UNITED STATES
NUCLEAR REGULATORY COMMISSION
WASHINGTON, D.C. 20555-0001

October 27, 2008

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UTAH DEPARTMENT OF
ENVIRONMENTAL QUALITY

NOV 5 2008

EXECUTIVE DIRECTOR'S OFFICE

Mr. Rick Sprott, Executive Director
Department of Environmental Quality
168 North 1950 West
P.O. Box 144810
Salt Lake City, UT 84114-4810

Dear Mr. Sprott:

On October 2, 2008, the Management Review Board (MRB) met to consider the proposed final followup Integrated Materials Performance Evaluation Program (IMPEP) report on the Utah Agreement State Program. The MRB found the Utah Agreement State Program adequate to protect public health and safety and compatible with the U.S. Nuclear Regulatory Commission's program.

Section 4.0, page 8, of the enclosed final report contains a summary of the IMPEP review team's findings. Based on the results of the current IMPEP review, the next full review of the Utah Agreement State Program will take place in approximately 3 years, with a periodic meeting tentatively scheduled for January 2010.

I appreciate the courtesy and cooperation extended to the IMPEP team during the review and wish to acknowledge your continued support for the Agreement State Program. I look forward to our agencies continuing to work cooperatively in the future.

Sincerely,

Martin J. Virgilio
Deputy Executive Director for Materials, Waste, Research, State, Tribal, and Compliance Programs
Office of the Executive Director for Operations

Enclosure:
Utah Final Followup IMPEP Report

cc w/encl.: Dane Finerfrock, Director
Utah Division of Radiation Control

Richard Ratliff, Texas
Organization of Agreement States
Liaison to the MRB

U.S.NRC

United States Nuclear Regulatory Commission

Protecting People and the Environment

INTEGRATED MATERIALS PERFORMANCE EVALUATION PROGRAM

FOLLOWUP REVIEW OF THE UTAH AGREEMENT STATE PROGRAM

July 15-18, 2008

FINAL REPORT

Enclosure

1.0 INTRODUCTION

This report presents the results of the followup review of the Utah Agreement State Program, conducted July 15-18, 2008. A review team comprised of technical staff members from the U.S. Nuclear Regulatory Commission (NRC) conducted the followup review. Review team members are identified in Appendix A. The review team conducted the review in accordance with the February 26, 2004 NRC Management Directive 5.6, "Integrated Materials Performance Evaluation Program (IMPEP)." Preliminary results of the followup review, which covered the period of June 16, 2007, to July 18, 2008, were discussed with Utah managers on the last day of the review.

A draft of this report was issued to Utah for factual comment on August 12, 2008. The State responded by letter on September 4, 2008, from Dane Finerfrock, Director, Division of Radiation Control (the Division). A copy of the State's response is included as the Attachment to this report. The Management Review Board (MRB) met on October 2, 2008, to consider the proposed final report. The MRB found the Utah Agreement State Program to be adequate to protect public health and safety and compatible with NRC's program.

The Agreement State program is administered by the Division. The Division is located within the Department of Environmental Quality (the Department). An organization chart for the Division is included as Appendix B.

At the time of the review, the Utah Agreement State Program regulated approximately 200 specific licenses, including naturally occurring or accelerator-produced radioactive material (NARM). The Division's responsibilities include regulatory authority for 11e.(2) byproduct material (uranium recovery activities). The Division currently regulates three uranium mill sites and a commercial 11e.(2) disposal facility. The Division also has regulatory responsibility for a low-level radioactive waste (LLRW) disposal site. The review focused on the radioactive materials program as it is carried out under the Section 274b. (of the Atomic Energy Act of 1954, as amended) Agreement between the NRC and the State of Utah. The Agreement was amended in 1990 to add the LLRW disposal program and in 2004 to include the uranium recovery program.

The followup review focused on the State's performance in regard to the common performance indicator, Technical Quality of Incident and Allegation Activities, and the non-common performance indicator, Uranium Recovery Program. The followup review included an evaluation of the State's actions to address the recommendations made during the 2007 IMPEP review. Aspects of the program not evaluated as part of the followup review were discussed at a periodic meeting held in conjunction with the review. The periodic meeting summary is included as Appendix C.

