

From: John Cash
To: [Saxton, John](#)
Cc: [Theresa Horne](#)
Subject: [External_Sender] Submittal of Form 313 requesting removal of pre-ops license conditions
Date: Wednesday, July 11, 2018 2:45:23 PM
Attachments: [2018-07-11 Request to Remove Pre-Ops LCs.pdf](#)

John,

The attached completed Form 313 seeks removal of the pre-operational license conditions currently listed in license SUA-1598. Please let me know if you have any questions.

Regards,

John W. Cash
Vice President Regulatory Affairs
Ur-Energy Inc.
5880 Enterprise Dr., Suite 200
Casper, WY 82609
O (307) 265-2373, ext. 303
C (307) 267-7003
john.cash@ur-energy.com

INSTRUCTIONS: SEE THE CURRENT VOLUMES OF THE NUREG-1556 TECHNICAL REPORT SERIES ("CONSOLIDATED GUIDANCE ABOUT MATERIALS LICENSES") FOR DETAILED INSTRUCTIONS FOR COMPLETING THIS FORM: <http://www.nrc.gov/reading-m/doc-collections/nuregs/staff/sr1556/>. SEND TWO COPIES OF THE COMPLETED APPLICATION TO THE NRC OFFICE SPECIFIED BELOW.

APPLICATION FOR DISTRIBUTION OF EXEMPT PRODUCTS FILE APPLICATIONS WITH:

MATERIALS SAFETY LICENSING BRANCH
 DIVISION OF MATERIAL SAFETY, STATE, TRIBAL AND RULEMAKING PROGRAMS
 OFFICE OF NUCLEAR MATERIALS SAFETY AND SAFEGUARDS
 U.S. NUCLEAR REGULATORY COMMISSION
 WASHINGTON, DC 20555-0001

ALL OTHER PERSONS FILE APPLICATIONS AS FOLLOWS:

IF YOU ARE LOCATED IN:

ALABAMA, CONNECTICUT, DELAWARE, DISTRICT OF COLUMBIA, FLORIDA, GEORGIA, KENTUCKY, MAINE, MARYLAND, MASSACHUSETTS, NEW HAMPSHIRE, NEW JERSEY, NEW YORK, NORTH CAROLINA, PENNSYLVANIA, PUERTO RICO, RHODE ISLAND, SOUTH CAROLINA, TENNESSEE, VERMONT, VIRGINIA, VIRGIN ISLANDS, OR WEST VIRGINIA,

SEND APPLICATIONS TO:

LICENSING ASSISTANCE TEAM
 DIVISION OF NUCLEAR MATERIALS SAFETY
 U.S. NUCLEAR REGULATORY COMMISSION REGION I
 2100 RENAISSANCE BOULEVARD, SUITE 100
 KING OF PRUSSIA, PA 19406-2713

IF YOU ARE LOCATED IN:

ILLINOIS, INDIANA, IOWA, MICHIGAN, MINNESOTA, MISSOURI, OHIO, OR WISCONSIN, SEND APPLICATIONS TO:

MATERIALS LICENSING BRANCH
 U.S. NUCLEAR REGULATORY COMMISSION, REGION III
 2443 WARRENVILLE ROAD, SUITE 210
 LISLE, IL 60532-4352

IF YOU ARE LOCATED IN:

ALASKA, ARIZONA, ARKANSAS, CALIFORNIA, COLORADO, HAWAII, IDAHO, KANSAS, LOUISIANA, MISSISSIPPI, MONTANA, NEBRASKA, NEVADA, NEW MEXICO, NORTH DAKOTA, OKLAHOMA, OREGON, PACIFIC TRUST TERRITORIES, SOUTH DAKOTA, TEXAS, UTAH, WASHINGTON, OR WYOMING,

SEND APPLICATIONS TO:

NUCLEAR MATERIALS LICENSING BRANCH
 U.S. NUCLEAR REGULATORY COMMISSION, REGION IV
 1600 E. LAMAR BOULEVARD
 ARLINGTON, TX 76011-4511

PERSONS LOCATED IN AGREEMENT STATES SEND APPLICATIONS TO THE U.S. NUCLEAR REGULATORY COMMISSION ONLY IF THEY WISH TO POSSESS AND USE LICENSED MATERIAL IN STATES SUBJECT TO U.S. NUCLEAR REGULATORY COMMISSION JURISDICTIONS.

1. THIS IS AN APPLICATION FOR (Check appropriate item)

A. NEW LICENSE

B. AMENDMENT TO LICENSE NUMBER SUA-1598

C. RENEWAL OF LICENSE NUMBER

2. NAME AND MAILING ADDRESS OF APPLICANT (Include zip code)

Lost Creek ISR, LLC
 5880 Enterprise Drive, Suite 200
 Casper, WY 82609

3. ADDRESS WHERE LICENSED MATERIALS WILL BE USED OR POSSESSED

Lost Creek Project
 3424 Wamsutter-Crooks Gap Road
 15 miles southwest of Bairoil, WY

4. NAME OF PERSON TO BE CONTACTED ABOUT THIS APPLICATION

John W. Cash

BUSINESS TELEPHONE NUMBER	BUSINESS CELLULAR TELEPHONE NUMBER
307-265-2373	307-267-7003

BUSINESS E-MAIL ADDRESS
 john.cash@ur-energy.com

SUBMIT ITEMS 5 THROUGH 11 ON 8-1/2 X 11" PAPER. THE TYPE AND SCOPE OF INFORMATION TO BE PROVIDED IS DESCRIBED IN THE LICENSE APPLICATION GUIDE.

