



UNITED STATES
NUCLEAR REGULATORY COMMISSION

REGION IV

511 RYAN PLAZA DRIVE, SUITE 400
ARLINGTON, TEXAS 76011-8064

May 16, 1995

Minor Hibbs, Director
Industrial and Hazardous Waste Division
Texas Natural Resource Conservation Commission
P.O. Box 13087
Austin, TX 78711-3087

SUBJECT: ALLEGATION RIV-95-A-0073

Dear Mr. Hibbs:

The enclosed allegation was received by NRC. The allegation relates to a number of concerns involving Hydro Resources, Inc., a uranium recovery facility in Texas.

We request that you conduct whatever inspections or investigations that are necessary to reasonably prove or disprove the allegation. Additionally, we request that you inform NRC, Region IV of any findings from your investigation.

Should you have any further questions concerning our requests or our role in this matter, please contact Russell Wise, our Allegations Coordinator, at (800) 952-9677.

Sincerely,

Robert C. Doda
State Agreements Officer

Enclosure: As stated

RECEIVED

MAY 19 1995

UIC, URANUM AND
RADIOACTIVE WASTE

Hydro Resources, Inc.

List of Concerns

A number of concerns were raised regarding operations, radiological, environmental and other issues. The concerns are summarized as follows:

1. Uranium Resources, Inc. (URI) may have followed a practice of lying to the State of Texas (Texas Natural Resources Conservation Commission) and been involved in covering up "accidents."
2. Environmental sampling and recordkeeping was not in accordance with license conditions.
3. Various spills and leaks from pipelines and evaporation ponds have been reported by URI. Delay of repairs to evaporation pond leaks was implied in two instances.
4. URI was "caught" by the State in "improperly disposing" of waste water through land application without state authorization in June 1991.
5. A Texas Dept. of Health interoffice memo recommends not granting a license amendment, alleging that URI disposed of prohibited byproduct material in interim storage ponds at Rosita, in violation of a license condition.
6. [Transcript pp.85-86] URI has followed a practice of misrepresentation to the State of Texas about their operation.
7. [Transcript pp.27-29] (a) Hydro Resources, Inc.'s (HRI's) process will destroy the drinking water, in violation of the Safe Drinking Water Act. Companies have not been able to restore drinking water quality. The water still contains various specified metals. HRI and its parent company, URI, have a bad past record in Texas - spills, mining solution excursions, accidents, lack of proper monitoring, misrepresentation to the State.

**URI - KINGSVILLE DOME
ALLEGED VIOLATIONS AND INCIDENTS
NEEDING INVESTIGATION AND ENFORCEMENT**

**A. ALLEGED VIOLATION OF CHAPTER 401 TEXAS HEALTH & SAFETY CODE
DOCUMENTED IN THE FILES OF TNRCC**

The alleged violations listed below are identified in the files of TNRCC for URI's licenses. Most listings include a license section of law violated, as specified by TNRCC documents. In many cases there are apparently multiple violations and violation of related laws, rules and license conditions.

Since many of these alleged violations involved situations where the violation likely continued for a number of days or resulted in or from additional violations, we seek your investigation and appropriate penalties for all related violations and for each day of violation.

1. March 23, 1993 - Date of Inspection-January 28, 1993
Violation of License Condition 39: Although required to analyze process fluids for radium, URI decided to discontinue these tests, without prior approval from this Agency. The violation continued for approximately 1 year.
2. March 23, 1993 - Date of Inspection-January 28, 1993
Violation of TRCR 36.13 and License Condition 31: The instrumentation utilized to conduct required physical radiation surveys and analyze wipe samples for contamination were not calibrated at six-month intervals, as required.
3. May 6, 1992 - Date of Inspection-January 24, 1992
Violation of License Condition 23: Documentation of daily inspections for yellowcake contamination was not available for review by the Agency.
4. April 16, 1992 - Date of Inspection-July 25, 1991
Violation of TRCR 36.2 et. seq.: URI failed to maintain records to document compliance with the requirements specified in Part 36 of the Texas Regulations for Control of Radiation (Well Logging Regulations, as referenced in License Condition 10).
5. May 24, 1991 - Date of Inspection-March 21, 1991
Violations of License Condition 39.A: Sampling violation, including (a) Only one sample was taken at each surface water source; (b) Sediment samples were not taken at all surface water locations as required.
6. August 13, 1990 - Date of Inspection-June 13, 1990
Violation of License Condition 45.A.: URI failed to repackage/dispose of waste materials stored in severely corroded drums. (This also indicates that the required

2. The first semi-annual release report for 1992, although complete, had not been sent to TDM within 60 days from July 1, 1992 (Condition. 38)
3. URI reported a spill on June 9, 1988 caused by a leak developing in the manifold. Approximately 8,000 gallons were spilled, contaminating soils.
4. Airborne uranium exceeded the 200 mg/m3 limit in the dryer for the week of April 16 through the 22.
5. On April 21, 1989 a leak was discovered in the south pond at the Kingsville Dome on April 20.
6. A spill was reported by URI on March 29, 1989 of approximately 3,000 gallons of Injection Solution.
7. A spill was reported by URI on March 29, 1989 of approximately 12,000 gallons of Pregnant Solution from Extraction Lateral.
8. On March 7, 1989 and on August 28, 1989, URI reported exceedances in its release of Radon 222.
9. On December 27, 1989 six leaks were reported by URI. The breaks resulted in the spilling of one 15,000 gallons of injection fluid or extraction fluid into surrounding soils.
10. On September 13, 1988, URI reported leaks in the south pond first detected by it on March 25, 1988 and not repaired until July 15, 1988. URI also reported leaks in the north pond. URI identified the leaks on June 7, 1988 and but did not repair them until July 19, 1988.
11. In June 1991, the state caught URI improperly disposing of waste by land application without state authorization. The activity had gone on for a significant period of time before the state became aware of the action through an anonymous complaint. The disposal of waste and the failure to remediate violates Texas law and regulations governing uranium mines.
12. URI ceased mining operations on or before October 1990 and has failed to begin restoration as required by its license and state law.
13. On July 3, 1994 and September 28, 1994, URI reported leaks in its south pond.

ATTACHMENT B



B-1

Texas Department of Health

Robert Bernstein, M.D., F.A.C.P.
Commissioner

1100 West 49th Street
Austin, Texas 78756-3189
(512) 458-7111

Robert A. MacLean, M.D.
Deputy Commissioner

Radiation Control
(512) 835-7000

August 28, 1990

URI, Inc.
Attn: William J. Chapman
12377 Merit Drive
Suite 750, LB 14
Dallas, Texas 75251

Ref: Compliance No. L900936
License No. L03653
Inspection of July 26, 1990
By Thomas Cardwell
At URI, Rosita
HCO 1 Box 50
San Diego, Texas
Site 001

Dear Mr. Chapman:

After reviewing the report of the inspection conducted by Thomas Cardwell on July 26, 1990, we are pleased to inform you that your radiation protection program, with regard to the records reviewed and procedures observed, appears to be in compliance with the applicable Texas Regulations for Control of Radiation and/or Conditions pertaining to the above referenced License.

Thank you for the cooperation and assistance provided during the inspection.

Sincerely,

Michael L. Dunn
Technical Review and Enforcement Program
Radioactive Material Inspection and
Enforcement Branch
Division of Compliance and Inspection
Bureau of Radiation Control
MLD/df

bcc: File; Inspector's File (Region), Board, RG
: df

TEXAS DEPARTMENT OF HEALTH
Bureau of Radiation Control
Division of Compliance and Inspection
1100 West 49th Street
Austin, Texas 78756-3189

B-2

COMPLIANCE NO: L920244

Page 1 of 1

*** NOTICE OF VIOLATION ***

LICENSEE/REGISTRANT

URI, Inc.
Attn: Mark Pelizza
12377 Merit Drive
Suite 750, LB 14
Dallas, Texas 75251

DATE OF NOTICE

May 6, 1992

DATE OF INSPECTION

January 22, 1992

INSPECTOR(S)

Robin Houston

LICENSEE/REGISTRANT REPRESENTATIVE

Lille Canales

INSPECTION LOCATION

Rosita Project
Duvual County

STAFF REVIEWER

Robert L. Green, Jr.

Please refer to the above COMPLIANCE NUMBER when responding to this notice.

The following violations were found during the inspection of operations under License No. L03653:

1. Violation of License Condition 40:

The Licensee failed to sample the septic tanks on the premises, as required.

This is a Severity III Violation.

2. Violation of License Condition 54:

The Licensee failed to document daily inspections for yellowcake contamination, as required.

This is a Severity IV Violation.

DO NOT RETURN THIS ORIGINAL "NOTICE OF VIOLATION" WITH YOUR RESPONSE.

TRCR 22.11(a)(4) REQUIRES THAT ANY SUCH NOTICE BE POSTED, OR IN THE ALTERNATIVE, MADE AVAILABLE FOR EMPLOYEE REVIEW, AS PERMITTED BY TRCR 22.11(b).

REVIEWER
RLG:mr

Michael L. Green DRRLG

13.8(b)

- (b) When the Agency contemplates modification, revocation, or suspension, the licensee/registrant shall be afforded the opportunity for hearing. Notice of the contemplated action, along with a complaint, shall be given to the licensee/registrant by personal service or certified mail, return receipt requested. If no request for hearing is received by the Director, within 30 days of personal service or the date of mailing, the Agency may proceed to take the action set out in the notice.
- (c) The licensee/registrant shall have the burden of showing cause why the license or certificate of registration should not be suspended, revoked, or amended.

13.9 Assessment of Administrative Penalties

- (a) When the Agency determines that monetary penalties are appropriate, proposals for assessment of and hearings on administrative penalties shall be made in accordance with Section 15C of the Act and applicable sections of the Formal Hearing Procedures.
- (b) Assessment of administrative penalties shall be based on the following criteria:
 - (1) the seriousness of the violation(s);
 - (2) previous compliance history;
 - (3) the amount necessary to deter future violations;
 - (4) efforts to correct the violation; and
 - (5) any other mitigating or enhancing factors.