In preparation for the followup review, a questionnaire addressing the applicable common and non-common performance indicators was sent to the Division on April 7, 2008. The Division provided its response to the questionnaire on June 12, 2008. A copy of the questionnaire response can be found in the NRC's Agencywide Documents Access and Management System (ADAMS) using the Accession Number ML082120500.

The review team's general approach for conduct of this followup review consisted of: (1) examination of Utah's response to the questionnaire; (2) technical evaluation of selected regulatory actions; (3) field accompaniments of three uranium mill inspectors; and (4) interviews with staff and managers to answer questions or clarify issues. The review team evaluated the information gathered against the established performance criteria for the applicable common and non-common performance indicators and made a preliminary assessment of the Utah Agreement State Program's performance.

Results of the review of the common performance indicator are presented in Section 2.0. Section 3.0 details the results of the review of the non-common performance indicator. Section 4.0 summarizes the followup review team's findings.

2.0 COMMON PERFORMANCE INDICATOR

The followup review addressed one of the five common performance indicators used in reviewing both NRC Regional and Agreement State radioactive materials programs. The indicator reviewed was Technical Quality of Incident and Allegation Activities.

2.1 Technical Quality of Incident and Allegation Activities

In evaluating the effectiveness of the Division's actions in responding to incidents and allegations, the review team examined the Division's response to the questionnaire relative to this indicator, evaluated the casework and supporting documentation for two incidents, and interviewed staff and managers. A listing of incident casework examined can be found in Appendix F.

The review team also evaluated the Division's response to three allegations involving radioactive materials. The review team determined that the Division took prompt and appropriate action in response to all concerns raised. The allegations reviewed were appropriately closed, and affected individuals were notified of the actions taken.

The review team's evaluation of the Division's response to Recommendation 1 of the 2007 IMPEP report is presented below:

Recommendation 1:

The review team recommends that the State conduct on-site investigations of complex incidents to determine potential health and safety impacts and to evaluate licensees' actions to prevent recurrences. (Section 3.5 of the 2007 IMPEP Report)

Current Status:

Following the 2007 review, the Division revised its Administrative Policies Document to incorporate a form that clearly documents the decision for on-site investigations into the Division's incident review process. The revision also incorporated a new policy for conducting reactive inspections within 2 weeks of a therapy-related medical event. The policy changes were communicated to the inspection staff via e-mail and discussed at a subsequent staff meeting.

To assess the effectiveness of the Division's policy revisions, the review team evaluated the casework for two radioactive materials incidents, one of which was a followup to a 2006 incident. In both cases, the Division employed the use of the new form to document its justification for or against an on-site investigation. The review team observed the documentation of the justification for an on-site investigation in one case and against an on-site investigation for the other case. The review team determined that the Division's decisions were appropriate based on the health and safety significance of the incidents.

For the followup to the 2006 incident, the Division appropriately notified the NRC Headquarters Operations Center of the recovery of the gauge. The Division updated the 2006 Nuclear Material Events Database (NMED) entry, as well.

Since the 2007 review, the Division has not received any reports of therapy-related medical events; therefore, the review team could not assess the effectiveness of the Division's policy revision in this area. Although there have not been any therapy-related medical events in Utah since the implementation of this policy change, Division management has committed to ensuring that the new policy is followed for any future therapy-related medical events.

The review team examined the inspection casework for one routine inspection involving followup to an incident. The Division's initial response to this incident was evaluated during the 2007 IMPEP review. The inspection casework clearly documented the scope of the inspector's review of the licensee's resolution of the incident, including any corrective actions. The inspector determined the appropriateness of the licensee's corrective actions and their effectiveness.

During the review period, the small number of events limited the Division's application of its policy changes. Although the review team was only able to review casework for two incidents, in both cases, the Division adhered to its revised policy. The review team believes that the Division's policy revisions meet the intent of the recommendation. The review team also determined that the Division is adequately following up on incidents at subsequent inspections. This recommendation is closed.

Based on the IMPEP evaluation criteria, the review team recommended, and the MRB agreed, that Utah's performance with respect to the indicator, Technical Quality of Incident and Allegation Activities, was satisfactory.

