

June 8, 2012

via Overnight Mail

Mark Rogaczewski, Supervisor  
Wyoming Department of Environmental Quality  
Land Quality Division – District III  
2100 West 5th Street  
Sheridan, WY 82801

**RE: Willow Creek ISR Project – Permit to Mine No. 478**  
**Non-Significant Revision Application: Incidental Boundary Revision**  
**TFN 5 4/322**

Dear Mr. Rogaczewski:

Uranium One USA, Inc. (Uranium One) submitted a request for an Incidental Boundary Revision (IBR) to WDEQ-LQD on May 2, 2012. On June 1, 2012, under cover of a May 30, 2012, letter from Glenn Mooney of WDEQ-LQD District III, Uranium One received comments regarding this IBR request. Uranium One's responses to these comments from Glenn Mooney, Deanna Hill and Dave Schellinger are included as Attachment A. Also included as part of this response package are two copies of: page insertions for Appendix C regarding the legal description of the IBR area and surface owner consent, the Cotter – Uranium One Agreement and a revised Figure C-1; and page replacements for the Appendix D-7 Soils, Addendum D7-A. Two separate "Index of Change" sheets are also provided; one regarding page 1 replacement of Form 11 and another for IBR revisions to Permit to Mine No. 478.

If you have any questions or need additional information concerning this Permit No. 478 IBR response package please contact me at 307-234-8235 or by email at [jon.winter@uranium1.com](mailto:jon.winter@uranium1.com).

Sincerely,



Jon Winter  
Manager of Environmental & Regulatory Affairs, Wyoming

Encl: "Index of Change" Sheets  
Page Replacements  
Paginated Landowner Consent Letter  
Paginated Cotter – Uranium One Agreement  
WDEQ-LQD Form 11, Page 1

cc: Tim McCullough, Uranium One, w/ encl.  
Bill Kearney, Uranium One, w/o encl.  
Ron Linton, NRC, w/o encl.

**Uranium One Responses to WDEQ-LQD Comments on Permit No 478  
Incidental Boundary Revision Application**

Comment from Deanna Hill (WDEQ)

Please resubmit page one (Form 11)

Uranium One Response

*A revised page one of Form 11 and accompanying "Index of Change" sheet is provided with this response package.*

General Comment from Dave Schellinger (WDEQ)

Provide a map that shows soil series delineation within the IBR area.

Uranium One Response

*The baseline soils map from Permit to Mine No. 489 (Cotter Corporation) displaying the soil series within IBR area and a revised discussion is provided with this response package.*

## MEMORANDUM

**TO:** Uranium One's Incidental Boundary Revision Application for Willow Creek Project, Permit No. 478, TFN 5 4/322

**FROM:** Glenn Mooney

**DATE:** May 9, 2012

**SUBJECT:** First Review

### Introduction

On May 3, 2012, under cover of a May 1, 2012, letter from Jon Winter, we received an application for an Incidental Boundary Revision (IBR) from Uranium One for their Willow Creek ISL Project. The IBR seeks to add 40 acres to Permit No. 478 so three perimeter monitor wells can be installed outside the current permit area.

### Review

#### 1. Index of Changes

The Index of Changes accurately described most new material included in the in the application.

It did not, however, list the surface owner consent signed by John Christensen or the Reciprocal Monitor Well Non-Interference Agreement between Uranium One and Cotter Corporation.

It should list both documents and give instructions for their insertion into the Adjudication Volume, Volume II.

#### Uranium One Response

*An Index of Change describing the placement of the surface owner consent and the Reciprocal Monitor Well Non-Interference Agreement between Uranium One and Cotter Corporation in Volume II has is provided with this IBR response package.*

#### 5. Appendix C, Permit Area

No new pages for Appendix C were supplied. A page for Appendix C is needed.

Uranium One Response

*Figure C-1 Project Location Map, revised to display the IBR area, and Form C-1, giving a legal description of the IBR area is provided with this IBR response package.*

6. Surface Owner Consent

A surface owner consent agreement signed by John Christensen was provided.

However, the consent agreement was included with the Form 11. A tab and pagination is needed so it can be inserted into the Adjudication Volume II is needed.

Uranium One Response

*A tab for placement of a paginated surface owner consent agreement in Adjudication Volume II, Appendix C, is provided with this IBR response package.*

7. Agreement with Cotter Corporation

An agreement with Cotter Corporation which currently holds Permit No. 489 which covers the IBR area and more was provided.

- a. Actually two copies of the agreement were provided, each with the signature of only one party. A copy of the final agreement with the signatures of both parties is requested.



Uranium One Response

*A copy of the final agreement with the signatures of both parties does not exist. Please see Condition 23. "**Execution; Counterparts**" of the Reciprocal Monitor Well Non-Interference Agreement (the Agreement) between Uranium One and Cotter Corporation. Condition 23 clearly states that the Agreement can be executed in "counterparts" i.e. two documents with the signature of only one of the two parties is acceptable. Further, the Agreement has been accepted by both Uranium One and Cotter Corporation and approved by the Wyoming Office of State Lands & Investments. Based upon this information and the fact that the Agreement has already been legally executed, Uranium One does not see the necessity of providing a single document with the signatures of both parties.*

- b. The Agreement should be placed in the Adjudication Volume in a Surface Agreements section along with the other agreements.

Uranium One Response

*There is not a Surface Agreements Section in the Adjudication Volume. In response to this and comments 7-b and 6, Tab Addendum C1-B "Agreements and Consents" is provided for placement in Appendix C of the Adjudication Volume.*

<b>NRC FORM 253</b> <small>(9-96)</small>		<b>U.S. NUCLEAR REGULATORY COMMISSION</b>		<b>DATE OF REQUEST</b> 6-15-12	<b>CONTROL NUMBER</b>
<b>MESSENGER/COURIER RECEIPT</b>					
<b>TO:</b> Ron Linton		<b>OFFICE</b> FSME	<b>BUILDING</b> TWFN	<b>ROOM NUMBER</b> 8F5	
<b>FROM:</b> Uranium One		<b>OFFICE</b> ADM	<b>BUILDING</b> OWFN	<b>ROOM NUMBER</b> PI-C10	
<b>DESCRIPTION</b> USPS Certified envelope 7011-2970-0003-9357-0981		<b>MESSENGER/COURIER SIGNATURE</b>			
		<b>MESSENGER/COURIER</b> 		<b>DATE RECEIVED</b> 6-15	
				<b>TIME RECEIVED</b> 1 PM	
		<b>MESSENGER/COURIER</b>		<b>DATE RECEIVED</b>	
				<b>TIME RECEIVED</b>	
		<b>RECIPIENT'S SIGNATURE</b>			
		<b>RECIPIENT</b> 		<b>DATE RECEIVED</b>	
				<b>TIME RECEIVED</b>	
<b>SENDER:</b> 1. Complete "DATE OF REQUEST," "TO:," "FROM:," and unclassified "DESCRIPTION" blocks. 2. Obtain MESSENGER/COURIER signature, date received, and time received in first blocks provided. 3. Retain "SENDER'S SUSPENSE COPY."		<b>MESSENGER/COURIER:</b> 1. Deliver package to recipient or next messenger/courier enroute to addressee. 2. Obtain MESSENGER/COURIER or RECIPIENT signature, date received, and time received in the appropriate blocks provided.		<b>RECIPIENT:</b> 1. Provide signature, date received, and time received in the appropriate blocks. 2. Retain RECIPIENT'S COPY. 3. Return original to messenger/courier immediately, who will return it to the sender.	

NRC FORM 253 (9-96)

**RECIPIENT'S COPY**