



State of Utah

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Governor

GARY HERBERT
Lieutenant Governor

Department of
Environmental Quality

Amanda Smith
Acting Executive Director

DIVISION OF RADIATION CONTROL
Dane L. Finerfrock
Director

July 2, 2009

David C. Frydenlund
Vice President, Regulatory Affairs and Counsel
Denison Mines (USA) Corp.
1050 17th Street, Suite 950
Denver, Colorado 80265

RE: Renewal Application for Radioactive Material License (RML) No. UT1900479

Dear Mr. Frydenlund:

On February 28, 2007, Denison Mines (USA) Corp. submitted an application to renew the State of Utah RML No. UT1900479 for the White Mesa Uranium Mill located near Blanding Utah. The Division of Radiation Control (DRC) has reviewed the documentation that you provided according to NUREG 1556. On November 24, 2008, additional information was requested by the DRC and was later provided by Denison Mines. After reviewing the additional information provided, it has been determined that additional information is still required before the renewal of your RML (UT1900479) can proceed. Attached you will find a list of Interrogatory Statements outlining the information requiring further explanation. This list is divided into two sections. The first section is the 2nd round of Health Physics Interrogatories and the second section are Engineering Interrogatories. Environmental issues regarding this RML renewal were addressed during the last Groundwater Quality Discharge Permit Amendment of March 17, 2008. The DRC requests a response to these Interrogatory Statements by August 17, 2009. Please contact John Hultquist at (801) 536-4250 if you have any questions or concerns.

UTAH RADIATION CONTROL BOARD

Dane Finerfrock, Executive Secretary

Cc: David Turk, Radiation Safety Officer (w/enclosure)
Harold Roberts, Executive Vice President, U.S. Operations (w/enclosure)

enclosure
DLF/RJ/rj

SECTION 1

**UTAH DIVISION OF RADIATION CONTROL
DENISON MINES (USA) CORPORATION
WHITE MESA URANIUM MILL
BLANDING, UTAH**

HEALTH PHYSICS INTERROGATORIES – ROUND 2

JULY 2, 2009

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ACRONYMS AND ABBREVIATIONS

ALARA	As Low As Reasonably Achievable
CFR	Code of Federal Regulations
DOT	US Department of Transportation
NRC	Nuclear Regulatory Commission
OSL	Optically Stimulated Luminescence
RML	Radioactive Materials License
RPP	Respiratory Protection Program
RSO	Radiation Safety Officer
RWP	Radiation Work Permit
SOP	Standard Operating Procedures
URCR	Utah Radiation Control Rules

INTERROGATORY STATEMENT- RADIATION SAFETY OFFICER (RSO):

Round One Interrogatory Statements 1 through 9 were answered appropriately and to the satisfaction of the DRC.

INTERROGATORY STATEMENT-THE EMERGENCY RESPONSE PLAN:

Round One Interrogatory Statement 10 was answered appropriately and to the satisfaction of the DRC.

INTERROGATORY STATEMENT-ALTERNATE FEED:

1. Round One Interrogatory Statement 11 "Provide the inspection procedure that discusses the inspection requirements of the alternate feed material that are stored in containers other than drums from when the mill takes acceptance of the material until they process the material" and Statement 12 "Provide the procedure that discusses how alternate feed material that is leaking from containers other than drums and is exposed to the wind will be containerized." The issue is ALARA. Demonstrate how mill workers and the General Public are protected from unnecessary inhalation exposure from alternate Feed Stocks that have 0.009 to 65% uranium content that are allowed to be exposed to the wind.

BASIS FOR INTERROGATORY:

Appendix C: Best Management Practices Plan 4.2.2 states that drums and other containers stored outdoors are maintained in good condition and secured from wind or leakage. During multiple inspections it has been observed and documented with photographs that alternate feed that have been shipped and stored in super sack type containers. These containers have been compromised and this material is leaking and is exposed to the wind.

APPLICABLE RULE(S) OR REGULATION(S):

R313-24-1(3). Purpose and Authority
R313-15-101. Radiation Protection Programs

REFERENCES:

Radioactive Materials License Renewal Application for RML UT1900479: Appendix C: Best Management Practices Plan Section 4.2.2 *Protect Material Outside*.

INTERROGATORY STATEMENT-ALTERNATE FEED:

2. Round One Interrogatory Statement 13 "Provide the procedure used to determine how and when alternate feed material is to be processed through the mill." The Mill is currently installing an Alternate Feed Circuit to the mill with operational status to begin in June 2009. Provide Radiation Safety information, for example additional PPE requirements and monitoring requirements, and a general overview of operation of this new circuit.

BASIS FOR INTERROGATORY:

In UAC R313-22-33(1)(b). General Requirements for the Issuance of Specific Licenses. states "A license application shall be approved if the Executive Secretary determines that the applicant's proposed equipment, facilities, and procedures are adequate to minimize danger to public health and safety or the environment." Section 9 of the License Application requires a description of the Mills facilities and Section 10 requires a description of the Radiation Safety Program. During multiple inspections in 2008 it has been observed and documented with photographs that alternate feed is being store at the mill for future process.

APPLICABLE RULE(S) OR REGULATION(S):

R313-24-1(3). Purpose and Authority

R313-15-101. Radiation Protection Programs

R313-22-33(1)(b). General Requirements for the Issuance of Specific Licenses

REFERENCES:

UAC R313-22-33(1)(b). General Requirements for the Issuance of Specific Licenses

INTERROGATORY STATEMENT-ALTERNATE FEED:

3. Provide a list of approved alternate feed material that Denison Mines will no longer be accepting. Include an updated list of approved alternate feeds with their corresponding License Condition.

BASIS FOR INTERROGATORY:

Use the License Renewal to remove alternate feed license conditions that are no longer active.

APPLICABLE RULE(S) OR REGULATION(S):

R313-24-1(3). Purpose and Authority

R313-15-101. Radiation Protection Programs

REFERENCES:

Radioactive Materials License Renewal Application for RML UT1900479: Volume 1: Table 4.2-1 "Alternate Feed Materials Licensed to Date for Processing at the Mill".