

<b>No.: PBL-1</b> <b>Rev. No.: R-2</b> <b>Date: June 10, 1997</b>	<b>INTERNATIONAL URANIUM (USA) CORPORATION</b> <b>STANDARD OPERATING PROCEDURES</b> <b>Title: Safety and Environmental Review Panel</b>	<b>Page 1 of 3</b>
---	---	--------------------

## 1.0 Purpose:

The U. S. Nuclear Regulatory Commission (NRC) license for the White Mesa uranium mill is a Performance-Based License (PBL). The PBL essentially allows IUSA to evaluate and implement certain changes in the licensed operation without applying for and receiving a formal amendment to the NRC license. The following procedure outlines the procedural steps to follow when making changes to the operations pursuant to the PBL or a PBLC.

## 2.0 Changes Allowed Under the PBL or PBLC:

Under Performance-Based Licensing, IUSA may make changes in licensed activities under certain conditions as outlined in the license. Essentially, IUSA may:

- (1) Make changes in the facility or process, as presented in the license application,
- (2) Make changes in the procedures presented in the application, or
- (3) Conduct tests or experiments not presented in the application, without prior NRC approval, if IUSA ensures that the following conditions are met:
  - The change, test or experiment does not conflict with any requirement specifically stated in the NRC license (excluding material referenced in a PBLC), or impair IUSA's ability to meet all applicable NRC regulations.
  - There is no degradation in the essential safety or environmental commitments in the license application, or provided by the approved reclamation plan.
  - The change, test, or experiment is consistent with NRC's conclusions regarding actions analyzed and selected in the Environmental Assessment (EA) of February, 1997.

Otherwise, IUSA is required to submit an application for a license amendment from the NRC. The determinations whether the above conditions are satisfied for a particular proposed change will be made by a Safety and Environmental Review Panel (SERP), described as follows.

## 3.0 Safety and Environmental Review Panel (SERP):

IUSA will form a SERP to evaluate each potential change under the PBL or PBLC. The SERP will be responsible for reviewing the changes, tests, or experiments to determine whether an amendment to the NRC license is required.

<b>No.: PBL-1</b> <b>Rev. No.: R-2</b> <b>Date: June 10, 1997</b>	<b>INTERNATIONAL URANIUM (USA) CORPORATION</b> <b>STANDARD OPERATING PROCEDURES</b> <b>Title: Safety and Environmental Review Panel</b>	<b>Page 2 of 3</b>
---	---	--------------------

The SERP shall consist of a minimum of three individuals. One member of the SERP shall have expertise in management and shall be responsible for managerial and financial approval changes; one member shall have expertise in operations and/or construction and shall have responsibility for implementing any operational changes; and, one member shall be the corporate manager of environmental health and safety, or equivalent, with the responsibility of assuring changes conform to radiation safety and environmental requirements. Additional members may be included in the SERP as appropriate, to address technical aspects such as health physics, groundwater hydrology, surface-water hydrology, specific earth sciences, and other technical disciplines. Temporary members or permanent members, other than the three above-specified individuals, may be consultants or other staff members.

#### **4.0 SERP Review Procedure:**

In their documented review of whether a potential change, test, or experiment (hereinafter called "the change") is allowed under the PBL or FBLC, without a license amendment, the SERP shall consider the following:

- (1) **Current NRC License Requirements:** The SERP will conduct a review of the most current NRC license conditions to assess which, if any, conditions will have impact on or be impacted by the potential SERP action. If the SERP action will conflict with a specific license requirement, then a license amendment is necessary prior to initiating the change.
- (2) **Impacts on regulations:** The SERP will determine in the change, test, or experiment conflicts with applicable NRC regulations (example: 10 CFR 20 requirements). If the SERP action conflicts with NRC regulations, a license amendment is necessary.
- (3) **Environmental Assessment:** The SERP will review whether the change, test, or experiment is consistent with NRC's conclusions regarding actions analyzed and selected in the Environmental Assessment of February 1997. If the change causes substantive safety or environmental impacts that have not previously been evaluated in the environmental report/assessment, the proposed action must be evaluated for the need to prepare an environmental report under 10 CFR 51.60(b)(2), and whether the proposed action is categorically excluded from the need for an environmental assessment under 10 CFR 51.22(c)(11). If an environmental report or environmental assessment is necessary, a license amendment is necessary for the proposed action.
- (4) **Financial Surety:** The SERP will review the proposed action to determine if any adjustment to the financial surety arrangement or approved amount is required (Condition No. 9.5 of the License). If the proposed action will require an increase to the existing surety amount, the financial surety instrument must be increased accordingly. The surety estimate must also be updated either through a license amendment or through

<b>No.: PBL-1</b> <b>Rev. No.: R-2</b> <b>Date: June 10, 1997</b>	<b>INTERNATIONAL URANIUM (USA) CORPORATION</b> <b>STANDARD OPERATING PROCEDURES</b> <b>Title: Safety and Environmental Review Panel</b>	<b>Page 3 of 3</b>
---	---	--------------------

the course of the annual surety update to the NRC. The NRC incorporates the annual surety update by license amendment.

- (5) The SERP will assure that there is no degradation in the essential safety or environmental commitment in the license application, or as provided by the approved reclamation plan.

#### **5.0 Documentation of Review Process:**

- (1) After the SERP conducts the review process for a proposed action, it will document its findings, recommendations and conclusions in a written report format. All members of the SERP shall sign off in concurrence on the final report. If the report concludes that the action meets the appropriate PBL or PBLC requirements and does not require a license amendment, the proposed action may then be implemented. If the report concludes that a license amendment is necessary prior to implementing the action, the report will document the reasons why, and what course IUSA plans to pursue. The SERP report shall include the following:
  - A description of the proposed change, test or experiment (proposed action).
  - A listing of all SERP members conducting the review, and their qualifications (if a consultant or other additional member).
  - The technical evaluation of the proposed action including all aspects of the SERP review procedures listed above.
  - Conclusions and recommendations.
  - Signatory approvals of the SERP members.
  - Any attachments such as all applicable technical, environmental or safety evaluations, reports or other relevant information including consultant reports.
- (2) All SERP reports and associated records of any changes made pursuant to the PBL or PBLC shall be maintained through termination of the NRC license.
- (3) On an annual basis, IUSA will furnish to the NRC a report that describes all changes, tests or experiments made pursuant to the PBL or PBLC. The report will include a summary of the SERP evaluation of each change. In addition, IUSA will annually submit any pages of the license renewal application to reflect changes of the August 23, 1991 License Renewal Application, or supplementary information submitted by letters dated December 1991, July 25, October 5 and November 22, 1994, and December 13, 1996.