

EPA-6199

Marilyn  
Ginsberg/DC/USEPA/US  
04/02/2012 10:10 AM

To Ronald Bergman  
cc  
bcc

Subject Re: Subpart W -- Final Agency review

Hi Ron,

Yes, it's been a lonely burden. I think that the only reason that I was even asked, is that I worked on the NRC's ground water uranium- in situ leach rule and Subpart W has to do with emissions from uranium mill tailings. Well, maybe I'm on the workgroup after all -- it's been quite a ride.

-- M

Ronald Bergman

[Hi Marilyn, I agree that this doesn't h...](#)

03/30/2012 10:30:54 PM

From: Ronald Bergman/DC/USEPA/US  
To: Marilyn Ginsberg/DC/USEPA/US@EPA  
Date: 03/30/2012 10:30 PM  
Subject: Re: Subpart W -- Final Agency review

Hi Marilyn,

I agree that this doesn't have a significant impact on us, so I'm okay with you saying we have no comment. Are you the only OW representative on the workgroup?

-----Marilyn Ginsberg/DC/USEPA/US wrote: -----

To: Ann Codrington/DC/USEPA/US@EPA, Ronald Bergman/DC/USEPA/US@EPA  
From: Marilyn Ginsberg/DC/USEPA/US  
Date: 03/30/2012 06:41PM  
Subject: Subpart W -- Final Agency review

Hi Ann and Ron,

I have received notice that the Final Agency Review for revisions to National Emissions Standards for Operating Mill Tailings (Tier 2; SAN 5281) will be held on April 19. I think that although I represent OGWDW, I'm technically not on the workgroup, because the rule doesn't really affect us (OGWDW, and likely the rest of OW). I've dutifully read all the materials that have been circulated for comment (they were thrilling and had a great plot) to make sure that we didn't miss a chance to make necessary comments, and I did make some to add clarity and consistency with existing terminology. If I briefed you, that's about all that I'd say. I certainly don't think that the OD or AA needs to get involved, or, for that matter, anyone in our management chain. If you agree that National Emissions Standards for Operating Mill Tailings is not a high priority for our management, please let me know, because I have to send out a formal e-mail -- we were notified that:

**"If a participating Office or Region is not represented at the FAR meeting and has not previously contacted the Workgroup Chair and Nicole Owens in writing with his or her AA 's or RA's position prior to the meeting, "concurrence without comment" will be assumed."**

Thanks, MG

EPA-6278

Marilyn  
Ginsberg/DC/USEPA/US  
04/02/2012 05:17 PM

To Nicole Owens  
cc Reid Rosnick  
bcc  
Subject Subpart W Final Agency review

Hello Ms. Owens,

I am representing OW on the Subpart W workgroup. I have spoken with my branch chief, Ronald Bergman, and he agrees with me that OW has no comments or issues to be addressed with regard to the document.

Thank you,  
Marilyn

Reid Rosnick      [Hi Marilyn, I appreciate the fact that yo...](#)      03/30/2012 07:18:52 AM

From: Reid Rosnick/DC/USEPA/US  
To: Marilyn Ginsberg/DC/USEPA/US@EPA  
Date: 03/30/2012 07:18 AM  
Subject: Re: Subpart W Final Agency review

Hi Marilyn,

I appreciate the fact that your office might not have comments. You are the only representative from OW on the workgroup. The FAR process works as follows:

Nicole Owens of OPEI's Regulatory Management Division (RMD) will chair the FAR meeting and distribute a memorandum following the meeting that documents all positions provided and any further action agreed upon at the meeting.

Each lead workgroup member is expected to represent the position of his or her Assistant/Associate/Regional Administrator (AA or RA) at FAR (so you will need to brief your management), and may take one of the following three positions:

- 1). If an office has minor, *non-substantive comments*, they may **concur without comment**.
- 2). If an office has *substantive comments*, they may **concur with comment**. While the lead program should try to resolve the issue(s) raised by the comments, it may choose to go forward to OMB for review, or to the Administrator for signature, without resolving the issues. The lead office is responsible for working with all of the offices that provided substantive comments to determine how to address the comments. If the offices cannot agree on a way to address the comments, the lead office must include the comments in the action memorandum with an explanation of why it cannot satisfactorily address the comments.
- 3). If an office feels that *a major issue remains unresolved* (e.g., the action lacks legal authority or conflicts with other EPA rules or policies), it may **non-concur**. Non-concurrence indicates that the AA or RA objects to the action being forwarded to OMB, or to the Administrator for signature.

If a participating Office or Region is not represented at the FAR meeting and has not previously contacted the Workgroup Chair and Nicole Owens in writing with his or her AA's or RA's position prior to the meeting, "concurrence without comment" will be assumed.

I have attached the FAR announcement memo that was distributed with the meeting invitation that outlines the process in more detail. Please let me know if you have additional questions. Thanks

Reid

[attachment "FAR Memo -- Subpart W.pdf" deleted by Marilyn Ginsberg/DC/USEPA/US]

---

Reid J. Rosnick  
Radiation Protection Division (6608J)  
U.S. Environmental Protection Agency  
1200 Pennsylvania Ave., NW  
Washington, DC 20460  
202.343.9563  
rosnick.reid@epa.gov

Marilyn Ginsberg	Hi Reid,	I'm pretty sure that my Of...	03/29/2012 07:15:55 PM
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From: Marilyn Ginsberg/DC/USEPA/US  
To: Reid Rosnick/DC/USEPA/US@EPA  
Date: 03/29/2012 07:15 PM  
Subject: Subpart W Final Agency review

---

Hi Reid,

I'm pretty sure that my Office (OGWDW) won't have any comments. I'm looking at one final doc from you and then I'll let my management know what I think. Three questions, please, it appears that the April 19 meeting is for workgroup members, but when is the meeting for senior managers? Also, if we have no comments and no need to have a senior manager involved, how do I formally let the right person know? Lastly, is there another OW workgroup member, one from another office in OW?

Thanks, Marilyn

EPA-225

Reid Rosnick/DC/USEPA/US

To Tony Nesky

04/05/2012 02:43 PM

cc

bcc

Subject Re: Subpart W Communications Plan: Do you need help with press release?

Hi Tony,

I don't have a press release available, so I would appreciate your help. Can we sit down next week to discuss what needs to be done?

Reid

---

Reid J. Rosnick  
Radiation Protection Division (6608J)  
U.S. Environmental Protection Agency  
1200 Pennsylvania Ave., NW  
Washington, DC 20460  
202.343.9563  
rosnick.reid@epa.gov

Tony Nesky

Tony Nesky Center for Radiation Infor...

04/05/2012 02:20:47 PM

---

From: Tony Nesky/DC/USEPA/US  
To: Reid Rosnick/DC/USEPA/US@EPA  
Cc: Glenna Shields/DC/USEPA/US@EPA  
Date: 04/05/2012 02:20 PM  
Subject: Subpart W Communications Plan: Do you need help with press release?

---

Dear Reid:

Your communication plan called for a press release. Do you have one drafted already? If not, I'd be happy to help.

I'll also get back to you with suggestions on your fact sheet early next week. Maybe we folks in CRIO can put it into a format similar to the ones we are doing for Brian.

If you are planning on issuing the fact sheet as a publication and putting it on the website, it will have to go through Product Review, but that can happen simultaneously with Final Agency Review.

Tony Nesky  
Center for Radiation Information and Outreach  
Tel: 202-343-9597  
nesky.tony@epa.gov

-----Reid Rosnick/DC/USEPA/US wrote: -----

To: Tony Nesky/DC/USEPA/US@EPA  
From: Reid Rosnick/DC/USEPA/US  
Date: 01/23/2012 08:40AM  
Subject: Subpart W Communications Plan

Hi Tony,

Sorry for the delay in reviewing the plan, but thanks for the changes and suggestions. I have incorporated them (attached). Regarding your two comments, currently I do not have a fact sheet put together, and I would welcome your help. Second, I do not have a list of stakeholders in the form of a mailing list. My thought was that by posting the news on the Subpart W website we would reach the stakeholders that have been following us for the last two years, but I'm open to any suggestions.

I'm working from home today, but hopefully we can discuss in person tomorrow. Thanks again for your help.

Reid

---

Reid J. Rosnick  
Radiation Protection Division (6608J)  
U.S. Environmental Protection Agency  
1200 Pennsylvania Ave., NW  
Washington, DC 20460  
202.343.9563  
[rosnick.reid@epa.gov](mailto:rosnick.reid@epa.gov)

[attachment "Subpart W CommunicationPlan\_v2.0.docx" removed by Tony Nesky/DC/USEPA/US]

EPA-84

Sarah Fields  
<sarah@uraniumwatch.org>  
04/06/2012 01:06 PM

To Reid Rosnick  
cc  
bcc

Subject Follow-up on EPA April 5 Subpart W Conference Call

Dear Mr. Rosnick,

Another issue that I failed to mention yesterday with respect the Subpart W rulemaking is the gapping regulatory hole when it comes to uranium mill tailings impoundments after they cease to be operational and, according to current EPA regulation, are no longer subject to the Subpart W flux standard. (For now, we'll just ignore the issues regarding exactly when that point in the life of a tailings impoundment occurs.)

My understanding is that one operation ceases and the closure period commences there is no radon flux standard. My understanding is that at the time the closure period commences there must be a closure plan and reclamation milestones that have been approved by the State or NRC.

The problem is, as stated in the 1989 Subpart W final rule:

"EPA recognizes that the risks from mill tailings piles can increase dramatically if they are dry and uncovered can be seen in the proposed rule, 54 FR 9645. That analysis assumed that the piles were dry and uncovered and the risks were as high as  $3 \times 10^{-3}$  with 1.6 fatal cancers per year." The EPA than assumes that the piles will be wet or covered, then be "disposed of."

The problem is that during the "closure" or "disposal" period tailings impoundments dry out more and, in fact, interim soil covers interfere with the drying and settling processes. Apparently, this is happening at the White Mesa Mill. Even now, I believe that the estimate of time for the drying/settling process for Cells 2 and 3 at White Mesa is 10 years. That may be a minimal estimate. So whether an older cell with a radon flux standard or a newer 40-acre cell, there can be a period of time when radon emissions and potential for dispersal of radioactive particulates increases. Yet, there is no flux standard during this period, unless the period goes beyond the established reclamation milestone for the final radon barrier.

This is something the EPA Subpart W changes must address.

Also, there are proposals for open pit uranium mines near uranium recovery operations. With the EPA failure to establish a radon standard for surface uranium mines, you would have a regulated NESHAP facility

next to one where the EPA has fallen short of its regulatory responsibility.

Also, remember the FOIA response where you asked for me to agree to an extension of time for EPA response.?

Do you think that I ever got a response to that FOIA after the EPA sent me the letter of October 12, 2011? Did you ever check on that?

Well, I never did get the FOIA response. This does not surprise me.

I have good reason to be frustrated at the EPA, and the State of Utah's radioactive NESHAP program.

Sarah Fields  
Program Director  
Uranium Watch  
PO Box 344  
Moab, Utah 84532  
435-259-9450

EPA-4986

Alan Perrin/DC/USEPA/US

04/10/2012 11:58 AM

To David Rowson, Tom Eagles

cc "Anna Duncan", "Jonathan Edwards", "Mike Flynn", Brian Littleton, Reid Rosnick, Raymond Lee

bcc

Subject Re: One urgent item from OAR senior staff

Dave, Tom,

The dates below (schedule to go to OP) are correct for the following rules:

April 16 -- **ANPRM**: Revised Regulation for Environmental Radiation Protection Standards for Nuclear Power Operations (40 CFR 190, SAN 5581)

April 30 -- **NPRM**: NESHAP Amendments for Operating Uranium Mill Tailings (Subpart W, SAN 5281)

Any questions, please call.

Regards, Alan

~~~~~

Alan Perrin, Deputy Director

Radiation Protection Division, USEPA

office (202) 343-9775 | bb (202) 279-0376

David Rowson

Jon/Mike, At staff meeting, Lori Schmid...

04/10/2012 11:01:50 AM

From: David Rowson/DC/USEPA/US  
To: "Mike Flynn" <Flynn.Mike@epamail.epa.gov>, "Jonathan Edwards" <Edwards.Jonathan@epamail.epa.gov>, "Alan Perrin" <Perrin.Alan@epamail.epa.gov>, "Anna Duncan" <duncan.anna@epa.gov>  
Cc: "David Rowson" <rowson.david@epa.gov>  
Date: 04/10/2012 11:01 AM  
Subject: One urgent item from OAR senior staff

Jon/Mike,

At staff meeting, Lori Schmidt read a list of rules that are scheduled to go to OP soon for a two-week review before they go to OMB and we have to let Tom Eagles know immediately if the dates Lori provided are incorrect. 1. Radiation Protection Standards - April 16 (Lori left early so I didn't get to confirm this, but I think that's your Nuclear Power Operations rule)  
2. Uranium and Thorium Mill Tailings - April 30.

Again, we're supposed to let Tom know if these dates for the rules to go to OP need to be changed. (You might want to confirm with Tom either way.) Gina said these due dates to OP and OMB are a big deal to her as she negotiates process and clearance.

Let me know if there's anything I can do here to help.

-Dave

-----

Sent by EPA Wireless E-Mail Services



EPA-3839

Alan Perrin/DC/USEPA/US

04/10/2012 12:28 PM

To Brian Littleton

cc Daniel Schultheisz

bcc

Subject Fw: One urgent item from OAR senior staff

Brian, Will you please send a current copy of the ANPRM to John Griggs and Michael Clark? Thanks,  
Alan

~~~~~

Alan Perrin, Deputy Director

Radiation Protection Division, USEPA

office (202) 343-9775 | bb (202) 279-0376

----- Forwarded by Alan Perrin/DC/USEPA/US on 04/10/2012 12:27 PM -----

From: Jonathan Edwards/DC/USEPA/US  
To: Alan Perrin/DC/USEPA/US@EPA  
Cc: Mike Flynn/DC/USEPA/US@EPA, "John Griggs" <Griggs.John@epamail.epa.gov>, "Michael Clark" <Clark.Michael@epamail.epa.gov>  
Date: 04/10/2012 12:25 PM  
Subject: Fw: One urgent item from OAR senior staff

---

Alan-- please send an electronic copy of the most recent ANPRM to John and Mike so they can print it out and give to Mike F and me. --Jon

-----

Sent from my BlackBerry Wireless Handheld (www.BlackBerry.net)

Alan Perrin

----- Original Message -----

**From:** Alan Perrin  
**Sent:** 04/10/2012 11:58 AM EDT  
**To:** David Rowson; Tom Eagles  
**Cc:** "Anna Duncan" <duncan.anna@epa.gov>; Jonathan Edwards; Mike Flynn; Brian Littleton; Reid Rosnick; Raymond Lee  
**Subject:** Re: One urgent item from OAR senior staff  
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David Rowson

Jon/Mike, At staff meeting, Lori Schmid...

