated with the retirement did not have a negative impact on essential positions, such as those in operations and radiation protection.

The ESH Manager/RSO is supported by two staff members: a Radiation Safety Technician (RST) in training and an environmental sampling technician. At the time of inspection, based on their staffing plan, the radiation safety technician duties were shared between the RSO and the RST in training. As previously indicated, the licensee uses contractors for drilling work on an as needed basis. Currently there is no drilling being conducted, but two drilling contractors are retained onsite to help with other wellfield issues. The inspectors determined that the licensee had sufficient staff to implement the radiation protection, groundwater monitoring and environmental programs at current operating levels.

b. Safety and Environmental Review Panel (SERP)

License Condition 9.4 of the performance based license requires, in part, that the licensee establish a SERP process to evaluate if program changes, tests or experiments require an NRC license amendment prior to implementation. The inspectors reviewed the following SERP evaluations completed since the last inspection conducted January 2016. The reviewed SERP evaluations were:

- | | |
|-------------|---|
| SERP-5-2016 | Approval of Peter Luthiger as a RST for Nichols Ranch. This SERP approved the qualifications of an RSO at a sister facility to work as a RST and be the RSO designee while the RSO was on leave. |
| SERP-1-2017 | Draft (not reviewed) |
| SERP-2-2017 | New wellfield placed into production. Pump test report generated and submitted to WDEQ for approval. Copy sent to NRC. NRC requested SERP be conducted to ensure all items accounted for. SERP conducted for compliance against License Conditions 10.8, 11.3 and 11.4. |
| SERP-3-2017 | Redefined ESH Manager/RSO responsibilities to include the responsibilities previously assigned to the Environmental Supervisor and establish end date for the interim SERP-3-2016 organization. |

In accordance with License Condition 9.4, the licensee is expected to submit a description of each change, including a summary of each safety and environmental evaluation to the NRC in a future annual report. The inspectors concluded that the licensee correctly implemented the performance-based license, and the evaluations did not require prior NRC approval.

c. Audits and Inspections

The inspectors reviewed the audits and inspections generated by the licensee since the previous inspection, in accordance with the requirements of License Condition 9.7 and Regulatory Guide 8.30. The licensee was conducting and documenting a daily walk-through of all work and storage areas of the facility to ensure that good radiation

practices were being followed. The RSO, RSO-designee along with trained and qualified operators performed and documented the daily walk-throughs. Site procedures allow trained and qualified operators to perform the daily walk-throughs on days when radiation safety staff are not available, such as weekends and holidays. The RSO or RSO designee will review the walk-through documentation upon return to the facility. A review of the daily walk-throughs conducted since the previous inspection revealed no examples of the RSO or RSO designee failing to perform the required review, if delays in review occurred the reason for the delay was documented on the form (illness, document misplaced, etc.). The monthly reviews by the RSO were conducted timely.

The licensee performed an ALARA review on October 4th and 5th of 2016 to review the radiation protection program for calendar year 2015 (January through December). This audit included occupational exposures, radiation survey results, training activities, and compliance with license and regulatory requirements. The licensee is in the process of converting over to an annual audit that covers a calendar year rather than one that spans a 12-month period over two different calendar years. At the time of the inspection the calendar year 2016 audit had not been conducted but is scheduled to be conducted in June of 2017. The inspectors reviewed the available material and determined the licensee met the review requirements of License Condition 11.2 and 10 CFR 20.1101(c).

d. Additional Protocols

The inspectors verified that the licensee had provided the NRC with appropriate documentation to comply with 10 CFR 75.11, which related to the Agreement between the United States of America and the International Atomic Energy Agency for the Application of Safeguards in the US. The licensee provided four of the necessary forms which provide contact information, the capacity of yellowcake production, the actual annual yellowcake production, and the quantity of yellowcake on hand. The licensee discussed how it determined these numbers, and the inspectors concluded the reports were accurate, complete, and consistent for the reports submitted for calendar year 2016.

1.3 Conclusions

The organizational structure and staffing levels maintained by the licensee during the inspection period met the requirements specified in the license and were sufficient for the work in progress. The licensee's safety and environmental reviews were performed in accordance with the license requirements, with one exception. The licensee conducted audits and inspections as required by regulatory requirements and the license.

2 In-Situ Leach Facilities (89001)

2.1 Inspection Scope

Determine if in-situ recovery activities were conducted in accordance with regulatory requirements and the license.