3.0 NON-COMMON PERFORMANCE INDICATOR

The followup review addressed one of the four non-common performance indicators used in reviewing Agreement State radioactive materials programs. The indicator reviewed was Uranium Recovery Program.

3.1 Uranium Recovery Program

In evaluating the State's performance with respect to this indicator, the review team examined the Division's response to the questionnaire, evaluated casework for 10 inspections/site visits and 2 licensing actions, and interviewed staff and managers.

At the time of the followup review, the Division regulated three mill sites: the White Mesa Mill, the Shootaring Canyon Mill, and the Lisbon Valley Mill. The White Mesa Mill is the only site that is in "operational status," processing ore for its uranium content. The White Mesa Mill also has an alternate feed processing circuit; however, no alternate feed is being processed. The Shootaring Canyon Mill remains in standby status, but the Division is currently reviewing the owner's request for a license amendment to return the facility to operational status. The Lisbon Valley Mill has been in decommissioning status since November 1995.

The 2007 review team made one recommendation regarding Utah's performance with respect to this indicator. The current review team's evaluation of the Division's response to Recommendation 2 of the 2007 IMPEP report is presented below:

Recommendation 2:

The review team recommended that the State institute a more comprehensive inspection program that ensures radiation safety and protection at uranium recovery facilities, including compliance with applicable regulatory requirements and license conditions. (Section 4.4.3 of the 2007 IMPEP Report)

Current Status:

Since the 2007 review, the Division took several actions to address this recommendation. The Division's actions were focused on technical staffing and training and the development and implementation of health physics inspection modules.

At the time of the followup review, the Division had two radiation safety inspectors for the uranium recovery program; one new inspector was hired since the previous review. The review team determined that both inspectors have relevant radiation protection experience and are qualified for the position. The inspectors have attended several NRC training courses and are familiar with NRC Inspection Manual Chapter (IMC) 2801, "Uranium Mill and 11e.(2) Byproduct Material Disposal Site and Facility Inspection Program."

Since the previous review, the Division developed and implemented 12 health physics inspection modules, which include the licensees' ALARA (acronym for "as low as is reasonably achievable") and Radiation Work Permit programs; posting, exit monitoring, and surveys; staffing and training; internal and external monitoring; effluent monitoring; and personal protective equipment and respirator issuance. The review team determined that all essential radiological health and safety aspects of a uranium recovery program are covered by the health physics inspection modules.

The inspection modules are specific for each facility and address the relevant topics based on the licensee's operational status. The program was designed so that the different modules would be covered over the course of a calendar year. Using this approach, the Division has developed an inspection program that is consistent with IMC 2801.

From July 2007 through June 2008, the Division conducted a total of seven radiation safety inspections. The Division performed two radiation safety inspections of the Shootaring Canyon Mill, two radiation safety inspections for the Lisbon Valley Mill, and three radiation safety

inspections for the White Mesa Mill. As the Shootaring Canyon Mill gets closer to operational status, the frequency of inspections at that site will increase. The review team determined that the radiation safety inspection frequency was consistent with the frequency prescribed by IMC 2801. In addition to the radiation safety inspections, the Division conducted several site visits to observe and document activities at the White Mesa Mill associated with the construction of a new tailings impoundment, called Cell 4A.

The review team evaluated the casework for 10 inspections/site visits. Appendix D lists the inspection files reviewed. The review team found that the inspection reports were generally thorough, complete, consistent, and of good quality, with sufficient documentation to ensure that the licensees' performances with respect to health and safety were acceptable. The review team noted that the inspection reports were completed in a timely manner.

The review team noted that, during the review period, the Division enhanced its uranium mill inspection program, creating a comprehensive and robust program that adequately assesses radiation safety at uranium mills. The Division developed and implemented health physics inspection modules that are comprehensive and include all aspects of the licensees' radiation safety programs. This recommendation is closed.

In addition to reviewing the Division's response to the recommendation from the 2007 IMPEP report, the review team evaluated the following five subelements of the Uranium Recovery Program: (1) Technical Staffing and Training; (2) Status of the Uranium Recovery Program; (3) Technical Quality of Inspections; (4) Technical Quality of Licensing Actions; and (5) Technical Quality of Incident and Allegation Activities.