04/10/2012 11:01:50 AM

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-Dave

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Sent by EPA Wireless E-Mail Services

EPA-4978

Alan Perrin/DC/USEPA/US

04/10/2012 12:28 PM

To Brian Littleton

cc Daniel Schultheisz

bcc

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Alan Perrin

----- Original Message -----

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**Sent:** 04/10/2012 11:58 AM EDT  
**To:** David Rowson; Tom Eagles  
**Cc:** "Anna Duncan" <duncan.anna@epa.gov>; Jonathan Edwards; Mike Flynn; Brian Littleton; Reid Rosnick; Raymond Lee  
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04/10/2012 11:01:50 AM

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Cc: "David Rowson" <rowson.david@epa.gov>  
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Let me know if there's anything I can do here to help.

-Dave

-----  
Sent by EPA Wireless E-Mail Services

EPA-5768

**Ronald  
Bergman/DC/USEPA/US**  
04/10/2012 01:37 PM

To Marilyn Ginsberg  
cc  
bcc

Subject National Emissions Standards for Operating Mill Tailings  
(Tier 2; SAN 5281)

Hi Marilyn,

Do you have a summary of the rulemaking? Ann wants to give Pam a quick note on what the rulemaking is about.

Thanks

EPA-5591

Gerard Kraus/DC/USEPA/US

04/10/2012 01:55 PM

To Charlie Garlow

cc

bcc

Subject FAR - 04/19 - NESHAP Amendments for Operating Uranium  
Mill Tailings (Subpart W); SAN 5281 (Tier 2) - NPRM

**[FAR - 04/19 - NESHAP Amendments for Operating Uranium Mill Tailings \(Subpart W\); SAN 5281 \(Tier 2\) - NPRM](#)**

This is listed in SCOUT, with you as OECA workgroup rep. Is the date and info correct? Are there any significant OECA issues? Do you have a position at FAR?

Thanks.

Jerry

EPA-67

Reid Rosnick/DC/USEPA/US

To Sarah Fields

04/11/2012 08:02 AM

cc

bcc

Subject Re: Follow-up on EPA April 5 Subpart W Conference Call

Dear Ms. Fields,

Thank you for your comments. I will have them posted in the email section of the Subpart W website.

Regarding your comments on the FOIA, on October 18, 2011 you sent an email to me stating that you would like to proceed with the FOIA, but you were going to update the request to cover documents after the FOIA was submitted. We never received your request for the update. If you sent something to our FOIA office please forward it to me so we can track the breakdown in communications. Thank you.

Reid

-----  
-----  
Reid J. Rosnick  
Radiation Protection Division (6608J)  
U.S. Environmental Protection Agency  
1200 Pennsylvania Ave., NW  
Washington, DC 20460  
202.343.9563  
[rosnick.reid@epa.gov](mailto:rosnick.reid@epa.gov)

-----Sarah Fields <[sarah@uraniumwatch.org](mailto:sarah@uraniumwatch.org)> wrote: -----

To: Reid Rosnick/DC/USEPA/US@EPA  
From: Sarah Fields <[sarah@uraniumwatch.org](mailto:sarah@uraniumwatch.org)>  
Date: 04/06/2012 01:07PM  
Subject: Follow-up on EPA April 5 Subpart W Conference Call

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So whether an older cell with a radon flux standard or a newer 40-acre cell, there can be a period of time when radon emissions and potential for dispersal of radioactive particulates increases. Yet, there is no flux standard during this period, unless the period goes beyond the established reclamation milestone for the final radon barrier.

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Sarah Fields  
Program Director  
Uranium Watch  
PO Box 344  
Moab, Utah 84532  
435-259-9450





EPA-5345

**Reid Rosnick/DC/USEPA/US**

04/12/2012 06:11 AM

To Tony Nesky

cc

bcc

Subject Accepted: Discuss communication package for Subpart W.

EPA-808

Reid Rosnick/DC/USEPA/US

04/12/2012 08:20 AM

To Daniel Schultheisz

cc Susan Stahle

bcc

Subject Fw: Follow-up on EPA April 5 Subpart W Conference Call

FYI

---

Reid J. Rosnick  
Radiation Protection Division (6608J)  
U.S. Environmental Protection Agency  
1200 Pennsylvania Ave., NW  
Washington, DC 20460  
202.343.9563  
rosnick.reid@epa.gov

----- Forwarded by Reid Rosnick/DC/USEPA/US on 04/12/2012 08:19 AM -----

From: Sarah Fields <sarah@uraniumwatch.org>  
To: Reid Rosnick/DC/USEPA/US@EPA  
Date: 04/11/2012 11:14 AM  
Subject: Re: Follow-up on EPA April 5 Subpart W Conference Call

---

Dear Reid,

I did not realize that the EPA was expecting an updated FOIA. I will send one in.

Thank you,

Sarah

On Apr 11, 2012, at 6:02 AM, Reid Rosnick wrote:

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Radiation Protection Division (6608J)  
U.S. Environmental Protection Agency  
1200 Pennsylvania Ave., NW  
Washington, DC 20460  
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[rosnick.reid@epa.gov](mailto:rosnick.reid@epa.gov)

-----Sarah Fields <sarah@uraniumwatch.org> wrote: -----

To: Reid Rosnick/DC/USEPA/US@EPA

From: Sarah Fields <sarah@uraniumwatch.org>

Date: 04/06/2012 01:07PM

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So whether an older cell with a radon flux standard or a newer 40-acre cell, there can be a period of time when radon emissions and potential for dispersal of radioactive particulates increases. Yet, there is no flux standard during this period, unless the period goes beyond the established reclamation milestone for the final radon barrier.

This is something the EPA Subpart W changes must address.

Also, there are proposals for open pit uranium mines near uranium recovery operations. With the EPA failure to establish a radon standard for surface uranium mines, you would have a regulated NESHAP facility next to one where the EPA has fallen short of its regulatory responsibility.

Also, remember the FOIA response where you asked for me to agree to an extension of time for EPA response.?

Do you think that I ever got a response to that FOIA after the EPA

sent me the letter of October 12, 2011? Did you ever check on that?

Well, I never did get the FOIA response. This does not surprise me.

I have good reason to be frustrated at the EPA, and the State of Utah's radioactive NESHAP program.

Sarah Fields  
Program Director  
Uranium Watch  
PO Box 344  
Moab, Utah 84532  
435-259-9450

EPA-212

Reid Rosnick/DC/USEPA/US

To Beth Miller

04/12/2012 09:29 AM

cc

bcc

Subject Fw: Follow-up on EPA April 5 Subpart W Conference Call

---

Reid J. Rosnick  
Radiation Protection Division (6608J)  
U.S. Environmental Protection Agency  
1200 Pennsylvania Ave., NW  
Washington, DC 20460  
202.343.9563  
rosnick.reid@epa.gov

----- Forwarded by Reid Rosnick/DC/USEPA/US on 04/12/2012 09:29 AM -----

From: Sarah Fields <sarah@uraniumwatch.org>  
To: Reid Rosnick/DC/USEPA/US@EPA  
Date: 04/06/2012 01:07 PM  
Subject: Follow-up on EPA April 5 Subpart W Conference Call

---

Dear Mr. Rosnick,

Another issue that I failed to mention yesterday with respect the Subpart W rulemaking is the gapping regulatory hole when it comes to uranium mill tailings impoundments after they cease to be operational and, according to current EPA regulation, are no longer subject to the Subpart W flux standard. (For now, we'll just ignore the issues regarding exactly when that point in the life of a tailings impoundment occurs.)

My understanding is that one operation ceases and the closure period commences there is no radon flux standard. My understanding is that at the time the closure period commences there must be a closure plan and reclamation milestones that have been approved by the State or NRC.

The problem is, as stated in the 1989 Subpart W final rule:

"EPA recognizes that the risks from mill tailings piles can increase dramatically if they are dry and uncovered can be seen in the proposed rule, 54 FR 9645.

That analysis assumed that the piles were dry and uncovered and the risks were as high as  $3 \times 10^{-3}$  (to the -3) with 1.6 fatal cancers per year." The EPA then assumes that the piles will be wet or covered, then be "disposed of."

The problem is that during the "closure" or "disposal" period tailings impoundments dry out more and, in fact, interim soil covers interfere with the drying and settling processes. Apparently, this is happening at the White Mesa

Mill.

Even now, I believe that the estimate of time for the drying/settling process for Cells 2 and 3 at White Mesa is 10 years. That may be a minimal estimate.

So whether an older cell with a radon flux standard or a newer 40-acre cell, there can be a period of time when radon emissions and potential for dispersal of radioactive particulates increases. Yet, there is no flux standard during this period, unless the period goes beyond the established reclamation milestone for the final radon barrier.

This is something the EPA Subpart W changes must address.

Also, there are proposals for open pit uranium mines near uranium recovery operations. With the EPA failure to establish a radon standard for surface uranium mines, you would have a regulated NESHAP facility next to one where the EPA has fallen short of its regulatory responsibility.

Also, remember the FOIA response where you asked for me to agree to an extension of time for EPA response.?

Do you think that I ever got a response to that FOIA after the EPA sent me the letter of October 12, 2011? Did you ever check on that?

Well, I never did get the FOIA response. This does not surprise me.

I have good reason to be frustrated at the EPA, and the State of Utah's radioactive NESHAP program.

Sarah Fields  
Program Director  
Uranium Watch  
PO Box 344  
Moab, Utah 84532  
435-259-9450

EPA-3274

**Tim Benner/DC/USEPA/US**

04/16/2012 05:50 PM

To Nathan Gentry

cc Fred Hauchman, Rita Schoeny, Robert Fegley, Dan Costa,  
Kevin Teichman

bcc Tim Benner

Subject One-pager for radon standards at uranium mills

Hi Nathan,

Here is a one-pager for Thursday's FAR meeting for ORIA's proposed subpart W radon standards at uranium mills. OSP intends to concur without comments. I will bring down two paper copies momentarily.

Tim

[attachment "Radon\_P\_FAR\_20120419.doc" deleted]



EPA-5334

Glenna Shields/DC/USEPA/US

To Tony Nesky

04/17/2012 01:44 PM

cc

bcc

Subject Re: Draft Communication Package for Subpart W Proposed Rulemaking

What is the difference between an impoundment and an evaporation pond?

On your fact sheet (in the excellent write up in the blue box) you use the term "Notice of Proposed Rulemaking." Should there be the word, "Advanced," in front of that?

Glenna Shields | Director, Center for Radiation Information and Outreach | USEPA | Phone 202.343.9849 | Fax: 202.343.2302 | shields.glenna@epa.gov

Reid Rosnick

Hi Tony, Thank you for putting these to...

04/17/2012 08:58:29 AM

From: Reid Rosnick/DC/USEPA/US  
To: Tony Nesky/DC/USEPA/US@EPA  
Cc: Glenna Shields/DC/USEPA/US@EPA, Kelly Hunt/DC/USEPA/US@EPA  
Date: 04/17/2012 08:58 AM  
Subject: Re: Draft Communication Package for Subpart W Proposed Rulemaking

Hi Tony,

Thank you for putting these together. I have some minor comments on them, attached. Please let me know if you wish to discuss.

Reid

[attachment "pressreleaseSubpartWrjr.docx" deleted by Glenna Shields/DC/USEPA/US] [attachment "Qs And As for Subpart Wrjr.docx" deleted by Glenna Shields/DC/USEPA/US] [attachment "FactSheet-SubpartWNPR-draftjr.docx" deleted by Glenna Shields/DC/USEPA/US]

-----  
Reid J. Rosnick  
Radiation Protection Division (6608J)  
U.S. Environmental Protection Agency  
1200 Pennsylvania Ave., NW  
Washington, DC 20460  
202.343.9563  
rosnick.reid@epa.gov

Tony Nesky

Dear Reid: Attached are draft documen...

04/16/2012 01:12:53 PM

EPA-5336

Glenna Shields/DC/USEPA/US

To Tony Nesky

04/17/2012 04:15 PM

cc

bcc

Subject Re: Draft Communication Package for Subpart W Proposed Rulemaking

Not necessarily, unless that is something you want to make explicit.

Glenna Shields | Director, Center for Radiation Information and Outreach | USEPA | Phone 202.343.9849 | Fax: 202.343.2302 | shields.glenna@epa.gov

|            |                                                          |                        |
|------------|----------------------------------------------------------|------------------------|
| Tony Nesky | <a href="#">We're treating evaporation ponds--use...</a> | 04/17/2012 02:18:10 PM |
|------------|----------------------------------------------------------|------------------------|

From: Tony Nesky/DC/USEPA/US  
To: Glenna Shields/DC/USEPA/US@EPA  
Date: 04/17/2012 02:18 PM  
Subject: Re: Draft Communication Package for Subpart W Proposed Rulemaking

---

We're treating evaporation ponds--used for drying--as a type of impoundment. Does the fact sheet need to be tweaked to reflect this?

And there's no "advanced"--this is the real deal, a proposed rulemaking.

