



**UNITED STATES
NUCLEAR REGULATORY COMMISSION**
REGION IV
1600 E. LAMAR BLVD.

February 8, 2017

Mr. John Cash, Vice President
Regulatory Affairs
Lost Creek ISR, LLC
58800 Enterprise Drive, Suite 200
Casper, WY 82609

**SUBJECT: RESPONSE TO NOTICE OF VIOLATION AND NRC INSPECTION
REPORT 040-09068/2016-001**

Dear Mr. Cash:

On December 21, 2016, the U.S. Nuclear Regulatory Commission (NRC) cited Lost Creek ISR LLC. with a Notice of Violation related to: (1) a failure to conduct a Safety and Environmental Review Panel or request a license amendment for organizational changes and a change in the duties and responsibilities associated with personnel in the Environment, Safety and Health Program pursuant to License Condition 9.4 requirements; (2) a failure to properly secure radioactive material in storage pursuant to Title 10 CFR 20.1801 requirements; (3) a failure to follow written standard operating procedures pursuant to License Condition 10.4 requirements; and (4) a failure to perform adequate material release surveys pursuant to Title 10 CFR 20.1302 requirements. The Notice of Violation, enclosed with Inspection Report 040-09068/16-001 (ML16356A671), required you to respond in writing within 30 days. You responded by letter dated January 18, 2017 (ML17026A177).

After reviewing the information you provided in your response to the Notice of Violation, we have concluded that your completed and proposed actions appear to adequately address the regulatory noncompliance described in the Notice of Violation. We will review your implementation of these corrective actions during a future inspection to determine whether full compliance has been restored and whether compliance will be maintained.

J. Cash

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

Sincerely,

/RA/

Lee Brookhart, Chief
Fuel Cycle and Decommissioning Branch
Division of Nuclear Materials Safety

Docket No. 040-09068
License No. SUA-1598

RESPONSE TO NOTICE OF VIOLATION AND NRC INSPECTION
REPORT 040-09068/16-001 – FEBRUARY 8, 2017

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ADAMS ACCESSION NUMBER: ML17032A185

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