5. RADIOACTIVE MATERIAL

a. Element and mass number; b. chemical and/or physical form; and c. maximum amount which will be possessed at any one time.

6. TRAINING FOR INDIVIDUALS WORKING IN OR FREQUENTING RESTRICTED AREAS

10. RADIATION SAFETY PROGRAM.

6. PURPOSE(S) FOR WHICH LICENSED MATERIAL WILL BE USED.

7. INDIVIDUAL(S) RESPONSIBLE FOR RADIATION SAFETY PROGRAM AND THEIR TRAINING AND EXPERIENCE

9. FACILITIES AND EQUIPMENT

11. WASTE MANAGEMENT

12. LICENSE FEES (Fees required only for new applications, with few exceptions*)
 (See 10 CFR 170 and Section 170.31)
 *Amendments/Renewals that increase the scope of the existing license to a new or higher fee category will require a fee.

FEE CATEGORY	2(A)2	AMOUNT ENCLOSED \$	0.00
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PER THE DEBT COLLECTION IMPROVEMENT ACT OF 1996 (PUBLIC LAW 104-134), YOU ARE REQUIRED TO PROVIDE YOUR TAXPAYER IDENTIFICATION NUMBER. PROVIDE THIS INFORMATION BY COMPLETING NRC FORM 531: <https://www.nrc.gov/reading-m/doc-collections/forms/nrc531info.html>

13. CERTIFICATION (Must be completed by applicant) THE APPLICANT UNDERSTANDS THAT ALL STATEMENTS AND REPRESENTATIONS MADE IN THIS APPLICATION ARE BINDING UPON THE APPLICANT.

THE APPLICANT AND ANY OFFICIAL EXECUTING THIS CERTIFICATION ON BEHALF OF THE APPLICANT, NAMED IN ITEM 2, CERTIFY THAT THIS APPLICATION IS PREPARED IN CONFORMITY WITH TITLE 10, CODE OF FEDERAL REGULATIONS, PARTS 30, 32, 33, 34, 35, 36, 37, 39, AND 40, AND THAT ALL INFORMATION CONTAINED HEREIN IS TRUE AND CORRECT TO THE BEST OF THEIR KNOWLEDGE AND BELIEF.

WARNING: 18 U.S.C. SECTION 1001 ACT OF JUNE 25, 1948 62 STAT. 749 MAKES IT A CRIMINAL OFFENSE TO MAKE A WILLFULLY FALSE STATEMENT OR REPRESENTATION TO ANY DEPARTMENT OR AGENCY OF THE UNITED STATES AS TO ANY MATTER WITHIN ITS JURISDICTION.

CERTIFYING OFFICER - TYPED/PRINTED NAME AND TITLE

John W. Cash, Vice President

SIGNATURE 

DATE 7/11/18

FOR NRC USE ONLY					
TYPE OF FEE	FEELOG	FEE CATEGORY	AMOUNT RECEIVED	CHECK NUMBER	COMMENTS
			\$		
APPROVED BY				DATE	

ATTACHMENT TO NRC FORM 313, "APPLICATION FOR MATERIAL LICENSE"

LOST CREEK ISR, LLC

Request to Remove Pre-Operational License Conditions

Letter to Document Control Desk (NRC) from Steve Hatten (Lost Creek ISR, LLC)
Amendment Request to Remove License Condition 12.9, Docket No. 040-09068.
ADAMS Accession No. ML13052A045, February 11, 2013.

Letter to Document Control Desk (NRC) from Steve Hatten (Lost Creek ISR, LLC)
Amendment Request to Remove License Condition 12.14, Docket No. 040-09068.
ADAMS Accession No. ML13141A416, April 24, 2013.

Letter to Document Control Desk (NRC) from John Cash (Lost Creek ISR, LLC)
Request to Remove Pre-Operations License Conditions, Docket No. 040-09068.
ADAMS Accession No. ML13175A258, May 20, 2013.

Letter to Document Control Desk (NRC) from John Cash (Lost Creek ISR, LLC)
Request to Remove License Condition 12.7, Docket No. 040-09068. ADAMS
Accession No. ML13171A276, June 20, 2013.

Lost Creek ISR, LLC requests removal of license conditions 12.2 and 12.3 because those conditions were satisfied during the pre-operational inspection. Inspection Report 04009068-13-01 from Region IV (NRC) "Preoperational Inspection on June 24-27, July 29 & 30, and August 27, 2013", Docket No. 040-09068, ADAMS Accession No. ML14134A150, May 13, 2014.