3.1.1 Technical Staffing and Training

In reviewing this subelement, the review team evaluated the staffing level, the technical qualifications of the staff, staff training, and staff turnover.

The Geotechnical Services Section and the Health Physics Support Section share responsibility for the administration of the Uranium Recovery Program. Various members of the Uranium Recovery Program staff participated in inspections and licensing activities at the three uranium mill facilities regulated by the Division. The amount of participation varied, depending on the individuals' qualifications and workloads. The review team determined that the Division's staffing level in the Uranium Recovery Program was adequate for the workload at the time of the review. The Division recognized that, with the renewed interest in uranium mining and exploration, it may need additional staff to handle a potential increase in workload.

The review team conducted interviews and evaluated the inspectors' qualifications. As discussed above, the inspectors are well qualified for the position, have attended NRC sponsored training classes, and are familiar with IMC 2801. The review team determined that the Division has an appropriate training and qualification program in place for its Uranium Recovery Program. The review team noted that the Division continues to have a very low turnover rate, with no staff leaving in the last year.

The review team found that the Uranium Recovery Program staff has expertise in geology; hydrogeology; construction management; drainage and run-off systems; storm water and wastewater design, permitting, and compliance; health physics; and radiation control. For topics where in-house expertise was not available or when workloads did not permit timely reviews of submittals, the Division outsourced technical review work. The Division uses an environmental and engineering design firm to assist in major license amendment reviews. The review team verified that the State performs technical reviews of the firm's products. The review team found the firm's work to be of high quality. The review team found the Division's continuing practice of outsourcing of technical reviews to be an effective tool in conducting sound technical evaluations while providing the licensees with timely responses to their submittals. This practice allows the Division staff to focus on compliance issues.

3.1.2 Status of the Uranium Recovery Program

The review team focused on several factors in evaluating this subelement, including radiation safety inspection frequency and timely issuance of inspection reports and findings to licensees. The review team's evaluation is based on an evaluation of the Division's response to the questionnaire relative to this indicator, the uranium recovery inspection schedule, inspection casework files, and interviews with inspection staff and managers.

As noted under the current status of Recommendation 2, the Division conducted seven radiation safety inspections during the review period. The review team determined that the radiation safety inspection frequency was consistent with IMC 2801 requirements.

With respect to the communication of inspection findings to licensees, the review team found that inspection findings are communicated to the licensees via timely and well written inspection reports.

3.1.3 Technical Quality of Inspections

In reviewing this subelement, the review team examined inspection modules, inspection files, inspection reports, and enforcement documentation. The review of records covered inspections conducted July 2007 through May 2008.

The Division uses a site-specific, modular approach to their inspections of the mill sites. The review team found that the inspection modules are consistent with IMC 2801. The review team noted that not all of the inspection modules had been performed at the time of the followup review; however, they were planned for implementation during the next quarterly inspection cycle.

The review team discussed with Division managers and staff the modular approach to conducting uranium recovery inspections. The Division managers committed to ensuring that, at a minimum, all elements of a uranium recovery facility are inspected and documented on an annual basis. The review team stressed that inspectors should not feel confined to the inspection modules if an issue covered under another is identified during an inspection.

The review team found that the inspection reports and files provided an appropriate depth of coverage. Inspectors addressed compliance conditions for the licensees, and the inspection reports demonstrated that the inspectors pursued root causes where problems or violations were identified. The inspection files documented the current conditions and site features with photographs. The photographs were also used to document items of interest or concern.

The Division's records indicated that supervisor accompaniments of radiation safety and groundwater inspectors occurred during the review period. The accompaniment documentation contained sufficient evaluation of the inspectors.

The review team noted that the Division maintains an adequate supply of portable instruments for routine confirmatory surveys and incident response. The instruments are calibrated annually, or as needed, by the Division using an in-house calibration source.