Tony Nesky  
Center for Radiation Information and Outreach  
Tel: 202-343-9597  
nesky.tony@epa.gov

|                |                                                            |                        |
|----------------|------------------------------------------------------------|------------------------|
| Glenna Shields | <a href="#">What is the difference between an impo...</a>  | 04/17/2012 01:44:25 PM |
| Reid Rosnick   | <a href="#">Hi Tony, Thank you for putting these to...</a> | 04/17/2012 08:58:29 AM |
| Tony Nesky     | <a href="#">Dear Reid: Attached are draft documen...</a>   | 04/16/2012 01:12:53 PM |

EPA-6472

**Michael Goo/DC/USEPA/US**  
Sent by: Robin Kime

04/18/2012 02:04 PM

To Barry Elman

cc

bcc

Subject Prep for 4/19 (1:00) FAR for Revisions to NESHAP for  
Operating Mill Tailings, Subpart W (NPRM; Tier 2) - 3500  
ARN

**Meeting**

Date 04/19/2012

Time 12:00:00 PM to 12:30:00 PM

Chair Michael Goo

**Invitees**

Required Alexander Cristofaro; Barry Elman; Lesley Schaaff; Paul Balserek

Optional Alex Barron; Shannon Kenny

FYI

Location 3500 ARN

EPA-6473

**Michael Goo/DC/USEPA/US**  
Sent by: Robin Kime

04/18/2012 02:06 PM

To Alexander Cristofaro, Barry Elman, Lesley Schaaff, Paul  
Balsarak

cc Alex Barron, Shannon Kenny

bcc

Subject Rescheduled: Prep for 4/19 (1:00) FAR for Revisions to  
NESHAP for Operating Mill Tailings, Subpart W (NPRM; Tier  
2) - 3500 ARN (Apr 19 12:00 PM EDT in 3500 ARN)

EPA-6415

Barry Elman/DC/USEPA/US

To Lesley Schaaff

04/18/2012 06:12 PM

cc

bcc

Subject Three issues for tomorrow

Lesley,

Would you have a few minutes to talk, either now (I'll be at my desk @ 202-566-2958 until 7:30 tonight) or first thing tomorrow morning? I'd like to discuss

1. FAR for Subpart W (uranium mill tailings). We're on Michael's calendar for a prebrief tomorrow at noon. I'd like to preview recommended positions with you. (There are few outstanding issues that I hope to resolve with OAR staff tomorrow morning. Assuming that these issues are successfully resolved, I plan to recommend concurrence with heavy editorial comments)
2. OS for Ferroalloys RTR. We're on Michael's calendar for a prebrief tomorrow at 4:15. But I just learned that OAR has postponed OS until May 2. Don't yet know why the long delay. But given the June 30 court deadline, this delay spells trouble.
3. O3 classification rule. I haven't heard anything about a response from Dom. Have you? If not, perhaps Nicole has. Otherwise, someone should call/ping Dom or Janet (maybe she heard back from him directly).

Barry

EPA-6512

**Lesley Schaaff/DC/USEPA/US**

To Barry Elman

04/18/2012 06:23 PM

cc

bcc

Subject Re: Three issues for tomorrow

Hi. Set up time in am to talk on first 2. On 3, no word from any of them. I will check tomorrow with Dom.

Lesley Schaaff

Barry Elman

----- Original Message -----

**From:** Barry Elman

**Sent:** 04/18/2012 06:12 PM EDT

**To:** Lesley Schaaff

**Subject:** Three issues for tomorrow

Lesley,

Would you have a few minutes to talk, either now (I'll be at my desk @ 202-566-2958 until 7:30 tonight) or first thing tomorrow morning? I'd like to discuss

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3. O3 classification rule. I haven't heard anything about a response from Dom. Have you? If not, perhaps Nicole has. Otherwise, someone should call/ping Dom or Janet (maybe she heard back from him directly).

Barry

EPA-6513

Barry Elman/DC/USEPA/US

To Lesley Schaaff

04/18/2012 06:34 PM

cc

bcc

Subject Re: Three issues for tomorrow

Will do. Your calendar looks open at 9:30. I'll send an electronic invite. Thanks!

Lesley Schaaff

Hi. Set up time in am to talk on first 2. O...

04/18/2012 06:23:25 PM

From: Lesley Schaaff/DC/USEPA/US  
To: Barry Elman/DC/USEPA/US@EPA  
Date: 04/18/2012 06:23 PM  
Subject: Re: Three issues for tomorrow

---

Hi. Set up time in am to talk on first 2. On 3, no word from any of them. I will check tomorrow with Dom.  
Lesley Schaaff

Barry Elman

----- Original Message -----

**From:** Barry Elman  
**Sent:** 04/18/2012 06:12 PM EDT  
**To:** Lesley Schaaff  
**Subject:** Three issues for tomorrow

Lesley,

Would you have a few minutes to talk, either now (I'll be at my desk @ 202-566-2958 until 7:30 tonight) or first thing tomorrow morning? I'd like to discuss

1. FAR for Subpart W (uranium mill tailings). We're on Michael's calendar for a prebrief tomorrow at noon. I'd like to preview recommended positions with you. (There are few outstanding issues that I hope to resolve with OAR staff tomorrow morning. Assuming that these issues are successfully resolved, I plan to recommend concurrence with heavy editorial comments)
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3. O3 classification rule. I haven't heard anything about a response from Dom. Have you? If not, perhaps Nicole has. Otherwise, someone should call/ping Dom or Janet (maybe she heard back from him directly).

Barry

EPA-6469

**Barry Elman/DC/USEPA/US**

04/18/2012 06:36 PM

To

cc

bcc

Subject Discussion re uranium mill tailings and ferroalloys

**Meeting**

Date 04/19/2012

Time 09:30:00 AM to 10:00:00 AM

Chair Barry Elman

Invitees

Required Lesley Schaaff

Optional Paul Balsarak

FYI

Location



EPA-6499

**Lesley Schaaff/DC/USEPA/US**

04/18/2012 08:59 PM

To Barry Elman

cc

bcc

Subject Accepted:Discussion re uranium mill tailings and ferroalloys

EPA-6449

**Reid Rosnick/DC/USEPA/US**

04/19/2012 07:28 AM

To Barry Elman

cc

bcc

Subject Subpart W (I'll call you)

**Meeting**

Date 04/19/2012

Time 10:00:00 AM to 11:00:00 AM

Chair Reid Rosnick

Invitees

Required Barry Elman

Optional

FYI

Location

EPA-739

**Amy Cole/DC/USEPA/US**

04/19/2012 12:05 PM

To Reid Rosnick, Angelique Diaz, Barry Elman, CharlesA Hooper, Charlie Garlow, Davis Zhen, George Brozowski, Marilyn Ginsberg, Nicole Owens, Robert Dye, Stephen Hoffman, Stuart Walker, Susan Stahle, Tim Benner, Tom Peake, Wanda Farrar

cc Alan Perrin, Andrea Cherepy, Daniel Schultheisz, Mariana Cubeddu, Philip Egidi, Raymond Lee, Tom Eagles

bcc

Subject Nicole Owens and I will be Participating by Phone in Ariel Rios North for 1pm Final Agency Review today, Subpart W Proposed Rule (SAN 5281)

Nicole Owens and I from the Office of Policy will be participating by phone in Ariel Rios North for today's FAR for the NESHAP Amendments for Operating Uranium Mill Tailings (Subpart W) (SAN 5281) proposed rule. If anyone in the Ariel Rios area would like to join us here, we will be in Room 6428.

Thank you,

---

Amy Cole  
Regulatory Management Division  
Office of Policy/ Office of the Administrator  
U.S. Environmental Protection Agency  
Phone: 202.564.6535  
Office: 6440T Ariel Rios North  
Email: cole.amy@epa.gov

EPA-5105

**Deborah  
Lebow-Aal/R8/USEPA/US**  
04/19/2012 02:01 PM

To Angelique Diaz  
cc  
bcc

Subject Re: Subpart W concurrence memo

I think it's fine. I think you have to ask Maureen whether Callie has a middle initial, but I don't think so.

[Deborah Lebow Aal](#)  
U.S. Environmental Protection Agency  
Region 8 Air Program  
Unit Chief, Indoor Air, Transportation and Toxics Unit  
1595 Wynkoop Street  
Denver, CO 80202  
(303) 312-6223

Angelique Diaz [What do you think? Does Callie use a...](#) 04/19/2012 11:47:46 AM

From: Angelique Diaz/R8/USEPA/US  
To: Deborah Lebow-Aal/R8/USEPA/US@EPA  
Date: 04/19/2012 11:47 AM  
Subject: Subpart W concurrence memo

---

What do you think? Does Callie use a middle initial?

[attachment "R8 Subpart W FAR Concurrence Memo.doc" deleted by Deborah Lebow-Aal/R8/USEPA/US]

Angelique D. Diaz, Ph.D.  
Environmental Engineer  
Air Program, USEPA/Region 8  
1595 Wynkoop Street (8P-AR)  
Denver, CO 80202-1129  
Office: 303.312.6344  
Fax: 303.312.6064  
[diaz.angelique@epa.gov](mailto:diaz.angelique@epa.gov)

EPA-5515

**Amy Cole/DC/USEPA/US**

04/19/2012 04:39 PM

To Charlie Garlow, Keith Bartlett, Stephen Hoffman, Stuart Walker, Gerain Perry, George Brozowski, Davis Zhen, Andrea Westenberger, Laurie Carter

cc Nicole Owens

bcc

Subject Concurrence? Final Agency Review package - (SAN 5281)  
NESHAP Subpart W: Standards for Radon Emissions from  
Operating Uranium Mill Tailings Proposed Rule

Dear OECA, OSWER, R6 and R7,

Your office was not present at the April 19th Final Agency Review meeting for the NESHAP Subpart W for Radon Emissions from Operating Uranium Mill Tailings. You or someone from your office was listed on the workgroup for this action in ADP Tracker. Please let me know if....

- 1) you no longer would like to participate on this workgroup
- 2) you want to continue to participate on this workgroup, but will not be providing a FAR concurrence or position
- 3) your office would like to provide a position and will do so in a written memo to Wanda Farrar, Reid Rosnick within a few days of this FAR meeting, also including in the email Nicole Owens, Amy Cole and the rest of the workgroup.

Thank you. And please do not hesitate to contact me with questions or concerns.

---

Amy Cole  
Regulatory Management Division  
Office of Policy/ Office of the Administrator  
U.S. Environmental Protection Agency  
Phone: 202.564.6535  
Office: 6440T Ariel Rios North  
Email: cole.amy@epa.gov

EPA-5273

**Wendy Blake/DC/USEPA/US**

04/20/2012 09:41 AM

To Susan Stahle

cc

bcc

Subject call me and I can update you on FAR for Subpart W

Wendy L. Blake  
U.S. Environmental Protection Agency  
Office of General Counsel  
phone: (202) 564-1821  
fax: (202) 564-5603

EPA-203

**Susan Stahle/DC/USEPA/US**

04/20/2012 09:58 AM

To Reid Rosnick

cc Tom Peake

bcc

Subject Who in OP should I send the OGC "memo" regarding  
concurrence for subpart W?

Hi - who should I send our email to (we don't write "memos") regarding our concurrence on the package?  
I can do that today if you let me know who to send it to. Thanks.

Susan Stahle

Air and Radiation Law Office (Rm 7502B)

Office of General Counsel

U.S. Environmental Protection Agency

1200 Pennsylvania Avenue, NW (ARN: MC 2344A)

Washington, D.C. 20460

ph: (202) 564-1272

fax: (202) 564-5603

stahle.susan@epa.gov

EPA-4711

**Susan Stahle/DC/USEPA/US**

04/20/2012 09:58 AM

To Reid Rosnick

cc Tom Peake

bcc

Subject Who in OP should I send the OGC "memo" regarding  
concurrence for subpart W?

Hi - who should I send our email to (we don't write "memos") regarding our concurrence on the package?  
I can do that today if you let me know who to send it to. Thanks.

Susan Stahle  
Air and Radiation Law Office (Rm 7502B)  
Office of General Counsel  
U.S. Environmental Protection Agency  
1200 Pennsylvania Avenue, NW (ARN: MC 2344A)  
Washington, D.C. 20460  
ph: (202) 564-1272  
fax: (202) 564-5603  
stahle.susan@epa.gov



EPA-557

Reid Rosnick/DC/USEPA/US

04/20/2012 10:00 AM

To Susan Stahle

cc Tom Peake

bcc

Subject Re: Who in OP should I send the OGC "memo" regarding concurrence for subpart W?

Hi Sue,

Would you please send it to Amy Cole in OP and copy me? Thanks

---

-----  
-----  
Reid J. Rosnick  
Radiation Protection Division (6608J)  
U.S. Environmental Protection Agency  
1200 Pennsylvania Ave., NW  
Washington, DC 20460  
202.343.9563  
[rosnick.reid@epa.gov](mailto:rosnick.reid@epa.gov)

-----Susan Stahle/DC/USEPA/US wrote: -----

To: Reid Rosnick/DC/USEPA/US@EPA

From: Susan Stahle/DC/USEPA/US

Date: 04/20/2012 09:58AM

Cc: Tom Peake/DC/USEPA/US@EPA

Subject: Who in OP should I send the OGC "memo" regarding concurrence for subpart W?

Hi - who should I send our email to (we don't write "memos") regarding our concurrence on the package? I can do that today if you let me know who to send it to. Thanks.

Susan Stahle  
Air and Radiation Law Office (Rm 7502B)  
Office of General Counsel  
U.S. Environmental Protection Agency  
1200 Pennsylvania Avenue, NW (ARN: MC 2344A)  
Washington, D.C. 20460  
ph: (202) 564-1272  
fax: (202) 564-5603  
[stahle.susan@epa.gov](mailto:stahle.susan@epa.gov)

EPA-4768

**Susan Stahle/DC/USEPA/US**

04/20/2012 10:22 AM

To Amy Cole

cc Reid Rosnick, Tom Peake, Wendy Blake

bcc

Subject Final Agency Review, Subpart W Proposed Rule (SAN 5281),  
OGC Concurrs with Comment

On the OAR rule entitled "Proposed Rule: Revisions to National Emissions Standards for Operating Mill Tailings (Tier 2; SAN 5281; RIN 2060-AP21)," OGC concurs with comment at the General Counsel level. The practice and policy within OGC/ARLO is to have the participating work group member communicate OGC's position for purpose of FAR. Thus, my front office will not be providing a formal memo or email from the General Counsel. I have discussed this with the General Counsel and I am authorized to represent OGC's position.