(c) Severity Levels

- (1) The seriousness of violations shall be categorized by one of the following severity levels:
 - (i) Severity Level I - Violations that are most significant and have a direct negative impact on occupational and/or public health and safety or on the environment.
 - (ii) Severity Level II - Violations that are very significant and have an impact on occupational and/or public health and safety or on the environment.

13.9(c)(1)(iii)

- (iii) Severity Level III - Violations that are significant and which, if not corrected, could threaten occupational and/or public health and safety or the environment.
- (iv) Severity Level IV - Violations that are of more than minor significance, but if left uncorrected, could lead to more serious circumstances.
- (v) Severity Level V - Violations that are of minor safety or environmental significance.

(2) Examples of severity levels are set out in Appendix 13-A.

(d) Application

The Agency may impose differing levels of penalties for different severity level violations and different classes of users.

- (1) Administrative penalties may be imposed for Severity Level I and II violations. Administrative penalties will be considered for Severity Level III, IV, and V violations when they are combined with those of higher severity level(s) or for repeated violations which could have been prevented by corrective action and for which the licensee/registrant did not take effective corrective action.
- (2) Tables IA and IB show the base administrative penalties.

ATTACHMENT C

C-1

TEXAS DEPARTMENT OF HEALTH
Bureau of Radiation Control
Division of Compliance and Inspection
1100 West 49th Street
Austin, Texas 78756-3189

COMPLIANCE NO: L930155

Page 1 of 1

*** NOTICE OF VIOLATION ***

LICENSEE/REGISTRANT

URI, Inc.
Attn: Lille Canales
12750 Merit Drive
Suite 1210, LB 12
Dallas, Texas 75251

DATE OF NOTICE

March 23, 1993

DATE OF INSPECTION

January 28, 1993

INSPECTOR(S)

Robin Cooksey

LICENSEE/REGISTRANT REPRESENTATIVE

Lille Canales

INSPECTION LOCATION

Kingsville Dome
Kleberg County

STAFF REVIEWER

Robert L. Green, Jr.

Please refer to the above COMPLIANCE NUMBER when responding to this notice.

The following violations were found during the inspection of operations under License No. L03653:

1. Violation of License Condition 29:

Although required to analyze process fluids for Ra-226 and Rn-222 concentrations, the Licensee made a willful management decision in May of 1992 to discontinue these tests, without prior approval from this Agency.

This is a Severity III Violation.

2. Violation of TRCR 36.13 and License Condition 31:

Instrumentation utilized to conduct required physical radiation surveys and analyze wipe samples for contamination were not calibrated at six-month intervals, as required (re: Ludlum 14-C, number 81915; and Ludlum 2200, number 50060).

This is a Severity IV Violation.

DO NOT RETURN THIS ORIGINAL "NOTICE OF VIOLATION" WITH YOUR RESPONSE.

TRCR 22.11(a)(4) REQUIRES THAT ANY SUCH NOTICE BE POSTED, OR IN THE ALTERNATIVE, MADE AVAILABLE FOR EMPLOYEE REVIEW, AS PERMITTED BY TRCR 22.11(b).

REVIEWER
RLG:mr

bcc: File, Insp. File (Reg.

, Board, Compliance

URI, INC.

(A Subsidiary of Uranium Resources, Inc.)

5656 South Staples
Suite 250, LB 8
Corpus Christi, TX 78411
Telephone (512) 993-7731
Telecopy (512) 993-5744

12377 Merit Drive
Suite 750, LB 14
Dallas, Texas 75251
Telephone (214) 934-7777
Telecopy (214) 934-7779
TWX 910-867-4701

P.O. Box 5391
Route 1, Box 425
Kingsville, Texas 78363
Telephone (512) 595-5731
Telecopy (512) 595-0403

April 14, 1993

Mr. Robert L. Green, Jr.
Staff Reviewer
TEXAS DEPARTMENT OF HEALTH
Bureau of Radiation Control
Division of Compliance and Inspection
1100 West 49th Street
Austin, Texas 78756-3189

RE: Compliance Log No. L930155
License No. L03653

Dear Mr. Green:

The following letter is in response to your Notice of Violation dated March 23, 1993. I have formatted this response by first restating the alleged violation and then responding accordingly.

1. Violation of License Condition 39:

Although required to analyze process fluids for Ra-226 and Rn-222 concentrations, the Licensee made a willful management decision in May of 1992 to discontinue these tests, without prior approval from this Agency.

Response:

As will be discussed below, URI does not agree that there has been a Violation of Condition 39. However, at the request of the Bureau's staff, and to maintain a cooperative spirit with the Bureau, we will perform sampling of fluids being injected into the disposal well consistent with Condition 39 requirements for process fluid.

The reason that we take exception to this violation is that the Kingsville Dome plant was in the standby mode during the period covered by the inspection (see attached memo), and process fluid, as we understand it, was not flowing through the plant, more specifically, through a surge tank or pregnant lixiviant surge tank, as specified for sampling in Condition 39. A sample was not obtained during the standby mode because there was simply no process fluid flowing through a surge tank, not because of willful neglect, as specified in the alleged violation.

63 APR 16 PM 4:21
BUREAU OF
RADIATION CONTROL

Received & processed

of the subject license, the disposal well is clearly to serve as the disposal source for byproduct material as defined in Section 401.003(7)(3) of the Texas Health and Safety Code, and not process fluid, as specified in Condition 39. It was our understanding that the sampling requirement for the disposal well is stated under Condition 28(d) of the license.

As I mentioned at the onset of this discussion, URI will sample the disposal well injection fluid at Kingsville Dome and Rosita on a quarterly basis, pursuant to license Condition 39, as process fluids, and compliance can be considered complete at this time. However, for all the reasons mentioned above, we request that the BRC re-evaluate this alleged violation, and make a final determination as to whether a violation has occurred at all.

2. Violation of TRCR 36.13 and License Condition 31:

Instrumentation utilized to conduct required physical radiation surveys and analyze wipe samples for contamination were not calibrated at six-month intervals, as required (re: Ludlum 14-C, number 81915; and Ludlum 2200, number 50060).

Response:

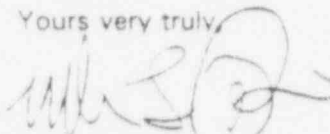
The calibration frequency for all instruments was changed with Amendment #15 of the subject license. Because this was not the intent of Amendment #15, the change in calibration frequency did not draw our attention, and calibrations, according to the new schedule, inadvertently were not performed.

Pursuant to the amended condition 31-A, we are now calibrating all instruments two per year. As shown on the attached memo, we also intend to file a request to return to a once-per-year schedule.

We are in full compliance at this time.

Please feel free to contact the undersigned with questions pertaining to this response.

Yours very truly,



Mark S. Pelizza
Environmental Manager

MSP/dlg
Encl.

cc: Craig Bartels/URI - Kingsville Dome Plant
Lille Canales/URI - Rosita Plant
Ruth McBurney/TDH - Austin, Texas
Bill McKnight/URI - Corpus Christi, Texas

C-4

URI, INC.

(A Subsidiary of Uranium Resources, Inc.)

5656 South Staples
Suite 250, LB 8
Corpus Christi, TX 78411
Telephone (512) 993-7731
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Kingsville, Texas 78363
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April 19, 1993

Mr. Robert L. Green, Jr.
Staff Reviewer
TEXAS DEPARTMENT OF HEALTH
Bureau of Radiation control
Division of Compliance and Inspection
1100 West 49th Street
Austin, Texas 78756-3189

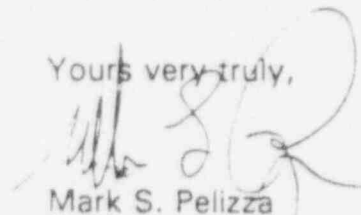
RE: Compliance Log No. L930155
License No. L03653

Dear Mr. Green:

Your office was mailed a response to the subject compliance item dated April 14, 1993. This response contained a word-processing omission.

Please substitute the attached, corrected response in place of the version mailed on April 14.

Yours very truly,


Mark S. Pelizza
Environmental Manager

MSP/dlg
Encl.

cc: Craig Bartels/URI - Kingsville Dome Plant
Lille Canales/URI - Rosita Plant
Ruth McBurney/TDH - Austin, Texas
Bill McKnight/URI - Corpus Christi, Texas

93 APR 26 PM 3:53
BUREAU OF RADIATION CONTROL
COMPLIANCE & INSPECTION

URI, INC.

(A Subsidiary of Uranium Resources, Inc.)

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Corpus Christi, TX 78411
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Kingsville, Texas 78363
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April 19, 1993

Mr. Robert L. Green, Jr.
Staff Reviewer
TEXAS DEPARTMENT OF HEALTH
Bureau of Radiation Control
Division of Compliance and Inspection
1100 West 49th Street
Austin, Texas 78756-3189

RE: Compliance Log No. L930155
License No. L03653

Dear Mr. Green:

The following letter is in response to your Notice of Violation dated March 23, 1993. I have formatted this response by first restating the alleged violation and then responding accordingly.

1. Violation of License Condition 39:

Although required to analyze process fluids for Ra-226 and Rn-222 concentrations, the Licensee made a willful management decision in May of 1992 to discontinue these tests, without prior approval from this Agency.

Response:

As will be discussed below, URI does not agree that there has been a Violation of Condition 39. However, at the request of the Bureau's staff, and to maintain a cooperative spirit with the Bureau, we will perform sampling of fluids being injected into the disposal well consistent with Condition 39 requirements for process fluid.

The reason that we take exception to this violation is that the Kingsville Dome plant was in the standby mode during the period covered by the inspection (see attached memo), and process fluid, as we understand it, was not flowing through the plant, more specifically, through a surge tank or pregnant lixiviant surge tank, as specified for sampling in Condition 39. A sample was not obtained during the standby mode because there was simply no process fluid flowing through a surge tank, not because of willful neglect, as specified in the alleged violation.