2.2 Observation and Findings

a. Uranium Recovery

At the time of the inspection, uranium recovery operations were performed at Nichols Ranch PA-1 with the start of development in the second production area (PA-2). Eight header houses were in operations in PA-1. One header house (HH-9) was put into production on March 2, 2017, in PA-2. PA-2 currently only has the one header house, consisting of 40 recovery wells and 82 injection wells. The inspectors reviewed records of the lixiviant composition and concluded that the results were in compliance with License Condition 10.1 requirements.

The inspectors reviewed the injection, production and waste disposal rates from PA-1 based on information presented in recent quarterly reports submitted by the licensee. At the time of the inspection, the average production flow was 330 gallons per minute per header house, for a total daily flow of 2250 gallons per minutes, which is below the maximum rated capacity of 3500 gallons per minute specified in License Condition 10.2. The inspectors reviewed the licensee's uranium production records and noted that the production rates for calendar year 2016 and the production rates for 2017, to date were well below the annual limit specified in License Condition 10.2.

The license is required to demonstrate an inward hydraulic gradient in wellfields during all operations in accordance with License Condition 10.8. During this inspection, the inspectors discussed the monitoring well configuration, monitoring well sampling protocols and the monitoring well water level tracking system used by the licensee to demonstrate and maintain the inward hydraulic gradient and optimize use of lixiviant.

b. Central Processing Plant

The licensee is currently operating at a steady state. The inspectors reviewed the licensee's process and training for the slurry press and material transfer to the slurry trailer. Four operators of the six operators in training from the previous inspection have completed training on the slurry press and transfer to the slurry trailer. One of the operators in training at the time of the last inspection left the organization, leaving one operator in training. The operators were provided training by the Operations Supervisor and the work performed regarding the slurry press and transfer is done under his direct supervision. The remaining operator in training is being trained by the Operations Supervisor and selected senior operators using a qualification sign-off sheet. The inspectors determined the licensee has a sufficient number of slurry transfer trained operators and that the licensee continues to train additional operators to provide adequate staffing coverage for slurry transfers.

The inspectors conducted interviews with operations staff. Operators demonstrated ownership of assigned duties and responsibilities, felt comfortable raising concerns and issues, and felt Operations management listened and responded appropriately to their concerns, ideas and suggestions.

c. Site Tours

The inspectors conducted a site tour to observe in-situ recovery operations in progress at the Nichols Ranch Unit central processing plant, focusing on maintenance activities

and the progress in Production Area 2 and Header House 9. The inspectors also reviewed the condition of deep disposal well DDW-4. The inspectors determined operators were conducting operations in accordance with the site procedures.

The inspectors observed that all entrances to the facility were posted with a sign stating: "Any Area within this Facility May Contain Radioactive Materials" as required by License Condition 9.11. Security was maintained by fences, gates, locked doors and cameras.

The inspectors conducted independent radiological surveys of the gamma exposure rates present in the central processing plant, header houses and wellfields. The surveys were conducted using a Ludlum Model 19 microRoentgen rate meter (NRC No. 015544 calibration due date of July 13, 2017, calibrated to Ra-226). The inspectors noted that the as-found gamma exposure rates were consistent with the licensee's measurements. The licensee had several areas conservatively posted as radiation areas. The highest exposure rate within the central processing plant, not posted as a radiation area, was at the slurry trailer measuring 1.0 millirem per hour. No area was identified that met the definition of a radiation area (5.0 millirem in one hour) that was not posted as a radiation area.

2.3 Conclusion

The licensee conducted in-situ recovery and operations in accordance with the license and regulatory requirements. Plant parameters were within the limits specified in the license and license application. The licensee conducted slurry transfers in accordance with the license and regulatory requirements. The licensee has trained operators regarding the slurry transfer with continued training to provide adequate staff coverage. Radiological controls including signs and postings were implemented in accordance with license and regulatory requirements.

3 Radiation Protection (83822)

3.1 Inspection Scope

Determine whether the licensee's radiation protection program was conducted in compliance with the license and 10 CFR Part 20 requirements.

3.2 Observations and Findings

a. Occupational Exposures

The inspectors reviewed the licensee's occupational exposure records for the 2nd, 3rd and 4th quarters of 2016. Approximately 25 employees were monitored for external exposure using optically stimulated luminescence dosimeters that were exchanged on a quarterly basis. Occupational monitored employees included plant and wellfield operators, health physics staff and maintenance workers. The highest deep dose equivalent exposure for the three quarters reviewed as 22 millirem (0.22 milliSievert). This dose was assigned to a wellfield operator. All doses were below the limits established in 10 CFR 20.1201. No bioassay results were above the action level for investigation.