Susan Stahle

Air and Radiation Law Office (Rm 7502B)

Office of General Counsel

U.S. Environmental Protection Agency

1200 Pennsylvania Avenue, NW (ARN: MC 2344A)

Washington, D.C. 20460

ph: (202) 564-1272

fax: (202) 564-5603

stahle.susan@epa.gov

EPA-644

**Susan Stahle/DC/USEPA/US**

04/20/2012 10:22 AM

To Amy Cole

cc Reid Rosnick, Tom Peake, Wendy Blake

bcc

Subject Final Agency Review, Subpart W Proposed Rule (SAN 5281),  
OGC Concurrs with Comment

On the OAR rule entitled "Proposed Rule: Revisions to National Emissions Standards for Operating Mill Tailings (Tier 2; SAN 5281; RIN 2060-AP21)," OGC concurs with comment at the General Counsel level. The practice and policy within OGC/ARLO is to have the participating work group member communicate OGC's position for purpose of FAR. Thus, my front office will not be providing a formal memo or email from the General Counsel. I have discussed this with the General Counsel and I am authorized to represent OGC's position.

Susan Stahle

Air and Radiation Law Office (Rm 7502B)

Office of General Counsel

U.S. Environmental Protection Agency

1200 Pennsylvania Avenue, NW (ARN: MC 2344A)

Washington, D.C. 20460

ph: (202) 564-1272

fax: (202) 564-5603

stahle.susan@epa.gov

EPA-4770

**Susan Stahle/DC/USEPA/US**

04/20/2012 01:29 PM

To "Bedig, Laurel (ENRD)"

cc

bcc

Subject subpart w link

<http://www.epa.gov/radiation/neshaps/subpartw/rulemaking-activity.html>

Susan Stahle

Air and Radiation Law Office (Rm 7502B)

Office of General Counsel

U.S. Environmental Protection Agency

1200 Pennsylvania Avenue, NW (ARN: MC 2344A)

Washington, D.C. 20460

ph: (202) 564-1272

fax: (202) 564-5603

stahle.susan@epa.gov

EPA-471

**Susan Stahle/DC/USEPA/US**

04/20/2012 02:07 PM

To Reid Rosnick

cc

bcc

Subject are you working today?

If so, can we talk for a few minutes about Subpart W? Laurel and I talked to Travis today. Want to fill you in and ask some questions. Thanks.

Susan Stahle  
Air and Radiation Law Office (Rm 7502B)  
Office of General Counsel  
U.S. Environmental Protection Agency  
1200 Pennsylvania Avenue, NW (ARN: MC 2344A)  
Washington, D.C. 20460  
ph: (202) 564-1272  
fax: (202) 564-5603  
stahle.susan@epa.gov

EPA-6390

Davis Zhen/R10/USEPA/US

04/20/2012 05:23 PM

To Amy Cole

cc Reid Rosnick, Nicole Owens, Charlie Garlow, Keith Bartlett, Stephen Hoffman, Stuart Walker, Gerain Perry, George Brozowski, Davis Zhen, Andrea Westenberger, Laurie Carter  
bcc

Subject Re: Concurrence? Final Agency Review package - (SAN 5281) NESHAP Subpart W: Standards for Radon Emissions from Operating Uranium Mill Tailings Proposed Rule

Hi Amy,

I would like to provide a position and will do so in a written memo to Wanda Farrar, Reid Rosnick within a few days of this FAR meeting. I will be out of office next week, and Andrea Westenberger will be the point of contact in my absence.

Davis

Amy Cole

Dear OECA, OSWER, R6 and R7, You...

04/19/2012 01:37:35 PM

From: Amy Cole/DC/USEPA/US  
To: Charlie Garlow/DC/USEPA/US@EPA, Keith Bartlett/DC/USEPA/US@EPA, Stephen Hoffman/DC/USEPA/US@EPA, Stuart Walker/DC/USEPA/US@EPA, Gerain Perry/DC/USEPA/US@EPA, George Brozowski/R6/USEPA/US@EPA, Davis Zhen/R10/USEPA/US@EPA, Andrea Westenberger/R10/USEPA/US@EPA, Laurie Carter/R6/USEPA/US@EPA  
Cc: Nicole Owens/DC/USEPA/US@EPA  
Date: 04/19/2012 01:37 PM  
Subject: Concurrence? Final Agency Review package - (SAN 5281) NESHAP Subpart W: Standards for Radon Emissions from Operating Uranium Mill Tailings Proposed Rule

Dear OECA, OSWER, R6 and R7,

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- 1) you no longer would like to participate on this workgroup
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Thank you. And please do not hesitate to contact me with questions or concerns.

---

Amy Cole  
Regulatory Management Division  
Office of Policy/ Office of the Administrator  
U.S. Environmental Protection Agency  
Phone: 202.564.6535  
Office: 6440T Ariel Rios North  
Email: cole.amy@epa.gov



EPA-6384

Davis Zhen/R10/USEPA/US

04/20/2012 05:48 PM

To Krishna Viswanathan, Rick Albright, Janis Hastings

cc Madonna Narvaez, Andrea Westenberger

bcc

Subject Fw: Final Agency Review package - (SAN 5281) NESHAP Subpart W: Standards for Radon Emissions from Operating Uranium Mill Tailings Proposed Rule

Krishna, Rick and Jan,

I received this email from HQ requesting our concurrence on the Subpart W revision for Rad NESHAPs yesterday. The proposed revision will bring up to date not only the current regulation on risk assessment, but also new technologies that were not considered in 1989 when the rule was first written. Since we don't have any active or prospective Uranium mining activities in R10, the impact will be minimum for our region. I have completed a concurrence without comment memo ready for Rick's signature. Since I will be out of office next week, Andrea Westenberger has graciously offered to help with the routing and signing process.

Please let me know if you have any additional questions. Have a nice weekend.

Davis

Subject: Re: Concurrence? Final Agency Review package - (SAN 5281) NESHAP Subpart W: Standards for Radon Emissions from Operating Uranium Mill Tailings Proposed Rule

---

Hi Amy,

I would like to provide a position and will do so in a written memo to Wanda Farrar, Reid Rosnick within a few days of this FAR meeting. I will be out of office next week, and Andrea Westenberger will be the point of contact in my absence.

Davis

Amy Cole

Dear OECA, OSWER, R6 and R7, You...

04/19/2012 01:37:35 PM

From: Amy Cole/DC/USEPA/US  
To: Charlie Garlow/DC/USEPA/US@EPA, Keith Bartlett/DC/USEPA/US@EPA, Stephen Hoffman/DC/USEPA/US@EPA, Stuart Walker/DC/USEPA/US@EPA, Gerain Perry/DC/USEPA/US@EPA, George Brozowski/R6/USEPA/US@EPA, Davis Zhen/R10/USEPA/US@EPA, Andrea Westenberger/R10/USEPA/US@EPA, Laurie Carter/R6/USEPA/US@EPA  
Cc: Nicole Owens/DC/USEPA/US@EPA  
Date: 04/19/2012 01:37 PM  
Subject: Concurrence? Final Agency Review package - (SAN 5281) NESHAP Subpart W: Standards for Radon Emissions from Operating Uranium Mill Tailings Proposed Rule

---

Dear OECA, OSWER, R6 and R7,

Your office was not present at the April 19th Final Agency Review meeting for the NESHAP Subpart W for Radon Emissions from Operating Uranium Mill Tailings. You or someone from your office was listed on the workgroup for this action in ADP Tracker. Please let me know if....

- 1) you no longer would like to participate on this workgroup
- 2) you want to continue to participate on this workgroup, but will not be providing a FAR concurrence or position
- 3) your office would like to provide a position and will do so in a written memo to Wanda Farrar, Reid



Rosnick within a few days of this FAR meeting, also including in the email Nicole Owens, Amy Cole and the rest of the workgroup.

Thank you. And please do not hesitate to contact me with questions or concerns.

---

Amy Cole  
Regulatory Management Division  
Office of Policy/ Office of the Administrator  
U.S. Environmental Protection Agency  
Phone: 202.564.6535  
Office: 6440T Ariel Rios North  
Email: [cole.amy@epa.gov](mailto:cole.amy@epa.gov)

EPA-5468

Amy Cole/DC/USEPA/US

To Charlie Garlow

04/23/2012 09:09 AM

cc

bcc

Subject Re: Concurrence? Final Agency Review package - (SAN 5281) NESHAP Subpart W: Standards for Radon Emissions from Operating Uranium Mill Tailings Proposed Rule

Sounds good, thanks.

---

Amy Cole  
Regulatory Management Division  
Office of Policy/ Office of the Administrator  
U.S. Environmental Protection Agency  
Phone: 202.564.6535  
Office: 6440T Ariel Rios North  
Email: cole.amy@epa.gov

Charlie Garlow

[#2. Charlie Garlow, Attorney-Advisor U...](#)

04/19/2012 04:59:52 PM

---

From: Charlie Garlow/DC/USEPA/US  
To: Amy Cole/DC/USEPA/US@EPA  
Date: 04/19/2012 04:59 PM  
Subject: Re: Concurrence? Final Agency Review package - (SAN 5281) NESHAP Subpart W: Standards for Radon Emissions from Operating Uranium Mill Tailings Proposed Rule

---

#2.

Charlie Garlow, Attorney-Advisor  
US Environmental Protection Agency  
Air Enforcement Division  
202-564-1088 phone  
202-564-0068 fax  
1200 Pennsylvania Ave, NW, MC 2242A  
Washington, DC 20460 mail or 20004 courier

"Life's most urgent question is what are you doing to help others?" - - Martin Luther King, Jr.  
"Through the centuries, men [and women - ed.] of law have been persistently concerned with the resolution of disputes in ways that enable society to achieve its goals with a minimum of force and maximum of reason." - - Archibald Cox

Amy Cole

[Dear OECA, OSWER, R6 and R7, You...](#)

04/19/2012 04:37:34 PM

---

From: Amy Cole/DC/USEPA/US  
To: Charlie Garlow/DC/USEPA/US@EPA, Keith Bartlett/DC/USEPA/US@EPA, Stephen Hoffman/DC/USEPA/US@EPA, Stuart Walker/DC/USEPA/US@EPA, Gerain Perry/DC/USEPA/US@EPA, George Brozowski/R6/USEPA/US@EPA, Davis Zhen/R10/USEPA/US@EPA, Andrea Westenberger/R10/USEPA/US@EPA, Laurie Carter/R6/USEPA/US@EPA  
Cc: Nicole Owens/DC/USEPA/US@EPA  
Date: 04/19/2012 04:37 PM  
Subject: Concurrence? Final Agency Review package - (SAN 5281) NESHAP Subpart W: Standards for Radon Emissions from Operating Uranium Mill Tailings Proposed Rule

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Thank you. And please do not hesitate to contact me with questions or concerns.

---

Amy Cole  
Regulatory Management Division  
Office of Policy/ Office of the Administrator  
U.S. Environmental Protection Agency  
Phone: 202.564.6535  
Office: 6440T Ariel Rios North  
Email: cole.amy@epa.gov

EPA-4788

Amy Cole/DC/USEPA/US

04/23/2012 09:43 AM

To Susan Stahle

cc

bcc

Subject Re: Final Agency Review, Subpart W Proposed Rule (SAN 5281), OGC Concurrs with Comment

Thank you Susan.

---

Amy Cole  
Regulatory Management Division  
Office of Policy/ Office of the Administrator  
U.S. Environmental Protection Agency  
Phone: 202.564.6535  
Office: 6440T Ariel Rios North  
Email: cole.amy@epa.gov

Susan Stahle

On the OAR rule entitled "Proposed Rul...

04/20/2012 10:22:13 AM

From: Susan Stahle/DC/USEPA/US  
To: Amy Cole/DC/USEPA/US@EPA  
Cc: Reid Rosnick/DC/USEPA/US@EPA, Tom Peake/DC/USEPA/US@EPA, Wendy Blake/DC/USEPA/US@EPA  
Date: 04/20/2012 10:22 AM  
Subject: Final Agency Review, Subpart W Proposed Rule (SAN 5281), OGC Concurrs with Comment

---

On the OAR rule entitled "Proposed Rule: Revisions to National Emissions Standards for Operating Mill Tailings (Tier 2; SAN 5281; RIN 2060-AP21)," OGC concurs with comment at the General Counsel level. The practice and policy within OGC/ARLO is to have the participating work group member communicate OGC's position for purpose of FAR. Thus, my front office will not be providing a formal memo or email from the General Counsel. I have discussed this with the General Counsel and I am authorized to represent OGC's position.

Susan Stahle  
Air and Radiation Law Office (Rm 7502B)  
Office of General Counsel  
U.S. Environmental Protection Agency  
1200 Pennsylvania Avenue, NW (ARN: MC 2344A)  
Washington, D.C. 20460  
ph: (202) 564-1272  
fax: (202) 564-5603  
stahle.susan@epa.gov

EPA-530

**Reid Rosnick/DC/USEPA/US**

04/24/2012 11:27 AM

To Susan Stahle

cc Tom Peake

bcc

Subject Subpart W Website

Hi Sue,

The 4 documents I mentioned on our call with Laurel have been placed on the public website. We have one issue remaining, and that's with the FOIA. The 2,300 odd documents take up an enormous amount of space on the server, and would take a long time for a member of the public to download. We were thinking it might be easier to place all of the documents on a CD or DVD, and then post it's availability on the website. If someone wants a copy, we could mail it to them. Would that process still meet the intent of public availability? Thanks

Reid

---

Reid J. Rosnick  
Radiation Protection Division (6608J)  
U.S. Environmental Protection Agency  
1200 Pennsylvania Ave., NW  
Washington, DC 20460  
202.343.9563  
rosnick.reid@epa.gov

EPA-531

Susan Stahle/DC/USEPA/US

To Reid Rosnick

04/24/2012 11:53 AM

cc Tom Peake

bcc

Subject Re: Subpart W Website

Yes, I think that is a fine compromise - it allows the public to know of the documents and get a copy of them if they want them. Thanks.