The Bureau's inspection staff concluded that in the event of plant shutdown, the default sampling point for "process fluids" should be the disposal well. If this is so, we will sample the disposal well fluid, which is essentially wellfield bleed during standby, as if it were process fluid. However, we disagree with this interpretation of "process fluid" because at the disposal well, we are of the opinion that the fluid is byproduct material. As specified under license condition 5(c) and 44,

Letter to R. L. Green
April 19, 1993
Page 2

of the subject license, the disposal well is clearly to serve as the disposal source for byproduct material as defined in Section 401.003(7)(3) of the Texas Health and Safety Code, and not process fluid, as specified in Condition 39. It was our understanding that the sampling requirement for the disposal well is stated under Condition 28(d) of the license.

As I mentioned at the onset of this discussion, URI will sample the disposal well injection fluid at Kingsville Dome and Rosita on a quarterly basis, pursuant to license Condition 39, as process fluids, and compliance can be considered complete at this time. However, for all the reasons mentioned above, we request that the BRC re-evaluate this alleged violation, and make a final determination as to whether a violation has occurred at all.

2. Violation of TRCR 36.13 and License Condition 31:

Instrumentation utilized to conduct required physical radiation surveys and analyze wipe samples for contamination were not calibrated at six-month intervals, as required (re: Ludlum 14-C, number 915; and Ludlum 2200, number 50060).

Response:

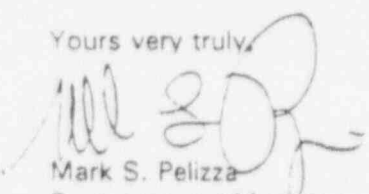
The calibration frequency for all instruments was changed with Amendment #15 of the subject license. Because this was not the intent of Amendment #15, the change in calibration frequency did not draw our attention, and calibrations, according to the new schedule, inadvertently were not performed.

Pursuant to the amended condition 31-A, we are now calibrating all instruments two per year. As shown on the attached memo, we also intend to file a request to return to a once-per-year schedule.

We are in full compliance at this time.

Please feel free to contact the undersigned with questions pertaining to this response.

Yours very truly,


Mark S. Pelizza
Environmental Manager

MSP/dlg
Encl.

cc: Craig Bartels/URI - Kingsville Dome Plant
Lille Canales/URI - Rosita Plant
Ruth McBurney/TDH - Austin, Texas
Bill McKnight/URI - Corpus Christi, Texas



C-7

Texas Department of Health

David R. Smith, M.D.
Commissioner

1100 West 49th Street
Austin, Texas 78756-3189
(512) 458-7111

Robert A. MacLean, M.D.
Deputy Commissioner

Radiation Control
(512) 834-6688

May 3, 1993

URI, Inc.
Attn: Lille Canales
12750 Merit Drive
Suite 1210, LB 12
Dallas, Texas 75251

Ref: Compliance No. L930155
License No. L03653
Inspection of Jan. 28, 1993
By Robin Cooksey
At Kingsville Dome
Kleberg County

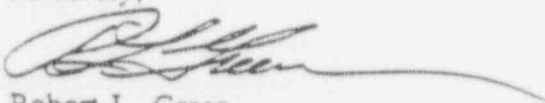
Dear Ms. Canales:

We received Mr. Mark Pelizza's letter dated April 19, 1993, informing us of the steps you have taken to correct the violations cited in our letter and NOTICE OF VIOLATION of March 23, 1993. The corrective actions noted appear to bring the items into compliance with the Texas Regulations for Control of Radiation and/or Conditions of your License.

Re: Response to Violation #1 - According to the inspector, Ms. Cooksey, an agreement was made with your R.S.O. that if disposal fluids were sampled at the well head monthly and analyzed for Ra-226, Rn-222, and total U-238, the requirements of License Conditions 39 and 28(d) would be fulfilled. The Agency has determined that the violation as cited is valid, but not willful. Therefore, the severity level of violation #1 is hereby reduced to a Severity Level IV.

The results of your corrective actions will be verified during our next inspection. Thank you for the cooperation and assistance.

Sincerely,


Robert L. Green
Technical Review and Enforcement Program
Radioactive Material Inspection and
Enforcement Branch
Division of Compliance and Inspection
Bureau of Radiation Control

RLG/nd

TEXAS DEPARTMENT OF HEALTH
Bureau of Radiation Control
Division of Compliance and Inspection
1100 West 49th Street
Austin, Texas 78756-3189

C-8

COMPLIANCE NO: L920325

Page 1 of 1

*** NOTICE OF VIOLATION ***

LICENSEE/REGISTRANT

URI, Inc.
Attn: Lille A. Canales
12377 Merit Drive
Suite 750, LB 14
Dallas, Texas 75251

DATE OF NOTICE

May 6, 1992

DATE OF INSPECTION

January 24, 1992

INSPECTOR(S)

Robin Houston

LICENSEE/REGISTRANT REPRESENTATIVE

Lille Canales

INSPECTION LOCATION

Kingsville Dome
Klebert County

STAFF REVIEWER

Robert L. Green, Jr.

Please refer to the above COMPLIANCE NUMBER when responding to this notice.

The following violations were found during the inspection of operations under License No. L03653:

1. Violation of License Condition 23:

Documentation of daily inspections for yellowcake contamination was not available for review by the Agency.

This is a Severity IV Violation.

DO NOT RETURN THIS ORIGINAL "NOTICE OF VIOLATION" WITH YOUR RESPONSE.

TRCR 22.11(a)(4) REQUIRES THAT ANY SUCH NOTICE BE POSTED, OR IN THE ALTERNATIVE, MADE AVAILABLE FOR EMPLOYEE REVIEW, AS PERMITTED BY TRCR 22.11(b).

REVIEWER
RLG:mr

Michael J. Summ for RL

5/2/92
Ar

WC

C-9

OK [Signature]

URI, INC.

(A Subsidiary of Uranium Resources, Inc.)

5656 South Staples
Suite 250, LB 8
Corpus Christi, TX 78411
Telephone (512) 993-7731
Telecopy (512) 993-5744

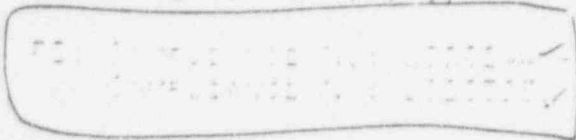
12377 Merit Drive
Suite 750 LB 14
Dallas Texas 75251
Telephone (214) 934-7777
Telecopy (214) 934-7779
TWX 910-867-4701

2 Letters
(one for each
conference
number)

Rosita Plant
HCO1, Box 50
San Diego, Texas 78384
Telephone (512) 279-3342
Telecopy (512) 279-3343

92 MAY 22 P4: 21

CF
CONTROL





C-11

Texas Department of Health

David R. Smith, M.D.
Commissioner

1100 West 49th Street
Austin, Texas 78756-3189
(512) 458-7111

Robert A. MacLean, M.D.
Deputy Commissioner

Radiation Control
(512) 834-6688

July 16, 1992

URI, Inc.
Attn: Lille A. Canales
12377 Merit Drive
Suite 750, LB 14
Dallas, Texas 75251

Ref: Compliance No. L920325
License No. L03653
Inspection of Jan. 24, 1992
By Robin Houston
At Kingsville Dome
Klebert County

Dear Ms. Canales:

We have received your letter dated May 15, 1992, informing us of the steps you have taken to correct the violation cited in our letter and NOTICE OF VIOLATION of May 6, 1992. The corrective action noted appears to bring the item into compliance with the Texas Regulations for Control of Radiation and/or Conditions of your License.

The results of your corrective action will be verified during our next inspection. Thank you for the cooperation and assistance.

Sincerely,

A handwritten signature in cursive script, appearing to read "Michael Green".

Robert L. Green, Jr.
Technical Review and Enforcement Program
Radioactive Materials Inspection and
Enforcement Branch
Division of Compliance and Inspection
Bureau of Radiation Control

RLG/vj

C-12

TEXAS DEPARTMENT OF HEALTH
Bureau of Radiation Control
Division of Compliance and Inspection
1100 West 49th Street
Austin, Texas 78756-3189

Page 1 of 1

COMPLIANCE NO: L911735

*** NOTICE OF VIOLATION ***

LICENSEE/REGISTRANT

URI, Inc.
Attn: Mark Pelizza
12377 Merit Drive, Suite 750, LB 14
Dallas, Texas 75251

DATE OF INSPECTION

July 25, 1991

LICENSEE/REGISTRANT REPRESENTATIVE

Mark Pelizza

INSPECTION LOCATION

Kingsville Dome
Kleberg County
Kingsville, Texas

DATE OF NOTICE

April 16, 1992

INSPECTOR(S)

Robin Houston

STAFF REVIEWER

Robert L. Green, Jr.

Please refer to the above COMPLIANCE NUMBER when responding to this notice.

The following violations were found during the inspection of operations under License No. L03653:

1. Violation of TRCR 36.2 et. al.:

The Licensee failed to maintain records to document compliance with the requirements specified in Part 36 of the Texas Regulations for Control of Radiation (Well Logging Regulations, as referenced in License Condition 10).

This is a Severity III Violation.

DO NOT RETURN THIS ORIGINAL "NOTICE OF VIOLATION" WITH YOUR RESPONSE.

TRCR 22.11(a)(4) REQUIRES THAT ANY SUCH NOTICE BE POSTED, OR IN THE ALTERNATIVE, MADE AVAILABLE FOR EMPLOYEE REVIEW, AS PERMITTED BY TRCR 22.11(b).

REVIEWER
MLD:vj



L365

C-13

URI, INC.

(A Subsidiary of Uranium Resources, Inc.)

5656 South Staples
Suite 250, LB 8
Corpus Christi, TX 78411
Telephone (512) 993-7731
Telecopy (512) 993-5744

12377 Merit Drive
Suite 750, LB 14
Dallas, Texas 75251
Telephone (214) 934-7777
Telecopy (214) 934-7779
TWX 910-867-4701

P.O. Box 5391
Route 1, Box 425
Kingsville, Texas 78363
Telephone (512) 595-5731
Telecopy (512) 595-0403

May 15, 1992

Mr. Robert L. Greene, Jr.
Staff Reviewer
TEXAS DEPARTMENT OF HEALTH
Bureau of Radiation Control
Division of Compliance and Inspection
1100 West 49th Street
Austin, Texas 78756-3189

Dear Mr. Greene:

This letter is in response to your Notice of Violation dated April 16, 1992, where the following was alleged:

1. Violation of TRCR 36.2 et.al.:

The Licensee failed to maintain records to document compliance with the regulations specified in Part 36 of the Texas Regulations for Control of Radiation (Well Logging Regulation, as referred in License Condition 10).

