

**From:** [White, Duncan](#)  
**To:** [White, Duncan](#)  
**Subject:** Open Comment Period for New Rules for Wyoming's Uranium Recovery Program  
**Date:** Friday, June 16, 2017 4:20:11 PM

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The Nuclear Regulatory Commission (NRC) previously communicated with you with information regarding the State of Wyoming's submission of an application to the NRC to have a program to regulate uranium mill facilities within their borders. I wanted to let you know that the State of Wyoming has published the rules that will govern this program on the State's website for comments. The State is accepting comments until [July 21, 2017](#) and holding a public hearing on August 2, 2017 in Cheyenne, WY on these new rules. Included in this email is an announcement from the State of Wyoming that provides the websites for the rules and for the submission of any comments.

If you have any questions regarding the NRC Agreement State Program or the Wyoming application, please contact me at (301) 415-2598 or [duncan.white@nrc.gov](mailto:duncan.white@nrc.gov).

Regards,  
Duncan White  
Senior Health Physicist  
Agreement State Programs Branch

Wyoming Department of Environmental Quality | [view as a webpage](#)

#### **EQC Hearing - August 2, 2017 and Open Comment Period**

The Wyoming Environmental Quality Council (EQC) will consider new rules for the Wyoming Department of Environmental Quality (DEQ), Land Quality Division's (LQD) Uranium Recovery Program which are intended to allow the LQD authority to assume regulatory authority over source material involved in the extraction and concentration of uranium and thorium milling and the management and disposal of byproduct material as defined in 11e.(2) of the Atomic Energy Act of 1954, as amended at a public hearing to be held on August 2, 2017 in room 1699 Herschler Building 122 West 25th St. Cheyenne WY 82002 commencing at 9:00 a.m. (MST). This hearing and comment period is being provided to allow for additional comments on revisions to the proposed rules which were made in response to comments received prior to the first hearing held on May 24, 2017.

The LQD, pursuant to the authority vested in it by the Environmental Quality Act, Wyoming Statute (W.S.) §35-11-2002(b), proposes ten new chapters for the LQD's Uranium Recovery Program. The new chapters include: Chapter 1 – General Provisions; Chapter 2 – Inspections, Violations and Enforcement; Chapter 3 – Radiation Protection Standards; Chapter 4 – Licensing Requirements for Source and Byproduct Material; Chapter 5 – Notices, Instructions and Reports to Workers; Chapter 6 – Financial Assurance; Chapter 7 – Fees; Chapter 8 – Risk Informed Performance Based Licensing; Chapter 9 – Transportation of Radioactive Material; and Chapter 10 – General Licenses. The new rules meet minimum substantive state statutory requirements in accordance with W.S. § 16-3-103(a)(i)(G). The Department has evaluated the new rules in accordance with W.S. § 9-5-304, and interested persons may inspect a copy of that evaluation and the proposed rule package at the following address: Department of Environmental Quality, Land Quality Division, 200 W. 17th Street, Suite 10, Cheyenne, Wyoming. Electronic copies are available at the EQC website identified below. Persons may also request a copy of the proposed rules by contacting Craig Hults at (307) 777-7066 or email at: [craig.hults@wyo.gov](mailto:craig.hults@wyo.gov). Questions regarding the proposed rules may be directed to Ryan Schierman at (307) 777-7757 or email at

[ryan.schierman@wyo.gov](mailto:ryan.schierman@wyo.gov).

The EQC will consider the revised proposed rules, additional written and electronically filed comments, LQD's Analysis of Comments and any further revisions proposed as a result of comments received. At the public hearing, statements that focus on previously received comments, the LQD's Analysis of Comments and issues raised by the analysis will be accepted. The EQC will determine if the record will remain open beyond the close of the scheduled hearing. The EQC may, however close the record and make a final decision regarding the rules at the conclusion of the hearing.

Comments on the proposed rules may be submitted until 5:00 p.m. (MST) on July 21, 2017. Written comments should be sent to the Wyoming Department of Environmental Quality, Land Quality Division, 200 W. 17th Street, Suite 10, Cheyenne, WY 82002 or faxed to (307) 635-1784. Electronic comments may only be submitted through and accepted by the DEQ comment portal provided at: <http://lq.wyomingdeq.commentinput.com> or by going to the Secretary of State website at <https://rules.wyo.gov/Search.aspx?mode=5>. The LQD will file an Analysis of Comments with the EQC prior to the August 2, 2017 public hearing. The proposed rules, comments submitted, and the response to comments will be posted on the Council's website at: <https://eqc.wyo.gov/Public/Dockets.aspx> under Docket #17-4101.

Any person wishing to use a digital presentation during their testimony before the EQC must provide a digital copy to the EQC no less than three (3) days prior to the hearing unless they contact the EQC and request an extension for good cause. Failure to submit a timely digital copy will result in the person not being allowed to use the presentation during their testimony.

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