Susan Stahle  
Air and Radiation Law Office (Rm 7502B)  
Office of General Counsel  
U.S. Environmental Protection Agency  
1200 Pennsylvania Avenue, NW (ARN: MC 2344A)  
Washington, D.C. 20460  
ph: (202) 564-1272  
fax: (202) 564-5603  
stahle.susan@epa.gov

Reid Rosnick

[Hi Sue, The 4 documents I mentioned...](#)

04/24/2012 11:27:21 AM

From: Reid Rosnick/DC/USEPA/US  
To: Susan Stahle/DC/USEPA/US@EPA  
Cc: Tom Peake/DC/USEPA/US@EPA  
Date: 04/24/2012 11:27 AM  
Subject: Subpart W Website

---

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Reid

---

Reid J. Rosnick  
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Washington, DC 20460  
202.343.9563  
rosnick.reid@epa.gov

EPA-5540

**Rafaela  
Ferguson/DC/USEPA/US**

04/24/2012 02:21 PM

To Reid Rosnick

cc Tom Peake

bcc

Subject ACTION -- CRCPD Update

Reid,

**Subpart W – Radon Emissions Standard for Operating Uranium Mill Tailings:** Subpart W of EPA's National Emissions Standards for Hazardous Air Pollutants (NESHAP), 40 CFR Part 61, is a radon emissions standard for operating uranium mill tailings. In accordance with the Clean Air Act Amendments of 1990, EPA has formed a workgroup to review, and possibly revise the standard. EPA invites and encourages the public to provide comments on our review of Subpart W. As the Workgroup on Subpart W develops its tentative rulemaking, EPA will provide up-to-date information on recent or upcoming conference calls, resource documents, and relevant technical issues. Please check the web site regularly, as more items will be added: <http://www.epa.gov/radiation/neshaps/subpartw>.

Rafie  
Rafaela Ferguson  
Special Assistant/Regional Coordinator  
Radiation Protection Division (6608J)  
Office of Radiation and Indoor Air  
U.S. Environmental Protection Agency  
1200 Pennsylvania Avenue, NW  
Washington, DC 20460  
Voice: 202-343-9362  
Fax: 202-343-2304  
Email: [ferguson.rafaela@epa.gov](mailto:ferguson.rafaela@epa.gov)

EPA-127

Reid Rosnick/DC/USEPA/US

To: Rafaela Ferguson

04/24/2012 02:40 PM

cc

bcc

Subject: Re: ACTION -- CRCPD Update

Revised write-up below. I added a sentence on FAR and OMB review, and took out some fragments that are now not necessary.

Reid

---

Reid J. Rosnick  
Radiation Protection Division (6608J)  
U.S. Environmental Protection Agency  
1200 Pennsylvania Ave., NW  
Washington, DC 20460  
202.343.9563  
rosnick.reid@epa.gov

Rafaela Ferguson

Reid, Subpart W - Radon Emissions...

04/24/2012 02:21:44 PM

---

From: Rafaela Ferguson/DC/USEPA/US  
To: Reid Rosnick/DC/USEPA/US@EPA  
Cc: Tom Peake/DC/USEPA/US@EPA  
Date: 04/24/2012 02:21 PM  
Subject: ACTION -- CRCPD Update

Reid,

**Subpart W – Radon Emissions Standard for Operating Uranium Mill Tailings:** Subpart W of EPA’s National Emissions Standards for Hazardous Air Pollutants (NESHAP), 40 CFR Part 61, is a radon emissions standard for operating uranium mill tailings. In accordance with the Clean Air Act Amendments of 1990, EPA formed a workgroup to review and revise the standard. The proposed rule went through Final Agency Review on April 20, 2012. It will soon go to the Office of Management and Budget for their review. EPA invites and encourages the public to provide comments on our review of Subpart W. EPA will provide up-to-date information on recent or upcoming conference calls, resource documents, and relevant technical issues. Please check the web site regularly, as more items will be added:

<http://www.epa.gov/radiation/neshaps/subpartw>.

Rafie  
Rafaela Ferguson  
Special Assistant/Regional Coordinator  
Radiation Protection Division (6608J)  
Office of Radiation and Indoor Air  
U.S. Environmental Protection Agency  
1200 Pennsylvania Avenue, NW  
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Voice: 202-343-9362  
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Email: ferguson.rafaela@epa.gov





EPA-6438

**Eileen  
Pritchard/DC/USEPA/US**  
04/24/2012 04:56 PM

To Barry Elman  
cc  
bcc  
Subject Uranium Mill Tailings FAR memo.....status?

\*\*\*\*\*

Eileen Pritchard  
EPA/OP/ORPM  
1200 Pennsylvania Ave, NW  
Room 3521-C  
Mailcode 1804-A  
Washington, DC 20460  
(202)564-6578  
(202)566-0268 - FAX  
email: pritchard.eileen@epa.gov

EPA-6480

Barry Elman/DC/USEPA/US

To Eileen Pritchard

04/24/2012 05:06 PM

cc

bcc

Subject Re: Uranium Mill Tailings FAR memo.....status?

Will have it tomorrow.

Eileen Pritchard

\*\*\*\*\* Eileen Pritchard

04/24/2012 04:56:33 PM

From: Eileen Pritchard/DC/USEPA/US  
To: Barry Elman/DC/USEPA/US@EPA  
Date: 04/24/2012 04:56 PM  
Subject: Uranium Mill Tailings FAR memo.....status?

---

\*\*\*\*\*

Eileen Pritchard  
EPA/OP/ORPM  
1200 Pennsylvania Ave, NW  
Room 3521-C  
Mailcode 1804-A  
Washington, DC 20460  
(202)564-6578  
(202)566-0268 - FAX  
email: pritchard.eileen@epa.gov

EPA-4998

Alan Perrin/DC/USEPA/US

To Reid Rosnick

04/24/2012 05:31 PM

cc

bcc

Subject Re: Fw: Re: Please UPDATE OAR Reg Tracker - by COB  
Thursday 4/26

He says he'll have a file over to you tomorrow morning. I also gave him a heads up on the extensive treatment that OGC has given the doc, and, depending on what areas he is touching, possible sensitivities to mods at this point. Please let me know what comes in tomorrow. Thanks, Alan

~~~~~  
Alan Perrin, Deputy Director  
Radiation Protection Division, USEPA  
office (202) 343-9775 | bb (202) 279-0376

Reid Rosnick

From: Reid Rosnick/DC/USEPA/US To...

04/24/2012 05:14:03 PM

From: Reid Rosnick/DC/USEPA/US  
To: Alan Perrin/DC/USEPA/US@EPA  
Date: 04/24/2012 05:14 PM  
Subject: Fw: Re: Please UPDATE OAR Reg Tracker - by COB Thursday 4/26

Alan,

When I got home and saw this I realized I did not get back to you regarding Barry Elman's comments on Subpart W. FYI, I didn't receive anything from him today.

---

Reid J. Rosnick  
Radiation Protection Division (6608J)  
U.S. Environmental Protection Agency  
1200 Pennsylvania Ave., NW  
Washington, DC 20460  
202.343.9563  
[rosnick.reid@epa.gov](mailto:rosnick.reid@epa.gov)

-----Forwarded by Reid Rosnick/DC/USEPA/US on 04/24/2012 05:12PM -----  
To: Sara DeCair/DC/USEPA/US@EPA, Mike Boyd/DC/USEPA/US@EPA, Reid Rosnick/DC/USEPA/US@EPA, Brian Littleton/DC/USEPA/US@EPA, Andrea Cherepy/DC/USEPA/US@EPA  
From: Raymond Lee/DC/USEPA/US  
Date: 04/24/2012 04:50PM  
Cc: Tom Peake/DC/USEPA/US@EPA, Alan Perrin/DC/USEPA/US@EPA  
Subject: Re: Please UPDATE OAR Reg Tracker - by COB Thursday 4/26

Hello everyone,

Here is the reg. tracker update for this week, with changes **due back by COB Thursday (4/26)**. Both the X-Ray guidance & PAGs have new dates that were updated by OMB, and I know that Andrea's Uranium rule will have a confirmation from Mike on the new schedule on Thursday morning.

Please let me know if there's any additional edits I need to make.

Thanks!

Ray

*(See attached file: OAR 2012 Rules 4 19 2012.docx)*

Ray Lee | Center for Radiation Information and Outreach (CRIO) | US EPA | Phone 202.343.9463 | Fax 202.343.2305 | lee.raymond@epa.gov

Kirsten King--04/24/2012 11:16:55 AM---Hi all, Attached please find the latest version of the OAR Reg Tracker from Friday, April 20. Could

From: Kirsten King/DC/USEPA/US

To: Alan Rush/DC/USEPA/US@EPA, Allison Dennis/DC/USEPA/US@EPA, Andrea Drinkard/DC/USEPA/US@EPA, Anna Duncan/DC/USEPA/US@EPA, Dana Hyland/DC/USEPA/US@EPA, Dawn Roddy/DC/USEPA/US@EPA, Deborah Banks/DC/USEPA/US@EPA, Eileen Pritchard/DC/USEPA/US@EPA, Jackie Krieger/DC/USEPA/US@EPA, Jeremy Arling/DC/USEPA/US@EPA, John Millett/DC/USEPA/US@EPA, Joseph-J Dougherty/DC/USEPA/US@EPA, Karen Orehowsky/DC/USEPA/US@EPA, Linda Chappell/DC/USEPA/US@EPA, Lori Stewart/DC/USEPA/US@EPA, Lorie Schmidt/DC/USEPA/US@EPA, Mary Henigin/DC/USEPA/US@EPA, Nate McMichael/DC/USEPA/US@EPA, Pat Scoville/DC/USEPA/US@EPA, Raymond Lee/DC/USEPA/US@EPA, Ruthw Morgan/DC/USEPA/US@EPA, Sharon Cooperstein/DC/USEPA/US@EPA, Tom Eagles/DC/USEPA/US@EPA, Wanda Farrar/DC/USEPA/US@EPA

Cc: OAR Special Assistants

Date: 04/24/2012 11:16 AM

Subject: Please UPDATE OAR Reg Tracker - by COB Thursday 4/26

---

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[attachment "OAR 2012 Rules 4 19 2012.docx" deleted by Raymond Lee/DC/USEPA/US]

Thank you!

Kirsten King

Special Assistant to the Assistant Administrator

U.S. Environmental Protection Agency | Office of Air and Radiation

Ariel Rios North 5406E [attachment "OAR 2012 Rules 4 19 2012.docx" deleted by Alan Perrin/DC/USEPA/US]

EPA-603

Alan Perrin/DC/USEPA/US

To Reid Rosnick

04/24/2012 05:31 PM

cc

bcc

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Reid Rosnick

From: Reid Rosnick/DC/USEPA/US To...

04/24/2012 05:14:03 PM

From: Reid Rosnick/DC/USEPA/US  
To: Alan Perrin/DC/USEPA/US@EPA  
Date: 04/24/2012 05:14 PM  
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Date: 04/24/2012 04:50PM  
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Cc: OAR Special Assistants

Date: 04/24/2012 11:16 AM

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[attachment "OAR 2012 Rules 4 19 2012.docx" deleted by Raymond Lee/DC/USEPA/US]

Thank you!

Kirsten King

Special Assistant to the Assistant Administrator

U.S. Environmental Protection Agency | Office of Air and Radiation

Ariel Rios North 5406E [attachment "OAR 2012 Rules 4 19 2012.docx" deleted by Alan Perrin/DC/USEPA/US]

EPA-153

Reid Rosnick/DC/USEPA/US

To Barry Elman

04/26/2012 10:14 AM

cc

bcc

Subject Re: Comments on FAR package for Subpart W proposed rule

Thanks, Barry,

I'm working on the comments, and if I have any major issues or questions I'll get back to you.

Reid

---

Reid J. Rosnick  
Radiation Protection Division (6608J)  
U.S. Environmental Protection Agency  
1200 Pennsylvania Ave., NW  
Washington, DC 20460  
202.343.9563  
rosnick.reid@epa.gov

Barry Elman

Reid,

04/25/2012 04:10:27 PM

---

From: Barry Elman/DC/USEPA/US  
To: Reid Rosnick/DC/USEPA/US@EPA  
Cc: Alan Perrin/DC/USEPA/US@EPA  
Date: 04/25/2012 04:10 PM  
Subject: Comments on FAR package for Subpart W proposed rule

---

Reid,

Attached please find my comments on the proposed Subpart W rule. Although these comments are extensive, they are mostly editorial in nature and I hope you will find them manageable and helpful toward the end of developing a stronger rule. I've tried to provide specific wording suggestions wherever possible. Overall, I do think this is a sound proposal and look forward to working with you to move it forward.

Please let me know if you have any questions. I'd be happy to discuss.

Barry

[attachment "FR Proposal for Revision of Subpart W -- FAR package -- with OP comments -- Final.doc" deleted by Reid Rosnick/DC/USEPA/US]



EPA-4979

Alan Perrin/DC/USEPA/US

04/26/2012 12:19 PM

To Shelley Blake

cc Gina Costantino, Jonathan Edwards, Rafaela Ferguson, Tom Peake, Valerie Daigler

bcc

Subject Re: HAC Qs

Looks good. On Q2, assuming nothing goes pear-shaped during interagency review, we anticipate being close to proposal very early in FY13 (of course there will be work involved following the publication of the proposal). But if we limit our estimate to what we think it will take to get to publication, a quarter of an FTE should be enough. We can raise it to 0.5 FTE if we want to be more conservative in our estimate (note this will adjust the 192 total in Q1 and in Q2).

~~~~~  
Alan Perrin, Deputy Director  
Radiation Protection Division, USEPA  
office (202) 343-9775 | bb (202) 279-0376

Shelley Blake

Alan, I checked with OAR and to be co...

04/26/2012 11:45:25 AM

From: Shelley Blake/DC/USEPA/US  
To: Alan Perrin/DC/USEPA/US@EPA  
Cc: Gina Costantino/DC/USEPA/US@EPA, Jonathan Edwards/DC/USEPA/US@EPA, Rafaela Ferguson/DC/USEPA/US@EPA, Tom Peake/DC/USEPA/US@EPA, Valerie Daigler/DC/USEPA/US@EPA, Gina Costantino/DC/USEPA/US@EPA  
Date: 04/26/2012 11:45 AM  
Subject: Re: HAC Qs

Alan,

I checked with OAR and to be consistent with the other offices within OAR we should be including total dollars for all costs of the rules on the FY 2011 Regulatory Agenda. This would change our response in the following way:

*Response to Question 1:*

Environmental Radiation Protection Standards for Nuclear Power Operations (40 CFR Part 190); Advance Notice of Proposed Rulemaking -- \$1,188 k

National Emission Standards for Radon Emissions from Operating Mill Tailings (NESHAP) (40 CFR Part 61, Subpart W); Notice of Proposed Rulemaking -- \$1,165 k

Health and Environmental Protection Standards for Uranium and Thorium Mill Tailings (40 CFR Part 192); Notice of Proposed Rulemaking -- \$2,148 k

Mike also wanted me to check-in with you guys on the response for #2. He wanted to make sure we aren't underestimating the FTE for FY 13 at .25 .