This is a Severity III Violation.

Before responding to the corrective actions, URI would like to take exception to the severity of the alleged violation.

According to TRCR 13.9(c)(i)(iii), Severity Level III violations are ones that are significant and which, if not corrected, could threaten occupational and/or public health and safety or the environment.

We feel the allegation in this case, the records on the logging truck were not maintained in a logbook as is required in TRCR 36, actually may lead to a circumstance described in TRCR 13.9(c)(i)(iv), for Severity Level IV violations - violations that are of more than minor significance, but if left uncorrected, could lead to more serious circumstances. In fact, in Appendix 13-8, Section D, examples of Severity IV violations, Example #7 was described as, "Failure to maintain complete records and/or forms required by TRCR."

We feel the alleged violation, which is being discussing in this correspondence and the Severity Level IV example in Appendix 13-A are identical, which supports a reduction from III to IV in the Notice of Violation.

92 MAY 19 PM 1:57

BUREAU OF RADIATION CONTROL

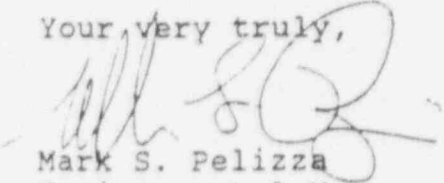
COMMUNICATIONS SECTION

Letter to Mr. R.L. Green
May 15, 1992
Page 2

Since the inspection of July 25, 1991, URI has revised the records of the logging truck, created a logbook, and in general, assured compliance with TRCR 36. We feel full compliance is in effect as of the writing of this letter.

Please feel free to contact me with any questions you may have pertaining to this matter.

Your very truly,



Mark S. Pelizza
Environmental Manager

MSP/dlg



C-15

Texas Department of Health

David R. Smith, M.D.
Commissioner

1100 West 49th Street
Austin, Texas 78756-3189
(512) 458-7111

Robert A. MacLean, M.D.
Deputy Commissioner

Radiation Control
(512) 834-6688

June 17, 1992

URI, Inc.
Attn: Mark Pelizza
12377 Merit Drive, Suite 750, LB 14
Dallas, Texas 75251

Ref: Compliance No. L911735
License No. L03653
Inspection of July 25, 1991
By Robin Houston
At Kingsville Dome
Kleberg County
Kingsville, Texas

Dear Mr. Pelizza:

We have received your letter dated May 15, 1992, informing us of the steps you have taken to correct the violation cited in our letter and NOTICE OF VIOLATION of April 16, 1992. The corrective actions noted appears to bring the item into compliance with the Texas Regulations for Control of Radiation and/or Conditions of your License.

The Agency agrees that the violation cited was improperly assigned as a Severity Level III. It should have been listed as a Severity Level IV.

The results of your corrective action will be verified during our next inspection. Thank you for the cooperation and assistance.

Sincerely,

Robert L. Green, Jr.

Robert L. Green, Jr.
Technical Review and Enforcement Program
Radioactive Materials Inspection and
Enforcement Branch
Division of Compliance and Inspection
Bureau of Radiation Control

RLG/vj

File, Board, Insp. File (Regis)

TEXAS DEPARTMENT OF HEALTH
Bureau of Radiation Control
Division of Compliance and Inspection
1100 West 49th Street
Austin, Texas 78756-3189

203653-000

C-16

COMPLIANCE NO: L910512

Page 1 of 1

*** NOTICE OF VIOLATION ***

LICENSEE/REGISTRANT

URI, Inc.
Attn: Mark Pelizza
12377 Merit Drive
Suite 750, LB 14
Dallas, Texas 75251

DATE OF NOTICE

May 24, 1991

DATE OF INSPECTION

March 21, 1991

INSPECTOR(S)

Robin Houston

LICENSEE/REGISTRANT REPRESENTATIVE

Lilly Canales

INSPECTION LOCATION

Kingsville Dome
Kleberg County

STAFF REVIEWER

Robert L. Green, Jr.

Please refer to the above COMPLIANCE NUMBER when responding to this notice.

The following violations were found during the inspection of operations under License No. L03653:

1. Violations of License Condition 39.A:
 - a) Only one water sample was taken at each surface water source.
 - b) Sediment samples were not taken at all surface water locations, as required.

This is a Severity IV Violation.

DO NOT RETURN THIS ORIGINAL "NOTICE OF VIOLATION" WITH YOUR RESPONSE.

TRCR 22.11(a)(4) REQUIRES THAT ANY SUCH NOTICE BE POSTED, OR IN THE ALTERNATIVE, MADE AVAILABLE FOR EMPLOYEE REVIEW, AS PERMITTED BY TRCR 22.11(b).

REVIEWER
RLG:mr





C-17

Texas Department of Health

Robert A. MacLean, M.D.
Acting Commissioner

1100 West 49th Street
Austin, Texas 78756-3189
(512) 458-7111

Radiation Control
(512) 835-7000

July 31, 1991

CERTIFIED MAIL NO. 950-262
RETURN RECEIPT REQUESTED

URI, Inc.
Attn: Mark Pelizza
12377 Merit Drive
Suite 750, LB 14
Dallas, Texas 75251

Ref: Compliance No. L910512
License No. L03653
Inspection of March 21, 1991
By Robin Houston
At Kingsville Dome
Kleberg County

Dear Mr. Pelizza:

On May 24, 1991, we sent you a NOTICE OF VIOLATION concerning a violation found during an inspection conducted by Robin Houston on March 21, 1991. A copy of that NOTICE is enclosed for your reference.

Since we have not received a reply to that NOTICE, we require that you inform this office of your corrective action within ten days after receiving this letter.

Sincerely,

William A. Silva

William A. Silva, Acting Chief
Technical Review and Enforcement Branch
Division of Compliance and
Bureau of Radiation Control

Enclosure: NOTICE OF V

SENDER:

- Complete items 1 and/or 2 for additional services.
- Complete items 3. and 4a & b.
- Print your name and address on the reverse of this form so that we can return this card to you.
- Attach this form to the front of the mailpiece, or on the back if space does not permit.
- Write "Return Receipt Requested" on the mailpiece next to the article number.

3. Article Addressed to:

URI, Inc.
Attn: Mark Pelizza
12377 Merit Drive
Suite 750, LB 14
Dallas, Tx 75251

5. Signature (Addressee)

6. Signature (Agent)

Mark Pelizza

I also wish to receive the following services (for an extra fee):

1. ☐ Addressee's Address

2. ☐ Restricted Delivery

Consult postmaster for fee.

4a. Article Number

950-262

4b. Service Type

☐ Registered ☐ Insured

☒ Certified ☐ COD

☐ Express Mail ☐ Return Receipt for Merchandise

7. Date of Delivery

8-2-91

8. Addressee's Address (Only if requested and fee is paid)

AUG 6 1991

URI, INC.

(A Subsidiary of Uranium Resources, Inc.)

5656 South Staples
Suite 250, LB 8
Corpus Christi, TX 78411
Telephone (512) 993-7731
Telecopy (512) 993-5744

12377 Merit Drive
Suite 750, LB 14
Dallas, Texas 75251
Telephone (214) 934-7777
Telecopy (214) 934-7779
TWX 910-867-4701

P.O. Box 5391
Route 1, Box 425
Kingsville, Texas 78363
Telephone (512) 595-5731
Telecopy (512) 595-0403

August 2, 1991

Mr. William A. Silva, Acting Chief
Technical Review and Enforcement Program
Radioactive Material Inspection and
Enforcement Branch
Division of Compliance and Inspection
Bureau of Radiation Control
Texas Department of Health
1100 West 49th Street
Austin, Texas 78756-3189

Dear Mr. Silva:

The following is in response to your letter dated July 31, 1991 which requested a reply to the May 24, 1991 Notice of Violation from the Bureau, and a response to that alleged violation which is the subject of that Notice. I have formatted this response by first restating the alleged violation followed with the appropriate answer:

1. Violations of License Condition 39.A:
 - a) Only one water sample was taken at each surface water source.
 - b) Sediment samples were taken at all surface water locations, as required.

This is a Severity IV Violation.

Response:

Because of the geographic extent of the license area, there has been difficulty accessing sampling locations along Jeboncillo's Creek, upstream and downstream of the license area. Therefore, to satisfy the purpose of this license condition, URI will sample water quarterly, when present, and sediment quarterly, upstream and downstream of all licensed activities. These locations may fall within the licensed area if access is impractical.

A map with future sample locations is shown. The department will be informed of any changes in these locations.

C-18

U3653

Division of Control

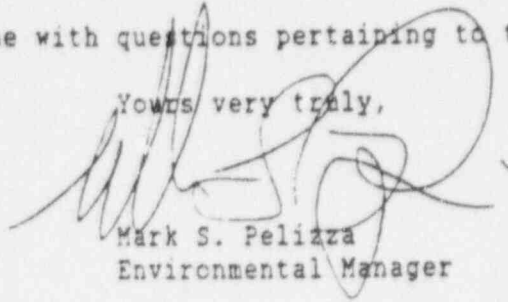
91 AUG 6 P3:20

Letter to Mr. William A. Silva
August 2, 1991
Page 2

Implementation of this sampling program will begin when the next set of quarterly samples is due.

Please feel free to contact me with questions pertaining to this matter.