The licensee conducted air sampling, in part, for assessment of internal exposures. The inspectors reviewed the licensee's radon-222 air sampling records and the uranium particulate and worker breathing zone results for the first two quarters of calendar year 2016. The inspectors identified that internal exposures were below the limits established in 10 CFR Part 20. The inspectors confirmed that the licensee had conducted air sampling at the required intervals. The appropriate exposures were calculated and recorded for each employee.

b. Respiratory Protection

The inspectors reviewed the licensee's respiratory protection program with regard to maintaining exposures ALARA. The inspectors reviewed the licensee's testing, use, restoration and maintenance of respiratory protection for workers. The inspectors concluded that the licensee was maintaining a respiratory protection program that is in compliance with the regulatory requirements of 10 CFR 20.1703.

c. Radiation Work Permits

Since the previous inspection, 21 radiation work permits were issued. The inspectors reviewed the permits and found they included the necessary air sampling and protective equipment requirements for the work being performed.

d. Free release surveys

Free release surveys since the previous inspection were reviewed and found to be performed in accordance with License Condition 9.6.

e. Radiation Safety Instrumentation

The inspectors reviewed the licensee's operability, calibration and maintenance records for survey instruments in accordance with License Condition 10.4. Instruments reviewed were found to be in calibration. The licensee, when survey instruments require calibration, use an offsite vendor to perform annual calibration for radiation safety instrumentation. The inspectors observed survey meters used by licensee personnel when exiting restricted areas. The survey meters examined by the inspectors were found to be in calibration and were used appropriately by licensee's staff.

3.3 Conclusions

The licensee implemented a radiation protection program that met the requirements of 10 CFR Part 20 and the license. Occupational doses were less than established limits.

4 Effluent Control and Environmental Protection and Maintaining Effluents from Material Facilities ALARA (87102 and 88045)

4.1 Inspection Scope

Determine if the environmental and effluent monitoring programs are adequate to monitor the impacts of site activities on the local environment.

4.2 Observations and Findings

a. Environmental Monitoring

The semi-annual reports were submitted timely by the licensee in accordance with the requirements of 10 CFR 40.65; except for the July to December 2016 report. At the time of the inspection, the July to December 2016 semiannual report was being developed with recently received data from the licensee's vendor. The licensee was granted an extension for this report's submission. Once the submission is made, the report will be reviewed and evaluated by NRC headquarters staff. The NRC's review of these documents will be provided to the licensee under separate correspondence.

The inspectors reviewed the January to June 2016 semiannual report and compared the reported data to the licensee's records, procedures, and daily operations. The data was consistent with the inspectors' observations.

b. Dose to Members of the Public

The licensee conducted annual assessments of public doses as required by 10 CFR Part 20. The maximum public dose for calendar year 2015 was 70.73 millirem total effective dose equivalent. The dose was calculated using data from optically stimulated luminescence dosimeters, radon track etch detectors, and particulate air samples. The assigned doses were primarily from radon-222 and its progeny. The maximum dose for 2015 was less than the annual limit (100 millirem per year) specified in 10 CFR 20.1301(a)(1). The licensee had not analyzed data for calendar year 2016 at the time of the inspection and this information will be reviewed in a future inspection.

c. Wellfield and Excursion Monitoring

The inspectors examined the reportable and non-reportable spill reports. The inspectors reviewed the licensee's spill records and quarterly reports pursuant to the requirements of License Condition 11.1. According to licensee records, 15 spills occurred resulting in a total of 4,241 gallons of unrecovered fluids. Of the total unrecovered volume, 75 gallons (2 spills) of production fluid were released. The inspectors determined the licensee was reporting and recording unplanned releases (spills) within license commitments and regulatory requirements.

License Condition 11.5 requires, in part, that the licensee monitor groundwater at the designated excursion monitoring wells at least twice a month. The inspectors reviewed logs indicating groundwater monitoring was occurring. No excursions occurred since the previous inspection. The inspectors did not review recent mechanical integrity testing (MIT) documentation to determine whether test results were appropriately reported and to ensure that tests were performed in accordance with License Conditions 10.2 during this inspection. These items will be reviewed in a future inspection.

d. Deep Disposal Wells

The licensee has two deep disposal wells (DDW) for the facility, NICH-DW-1 (DDW-1), and NICH-DW-4 (DDW-4). The quarterly reports associated with the DDW were reviewed from July through December of 2016. These reports track average flowrate,

average pressure and maximum pressure. These reports also identify any exceedances, where pressure exceeded the maximum pressure.