On May 28 and 29, 2008, two members of the review team accompanied two of the Division's uranium recovery radiation safety inspectors and their immediate supervisor during an inspection of the White Mesa Mill. The inspection covered two radiation protection modules designed for the facility. During the accompaniments, the inspectors demonstrated appropriate inspection techniques, knowledge of the regulations, and conducted performance-based inspections. The inspectors were well prepared for the inspection and thorough in their audit of the licensee's radiation safety and environmental programs. The inspectors conducted interviews with appropriate licensee personnel, observed licensed operations, conducted confirmatory measurements, and utilized good health physics practices. The inspectors appropriately identified a safety concern.

3.1.4 Technical Quality of Licensing Actions

The review team evaluated licensing actions related to the new tailings impoundment, Cell 4A, design and construction at the White Mesa Mill. During the review period, the Division completed a design certification and a groundwater quality discharge permit. The review team evaluated both of these actions. Appendix E lists the licensing files reviewed. These actions properly addressed health, safety, and environmental issues. The review team found the license thorough and the license conditions clear and well written. The review team concluded that these licensing actions were appropriate and that the Division's evaluation was of adequate technical quality.

At the time of the followup review, the Division has one pending license renewal for the White Mesa Mill. The Division had also received a design for another new tailings impoundment at the White Mesa Mill; review of this document was in the process of being initiated. One proposed license modification was pending for the Shootaring Canyon Mill.

3.1.5 Technical Quality of Incident and Allegation Activities

During the review period, the Division did not receive reports of any incidents or allegations in regard to the Uranium Recovery Program. The review team examined the Division's policies and procedures for responding to incidents and allegations, as described in Section 2.1.

Based on the IMPEP evaluation criteria, the review team recommended, and the MRB agreed, that Utah's performance with respect to the indicator, Uranium Recovery Program, was satisfactory.

4.0 SUMMARY

As noted in Sections 2.0 and 3.0, Utah's performance was found satisfactory for the indicators, Technical Quality of Incident and Allegation Activities and Uranium Recovery Program. The review team noted that State resolved the two open recommendations from the previous IMPEP review. Accordingly, the review team recommended, and the MRB agreed, that the Utah Agreement State Program was adequate to protect public health and safety and compatible with NRC's program. Based on the results of the review, the review team recommended, and the MRB agreed, that the next full IMPEP review take place in approximately 3 years.

LIST OF APPENDIXES AND ATTACHMENT

Appendix A	IMPEP Review Team Members
Appendix B	Utah Organization Chart
Appendix C	Periodic Meeting Summary
Appendix D	Inspection Casework Reviews
Appendix E	License Casework Reviews
Appendix F	Incident Casework Reviews
Attachment	September 4, 2008, Letter from Dane Finerfrock Utah's Response to Draft IMPEP Report

APPENDIX A

IMPEP REVIEW TEAM MEMBERS

Name	**Area of Responsibility**
Aaron McCraw, FSME	Team Leader Technical Quality of Incident and Allegation Activities Periodic Meeting
Linda McLean, Region IV	Uranium Recovery Program Inspector Accompaniments Periodic Meeting
Doug Mandeville, FSME	Uranium Recovery Program Inspector Accompaniments