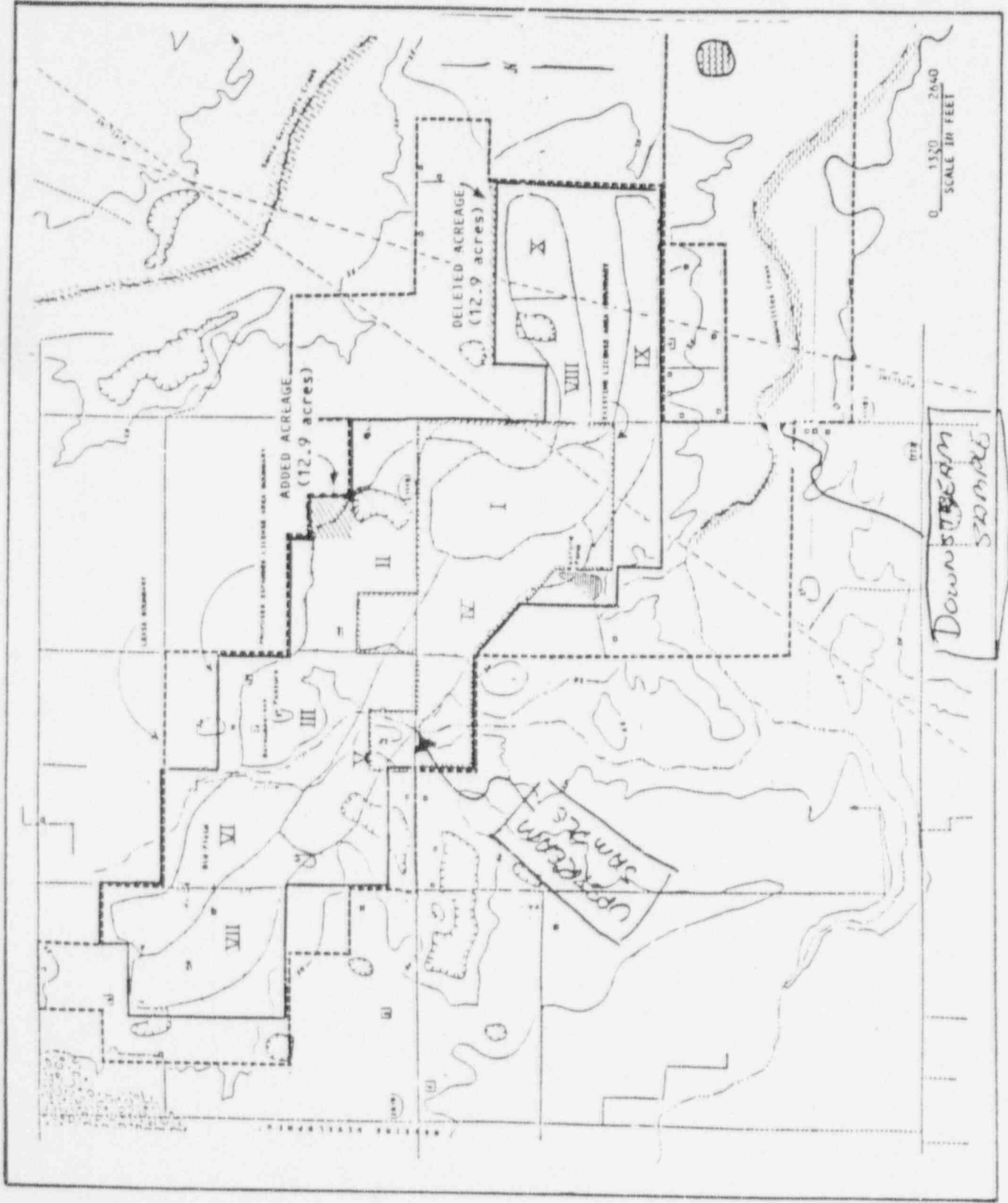
Yours very truly,



Mark S. Pelizza
Environmental Manager

MSP/dlg

CC: Lille Canales, URI
Phil Shaver, TDH



Minor Modification of Proposed License Area Boundary
of the Expanded BRL, Inc., Kingsville Dome Project



C-21

Texas Department of Health

Robert A. MacLean, M.D.
Acting Commissioner

1100 West 49th Street
Austin, Texas 78756-3189
(512) 458-7111

Radiation Control
(512) 835-7000

August 26, 1991

URI, Inc.
Attn: Mark Pelizza
12377 Merit Drive, Ste. 750, LB 14
Dallas, Texas 75251

Ref: Compliance No. L910512
License No. L03653
Inspection of Mar. 21, 1991
By Robin Houston
At Kingsville Dome
Kleberg County, Texas

Dear Mr. Pelizza:

We have received your letter dated August 2, 1991, informing us of the steps you have taken to correct the violations cited in our letter and NOTICE OF VIOLATION of May 24, 1991. Please note that a Licensee may not unilaterally implement changes to their operating procedures or to their sampling program without prior approval from the Agency. Your "proposal" has been forwarded to the Division of Licensing, Registration and Standards for review. If additional information is required, you will be contacted.

Although no additional response to Compliance No. 910512 is required, full compliance will be achieved only upon issuance of an Amendment which authorizes the changes to your environmental sampling program.

If you have any questions, please contact me at (512) 835-7000, ext. 410.

Sincerely,

Robert L. Green, Jr.
Technical Review and Enforcement Program
Radioactive Materials Inspection and
Enforcement Branch
Division of Compliance and Inspection
Bureau of Radiation Control

RLG/vj

TEXAS DEPARTMENT OF HEALTH
Bureau of Radiation Control
Division of Compliance and Inspection
1100 West 49th Street
Austin, Texas 78756-3189

COMPLIANCE NO: L900874

Page 1 of 1

*** NOTICE OF VIOLATION ***

LICENSEE/REGISTRANT

URI, Inc.
Attn: William J. Chapman
12377 Merit Drive
Suite 750, LB 14
Dallas, Texas 75251

DATE OF NOTICE

August 13, 1990

DATE OF INSPECTION

June 13, 1990

INSPECTOR(S)

Arthur Flores

LICENSEE/REGISTRANT REPRESENTATIVE

Bill Chapman, RSO
John Colt, Environmental Tech.

INSPECTION LOCATION

Kingsville Dome Project
Kingsville, Texas

STAFF REVIEWER

Robert L. Green, Jr.

Please refer to the above COMPLIANCE NUMBER when responding to this notice.

The following violation was found during the inspection of operations under License No. L03653.

1. Violation of License Condition 45.A.:

The Licensee failed to repackage/dispose of by-product material (spent resin, etc.) stored in severely corroded drums. (This indicates that the required monthly inspection of such drums failed to result in the necessary corrective action.)

This is a Severity III Violation.

DO NOT RETURN THIS ORIGINAL "NOTICE OF VIOLATION" WITH YOUR RESPONSE.

TRCR 22.11(a)(4) REQUIRES THAT ANY SUCH NOTICE BE POSTED, OR IN THE ALTERNATIVE, MADE AVAILABLE FOR EMPLOYEE REVIEW, AS PERMITTED BY TRCR 22.13(b).

REVIEWER



103653

C-23

URI, INC.

(A Subsidiary of Uranium Resources, Inc.)

5656 South Staples
Suite 250 LB B
Corpus Christi, TX 78411
Telephone (512) 993-7731
Telecopy (512) 993-5744

12377 Merit Drive
Suite 750 LB 14
Dallas, Texas 75221
Telephone (214) 934-7777
Telecopy (214) 934-7779
TWX 910-867-4701

P.O. Box 5391
Route 1 Box 425
Kingsville, Texas 78363
Telephone (512) 595-5731
Telecopy (512) 595-0403

August 23, 1990

Texas Department of Health
Bureau of Radiation Control
Division of Compliance and Inspection
1100 West 49th Street
Austin, Texas 78756-3189

RE: Compliance No.: L900874

Gentlemen:

The following is a response to your Notice of Violation dated August 13, 1990. I have formatted this response by first restating the alleged violation and then the corrective action.

1. Violation of License Condition 45.A.: The Licensee failed to repackage/dispose of by-product material (spend resin, etc.) stored in severely corroded drums. This indicates that the required monthly inspection of such drums failed to result in the necessary corrective action. This is a Severity III Violation.

Response:

In the future, by-product material will be disposed of in plastic drums which will not corrode. All material at Kingsville Dome has been transferred from the steel drums to the plastic drums, and we are in full compliance at this time.

One area where URI takes exception to this alleged violation is the severity level. TRCR 13.9(c)(iii) + (iv) define severity levels as follows:

- (iii) Severity Level III - Violations that are significant and which, if not corrected, could threaten occupational and/or public health and safety or the environment.
- (iv) Severity Level IV - Violations that are of more than minor significance, but if left uncorrected, could lead to more serious circumstances.

The subject drum was placed on a curbed concrete pad and was not leaking. Therefore, even if no corrective action, and the drum leaked, there would be no potential to threaten occupational and/or public health and safety or the environment as is the case with a Severity

90 AUG 28 PM 4:38
BUREAU OF
RADIATION CONTROL

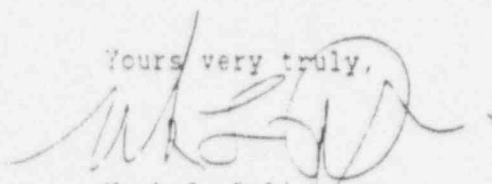
Letter to TDH
August 23, 1990
Page Two

Level III violation. More correctively characterized, the corroded drum was of minor significance, and if left uncorrected, could lead to more serious circumstances (i.e. they may leak) as is the case with Level IV violations.

By this letter, we request a change in the status of the violation from Severity Level III to IV.

Please feel free to contact me with questions pertaining to this matter.

Yours very truly,



Mark S. Pelizza
Environmental Manager

MSP/dlg



C-2

Texas Department of Health

Robert Bernstein, M.D., F.A.C.P.
Commissioner

1100 West 49th Street
Austin, Texas 78756-3189
(512) 458-7111

Robert A. MacLean, M.D.
Deputy Commissioner

Radiation Control
(512) 835-7000

September 11, 1990

URI, Inc.
Attn: William J. Chapman
12377 Merit Drive
Suite 750, LB 14
Dallas, Texas 75251

Ref: Compliance No. L900874
License No. L03653
Inspection of June 13, 1990
By Arthur Flores
At Kingsville Dome Project
Kingsville, Texas

Dear Mr. Chapman:

We have received Mr. Pelizza's letter dated August 23, 1990, informing us of the steps you have taken to correct the violation cited in our letter and NOTICE OF VIOLATION of August 13, 1990. The corrective action noted appears to bring the item into compliance with the Texas Regulations for Control of Radiation and/or Conditions of your License.

