



**COLORADO**  
Department of Public  
Health & Environment

February 22, 2021

Ron Burrows  
Division of Materials Safety, Security, State, and Tribal Programs  
Office of Nuclear Material Safety and Safeguards  
U.S. Nuclear Regulatory Commission  
Washington, D.C. 20555-0001

Dear Mr. Burrows:

Please see the attached comments from Colorado on Inspection Manual Chapter 2801, Inspection Procedure 89005, Inspection Procedure 89010, Inspection Procedure 89015, Inspection Procedure 89020, Inspection Procedure 89030, Inspection Procedure 89035, Inspection Procedure 89045, and Inspection Procedure 89050 as requested in RCPD-21-001.

If you have any questions, please feel free to contact me at 303-692-3371 or [james.grice@state.co.us](mailto:james.grice@state.co.us).

Sincerely,

Jim Grice, Radiation Program Manager  
Hazardous Materials & Waste Management Division



Comments:

NRC Inspection Documents	Title	Comments
Inspection Manual Chapter 2801	Uranium Recovery and 11e.(2) Byproduct Material Facility Inspection Program	<ol style="list-style-type: none"> <li>Page 7, Item 07-02: We recommend adding “security and stability of tailings impoundment” into the list of higher-risk activities that should be reviewed during the inspection because it is one of the key licensed features in a conventional mill site.</li> </ol>
Inspection Procedure 89005	Management Organization and Controls at Uranium Recovery and 11e.(2) Byproduct Material Facilities	None
Inspection Procedure 89010	Disposal Cell Construction at Uranium Recovery and 11e.(2) Byproduct Material Facilities	<ol style="list-style-type: none"> <li>Section 2.2: We recommend adding the following items to the list of higher-risk activities. It is important for the inspector to verify and make sure that they are constructed as designed so that they will function properly in the future. <ul style="list-style-type: none"> <li>Disposal cell construction</li> <li>Installation of the liner system</li> <li>Construction of the cover</li> </ul> </li> <li>Section 3.4: For construction activities such as placement of contamination materials or cover materials, licensee should establish the specific radiation safety procedures and occupational monitoring program for workers and implement controls to mitigate the impacts to the environment such as dust control. Therefore, it is important for the inspector to observe and ensure that workers are properly following these procedures or controls and have adequate personal protective equipment and monitoring equipment on.</li> </ol>
Inspection Procedure 89015	Construction and Preoperational Inspection Program at Uranium Recovery and 11e.(2) Byproduct Material Facilities	None
Inspection Procedure 89020	Groundwater and Water Management at Uranium Recovery and 11e.(2) Byproduct Material Facilities	<ol style="list-style-type: none"> <li>Section 2.1, Item a: We recommend that the inspector also reviews spill, excursion or leakage reports that have been submitted since the last inspection as part of the in-office preparation before the onsite inspection.</li> <li>Section 3.3: We recommend adding a guidance saying that if the inspection is an announced inspection, the inspector should check with the licensee and obtain a list of the personal protective equipment required when entering the licensee’s site. This comment also applies to other applicable IPs.</li> </ol>



		<ol style="list-style-type: none"> <li>3. Section 3.4: We recommend that the inspector also independently observes or identify if there is any sign of spill or leakage around the water management facilities during the inspection.</li> </ol>
Inspection Procedure 89030	Radiation Protection at Uranium Recovery and 11e.(2) Byproduct Material Facilities	<ol style="list-style-type: none"> <li>1. Section 2.1, Item a: We recommend that the inspector also reviews incident or event reports involving security or control of the licensed materials that have been submitted since the last inspection as part of the in-office preparation before the onsite inspection.</li> <li>2. Section 2.1, Item b: We recommend that this item of the objective also describes that the inspector should observe the storage and use of the personal protective equipment to verify that they are available and properly used. We also recommend adding this item in Section 3.4 accordingly.</li> <li>3. Section 2.1, Item c: We recommend adding personnel release as one of the critical activities to be observed during the inspection.</li> <li>4. Appendix, 2.13, 3<sup>rd</sup> item: We recommend adding the RWP training into the training list.</li> </ol>
Inspection Procedure 89035	Radioactive Waste Management and Transportation at Uranium Recovery and 11e.(2) Byproduct Material Facilities	<ol style="list-style-type: none"> <li>1. Section 2.1, Item a: We recommend that the inspector also reviews any reports of radwaste spill or transportation incidents that have been submitted since the last inspection as part of the in-office preparation before the onsite inspection.</li> </ol>
Inspection Procedure 89045	Effluent Control and Environmental Protection at Uranium Recovery and 11e.(2) Byproduct Material Facilities	<ol style="list-style-type: none"> <li>1. Section 2.1, Item a: We recommend that the inspector also reviews effluent or environmental monitoring reports or data that have been submitted since the last inspection as part of the in-office preparation before the onsite inspection.</li> <li>2. Section 3.4: The third sentence describes the most common participate effluents are isotopes of uranium, thorium, and lead. We recommend also including radium in this list.</li> </ol>
Inspection Procedure 89050	Emergency Preparedness and Fire Protection at Uranium Recovery and 11e.(2) Byproduct Material Facilities	<ol style="list-style-type: none"> <li>1. Section 2.2: We recommend adding “identification of tailings impoundment dam failure and response” into the list of higher-risk activities that might impact the emergency preparedness and fire protection programs. The license’s emergency response procedure should address impoundment dam failure and their plans for response.</li> </ol>