Lost Creek ISR, LLC requests that license condition 9.3 be amended by removing the current address and inserting the new address as follows:

Deputy Director
Division of Decommissioning, Uranium Recovery and Waste Programs
Office of Nuclear Material Safety and Safeguards
U.S. Nuclear Regulatory Commission
Mail Stop T-05A10
11545 Rockville Pike, Two White Flint North
Rockville, MD 20852-2738

Lost Creek ISR, LLC agrees with the NRC's proposed revision to license condition 12.15. The new language would be as follows:

"As part of its annual land-use survey, the licensee shall identify the location, screen depth, and estimated pumping rate of any new ground-water wells or new use of an existing well within the license area and within 2 kilometers (1.25 miles) of any proposed production area during the preceding year. The licensee shall

evaluate the impact of ISR operations to potential ground-water users and recommend any additional monitoring or other measures to protect ground-water users. The evaluation shall be submitted to the NRC for review within 6 months of discovery of such well use."

As further described below, the requested changes to the license meet the requirements of 10 CFR 40.32(a) through (d) which are:

- a. *"The application is for a purpose authorized by the Atomic Energy Act."*

The Lost Creek license is used to recover uranium, a source material, and possess byproduct material as described in the Atomic Energy Act.

- b. *"The licensee is qualified by reason of training and experience to use the source material for the purpose requested in such a manner as to protect health and minimize danger to life or property."*

Lost Creek ISR, LLC retains a radiation staff and radiation workers who are qualified by way of education and or training to handle source and byproduct materials. Section 5 of the Technical Report provides a detailed description of training and qualifications by position.

- c. *"The licensee's proposed equipment, facilities, and procedures are adequate to protect health and minimize danger to life or property."*

Lost Creek ISR, LLC's equipment, facilities and procedures are described in the Technical Report (mainly in Sections 3, 4 and 5) and will remain adequate to protect health and minimize danger to life or property.

- d. *"The issuance of the license amendment will not be inimical to the common defense and security or to the health and safety of the public."*

The amendments which remove language from the license are only applicable to pre-operational matters. The pre-operational conditions have been satisfied, as verified by NRC inspection, and are no longer relevant to common defense and security or the health and safety of the public.

The addition of language in license condition 12.15 requires Lost Creek ISR, LLC to identify any new wells within 2 kilometers of the proposed production area as part of the annual land-use survey. This action will assist with protecting the health and safety of the public by identifying potential routes of exposure and has no impact on common defense or security.

The change of NRC's address is not relevant to the requirements listed in 10 CFR 40.32(a) through (d).

3. ADDRESS WHERE LICENSED MATERIAL WILL BE USED OR POSSESSED

The Project location includes portions or the entirety of Sections 13 and 23 to 26 of Township 25 North, Range 93 West, and Sections 1 to 3, 10 to 12, 14 to 23 and 27 to 31 of Township 25 North, Range 92 West. The physical address used by emergency responders is 3424 Wamsutter Crooks Gap Rd. Approximately 15 miles southwest of Bairoil, Wyoming in Sweetwater County.

5. RADIOACTIVE MATERIAL

- a. Natural Uranium (U-238, 235 and 234) in any chemical or physical form and in unlimited quantities.
- b. Byproduct material as defined in 10 CFR 40.4 in unspecified form and in quantities generated under operations by the license.

6. PURPOSE(S) FOR WHICH LICENSED MATERIAL WILL BE USED

See Sections 1.0 and 1.1 of the original Technical Report submitted in October 2007.

7. INDIVIDUAL(S) RESPONSIBLE FOR RADIATION SAFETY PROGRAM AND THEIR TRAINING EXPERIENCE

See Sections 5.1.5, 5.1.5.1, 5.4.3 and 5.4.3.1 of the original Technical Report submitted in October 2007.

8. TRAINING FOR INDIVIDUALS WORKING IN OR FREQUENTING RESTRICTED AREAS

See Section 5.5 of the original Technical Report submitted in October 2007.

9. FACILITIES AND EQUIPMENT

See the original Technical Report submitted in October 2007 as well as submittals dated July 12, 2013 (ADAMS Accession Number ML13282A381), November 15, 2013 (ADAMS Accession Number ML13324A962), January 16, 2015 (ADAMS Accession Number ML15029A423), and July 28, 2015 (ADAMS Accession Number ML15218A055).

10. RADIATION SAFETY PROGRAM

See Section 5 in its entirety in the original Technical Report submitted in October 2007. Also see submittals dated July 12, 2013 (ADAMS Accession Number ML13282A381), November 15, 2013 (ADAMS Accession Number ML13324A962), January 16, 2015 (ADAMS Accession Number ML15029A423), and July 28, 2015 (ADAMS Accession Number ML15218A055).

11. WASTE MANAGEMENT

See Sections 4.2 thru 4.3.2 in the original Technical Report submitted in October 2007.

12. LICENSE FEES

The Fee Category is 2A(2) in accordance with 10 CFR 170.31. Since 2A(2) is a Full Cost Category, the NRC will invoice Lost Creek ISR, LLC to recover the cost of reviewing the amendment application.