

June 9, 2016

Mr. Scott Schierman, Manager
Health, Safety, and Environment
Uranium One USA, Inc.
907 N. Poplar Street, Suite 260
Casper, WY 82601-1310

SUBJECT: URANIUM ONE, USA, INC., WILLOW CREEK PROJECT, LICENSE SUA-1341,
NOTIFICATION OF CHANGE IN BYPRODUCT WASTE DISPOSAL FACILITY,
APPROVAL TO WITHHOLD INFORMATION AS PER IN TITLE 10 OF THE
CODE OF FEDERAL REGULATIONS 2.390

Dear Mr. Schierman:

By letter dated May 13, 2016, Uranium One, USA, Inc. (Uranium One) submitted a new Byproduct Material Disposal Agreement (agreement) between Energy Fuels Resources, Inc., and Uranium One, that became effective April 28, 2016. The agreement was provided to the U.S. Nuclear Regulatory Commission (NRC) as required by License Condition 9.7. Uranium One requested that the agreement, that was attached to the May 13, 2016, letter, be withheld from public disclosure because it contains privileged, or confidential commercial or financial information related to disposal costs for Uranium One byproduct materials, consistent with Title 10 of the *Code of Federal Regulations* (10 CFR) 2.390. Uranium One stated that, "Consistent with 10 CFR 2.390 each page of the By-Product Material Disposal Agreement in Attachment 1 of the document between Uranium One USA, Inc. and Energy Fuels Resources, Inc. has been marked consistent with the requirements contained in 10 CFR 2.390 [](b)(1)(i)(A)". The request was not accompanied by an affidavit.

The NRC staff has reviewed the request and found that each page of the agreement is marked appropriately as required in 10 CFR 2.390 (b)(1)(i). The NRC staff has placed the agreement in the NRC Agencywide Documents Access and Management System (ADAMS) as non-public. NRC staff has determined that an affidavit is not required for this request since the agreement clearly contains confidential commercial information. The Commission may waive the affidavit requirement as stated in 10 CFR 2.390 (b)(1)(ii).

The May 13, 2016, cover letter was not marked as confidential and was placed in ADAMS as publicly available on May 23, 2016, and can be found at ADAMS Accession No. ML16139A896.

S. Schierman

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If you have any questions regarding this action, please contact me at 301-415-7777, or by e-mail at Ron.Linton@nrc.gov.

In accordance with 10 CFR 2.390 of the NRC's "Agency Rules of Practice and Procedure," a copy of this letter will be available electronically for public inspection in the NRC Public Document Room or from the Publicly Available Records component of NRC's ADAMS. ADAMS is accessible from the NRC Web site at <http://www.nrc.gov/reading-rm/adams.html>.

Sincerely,

/RA/

Ron C. Linton, Project Manager
Uranium Recovery Licensing Branch
Division of Decommissioning, Uranium Recovery,
and Waste Programs
Office of Nuclear Material Safety
and Safeguards

Docket No.: 040-08502

License No.: SUA-1341

cc: Luke McMahan, PG. (WDEQ)

S. Schierman

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Sincerely,

/RA/

Ron C. Linton, Project Manager
Uranium Recovery Licensing Branch
Division of Decommissioning, Uranium Recovery,
and Waste Programs
Office of Nuclear Material Safety
and Safeguards

Docket No.: 040-08502

License No.: SUA-1341

cc: Luke McMahan, PG. (WDEQ)

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|------|-----------|----------------------|------------|-----------------------|-----------|
| NAME | R. Linton | S. Achten via e-mail | B. VonTill | M. Spencer via e-mail | R. Linton |
| DATE | 6/01/2016 | 6/02/2016 | 6/09/2016 | 6/8/2016 | 6/09/2016 |

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