After review of additional facts concerning the cited violation which you have provided (principally that the drum was on a curbed pad), the Agency agrees with your assessment of reduced risk to the public and/or the environment. Therefore, the violation of License Condition 45.A. in Compliance No. L900874 is hereby reduced to a Severity IV.

The results of your corrective action will be verified during our next inspection. Thank you for the cooperation and assistance.

Sincerely,

A handwritten signature in cursive script, appearing to read "R. L. Green, Jr.", followed by a horizontal line.

Robert L. Green, Jr.
Technical Review and Enforcement Program
Radioactive Materials Inspection and
Enforcement Branch
Division of Compliance and Inspection
Bureau of Radiation Control

RLG/mr

ATTACHMENT D

43.31(c)

- (c) Each person licensed by the Agency pursuant to this part shall confine his use and possession of the licensed material to the locations and purposes authorized in the license.
- (d) (1) Each licensee shall notify the Agency, in writing, immediately following the filing of a voluntary or involuntary petition for bankruptcy under any Chapter of Title 11 (Bankruptcy) of the United States Code (11 U.S.C.) by or against:
 - (i) a licensee;
 - (ii) an entity [as that term is defined in 11 U.S.C. 101(14)] controlling a licensee or listing the license or licensee as property of the estate; or
 - (iii) an affiliate [as that term is defined in 11 U.S.C. 101(2)] of the licensee.
- (2) This notification must indicate:
 - (i) the bankruptcy court in which the petition for bankruptcy was filed;
 - (ii) a copy of the bankruptcy petition; and
 - (iii) the date of filing of the petition.
- (e) Operations shall be conducted so that all effluent releases are reduced to as low as is reasonably achievable below the limits of Part 21 of these rules.
- (f) Daily inspection of any tailings or waste retention systems shall be conducted by the licensee. General qualifications for such individuals conducting such inspections shall be approved by the Agency. Records of the inspections shall be maintained for review by the Agency.
- (g) The licensee shall immediately notify the Agency of the following:
 - (1) any failure in a tailings or waste retention system which results in a release of tailings or waste into unrestricted areas;
 - (2) any release of radioactive material which exceeds the concentrations for water listed in Appendix 21-A, Table II, Column 2, in Part 21 of these rules and which extends beyond the licensed boundary;
 - (3) any spill which exceeds 20,000 gallons and which exceeds the concentrations for water listed in Appendix 21-A, Table II, Column 2, in Part 21 of these rules; or
 - (4) any release of solids which exceeds the contamination limits in 21.108 and which extends beyond the licensed boundary.

(h) The licensee shall notify the Agency within 24 hours of the following:

- (1) any spill that extends:
 - (i) beyond the wellfield monitor well ring;
 - (ii) more than 400 feet from an injection or production well pipe artery to or from a recovery plant; or
 - (iii) more than 200 feet from a recovery plant; or
- (2) any spill which exceeds 2,000 gallons and which exceeds the concentrations for water listed in Appendix 21-A, Table II, Column 2, in Part 21 of these rules.

43.32 Expiration and Termination of License

- (a) Except as provided in 43.33(b) and 43.32(d)(4), each specific license shall expire at the end of the day, in the month and year stated in the license.
- (b) Each licensee shall notify the Agency immediately, in writing, and request termination of the license when the licensee decides to terminate all activities involving materials authorized under the license. This notification and request for termination of the license must include the reports and information specified in 43.32(d)(1)(iii) and (f). The licensee is subject to the provisions of 43.32(d) and (e), as applicable.
- (c) No less than 90 days before the expiration date specified in a specific license, the licensee shall either:
 - (1) submit an application for license renewal under 43.33; or
 - (2) notify the Agency in writing, under 43.32(b), if the licensee decides to discontinue all activities involving radioactive material.
- (d) (1) If a licensee does not submit an application for license renewal under 43.33, the licensee shall on or before the expiration date specified in the license:
 - (i) terminate use of radioactive material;
 - (ii) properly dispose of radioactive material; and
 - (iii) submit a record of disposal of radioactive material and radiation survey(s) of licensee's permanent location(s) of use and/or storage. Levels of radiation shall be reported as required by 21.108, 21.109, and 43.90(1). The survey or measurement instrument(s) used for conducting the survey shall be specified.

ATTACHMENT E

3683
E-1

URI, INC.

(A Subsidiary of Uranium Resources, Inc.)

3333 Everhart Road
Suite 126
Corpus Christi, Texas 78411
Telephone (512) 851-1591
Telecopy (512) 852-3441

12377 Merit Drive
Suite 750, LB 14
Dallas, Texas 75251
Telephone (214) 934-7777
Telecopy (214) 934-7779
TWX 910-867-4701

P.O. Box 5391
227 West King Avenue
Kingsville, Texas 78363
Telephone (512) 595-5731
Telecopy (512) 595-0403

*for
SAP
KIA
1484
EB*
September 13, 1988

Mr. Tommy Cardwell
Texas Department of Health
1100 West 49th Street
Austin, Texas 78756

Dear Mr. Cardwell:

This letter is in response to our recent telephone conversation where you requested further information regarding the leaks in the ponds at the Kingsville Dome Project.

The leak in the south pond was first detected on March 25, 1988 and repaired on July 15, 1988. The leak in the north pond began on June 7, 1988 and was repaired July 19, 1988. The cause of the leak was diagnosed as faulty pump jackets which caused pump vibration to cut the liner. No damage resulted in the second liner so there was no risk of by-product material being released.

Repair of the south pond was delayed because of a pending amendment to the disposal well which prevented its use. The north pond was filled with dissolved HCO_3 at the time, so there was no disposal source for the fluids. Water was continuously pumped from the south pond leak detection well into the pond while the pond contained water.

Please feel free to contact me with any other questions pertaining to this matter.

Very truly yours,

[Signature]
Mark S. Pelizza
Environmental Manager

MSP/dlg

ATTACHMENT F

RR, RF, BC, TC, HW

TEXAS DEPARTMENT OF HEALTH

AUSTIN TEXAS
INTER-OFFICE

Lic F.24
3653
IF-1

COMPLAINT FILE NO. 239

THRU: Ralph S. Heyer *Bot 6-21-91*
Ruth E. McBurney *RAW*

FROM: Philip Shaver

TO: Richard Ratliff *for 13F*

Please coordinate with investigator with L.M. Shaver for 6-24-

SUBJECT: Possible Unauthorized Activities by Licensee

The Agency has received information from an individual claiming that URI, Inc. (License No. L03653) is irrigating with fluids from either the mine or the plant process at the Kingsville Dome facility (Site No. 000). URI informed C. D. Rao and Gary Smith on April 26, 1991, that they were planning to conduct a pilot irrigation study at the Kingsville Dome facility. URI was advised in a letter dated May 14, 1991 (copy attached), that approval by license amendment was necessary before beginning the pilot project and requested to provide additional information regarding the proposed pilot project. URI responded in a letter dated May 20, 1991. To date authorization has not been granted for any type of irrigation project, including the proposed pilot project, at the Kingsville Dome facility.

If URI is conducting an irrigation project at the Kingsville Dome facility, it may be without the appropriate Texas Water Commission (TWC) permit. Therefore, the TWC may need to be notified.

Please take the action(s) that you deem appropriate.

SIGNED

Philip Shaver

DATE

June 21, 1991

TEXAS DEPARTMENT OF HEALTH
AUSTIN TEXAS
INTER-OFFICE

3653
F-2

DATE: July 11, 1991

THRU: RICHARD RATLIEF *JK 7-23-91*
BOB FREE *KS*
BRAD CASKEY *BR*
HELEN WATKINS *HW*

TO: COM# 739 LIC# 3653

FROM: THOMAS CARDWELL *Thomas Cardwell*

SUBJECT: INVESTIGATION OF UNAUTHORIZED DISPOSAL OF BYPRODUCT MATERIAL AT URI KINGSVILLE DOME

In a memo date June 21, 1991, Phil Shaver indicated he had received an anonymous complaint alleging that URI Kingsville Dome was disposing of process fluids by irrigation. On June 28, 1991, I contacted Mr. Ray Newton of the Water Commission concerning the URI projected and informed Mr. Newton that the Agency would be performing an investigation of the project. I inquired concerning a joint investigation with the Water Commission. Mr. Newton indicated he would contact the Water Commission's Regional Office in Corpus Christi and that I should contact Mr. Volz at their Corpus Office when I arrived in Corpus. On, July 1, 1991, I traveled to Corpus Christi and contacted Mr. Volz. Mr. Volz indicated he was short staffed and that the Water Commission would not be accompanying us to perform the investigation. We then continued on to the URI Kingsville Dome project located near Kingsville, Texas to perform an investigation of the complaint. After arrival at the Kingsville Dome Project we met with the URI officials as listed in Attachment 1 to this memo. Mr. Pelizza further explained that URI had met with Mr. Thibodeau of the Water Commission on April 26, 1991, and was under the impression that a permit was not needed. URI also met with Mr. Gary Smith and Mr. C.D. Rao of the Agency and was under the impression that the project would not require a License amendment which is supported by C.D. Rao's memo dated April 30, 1991. However, Mr. Phil Shaver sent Mr. Pelizza a letter dated May 14, 1991, informing URI that any method of by-product disposal would require a license amendment (the April 30 memo and Phil's letter dated May 14 are included as attachment 2).

Mr. Craig Bartels explained the barium chloride treatment and radium removal process. The procedure for barium chloride addition is included as Attachment 3 to this memo. Dr. Duane Utley, a soils chemist consultant, explained the land application of the treated solution. There are three soil types in the area considered for irrigation. Two main crops are grown within the area. URI marked off a 20 by 20 foot-area for each soil type and each crop. Each 20 by 20 foot area was further divided into four separate blocks. A total of nine blocks were used in the research. The test area is northwest of the plant facility as indicated by the red dots on Attachment 4 of this memo. The total amount of fluids which would have been applied at the conclusion of the project would have been approximately 36,000 gallons. The total amount of fluids applied as of June 28, 1991, at the time the project was halted, was 14,588 gallons as indicated in attachment 5 to this memo. The analyses of the fluids used are included as attachment 6. Page 1 of attachment 6 is the chemical analyses performed by URI of the fluids prior to irrigation. Page 2 of attachment 6 is the analyses of the treated water from the barium chloride treatment tank prior to being loaded in the irrigation tank. Page 3 of attachment 6 is the analyses from a composite sample collected from six trailer loads of fluid prior to being used for irrigation during the first week of the project. Page 4 to attachment 6 is the composite sample from the irrigation tank for the second week of the project. Page 5 to attachment 6 is the analyses of the fluids prior to treatment. After review of the analyses, arsenic is the only

groundwater protection standard which was exceeded. However, the land has been used for cotton production where arsenic is routinely use at much higher concentrations and would mask any soil analyses for arsenic.