*Response to Question 2:*

Health and Environmental Protection Standards for Uranium and Thorium Mill Tailings (40 CFR Part 192); Notice of Proposed Rulemaking -- \$64 k

Please let me know your thoughts!  
Shelley Blake  
OAR/ORIA/PMO  
office: 202-343-9889

Alan Perrin

Shelley, This is our proposal for respon...

04/25/2012 06:17:13 PM

From: Alan Perrin/DC/USEPA/US  
To: Shelley Blake/DC/USEPA/US@EPA  
Cc: Jonathan Edwards/DC/USEPA/US@EPA, Gina Costantino/DC/USEPA/US@EPA, Rafaela Ferguson/DC/USEPA/US@EPA, Valerie Daigler/DC/USEPA/US@EPA, Tom Peake/DC/USEPA/US@EPA  
Date: 04/25/2012 06:17 PM  
Subject: HAC Qs

---

Shelley,

This is our proposal for responding to HAC Qs 1 and 2. Dollars include both contracts and FTE. In Q1, \$ cover the period FY11 through proposal (or ANPRM, in the case of 40 CFR 190).

I'm also attaching a spreadsheet below for internal reference only as you discuss these numbers with Mike. The spreadsheet contains the breakout for contracts/FTE by year; it also includes numbers for FY09-10, should you choose to include these years in the response to Q1. Let me know if you have any questions. -Alan

*Response to Question 1:*

Environmental Radiation Protection Standards for Nuclear Power Operations (40 CFR Part 190);  
Advance Notice of Proposed Rulemaking -- \$601 k

National Emission Standards for Radon Emissions from Operating Mill Tailings (NESHAP) (40 CFR Part 61, Subpart W); Notice of Proposed Rulemaking -- \$609 k

Health and Environmental Protection Standards for Uranium and Thorium Mill Tailings (40 CFR Part 192); Notice of Proposed Rulemaking -- \$1,594 k

*Response to Question 2:*

Health and Environmental Protection Standards for Uranium and Thorium Mill Tailings (40 CFR Part 192); Notice of Proposed Rulemaking -- \$64 k

