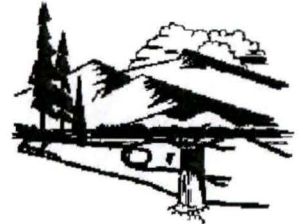




# Department of Environmental Quality

*To protect, conserve and enhance the quality of Wyoming's environment for the benefit of current and future generations.*



Mark Gordon, Governor

Todd Parfitt, Director

February 14, 2019

Lawrence Corte  
President, Western Nuclear Inc.  
333 North Central Avenue  
Phoenix, Arizona 85004

**RE: Source Material License SUA-56; Western Nuclear, Inc., Split Rock Uranium Mill Tailings Facility, Review of Second Half 2018 Surface and Groundwater Report.**

Dear Mr. Corte

The Wyoming Department of Environmental Quality Land Quality Division (LQD) has reviewed Western Nuclear Inc.'s (WNI) 2018 surface and groundwater monitoring report dated October 19, 2018, The LQD staff noted that WN-42A appears to have exceeded the Alternate Concentration Limit (ACL) for selenium as specified in License Condition 74B with a measurement of 0.074 mg/L. An exceedance of an ACL is not in compliance with 10 CFR 40, Appendix A, Criterion 5(B)(1), which is incorporated into state regulation by Chapter 4 of the Uranium Recovery Regulations. Criterion 5(B)(1) states that hazardous constituents "must not exceed the specified concentration limits beyond the point of compliance during the compliance period." Please clarify if the exceedance is an accurate measurement. If the measurement is correct, please indicate what corrective actions WNI will take to mitigate this noncompliance. Finalization of the Completion Review Report submitted to the NRC recommending license termination will be delayed until resolution is obtained on this exceedance. If you have any questions please feel free to contact me at your convenience.

Sincerely,

Ryan Schierman  
Uranium Recovery Program Manager  
307-777-7757