After review of the records and discussing the purposes and procedures of the project, we proceeded to the irrigation areas. A total of 12 soil samples were collected from the irrigation plots. The samples were submitted to the Bureau of Laboratories for radium, uranium, molybdenum, copper, and arsenic. A list of the samples collected are included as attachment 7.

On July 10, 1991, I contacted Mr. Jack Thibodeau concerning his contact with URI and discussions about the irrigation project. Mr. Thibodeau indicated he had discussed the project with Mr. Pelizza and had determine that a project of this size and limited amount of fluids used would not require a permit from TWC. Mr. Thibodeau had verbally authorized the project.

In conclusion, the project appears to be for research only and not for waste disposal. URI is trying to determine if the soil can be treated with sulfur or gypsum to offset the sodium build-up in soil. The main problem appears to be the build-up of sodium in the soil to levels which would prevent agricultural use of the land. The fluids were successfully treated to remove radium and uranium to concentrations below the release to unrestricted limits. Also, the fluids are used for a useful purpose and can not be considered as waste. Therefore, the fluids do not fit the definition of byproduct material. After review of the License, Agency staff could not determine that URI was in violation of the License by diverting fluids to the byproduct removal system. URI, apparently, has not violated the Texas Regulations for Control of Radiation or their License. Should URI determine that irrigation with treated fluids is feasible, the Agency will need to determine if irrigation would be a major change of operations and if a License amendment would be required.

L03653-000
F-4



Texas Department of Health

Robert Bernstein, M.D., F.A.C.P.
Commissioner

1100 West 49th Street
Austin, Texas 78756-3189
(512) 458-7111

Robert A. MacLean, M.D.
Deputy Commissioner

Radiation Control
(512) 835-7000

May 14, 1991

Mr. Mark S. Pelizza
URI, Inc.
12377 Merit Drive
Suite 750, LB 14
Dallas, Texas 75251

Re: Radioactive Material
License No. L03653

Dear Mr. Pelizza:

This letter will serve to confirm our telephone conversation of this date. On April 26, 1991, you and Dr. Gardiner of Texas A & I University visited with Dr. Rao and Dr. Smith of the Agency at our offices in Austin to discuss a proposed pilot project involving irrigating land with treated waste fluids from the Kingsville Dome (KVD) uranium mining project. Waste fluid from a uranium recovery process is considered byproduct material. Any deviations from or changes in procedures currently approved by the Agency for management of byproduct materials require Agency approval by license amendment. The proposed pilot project constitutes a change in byproduct material management procedures. Before initiating the pilot project, URI must obtain Agency approval by license amendment. The amendment request should, as a minimum, provide the following information: 1) provide a diagram of the treatment process indicating where the process connects with current process circuitry; 2) describe the method for treatment of the fluids; 3) describe the equipment used in this treatment process; 4) describe the containment system where the treatment process is located; 5) provide an updated map of the KVD plant site indicating the location of the fluid treatment circuitry; 6) describe how the material removed by the treatment process will be managed; 7) indicate the types of test (parameters checked) performed to demonstrate that the treated fluids meet limits for release; 8) describe the type, method, and frequency of sampling of the treated fluid; 9) indicate the frequency of analysis of the samples; 10) indicate who will perform the analysis of the samples; and 11) describe the analytical methodology.

Please provide two copies of all material submitted supporting an amendment request. If you have any questions regarding this matter, please contact either Mr. Ralph S. Heyer or myself.

Sincerely,

A handwritten signature in cursive script, reading "Philip E. Shaver".

Philip E. Shaver, Chief
Uranium and Nuclear Waste Management Program
Division of Licensing, Registration
and Standards
Bureau of Radiation Control



Texas Department of Health

Robert Bernstein, M.D., F.A.C.P.
Commissioner

Robert A. MacLean, M.D.
Deputy Commissioner

FAX#
(512) 458-7477

1100 West 49th Street
Austin, Texas 78756-3199
(512) 458-7111

Members of the Board

Ron J. Anderson, M.D., F.A.C.P., Chairman
Raleigh R. White IV, M.D., Vice-Chairman
Oliver R. Smith, Jr., D.C., Secretary
Joan Wood Biggerstaff
Robert E. Bonham, M.D.
Don L. Brewer
Frank Bryant, Jr., M.D., F.A.A.F.P.
Ramiro R. Casso, M.D.
David L. Collins, P.E.
Gill Harber, D.D.S.
Larry D. Krupala
Donald M. Peterson, D.O., F.A.C.C.P.
Susan B. Place, O.D.
William D. Poteet III, F.A.C.H.E.
Milton L. Risinger, D.V.M.
William A. Scott
Barbara T. Slover, R.Ph.
Ruth F. Stewart, R.N.C.

The Honorable Irma Rangel
Texas House of Representatives
P.O. Box 2910
Austin, Texas 78768-2910

ATTN: Ms. Myra Leo

Dear Representative Rangel:

Enclosed is a copy of the Texas Department of Health Bureau of Radiation Control investigation at the Uranium Resources Inc. Kingsville Dome facility that you requested last week.

The inspection determined that no violations had occurred in the pilot irrigation project.

If you have any questions, please contact Mr. Richard A. Ratliff, Director of the Division of Compliance and Inspection, Bureau of Radiation Control at 835-7000.

Sincerely,

Robert A. MacLean, M.D.
Deputy Commissioner

Robert A. MacLean, M.D.
Acting Commissioner of Health

Enclosure

bcc: Board, License File #L03653, Inspector's File (Reg. 9), RAM, Lillian Gilligan
RAR: cal

FROM THE OFFICE OF BUREAU OF RADIATION CONTROL

KL

ATTACHMENT G

TEXAS DEPARTMENT OF HEALTH

AUSTIN TEXAS
INTER-OFFICE

FROM Marilyn Prouse

TO Phil Shaver

SUBJECT Request for Amendment of URI's License Regarding Interim Storage of Byproduct Material at Rosita

In reply to your memo of 1/14/93, I oppose the granting of amendment of license no. L03653 for the Rosita site (001) as requested by Mr. Mark Pelizza in his letter of 12/2/92. The licensee has clearly violated Condition 53D of the license by placing materials in the interim storage pond which are specifically prohibited. It is a mockery of the Agency's efforts to regulate through license condition for a licensee to knowingly violate a license condition and then request amendment of the license condition so that "complete compliance with the license can be achieved."

Condition 53 was put into the license in Amendment 7, dated 6/14/90, to allow interim storage of specified byproduct material from decommissioning of URI's Benavides and Longoria projects because of URI's argument that no disposal site was available at that time (Pelizza's letter of 8/23/89). All of Condition 53 (Parts A - L) was carefully and deliberately written so as to restrict the types of byproduct material to be placed in the interim storage pond and to require procedures which would not jeopardize the liner system and would facilitate retrieval of the byproduct material.

Staff concerns about URI's 8/23/89 proposal are clearly indicated by the record of communication with URI in the license file: agency letters dated 9/21/89 and 1/30/90; URI's letters dated 10/20/89, 2/13/90, and 5/22/90; documentation of telephone discussions between Mr. Pelizza and me dated 1/16/90 and 5/7/90; C.D. Rao's memo dated 4/4/90; Bill Price's trip report memo dated 7/9/90; and my license review sheet for log no. 8-127-89. Mr. Pelizza was aware of the staff's concerns, understood what materials were not to be placed in the interim storage pond (e.g., his letter of 2/13/90), and agreed to the license condition (his letter of 5/16/90). The only subsequent changes to Condition 53 were made in Amendments 8 and 11 of the license and concerned clarification that the south pond at Rosita is the designated interim storage pond and information regarding construction plans.

The license authorization for interim storage at Rosita expires 6/30/93 (Condition 53A). By that time, all byproduct material in the interim storage pond should be removed and disposed of in a licensed disposal site, and Condition 53L should be complied with. I recommend that the prohibited material which has been placed in the interim storage pond be allowed to remain until the other material is removed, but no later than 6/30/93. This would avoid any possible damage to the liner system from attempting to remove the prohibited material before then. However, URI should not be relieved of any other enforcement action resulting from their violation of the license.

With respect to the expiration date for the authorization of interim storage, I recommend that the Agency not grant any extension if requested by URI. The staff's intention in granting the authorization originally was that the storage be temporary. There are now available to URI both in-state and out-of-state licensed byproduct material disposal sites.

Any continued use of the interim storage pond at Rosita beyond 6/30/93 conflicts with guidance from the U.S. Nuclear Regulatory Commission (attached position transmitted 9/6/91) because off-site disposal options are available and because URI has not

TEXAS DEPARTMENT OF HEALTH
Bureau of Radiation Control
Division of Compliance and Inspection
1100 West 49th Street
Austin, Texas 78756-3189

6-2

COMPLIANCE NO: L930146

Page 1 of 1

*** NOTICE OF VIOLATION ***

LICENSEE/REGISTRANT

URI, Inc.
Attn: Lille Canales
12750 Merit Drive
Suite 1210, LB 12
Dallas, Texas 75251

DATE OF NOTICE

March 23, 1993

DATE OF INSPECTION

January 26, 1993

INSPECTOR(S)

Robin Cooksey

LICENSEE/REGISTRANT REPRESENTATIVE

Lille Canales

INSPECTION LOCATION

Rosita Project
Duval County

STAFF REVIEWER

Robert L. Green, Jr.

Please refer to the above COMPLIANCE NUMBER when responding to this notice.

The following violations were found during the inspection of operations under License No. L03653:

1. Violation of License Condition 53.D.:

The Licensee has placed prohibited materials (rocks) in Rosita Pond A. Based on employee interviews and correspondence from the Licensee, this action was a willful violation.