[attachment "HAC cost info 190 192 and subpart W\_v1.xlsx" deleted by Shelley Blake/DC/USEPA/US]

~~~~~  
Alan Perrin, Deputy Director  
Radiation Protection Division, USEPA  
office (202) 343-9775 | bb (202) 279-0376

EPA-367

Reid Rosnick/DC/USEPA/US

To Susan Stahle

04/26/2012 01:50 PM

cc

bcc

Subject Re: Fw: Comments on FAR package for Subpart W proposed rule

Hi Sue,

Thank you for the quick turnaround. I'm in the process of reconciling your comments with Barry's up to page 33, which is where I was when I received your email. If I have any questions I'll call. I'll be working from home tomorrow (301-461-3848) in case you need to contact me. Thanks again.

---

Reid J. Rosnick  
Radiation Protection Division (6608J)  
U.S. Environmental Protection Agency  
1200 Pennsylvania Ave., NW  
Washington, DC 20460  
202.343.9563  
rosnick.reid@epa.gov

Susan Stahle

Hi -- I got your voicemail (I'm working at...

04/26/2012 01:35:26 PM

From: Susan Stahle/DC/USEPA/US  
To: Reid Rosnick/DC/USEPA/US@EPA  
Date: 04/26/2012 01:35 PM  
Subject: Re: Fw: Comments on FAR package for Subpart W proposed rule

Hi --

I got your voicemail (I'm working at home today), so I've gone through all of his comments. For the ones I cannot live with because I do not think they are correct, I have made a comment next to his comment. I may have also made an edit in the text near that particular comment and/or his edit as well. For all the others, I can either live with them or they are for you to handle (lucky dog!) :).

You can reach me at 703-664-0258 if you have questions. I'll be in the office tomorrow.

I do keep intending to add my missing section but have been trying to finish one other project first that has an immediate need. Keep me posted on your progress so I don't hold you up on moving this forward.

[attachment "FR Proposal for Revision of Subpart W -- FAR package -- with OP comments (ss 042612).doc" deleted by Reid Rosnick/DC/USEPA/US]

Susan Stahle  
Air and Radiation Law Office (Rm 7502B)  
Office of General Counsel  
U.S. Environmental Protection Agency  
1200 Pennsylvania Avenue, NW (ARN: MC 2344A)  
Washington, D.C. 20460  
ph: (202) 564-1272  
fax: (202) 564-5603  
stahle.susan@epa.gov

Reid Rosnick

From: Reid Rosnick/DC/USEPA/US To...

04/25/2012 05:24:11 PM

From: Reid Rosnick/DC/USEPA/US  
To: Susan Stahle/DC/USEPA/US@EPA  
Date: 04/25/2012 05:24 PM  
Subject: Fw: Comments on FAR package for Subpart W proposed rule

---

Hi Sue,

I haven't looked at all of Barry's comments, they are quite extensive, but I wanted to send this off to you. He also requests reviewing your paragraph when its submitted.

Reid

---

Reid J. Rosnick  
Radiation Protection Division (6608J)  
U.S. Environmental Protection Agency  
1200 Pennsylvania Ave., NW  
Washington, DC 20460  
202.343.9563  
[rosnick.reid@epa.gov](mailto:rosnick.reid@epa.gov)

-----Forwarded by Reid Rosnick/DC/USEPA/US on 04/25/2012 05:22PM -----

To: Reid Rosnick/DC/USEPA/US@EPA  
From: Barry Elman/DC/USEPA/US  
Date: 04/25/2012 04:10PM  
Cc: Alan Perrin/DC/USEPA/US@EPA  
Subject: Comments on FAR package for Subpart W proposed rule

Reid,

Attached please find my comments on the proposed Subpart W rule. Although these comments are extensive, they are mostly editorial in nature and I hope you will find them manageable and helpful toward the end of developing a stronger rule. I've tried to provide specific wording suggestions wherever possible. Overall, I do think this is a sound proposal and look forward to working with you to move it forward.

Please let me know if you have any questions. I'd be happy to discuss.

Barry

*(See attached file: FR Proposal for Revision of Subpart W -- FAR package -- with OP comments -- Final.doc)[attachment "FR Proposal for Revision of Subpart W -- FAR package -- with OP comments -- Final.doc" deleted by Susan Stahle/DC/USEPA/US]*

EPA-5264

**Amy Cole/DC/USEPA/US**

04/26/2012 04:39 PM

To Marilyn Ginsberg, Sandy Evalenko, Tomeka Nelson, George Brozowski, Robert Dye, Angelique Diaz, Scott Whitmore, CharlesA Hooper, Laurie Carter, Alice Todd, Sonya Moore

cc

bcc

Subject Please submit FAR Memo for "NESHAP Subpart W: Standards for Radon Emissions From Operating Uranium Mill Tailings" Proposed Rule (SAN 5281)

To: OW, Region 6, 7, and 8

This is a friendly reminder to please submit your office's FAR Memo for "NESHAP Subpart W: Standards for Radon Emissions From Operating Uranium Mill Tailings" Proposed Rule (SAN 5281). This FAR meeting was held on Thursday, April 19. FAR memo's are due within two days of the meeting.

\*\* If I do not receive a FAR memo from your office by COB 5/1, it will be noted in the FAR summary that there was no position provided by your office.

Also, please do not send any hardcopy to the Office of Policy. We only need an electronic version of the memo or an email stating the office's position from the correct office designation. If you have questions about what level the concurrence should be approved, please look up your office in the [ADP Designations FAR Table](#).

And, as always, please do not hesitate to contact me with questions or concerns.

Thank you,

---

Amy Cole  
Regulatory Management Division  
Office of Policy/ Office of the Administrator  
U.S. Environmental Protection Agency  
Phone: 202.564.6535  
Office: 6440T Ariel Rios North  
Email: cole.amy@epa.gov

EPA-6191

**Marilyn  
Ginsberg/DC/USEPA/US**  
04/26/2012 05:45 PM

To Amy Cole  
cc  
bcc

Subject Fw: Subpart W Final Agency review

Hello Amy,

I just wanted to make sure that you see this e-mail that I sent earlier to Nicole. Thanks, Marilyn

----- Forwarded by Marilyn Ginsberg/DC/USEPA/US on 04/26/2012 05:43 PM -----

From: Marilyn Ginsberg/DC/USEPA/US  
To: Nicole Owens/DC/USEPA/US@EPA  
Cc: Reid Rosnick/DC/USEPA/US@EPA  
Date: 04/02/2012 05:17 PM  
Subject: Subpart W Final Agency review

---

Hello Ms. Owens,

I am representing OW on the Subpart W workgroup. I have spoken with my branch chief, Ronald Bergman, and he agrees with me that OW has no comments or issues to be addressed with regard to the document.

Thank you,  
Marilyn

Reid Rosnick

[Hi Marilyn, I appreciate the fact that yo...](#)

03/30/2012 07:18:52 AM

From: Reid Rosnick/DC/USEPA/US  
To: Marilyn Ginsberg/DC/USEPA/US@EPA  
Date: 03/30/2012 07:18 AM  
Subject: Re: Subpart W Final Agency review

---

Hi Marilyn,

I appreciate the fact that your office might not have comments. You are the only representative from OW on the workgroup. The FAR process works as follows:

Nicole Owens of OPEI's Regulatory Management Division (RMD) will chair the FAR meeting and distribute a memorandum following the meeting that documents all positions provided and any further action agreed upon at the meeting.

Each lead workgroup member is expected to represent the position of his or her Assistant/Associate/Regional Administrator (AA or RA) at FAR (so you will need to brief your management), and may take one of the following three positions:

- 1). If an office has minor, *non-substantive comments*, they may **concur without comment**.
- 2). If an office has *substantive comments*, they may **concur with comment**. While the lead program should try to resolve the issue(s) raised by the comments, it may choose to go forward to OMB for review, or to the Administrator for signature, without resolving the issues. The lead office is responsible for working with all of the offices that provided substantive comments to determine how to address the comments. If the offices cannot agree on a way to address the comments, the lead office must include the comments in the action memorandum with an explanation of why it cannot satisfactorily address the comments.

- 3). If an office feels that *a major issue remains unresolved* (e.g., the action lacks legal authority or conflicts with other EPA rules or policies), it may **non-concur**. Non-concurrence indicates that the AA or RA objects to the action being forwarded to OMB, or to the Administrator for signature.

If a participating Office or Region is not represented at the FAR meeting and has not previously contacted the Workgroup Chair and Nicole Owens in writing with his or her AA's or RA's position prior to the meeting, "concurrence without comment" will be assumed.

I have attached the FAR announcement memo that was distributed with the meeting invitation that outlines the process in more detail. Please let me know if you have additional questions. Thanks

Reid

[attachment "FAR Memo -- Subpart W.pdf" deleted by Marilyn Ginsberg/DC/USEPA/US]

-----  
Reid J. Rosnick  
Radiation Protection Division (6608J)  
U.S. Environmental Protection Agency  
1200 Pennsylvania Ave., NW  
Washington, DC 20460  
202.343.9563  
rosnick.reid@epa.gov

Marilyn Ginsberg    Hi Reid,    I'm pretty sure that my Of...    03/29/2012 07:15:55 PM

From: Marilyn Ginsberg/DC/USEPA/US  
To: Reid Rosnick/DC/USEPA/US@EPA  
Date: 03/29/2012 07:15 PM  
Subject: Subpart W Final Agency review

Hi Reid,

I'm pretty sure that my Office (OGWDW) won't have any comments. I'm looking at one final doc from you and then I'll let my management know what I think. Three questions, please, it appears that the April 19 meeting is for workgroup members, but when is the meeting for senior managers? Also, if we have no comments and no need to have a senior manager involved, how do I formally let the right person know? Lastly, is there another OW workgroup member, one from another office in OW?

Thanks, Marilyn

EPA-863

Reid Rosnick/DC/USEPA/US

To Tom Peake

04/26/2012 06:22 PM

cc Alan Perrin

bcc

Subject Re: Subpart W ICR

Hey Tom,

I did the ICR during the lull with Sue Stahle's review, and received no comments from Courtney Kerwin, so I assume we're good to go. It will go with the package to OMB for their review. I'll include it in the package, along with all the transmittal memos, communications plan, BID, etc. Yeah, I'm still working...

Reid

---

-----  
Reid J. Rosnick  
Radiation Protection Division (6608J)  
U.S. Environmental Protection Agency  
1200 Pennsylvania Ave., NW  
Washington, DC 20460  
202.343.9563  
[rosnick.reid@epa.gov](mailto:rosnick.reid@epa.gov)

-----Tom Peake/DC/USEPA/US wrote: -----

To: "Reid Rosnick" <[rosnick.reid@epa.gov](mailto:rosnick.reid@epa.gov)>

From: Tom Peake/DC/USEPA/US

Date: 04/26/2012 05:26PM

Cc: "Alan Perrin" <[perrin.alan@epa.gov](mailto:perrin.alan@epa.gov)>, Daniel Schultheisz/DC/USEPA/US@EPA

Subject: Subpart W ICR

Reid,

Alan reminded me that we have to do an icr for subpart w. When it is due?

Thx.

Tom



EPA-4583

**Daniel  
Schultheisz/DC/USEPA/US**  
04/27/2012 08:13 AM

To Tom Peake  
cc "Alan Perrin", "Reid Rosnick"  
bcc  
Subject Re: Subpart W ICR

I believe it has to be submitted to OMB upon publication of the proposal in the FR.

Tom Peake

Reid, Alan reminded me that we have t...

04/26/2012 05:26:06 PM

From: Tom Peake/DC/USEPA/US  
To: "Reid Rosnick" <rosnick.reid@epa.gov>  
Cc: "Alan Perrin" <perrin.alan@epa.gov>, Daniel Schultheisz/DC/USEPA/US@EPA  
Date: 04/26/2012 05:26 PM  
Subject: Subpart W ICR

---

Reid,  
Alan reminded me that we have to do an icr for subpart w. When it is due?  
Thx.  
Tom

EPA-639

Reid Rosnick/DC/USEPA/US

To Tom Peake

04/27/2012 09:55 AM

cc

bcc

Subject Re: Subpart W ICR

Here's a snippet currently in my head:

With all of my running and all of my cunning if I couldn't laugh I just would go insane.

-----  
-----

Reid J. Rosnick  
Radiation Protection Division (6608J)  
U.S. Environmental Protection Agency  
1200 Pennsylvania Ave., NW  
Washington, DC 20460  
202.343.9563  
[rosnick.reid@epa.gov](mailto:rosnick.reid@epa.gov)

-----Tom Peake/DC/USEPA/US wrote: -----

To: Reid Rosnick/DC/USEPA/US@EPA  
From: Tom Peake/DC/USEPA/US  
Date: 04/27/2012 09:38AM  
Subject: Re: Subpart W ICR

Reid,  
Thanks for the update.

Here is a snippet from a song that may apply and give you a chuckle:

What do you get when you work your fingers to the bone? Bony fingers!

Tom Peake  
Director  
Center for Waste Management and Regulations  
US EPA (6608J)  
1200 Pennsylvania Ave, NW  
Washington, DC 20460  
phone: 202-343-9765

Physical Location and for deliveries:  
Room 529  
1310 L St, NW  
Washington, DC 20005

Inactive hide details for Reid Rosnick---04/26/2012 06:22:16 PM---Hey Tom, I did the ICR

during the lull with Sue Stahle's revReid Rosnick---04/26/2012 06:22:16 PM---Hey Tom, I did the ICR during the lull with Sue Stahle's review, and received no comments from Cour

From: Reid Rosnick/DC/USEPA/US  
To: Tom Peake/DC/USEPA/US@EPA  
Cc: Alan Perrin/DC/USEPA/US@EPA  
Date: 04/26/2012 06:22 PM  
Subject: Re: Subpart W ICR

---

Hey Tom,

I did the ICR during the lull with Sue Stahle's review, and received no comments from Courtney Kerwin, so I assume we're good to go. It will go with the package to OMB for their review. I'll include it in the package, along with all the transmittal memos, communications plan, BID, etc. Yeah, I'm still working...

Reid

-----  
-----  
Reid J. Rosnick  
Radiation Protection Division (6608J)  
U.S. Environmental Protection Agency  
1200 Pennsylvania Ave., NW  
Washington, DC 20460  
202.343.9563  
[rosnick.reid@epa.gov](mailto:rosnick.reid@epa.gov)

-----Tom Peake/DC/USEPA/US wrote: -----

To: "Reid Rosnick" <[rosnick.reid@epa.gov](mailto:rosnick.reid@epa.gov)>  
From: Tom Peake/DC/USEPA/US  
Date: 04/26/2012 05:26PM  
Cc: "Alan Perrin" <[perrin.alan@epa.gov](mailto:perrin.alan@epa.gov)>, Daniel Schultheisz/DC/USEPA/US@EPA  
Subject: Subpart W ICR

Reid,  
Alan reminded me that we have to do an icr for subpart w. When it is due?  
Thx.  
Tom

EPA-4729

**Wendy Blake/DC/USEPA/US**

04/27/2012 10:18 AM

To Susan Stahle

cc

bcc

Subject Subpart W

**Meeting**

Date 04/27/2012

Time 04:00:00 PM to 04:30:00 PM

Chair Wendy Blake

Invitees

Required Susan Stahle

Optional

FYI

Location

EPA-5272

**Wendy Blake/DC/USEPA/US**

04/27/2012 10:18 AM

To

cc

bcc

Subject Subpart W

**Meeting**

Date 04/27/2012

Time 04:00:00 PM to 04:30:00 PM

Chair Wendy Blake

Invitees

Required Susan Stahle

Optional

FYI

Location

EPA-5276

**Susan Stahle/DC/USEPA/US**

04/27/2012 10:19 AM

To Wendy Blake

cc

bcc

Subject Accepted: Subpart W

EPA-6486

**Eileen  
Pritchard/DC/USEPA/US**  
04/27/2012 02:16 PM

To Barry Elman  
cc Paul Balsarak  
bcc

Subject Re: FAR Memo for Uranium Mill Tailings (Subpart W)  
Proposed Rule

Barry. Thanks. I am asking Robin if Jackie or Verna can put it into CMS.

\*\*\*\*\*

Eileen Pritchard  
EPA/OP/ORPM  
1200 Pennsylvania Ave, NW  
Room 3521-C  
Mailcode 1804-A  
Washington, DC 20460  
(202)564-6578  
(202)566-0268 - FAX  
email: pritchard.eileen@epa.gov

Barry Elman

Eileen, Attached is the FAR memo for t...

04/27/2012 12:03:09 PM

From: Barry Elman/DC/USEPA/US  
To: Eileen Pritchard/DC/USEPA/US@EPA  
Cc: Paul Balsarak/DC/USEPA/US@EPA  
Date: 04/27/2012 12:03 PM  
Subject: FAR Memo for Uranium Mill Tailings (Subpart W) Proposed Rule

Eileen,

Attached is the FAR memo for the Uranium Mill Tailings proposed rule. Per our discussion yesterday afternoon, is there someone in the office today who can package the memo for signature?

Barry

[attachment "OP FAR Memo -- Proposed Uranium Mill Tailings (Subpart W) Rule -- 23 Apr 12 -- FINAL.asd.doc" deleted by Eileen Pritchard/DC/USEPA/US]

EPA-4773

Susan Stahle/DC/USEPA/US

04/27/2012 05:15 PM

To Reid Rosnick

cc Alan Perrin, Barry Elman, Daniel Schultheisz, Tom Peake  
bcc

Subject Re: Revised Subpart W Preamble and Rule Language

Ok, thanks for the information. I've drafted a couple paragraphs that I'm trying to have Wendy review before I send them to you so I make sure they are what she was envisioning. We didn't connect today so I'll try again on Monday.

Susan Stahle  
Air and Radiation Law Office (Rm 7502B)  
Office of General Counsel  
U.S. Environmental Protection Agency  
1200 Pennsylvania Avenue, NW (ARN: MC 2344A)  
Washington, D.C. 20460  
ph: (202) 564-1272  
fax: (202) 564-5603  
stahle.susan@epa.gov

Reid Rosnick

From: Reid Rosnick/DC/USEPA/US To...

04/27/2012 05:03:03 PM

From: Reid Rosnick/DC/USEPA/US  
To: Barry Elman/DC/USEPA/US@EPA, Susan Stahle/DC/USEPA/US@EPA  
Cc: Alan Perrin/DC/USEPA/US@EPA, Tom Peake/DC/USEPA/US@EPA, Daniel Schultheisz/DC/USEPA/US@EPA  
Date: 04/27/2012 05:03 PM  
Subject: Revised Subpart W Preamble and Rule Language

Barry,

Attached is the revised preamble and rule language, thanks for your comments. I believe they add to the value of this rule. I have accepted almost all of your comments and suggestions. Where I had explanations to your comments I added them beside your original comment (there are just a few). Also, Sue Stahle in OGC had a chance to review comments of a more legal nature, and her comments are added beside yours (again, just a few). Sue, FYI for your paragraph, Mike would like to move this to the OAR front office and then on to OP on Monday. Thanks again to both of you.

Reid

-----  
Reid J. Rosnick  
Radiation Protection Division (6608J)  
U.S. Environmental Protection Agency  
1200 Pennsylvania Ave., NW  
Washington, DC 20460  
202.343.9563  
[rosnick.reid@epa.gov](mailto:rosnick.reid@epa.gov) [attachment "FR Proposal for Revision of Subpart W --Final.docx" deleted by Susan Stahle/DC/USEPA/US]



EPA-725

Susan Stahle/DC/USEPA/US

04/27/2012 05:15 PM

To Reid Rosnick

cc Alan Perrin, Barry Elman, Daniel Schultheisz, Tom Peake  
bcc

Subject Re: Revised Subpart W Preamble and Rule Language

Ok, thanks for the information. I've drafted a couple paragraphs that I'm trying to have Wendy review before I send them to you so I make sure they are what she was envisioning. We didn't connect today so I'll try again on Monday.

Susan Stahle  
Air and Radiation Law Office (Rm 7502B)  
Office of General Counsel  
U.S. Environmental Protection Agency  
1200 Pennsylvania Avenue, NW (ARN: MC 2344A)  
Washington, D.C. 20460  
ph: (202) 564-1272  
fax: (202) 564-5603  
