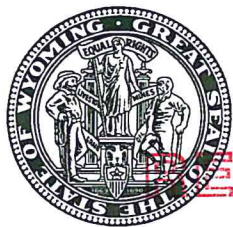


# Department of Environmental Quality

To protect, conserve and enhance the quality of Wyoming's environment for the benefit of current and future generations.



Matthew H. Mead, Governor

Todd Parfitt, Director

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## MEMORANDUM

**TO:** Honorable Matthew H. Mead, Governor

**FROM:** Todd Parfitt, Director, Wyoming Department of Environmental Quality [Agency Contact: Ryan Schierman, phone 777-7757, email ryan.shierman@wyo.gov]

**SUBJECT:** Proposed Rule Package, Chapters 1 through 10  
New Uranium Recovery Program, Land Quality Division

**DATE:** November 2, 2016

**PRIORITY:** HIGH – Deadline for response is November 17, 2016

**SUMMARY:** Notice of Agency Rulemaking

The Department of Environmental Quality, Land Quality Division (LQD) is proposing to promulgate new rules for the Uranium Recovery Program. The proposed rules include ten (10) new chapters which are intended to allow the LQD authority to assume regulatory authority over source material involved in the extraction and concentration of uranium and thorium milling and the management and disposal of byproduct material as defined in 11e.(2) of the Atomic Energy Act of 1954, as amended. The authority for the Department to promulgate the proposed rules is provided under W.S. 35-11-2002(b). The following new chapters are proposed:

- Chapter 1 – General Provisions;
- Chapter 2 – Inspections, Violations and Enforcement;
- Chapter 3 – Radiation Protection Standards;
- Chapter 4 – Licensing Requirements for Source and Byproduct Material;
- Chapter 5 – Notices, Instructions and Reports to Workers;
- Chapter 6 – Financial Assurance;
- Chapter 7 – Fees;
- Chapter 8 – Risk Informed Performance Based Licensing;
- Chapter 9 – Transportation of Radioactive Material; and
- Chapter 10 – General Licenses.

The proposed rules were heard by the LQD Advisory Board over the course of several meetings and the Advisory Board recommended the rules proceed to the Environmental Quality Council with minor revisions as discussed during the meetings. The proposed rules are not expected to be controversial as very few comments were received during the Advisory Board meetings. The Attorney General's Office has reviewed the rules for statutory authority and agreed they could proceed. The LQD is requesting to proceed with formal rulemaking with this rule package.

### GOVERNORS RESPONSE OPTIONS:

Agency may proceed.

Delay Public Comment and Set Up Meeting w/ \_\_\_\_\_

*[Signature]*  
Signature: Governor's Counsel