This is a Severity III Violation.

2. Violation of TRCR 36.11(c):

Logging sources were not stored in a bunker or in down-hole storage. (They were stored in a locked, unoccupied office.)

This is a Severity IV Violation.

3. Violation of License Condition 31.A.:

Instruments used to conduct required physical radiation surveys were not calibrated at six-month intervals, as required (re: Eberline PRS-2, number 378; Eberline MS-2, number 839; and Ludlum 14C, number 81859).

This is a Severity IV Violation.

DO NOT RETURN THIS ORIGINAL "NOTICE OF VIOLATION" WITH YOUR RESPONSE.

TRCR 22.11(a)(4) REQUIRES THAT ANY SUCH NOTICE BE POSTED, OR IN THE ALTERNATIVE, MADE AVAILABLE FOR EMPLOYEE REVIEW, AS PERMITTED BY TRCR 22.11(b).

REVIEWER



URANIUM
Rosita Project
G-3

URI, INC.

(A Subsidiary of Uranium Resources, Inc.)

5656 South Staples
Suite 250, LB 8
Corpus Christi, TX 78411
Telephone (512) 993-7731
Telecopy (512) 993-5744

12377 Merit Drive
Suite 750, LB 14
Dallas, Texas 75251
Telephone (214) 934-7777
Telecopy (214) 934-7779
TWX 910-867-4701

P.O. Box 5391
Route 1, Box 425
Kingsville, Texas 78363
Telephone (512) 595-5731
Telecopy: (512) 595-0403

April 13, 1993

Mr. Robert L. Green, Jr.
Staff Reviewer
TEXAS DEPARTMENT OF HEALTH
Bureau of Radiation control
Division of Compliance and Inspection
1100 West 49th Street
Austin, Texas 78756-3189

93 APR 16 PM 4:21
BUREAU OF
RADIATION CONTROL

RE: License No. L03653
Compliance No. L930146

Dear Mr. Green:

The following is being written in response to your Notice Of Violation dated March 23, 1993. We have formatted this response by first restating the alleged violation and then responding according to the TDH "Explanation and Guide for Response".

1. Violation of License Condition 53.D.:

The Licensee has placed prohibited materials (rocks) in Rosita Pond A. Based on employee interviews and correspondence from the Licensee, this action was a willful violation.

Response:

URI notified the Agency of this incident by letter on December 2, 1992, after the placement of the rocks was brought to our attention during a corporate ALARA audit. The December 2nd letter requested authorization to place the coarse materials into the south pond, providing the integrity of the liner was maintained by placing fine material between the liner and the coarse materials. Authorization was given on February 24, 1993.

The reason for this incident was a result of lack of understanding by URI field operations personnel as to what was authorized for disposal into the ponds. This situation was discussed in detail with TDH staff at a meeting which included Richard Ratliff and Ruth McBurney on March 5, 1993. As discussed at this meeting, URI is taking corrective action by adopting "Standard Operating Procedures Relative to Inter-Departmental Communications". These procedures with a directive from the President of URI is attached.

Full compliance with this violation via license amendment and these Procedures is in effect at this time.

Letter to R. L. Green
April 13, 1993
Page 2

2. Violation of TRCR 36.11(c):

Logging sources were not stored in a bunker or in down-hole storage. (They were stored in a locked, unoccupied office.)

Response:

Following the subject inspection, the down-hole storage facility for the sources was constructed and storage was performed in compliance with TRCR 36.11(c). We are in full compliance with this violation at this time.

3. Violation of License Condition 31.A.:

Instruments used to conduct required physical radiation surveys were not calibrated at six-month intervals, as required (re: Eberline PRS-2, number 378; Eberline MS-2, number 839; and Ludlum 14C, number 81859).

Response:

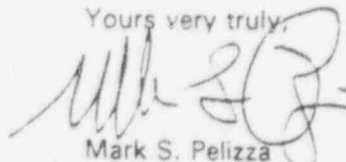
The calibration frequency for all instruments was changed with Amendment #15 of the subject license. Because this was not the intent of Amendment #15, the change in calibration frequency did not draw our attention, and calibrations, according to the new schedule, inadvertently were not performed.

Pursuant to the amended condition 31-A, we are now calibrating all instruments two per year. As shown on the attached memo, we also intend to file a request to return to a once-per-year schedule.

We are in full compliance at this time.

Please feel free to contact the undersigned with questions pertaining to this response.

Yours very truly,



Mark S. Pelizza
Environmental Manager

MSP/dlg
Encl.

cc: Kelly Biddle/URI - Rosita
Lille Canales/URI - Rosita
Bill McKnight/URI - Corpus Christi

MEMORANDUM

TO: Harry Anthony
Craig Bartels
Kelly Biddle
Lille Canales
Dick Clement
Bill McKnight
Mark Pelizza
Martin Utley

FROM: Ray Larson

DATE: April 13, 1993

SUBJECT: Standard Operating Procedures Relative to Inter-Departmental
Communications

It has recently been brought to my attention that a lack of communications between various environmental and operations personnel and lack of communications between levels of operations personnel has resulted in the unauthorized placement of materials in the waste storage ponds at Rosita, which, in turn, has resulted in a significant violation. An incident such as this is intolerable under any circumstances.

By this memorandum, I am directing management to implement the attached Standard Operating Procedures Relative to Inter-Departmental Communication.

I will be following this matter closely to assure the Procedure is implemented and a situation such as the Rosita waste storage problem does not occur again.

R. Larson



Standard Operating Procedures Relative to Inter-Departmental Communication

As the Radiation Protection Officer is involved with activities of both the environmental and production groups, it is vital that information and activities of each group be coordinated to facilitate proper regulatory compliance and environmental safety. The following basic guidelines are offered as standard operating procedures for both groups.

Inter-Company Communications

1. The Radiation Safety Officer will meet, either in person or by telephone, with the Corporate Environmental Manager on a bi-weekly basis. The officer will update current activities, highlight suspected problem areas and discuss any problems encountered interfacing with the production group.
2. The Radiation Safety Officer will meet, either in person or by telephone, with the Plant Manager on a daily basis. Included in discussions will be results of plant inspections, updates of employee records, potential problems, and employee compliance with regulations.
3. The Plant Manager will be responsible for ensuring proper compliance of rules and regulation at that facility. The Plant Manager will also ensure that a cordial and effective working relationship is maintained between plant employees and the Radiation Safety Officer.
4. Following an outside audit of environmental activity and compliance, the Corporate Environmental Manager will issue a management memorandum synthesizing results and assigning corrective actions as required. Memorandum addressees will include Production Vice President, Plant Managers, and the Radiation Safety Officer.
5. Following semi-annual inspections by regulatory agencies, the Radiation Safety Officer will review the inspection in writing including suggested corrective action for deficiencies. Corrective action will be coordinated with plant managers prior to release of the report. Copies of the report will be sent to Production Vice President, Corporate Environmental Manager and Plant Managers.

New or Revised Rules and Regulations

1. The Radiation Safety Officer will be responsible for ensuring that appropriate production personnel are fully informed of all new or newly revised regulatory rules and regulations.
2. Upon receipt of new or newly revised regulations, the Radiation Safety Officer will ensure that the Plant Managers are informed of the revision, and that a copy of the revisions is made available to the Plant Managers.
3. Plant Managers, after reviewing the regulations, will meet with the Radiation Safety Officer to discuss the regulations and to devise revised policies and procedures as required.
4. The Plant Managers will meet with appropriate supervisory subordinates to explain and implement the revised policies and procedures.
5. The Radiation Safety Officer will conduct spot inspections as the officer deems necessary to ensure that amended plant policies and procedures have been instituted and are being followed.
6. Observation, by the Radiation Safety Officer, of violations of revised policies and procedures will be followed by implementation of steps for reporting and correcting violations.
7. The Radiation Safety Officer will ensure that publicly displayed permits, rules and regulations are updated to include revisions and new policies.

Reporting and Correcting Violations

1. If, during inspections or audits, the Radiation Safety Officer detects a violation of company rules or permit regulations, the officer will immediately report the violation to the appropriate plant manager.
2. The Plant Manager will take appropriate steps to cease or alter those activities deemed by the Radiation Safety Officer to be in violation. The Plant Manager will ensure that all subordinates are adequately informed of the violation of changes in procedure to eliminate the violation.
3. If the Plant Manager is unavailable at the time of the occurrence, those activities deemed to be in violation by the Radiation Safety Officer will immediately cease and will not be recommenced without involvement of the Plant Manager.
4. The Corporate Environmental Manager will be contacted if the Radiation Safety Officer and the Plant Manager disagree concerning a violation of regulations. The Corporate Environmental Manager shall serve as the final arbiter of the disagreement.
5. If the Corporate Environmental Manager is unavailable at the time of the disagreement, the Production Vice President shall serve as the arbiter.
6. If neither arbiter is available at the time of the disagreement, those activities believed by the Radiation Safety Officer to be in violation of the permit shall cease until arbitration is available.



6.9

Texas Department of Health

David R. Smith, M.D.
Commissioner

1100 West 49th Street
Austin, Texas 78756-3189
(512) 458-7111

Robert A. MacLean, M.D.
Deputy Commissioner

Radiation Control
(512) 821-6688

May 3, 1993

URI, Inc.
Attn: Lille Canales
12750 Merit Drive
Suite 1210, LB 12
Dallas, Texas 75251

Ref: Compliance No. L930146
License No. L03653
Inspection of Jan. 26, 1993
By Robin Cooksey
At Rosita Project
Duval County

Dear Mr. Canales:

We received Mr. Mark Pelizza's letter dated April 13, 1993, informing us of the steps you have taken to correct the violations cited in our letter and NOTICE OF VIOLATION of March 23, 1993. The corrective actions noted appear to bring the items into compliance with the Texas Regulations for Control of Radiation and/or Conditions of your License.

The results of your corrective actions will be verified during our next inspection. Thank you for the cooperation and assistance.

Sincerely,

Robert L. Green
Technical Review and Enforcement Program
Radioactive Material Inspection and
Enforcement Branch
Division of Compliance and Inspection
Bureau of Radiation Control

RLG/nd