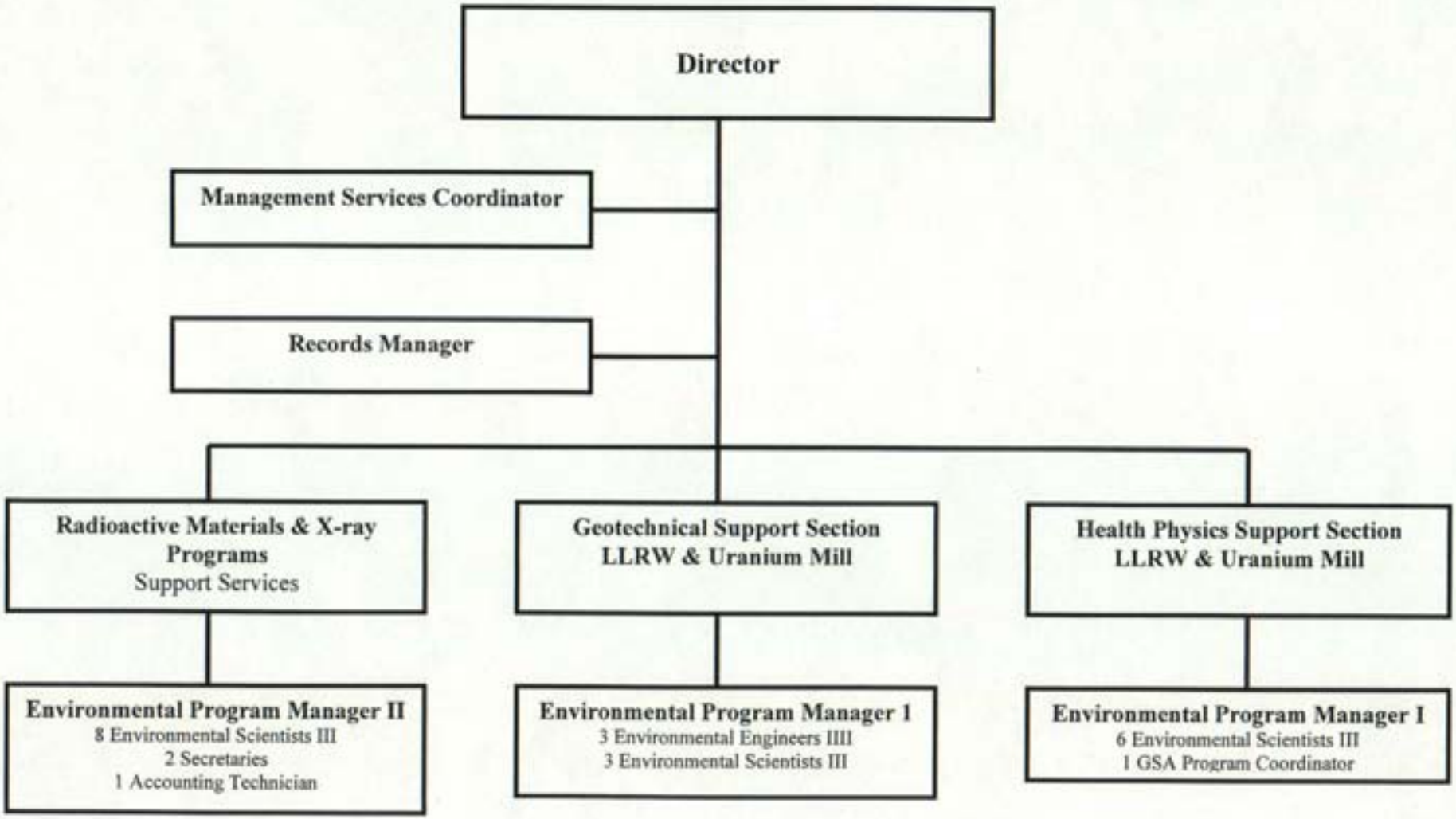
APPENDIX B

UTAH ORGANIZATION CHART

ADAMS ACCESSION NO.: ML082120490

Department of Environmental Quality
Division of Radiation Control

Organization Chart



8/4/05

APPENDIX C

PERIODIC MEETING SUMMARY

A periodic meeting was held with the Division Director and Section Managers by Aaron McCraw, Team Leader, and Linda McLean, during the followup review pursuant to the Office of Federal and State Materials and Environmental Management Programs (FSME) Procedure SA-116, "Periodic Meetings with Agreement States Between IMPEP Reviews." Topics normally documented during periodic meetings that were reviewed and documented as part of the followup review will not be discussed in this Appendix. The following topics were discussed:

1. Status of Recommendations from Previous IMPEP Reviews

   See Sections 2.0 and 3.0 for details on the status of recommendations identified during previous IMPEP reviews.

2. Strengths and/or weaknesses of the State program as identified by the State or NRC including identification of actions that could diminish weaknesses

   A major strength of the program is the stability and experience of the health physics staff. The level of experience of health physics staff ranges from 1-20 years with the Division. Another strength is that the new uranium recovery radiation safety inspectors are very qualified and experienced.

   The Division identified the loss of their computer programmer as a weakness. The database is not complete, and with the loss of the programmer, the database will need additional time before it is fully operational. The Division also identified their staffing level as a potential weakness. Although the Division was fully staffed at the time of the followup review, the loss of one staff member could potentially cause the program to get behind in inspections or licensing actions.