The inspectors reviewed the DDW average monthly injection rate information for July through December 2016. The average monthly injection rate to DDW-1 was approximately 18.45 gallons per minute with a maximum pressure of 1,134 pounds per square inch. DDW-4's average monthly injection rate was 18.73 gallons per minute with a maximum pressure of 1,184.8 pounds per square inch. The licensee requested and received approval from the Wyoming Department of Environmental Quality approval to increase the maximum permitted injection pressure for both DDW. This approval dated November 16, 2016 increased the limit for DDW-1 to 1,196 pounds per square inch and for DDW-4 to 1,283 pounds per square inch.

Two injection pressure exceedances were identified for DDW-1, one for each quarter (third and fourth quarters) both exceedances were for schedule maintenance taking place July 6, 2016, and December 8, 2016. No alarms or shutdowns were reported for either quarter reviewed; i.e. the exceedances were spurious. Pressure falloff testing was conducted by an outside contractor (Gene R. George and Associates) in July of 2016 and both wells were found to remain suitable for injection. The licensee reported no issues associated with the deep disposal wells.

4.3 Conclusions

The licensee conducted environmental monitoring in accordance with license requirements. The licensee reported the results in semi-annual reports to the NRC. The annual dose to members of the public remained below regulatory limits. The licensee was conducting excursion sampling as specified in the license.

5 Inspection of Transportation Activities and Radioactive Waste Processing, Handling and Storage (86740 and 88035)

5.1 Inspection Scope

Determine if transportation and disposal activities were conducted in compliance with regulatory and license requirements.

5.2 Observations and Findings

a. Inspection of Transportation Activities and Solid Byproduct Waste

The inspectors reviewed transportation activities from the January 1, 2016, through June 30, 2016. During this time period, the licensee made slurry shipments, resin shipments and 11e.(2) byproduct waste shipments. The inspectors reviewed the licensee's procedures associated with these shipments and the shipping documentation. The licensee performed the shipments in accordance with NRC and U.S. Department of Transportation regulations.

The inspectors observed that all 11e.(2) byproduct material waste storage bins were staged within restricted areas with surrounding fences and locked entries. The inspectors performed an ambient gamma radiation survey of the central processing plant

containers to confirm that the area was appropriately posted and controlled in accordance with 10 CFR 20 regulations.

b. Wastewater Treatment Activities

The licensee does not release liquids directly into the environment during routine operations. Liquid effluent is processed through reverse osmosis units, stored in storage tank(s), or disposed to a deep disposal well.

5.3 Conclusions

Transportation of resins and slurry, disposal of byproduct material and management of 11e.(2) wastes were conducted in accordance with the license and regulatory requirements.

6 Exit Meeting Summary

The NRC inspectors presented the inspection findings to the licensee's representatives at the conclusion of the onsite inspection on March 23, 2017. During the inspection, the licensee did not identify any information reviewed by the NRC as proprietary that was included in this report.

SUPPLEMENTAL INSPECTION INFORMATION

PARTIAL LIST OF PERSONS CONTACTED

Licensee

K. Ames, Safety Officer
C. Ablemann, Operations Manager
H. Ballinger, Operations Supervisor
B. Bonifas, Mine Manager
P. Bowman, RST in training
A. Evenson, Wellfield Operations
T. Hind, Construction and Maintenance Manager
A. Linard, Environmental, Health and Safety Manager/RSO
C. Patterson, Laboratory Supervisor

Items Opened, Closed and Discussed

Opened

None

Closed

None

Discussed

None

Inspection Procedures

IP88005	Management Organization and Control
IP89001	In-Situ Leach Operations
IP83822	Radiation Protection
IP88045	Effluent Control and Environmental Protection
IP87102	Maintaining Effluents from Materials Facilities ALARA
IP86740	Inspection of Transportation Activities
IP88035	Radioactive Waste Processing, Handling, Storage and Transportation

List of Acronyms

ADAMS	Agencywide Documents Access and Management System
ALARA	As Low As is Reasonably Achievable
CFR	Code of Federal Regulations
DDW	Deep Disposal Well
HPT	Health Physics Technician
IP	NRC Inspection Procedure
NRC	U.S. Nuclear Regulatory Commission
WDEQ	Wyoming Department of Environmental Quality

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