3. Feedback on NRC's program, as identified by the State and including identification of any action that should be considered by NRC

   The Division expressed appreciation for the NRC's funding of Agreement State training again. The Division suggested that the NRC consider adding the 5-week Health Physics course to the list of funded courses.

   NRC staff and the Division managers discussed the NRC's recent initiatives related to radioactive materials security. The Division recommended that the NRC use rulemaking in place of orders to impose additional security requirements. The Division also recommended that the NRC perform a full cost versus benefit comparison for future security initiatives.

   The Division suggested that NRC develop another security training course or revise the existing course to incorporate "lessons learned" from the first round of security inspections.

4. Status of State Program

a. Staffing:

At the time of the followup review, the Division was fully staffed. The Radioactive Materials Section has one manager and four technical staff. The Uranium Recovery and Low-Level Waste Section has one manager and five health physicists. In addition, the Division was fully staffed in the Geotechnical Services Section. NRC staff noted that the Division's staffing level appeared sufficient for the Division's current activities. Additional security initiatives may cause a need for the Division to re-evaluate its staffing level.

b. Materials Inspection Program:

The Division's inspection priorities are generally the same as the NRC's priorities. The Radioactive Materials Section tracks inspection activities in a computer database. Since the last review, some inspections have been completed overdue due to a change in the NRC's inspection program. The NRC eliminated the practice of extending inspection frequencies for good performance; whereas, the Section continued the practice. Once identified and corrected in the database, some inspections were technically conducted overdue. Supervisory accompaniments are being conducted annually for all inspectors.

c. Regulations and Legislative changes:

At the time of the followup review, the Division was up to date on all regulations due for compatibility with the NRC. NRC staff and the Division discussed the five NRC amendments that will be due for Agreement State implementation. The Division has a plan in place to address them. No legislative changes affecting the Division are expected.

d. Program reorganizations:

There were no reorganizations during the review period, and no reorganizations are anticipated in the future.

e. Changes in Program budget/funding:

There were no changes in funding during the review period. No changes are anticipated in the future.

f. Event Reporting, including follow-up and closure information in NMED:

See Section 2.0 for details.

g. Response to Incidents and Allegations:

See Section 2.0 for details.

5. Information exchange and discussion and NRC current initiatives

NRC staff and the Division discussed the uranium recovery renaissance. The Division recognized that they need to increase their staff size to handle the increased workload when new license applications are submitted. The NRC and the Division discussed the possibility of the NRC developing a uranium recovery workshop or training program. NRC staff agreed to explore this idea further, given the increased interest in uranium recovery.

The Division mentioned that a company is conducting exploratory drilling close to the tailings impoundment of the Rio-Algom Lisbon Valley Site (Rio-Algom is decommissioning the site). The U.S. Bureau of Land Management (BLM) owns the deep mineral rights and apparently has given the company approval to drill. The Division was concerned that the drilling might allow the contamination plume to spread. The Division has been in close contact with BLM and another State agency to ensure that appropriate measures are taken to avoid creating a new pathway for the contamination plume. The Division communicated this information to the NRC for awareness and requested no specific action on the part of the NRC.

Energy Solutions' license renewal is under appeal by local activist groups.

The Division expressed appreciation for the NRC keeping them involved in the discussions and activities regarding disposal of depleted uranium from the deconversion of uranium hexafluoride.

APPENDIX D

INSPECTION CASEWORK REVIEWS

NOTE: CASEWORK LISTED WITHOUT COMMENT IS INCLUDED FOR COMPLETENESS ONLY.

File No.: 1
Licensee: Denison Mines – White Mesa
Inspection Type: Routine, Announced
Inspection Dates: 5/28-29/07

License No.: UT1900479
Priority: 1
Inspectors: KC, RJ, JH

File No.: 2
Licensee: Denison Mines – White Mesa
Inspection Type: Routine, Announced
Inspection Dates: 10/16-17/07

License No.: UT1900479
Priority: 1
Inspectors: KC, JH

File No.: 3
Licensee: Denison Mines – White Mesa
Inspection Type: Routine, Unannounced
Inspection Date: 3/26/08

License No.: UT1900479
Priority: 1
Inspectors: KC, RJ

File No.: 4
Licensee: SXR Uranium One
Inspection Type: Routine, Announced
Inspection Dates: 9/24-25/07

License No.: UT0900480
Priority: 1
Inspector: KC

File No.: 5
Licensee: SXR Uranium One
Inspection Type: Routine, Announced
Inspection Date: 3/25/08

License No.: UT0900480
Priority: 1
Inspectors: KC, RJ

File No.: 6
Licensee: SXR Uranium One
Inspection Type: Routine, Announced
Inspection Date: 6/16/08

License No.: UT0900480
Priority: 1
Inspector: RJ

File No.: 7
Licensee: Rio Algom – Lisbon Valley
Inspection Type: Site Visit, Announced
Inspection Date: 3/27/08

License No.: UT1900481
Priority: N/A
Inspectors: RJ, KC

File No.: 8
Licensee: Denison Mines – White Mesa
Inspection Type: Site Visit, Announced
Inspection Date: 11/28/07

License No.: UT1900479
Priority: N/A
Inspector: DR

File No.: 9
Licensee: Denison Mines – White Mesa
Inspection Type: Site Visit, Announced
Inspection Date: 10/11/07
License No.: UT1900479
Priority: N/A
Inspector: DR

File No.: 10
Licensee: Denison Mines – White Mesa
Inspection Type: Site Visit, Announced
Inspection Date: 8/11/07
License No.: UT1900479
Priority: N/A
Inspector: DR

INSPECTOR ACCOMPANIMENT

The following inspector accompaniment was performed prior to the on-site IMPEP review:

Accompaniment No.: 1
Licensee: Denison Mines – White Mesa
Inspection Type: Routine, Announced
Inspection Dates: 5/28-29/08
License No.: UT1900479
Priority: 1
Inspectors: KC, RJ, JH

APPENDIX E

LICENSING CASEWORK REVIEWS

NOTE: CASEWORK LISTED WITHOUT COMMENT IS INCLUDED FOR COMPLETENESS ONLY.

File No.: 1
Licensee: Denison Mines – White Mesa
License Type: Amendment
Date Issued: 3/14/08

License No.: UT1900479
Amendment No.: N/A
Reviewers: LM, DR, contractor

File No.: 2
Licensee: Denison Mines – White Mesa
License Type: Amendment
Date Issued: 3/14/08

License No.: UGW37004
Amendment No.: N/A
Reviewers: LM, DR, contractor

APPENDIX F

INCIDENT CASEWORK REVIEWS

NOTE: CASEWORK LISTED WITHOUT COMMENT IS INCLUDED FOR COMPLETENESS ONLY.

File No.: 1
Licensee: Brush Resources
Date of Incident: 7/6/07
Investigation Date: 7/19/07

License No.: UT1400018
Incident Log No.: UT-07-0007
Type of Incident: Transportation
Type of Investigation: Site

File No.: 2
Licensee: Superior Well Services, Inc.
Date of Incident: 10/29/07
Investigation Date: N/A

License No.: UT2400489
Incident Log No.: UT-07-0008
Type of Incident: Recovered RAM
Type of Investigation: N/A

ATTACHMENT

September 4, 2008, Letter from Dane Finerfrock
Utah's Response to Draft IMPEP Report

ADAMS Accession Number: ML082610633

State of Utah

JON M. HUNTSMAN, JR.
Governor

GARY HERBERT
Lieutenant Governor

Department of
Environmental Quality

Richard W. Sprott
Executive Director

DIVISION OF RADIATION CONTROL
Dane L. Finerfrock
Director

September 4, 2008

Mr. Aaron T. McCraw
IMPEP Project Manager
Division of Materials Safety and State Agreements
Office of Federal and State Materials
And Environmental Management Programs
U.S. Nuclear Regulatory Program
Washington, D.C. 20555-0001

Dear Mr. McCraw:

We appreciate the opportunity to review the report, " IMPEP Follow-up Review of the Utah Agreement State Program," dated July 15-18, 2008. We have no comments regarding the report.

Sincerely,

Dane Finerfrock
Director

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