stahle.susan@epa.gov

Reid Rosnick

From: Reid Rosnick/DC/USEPA/US To...

04/27/2012 05:03:03 PM

From: Reid Rosnick/DC/USEPA/US  
To: Barry Elman/DC/USEPA/US@EPA, Susan Stahle/DC/USEPA/US@EPA  
Cc: Alan Perrin/DC/USEPA/US@EPA, Tom Peake/DC/USEPA/US@EPA, Daniel Schultheisz/DC/USEPA/US@EPA  
Date: 04/27/2012 05:03 PM  
Subject: Revised Subpart W Preamble and Rule Language

Barry,

Attached is the revised preamble and rule language, thanks for your comments. I believe they add to the value of this rule. I have accepted almost all of your comments and suggestions. Where I had explanations to your comments I added them beside your original comment (there are just a few). Also, Sue Stahle in OGC had a chance to review comments of a more legal nature, and her comments are added beside yours (again, just a few). Sue, FYI for your paragraph, Mike would like to move this to the OAR front office and then on to OP on Monday. Thanks again to both of you.

Reid

-----  
Reid J. Rosnick  
Radiation Protection Division (6608J)  
U.S. Environmental Protection Agency  
1200 Pennsylvania Ave., NW  
Washington, DC 20460  
202.343.9563  
[rosnick.reid@epa.gov](mailto:rosnick.reid@epa.gov) [attachment "FR Proposal for Revision of Subpart W --Final.docx" deleted by Susan Stahle/DC/USEPA/US]

EPA-4743

**Wendy Blake/DC/USEPA/US**

04/27/2012 10:49 PM

To Susan Stahle

cc

bcc

Subject Accepted:Subpart W - question on paragraphs I drafted and update you on timing of package moving forward

EPA-301

**Reid Rosnick/DC/USEPA/US**

04/30/2012 07:08 AM

To Raymond Lee

cc

bcc

Subject Subpart W

Hi Ray,

I'm supposed to be compressed today, but I'm waiting for the go-ahead from OP to move the package. Once I hear I'll let you know and we can move it out.

Reid

-----  
-----

Reid J. Rosnick  
Radiation Protection Division (6608J)  
U.S. Environmental Protection Agency  
1200 Pennsylvania Ave., NW  
Washington, DC 20460  
202.343.9563  
[rosnick.reid@epa.gov](mailto:rosnick.reid@epa.gov)

EPA-3481

Michael  
Gleason/R8/USEPA/US  
04/30/2012 08:50 AM

To Peter Ornstein, Jonah Staller, Sara Laumann, Steve  
Odendahl  
cc  
bcc

Subject Fw: REQUEST FOR R8 FAR MEMO: Please submit FAR  
Memo for "NESHAP Subpart W: Standards for Radon  
Emissions From Operating Uranium Mill Tailings" Proposed  
Rule (SAN 5281)

Not sure you need this, but FYI:

Michael P. Gleason  
Associate Regional Counsel  
U.S. Environmental Protection Agency, Region 8  
1595 Wynkoop Street  
Denver, CO 80202  
(303) 312-6898

----- Forwarded by Michael Gleason/R8/USEPA/US on 04/30/2012 06:48 AM -----

From: Kathi Flavin/R8/USEPA/US  
To: Michael Gleason/R8/USEPA/US@EPA  
Date: 04/27/2012 04:08 PM  
Subject: Fw: REQUEST FOR R8 FAR MEMO: Please submit FAR Memo for "NESHAP Subpart W:  
Standards for Radon Emissions From Operating Uranium Mill Tailings" Proposed Rule (SAN 5281)

---

Kathi Flavin  
Office of Regional Counsel (ORC)  
U.S. EPA Region 8  
1595 Wynkoop  
Denver, CO 80202-1129  
Phone: 303-312-6736

----- Forwarded by Kathi Flavin/R8/USEPA/US on 04/27/2012 04:08 PM -----

From: Sonya Moore/R8/USEPA/US  
To: Angelique Diaz/R8/USEPA/US@EPA, Scott Whitmore/R8/USEPA/US@EPA, Deborah  
Lebow-Aal/R8/USEPA/US@EPA, Carl Daly/R8/USEPA/US@EPA, Cynthia  
Reynolds/R8/USEPA/US@EPA, Andrea Reed/R8/USEPA/US@EPA, StephanieN  
Brown/DC/USEPA/US@EPA, Kathi Flavin/R8/USEPA/US@EPA, Maureen Brennan/R8/USEPA/US  
Cc: William Daniels/TMS/R8/USEPA/US@EPA  
Date: 04/27/2012 07:39 AM  
Subject: REQUEST FOR R8 FAR MEMO: Please submit FAR Memo for "NESHAP Subpart W: Standards  
for Radon Emissions From Operating Uranium Mill Tailings" Proposed Rule (SAN 5281)

---

Please forward to appropriate staff within your ARA. Please submit Region 8's FAR Memo for "NESHAP Subpart W: Standards for Radon Emissions From Operating Uranium Mill Tailings" Proposed Rule (SAN 5281). This FAR meeting was held on Thursday, April 19. FAR memo's are due within two days of the meeting.

Thanks,

*Sonya L. Moore*

Regulatory Review Coordinator  
US EPA, Region 8, TMS-I  
1595 Wynkoop Street  
Denver, CO 80202  
Office: (303) 312-6825  
Fax: (303) 312-6538

[moore.sonya@epa.gov](mailto:moore.sonya@epa.gov)

----- Forwarded by Sonya Moore/R8/USEPA/US on 04/27/2012 07:19 AM -----

From: Amy Cole/DC/USEPA/US  
To: Marilyn Ginsberg/DC/USEPA/US@EPA, Sandy Evalenko/DC/USEPA/US@EPA, Tomeka Nelson/DC/USEPA/US@EPA, George Brozowski/R6/USEPA/US@EPA, Robert Dye/R7/USEPA/US@EPA, Angelique Diaz/R8/USEPA/US@EPA, Scott Whitmore/R8/USEPA/US@EPA, CharlesA Hooper/R7/USEPA/US@EPA, Laurie Carter/R6/USEPA/US@EPA, Alice Todd/R7/USEPA/US@EPA, Sonya Moore/R8/USEPA/US@EPA  
Date: 04/26/2012 02:37 PM  
Subject: Please submit FAR Memo for "NESHAP Subpart W: Standards for Radon Emissions From Operating Uranium Mill Tailings" Proposed Rule (SAN 5281)

---

To: OW, Region 6, 7, and 8

This is a friendly reminder to please submit your office's FAR Memo for "NESHAP Subpart W: Standards for Radon Emissions From Operating Uranium Mill Tailings" Proposed Rule (SAN 5281). This FAR meeting was held on Thursday, April 19. FAR memo's are due within two days of the meeting.

\*\* If I do not receive a FAR memo from your office by COB 5/1, it will be noted in the FAR summary that there was no position provided by your office.

Also, please do not send any hardcopy to the Office of Policy. We only need an electronic version of the memo or an email stating the office's position from the correct office designation. If you have questions about what level the concurrence should be approved, please look up your office in the [ADP Designations FAR Table](#).

And, as always, please do not hesitate to contact me with questions or concerns.

Thank you,

---

Amy Cole  
Regulatory Management Division  
Office of Policy/ Office of the Administrator  
U.S. Environmental Protection Agency  
Phone: 202.564.6535  
Office: 6440T Ariel Rios North  
Email: cole.amy@epa.gov

EPA-302

**Raymond Lee/DC/USEPA/US**

To Reid Rosnick

04/30/2012 10:31 AM

cc

bcc

Subject Re: Subpart W

Hi Reid,

Gotcha! Once you give me the go-ahead we can get it routing and such.

Thanks,

Ray

-----Reid Rosnick/DC/USEPA/US wrote: -----

To: Raymond Lee/DC/USEPA/US@EPA

From: Reid Rosnick/DC/USEPA/US

Date: 04/30/2012 07:08AM

Subject: Subpart W

Hi Ray,

I'm supposed to be compressed today, but I'm waiting for the go-ahead from OP to move the package. Once I hear I'll let you know and we can move it out.

Reid

---

-----  
Reid J. Rosnick  
Radiation Protection Division (6608J)  
U.S. Environmental Protection Agency  
1200 Pennsylvania Ave., NW  
Washington, DC 20460  
202.343.9563  
[rosnick.reid@epa.gov](mailto:rosnick.reid@epa.gov)

EPA-4721

**Wendy Blake/DC/USEPA/US**

04/30/2012 11:05 AM

To Susan Stahle

cc

bcc

Subject Accepted: Subpart W - question on paragraphs I drafted and update you on timing of package moving forward

EPA-4747

**Susan Stahle/DC/USEPA/US**

04/30/2012 11:23 AM

To Wendy Blake

cc

bcc

Subject Re: Fw: Subpart W - question on paragraphs I drafted and update you on timing of package moving forward

Ok - I'm on a long conference call that is running over time so if I don't answer I'll get back to you as soon.

Susan Stahle  
Air and Radiation Law Office (Rm 7502B)  
Office of General Counsel  
U.S. Environmental Protection Agency  
1200 Pennsylvania Avenue, NW (ARN: MC 2344A)  
Washington, D.C. 20460  
ph: (202) 564-1272  
fax: (202) 564-5603  
stahle.susan@epa.gov

Wendy Blake

Let me call you when I have read the re...

04/30/2012 11:07:49 AM

From: Wendy Blake/DC/USEPA/US  
To: Susan Stahle/DC/USEPA/US@EPA  
Date: 04/30/2012 11:07 AM  
Subject: Fw: Subpart W - question on paragraphs I drafted and update you on timing of package moving forward

Let me call you when I have read the relevant sections. I am printing the correct pieces now. Thanks,

Wendy

----- Forwarded by Wendy Blake/DC/USEPA/US on 04/30/2012 11:07 AM -----

**Subpart W - question on paragraphs I drafted and update you on timing of package moving forward**

**Mon 04/30/2012 11:15 AM - 11:30 AM**

Attendance is for Wendy Blake

Chair: **Susan Stahle/DC/USEPA/US**

Location: Wendy's office

Required: Wendy Blake/DC/USEPA/US@EPA

**Description**

FYI - see the email below for ORIA's timing on moving this package forward to OP. I've added my paragraphs in this version (pp 46-47):



[attachment "FR Proposal for Revision of Subpart W --Final (ss 042712).docx" deleted by Susan Stahle/DC/USEPA/US]

---

Barry,

Attached is the revised preamble and rule language, thanks for your comments. I believe they add to the value of this rule. I have accepted almost all of your comments and suggestions. Where I had explanations to your comments I added them beside your original comment (there are just a few). Also, Sue Stahle in OGC had a chance to review comments of a more legal nature, and her comments are added beside yours (again, just a few). Sue, FYI for your paragraph, Mike would like to move this to the OAR front office and then on to OP on Monday. Thanks again to both of you.

Reid

---

Reid J. Rosnick  
Radiation Protection Division (6608J)  
U.S. Environmental Protection Agency  
1200 Pennsylvania Ave., NW  
Washington, DC 20460  
202.343.9563

[rosnick.reid@epa.gov](mailto:rosnick.reid@epa.gov) [attachment "FR Proposal for Revision of Subpart W --Final.docx" deleted by Susan Stahle/DC/USEPA/US]

---

Personal Notes

---

EPA-5288

Wendy Blake/DC/USEPA/US

To Susan Stahle

04/30/2012 11:26 AM

cc

bcc

Subject Re: Fw: Subpart W - question on paragraphs I drafted and update you on timing of package moving forward

ok

Wendy L. Blake  
U.S. Environmental Protection Agency  
Office of General Counsel  
phone: (202) 564-1821  
fax: (202) 564-5603

Susan Stahle

Ok - I'm on a long conference call that i...

04/30/2012 11:23:53 AM

From: Susan Stahle/DC/USEPA/US  
To: Wendy Blake/DC/USEPA/US@EPA  
Date: 04/30/2012 11:23 AM  
Subject: Re: Fw: Subpart W - question on paragraphs I drafted and update you on timing of package moving forward

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Susan Stahle  
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U.S. Environmental Protection Agency  
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Washington, D.C. 20460  
ph: (202) 564-1272  
fax: (202) 564-5603  
stahle.susan@epa.gov

Wendy Blake

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04/30/2012 11:07:49 AM

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To: Susan Stahle/DC/USEPA/US@EPA  
Date: 04/30/2012 11:07 AM  
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Wendy

----- Forwarded by Wendy Blake/DC/USEPA/US on 04/30/2012 11:07 AM -----

**Subpart W - question on paragraphs I drafted and update you on timing of package moving forward**

**Mon 04/30/2012 11:15 AM - 11:30 AM**

Attendance is for Wendy Blake

Chair: **Susan Stahle/DC/USEPA/US**

Location: Wendy's office

Required: Wendy Blake/DC/USEPA/US@EPA

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Reid

---

Reid J. Rosnick  
Radiation Protection Division (6608J)  
U.S. Environmental Protection Agency  
1200 Pennsylvania Ave., NW  
Washington, DC 20460  
202.343.9563  
[rosnick.reid@epa.gov](mailto:rosnick.reid@epa.gov) [attachment "FR Proposal for Revision of Subpart W --Final.docx" deleted by Susan Stahle/DC/USEPA/US]

#### Personal Notes



EPA-5754

Amy Cole/DC/USEPA/US

To Marilyn Ginsberg

04/30/2012 11:27 AM

cc

bcc

Subject Re: Fw: Subpart W Final Agency review

Thanks Marilyn for passing along. However, the official position from OW needs to come from the RSC Rep (Sandy Evalenko) or from an Office Director. This can be in an email or memo format. But if it is in memo format, the memo will need to be signed by the RSC Rep or Office Director.

Otherwise, I can note OW as participating, but not providing a position.

Thank you,

---

Amy Cole  
Regulatory Management Division  
Office of Policy/ Office of the Administrator  
U.S. Environmental Protection Agency  
Phone: 202.564.6535  
Office: 6440T Ariel Rios North  
Email: cole.amy@epa.gov

Marilyn Ginsberg Hello Amy, I just wanted to make s... 04/26/2012 05:45:28 PM

From: Marilyn Ginsberg/DC/USEPA/US  
To: Amy Cole/DC/USEPA/US@EPA  
Date: 04/26/2012 05:45 PM  
Subject: Fw: Subpart W Final Agency review

Hello Amy,

I just wanted to make sure that you see this e-mail that I sent earlier to Nicole. Thanks, Marilyn

----- Forwarded by Marilyn Ginsberg/DC/USEPA/US on 04/26/2012 05:43 PM -----

From: Marilyn Ginsberg/DC/USEPA/US  
To: Nicole Owens/DC/USEPA/US@EPA  
Cc: Reid Rosnick/DC/USEPA/US@EPA  
Date: 04/02/2012 05:17 PM  
Subject: Subpart W Final Agency review

Hello Ms. Owens,

I am representing OW on the Subpart W workgroup. I have spoken with my branch chief, Ronald Bergman, and he agrees with me that OW has no comments or issues to be addressed with regard to the document.

Thank you,  
Marilyn

Reid Rosnick Hi Marilyn, I appreciate the fact that yo... 03/30/2012 07:18:52 AM

From: Reid Rosnick/DC/USEPA/US  
To: Marilyn Ginsberg/DC/USEPA/US@EPA  
Date: 03/30/2012 07:18 AM

Subject: Re: Subpart W Final Agency review

---

Hi Marilyn,

I appreciate the fact that your office might not have comments. You are the only representative from OW on the workgroup. The FAR process works as follows:

Nicole Owens of OPEI's Regulatory Management Division (RMD) will chair the FAR meeting and distribute a memorandum following the meeting that documents all positions provided and any further action agreed upon at the meeting.

Each lead workgroup member is expected to represent the position of his or her Assistant/Associate/Regional Administrator (AA or RA) at FAR (so you will need to brief your management), and may take one of the following three positions:

- 1). If an office has minor, *non-substantive comments*, they may **concur without comment**.
- 2). If an office has *substantive comments*, they may **concur with comment**. While the lead program should try to resolve the issue(s) raised by the comments, it may choose to go forward to OMB for review, or to the Administrator for signature, without resolving the issues. The lead office is responsible for working with all of the offices that provided substantive comments to determine how to address the comments. If the offices cannot agree on a way to address the comments, the lead office must include the comments in the action memorandum with an explanation of why it cannot satisfactorily address the comments.
- 3). If an office feels that *a major issue remains unresolved* (e.g., the action lacks legal authority or conflicts with other EPA rules or policies), it may **non-concur**. Non-concurrence indicates that the AA or RA objects to the action being forwarded to OMB, or to the Administrator for signature.

If a participating Office or Region is not represented at the FAR meeting and has not previously contacted the Workgroup Chair and Nicole Owens in writing with his or her AA's or RA's position prior to the meeting, "concurrence without comment" will be assumed.

I have attached the FAR announcement memo that was distributed with the meeting invitation that outlines the process in more detail. Please let me know if you have additional questions. Thanks

Reid

[attachment "FAR Memo -- Subpart W.pdf" deleted by Marilyn Ginsberg/DC/USEPA/US]

-----  
Reid J. Rosnick  
Radiation Protection Division (6608J)  
U.S. Environmental Protection Agency  
1200 Pennsylvania Ave., NW  
Washington, DC 20460  
202.343.9563  
rosnick.reid@epa.gov

Marilyn Ginsberg   Hi Reid,   I'm pretty sure that my Of...   03/29/2012 07:15:55 PM

---

From: Marilyn Ginsberg/DC/USEPA/US  
To: Reid Rosnick/DC/USEPA/US@EPA  
Date: 03/29/2012 07:15 PM  
Subject: Subpart W Final Agency review

---

Hi Reid,

I'm pretty sure that my Office (OGWDW) won't have any comments. I'm looking at one final doc from you and then I'll let my management know what I think. Three questions, please, it appears that the April 19 meeting is for workgroup members, but when is the meeting for senior managers? Also, if we have no comments and no need to have a senior manager involved, how do I formally let the right person know? Lastly, is there another OW workgroup member, one from another office in OW?

Thanks, Marilyn

EPA-5284

Wendy Blake/DC/USEPA/US

To Susan Stahle

04/30/2012 11:42 AM

cc

bcc

Subject Re: Fw: Subpart W - question on paragraphs I drafted and update you on timing of package moving forward

I have read the material and can talk anytime before noon. I will be back in my office at 11:45, as I need to run and get some more water from the water cooler.

Wendy L. Blake  
U.S. Environmental Protection Agency  
Office of General Counsel  
phone: (202) 564-1821  
fax: (202) 564-5603

Susan Stahle

Ok - I'm on a long conference call that i...

04/30/2012 11:23:53 AM

From: Susan Stahle/DC/USEPA/US  
To: Wendy Blake/DC/USEPA/US@EPA  
Date: 04/30/2012 11:23 AM  
Subject: Re: Fw: Subpart W - question on paragraphs I drafted and update you on timing of package moving forward

Ok - I'm on a long conference call that is running over time so if I don't answer I'll get back to you as soon.

Susan Stahle  
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U.S. Environmental Protection Agency  
1200 Pennsylvania Avenue, NW (ARN: MC 2344A)  
Washington, D.C. 20460  
ph: (202) 564-1272  
fax: (202) 564-5603  
stahle.susan@epa.gov

Wendy Blake

Let me call you when I have read the re...

04/30/2012 11:07:49 AM

From: Wendy Blake/DC/USEPA/US  
To: Susan Stahle/DC/USEPA/US@EPA  
Date: 04/30/2012 11:07 AM  
Subject: Fw: Subpart W - question on paragraphs I drafted and update you on timing of package moving forward

Let me call you when I have read the relevant sections. I am printing the correct pieces now. Thanks,

Wendy

----- Forwarded by Wendy Blake/DC/USEPA/US on 04/30/2012 11:07 AM -----

**Subpart W - question on paragraphs I drafted and update you on**



## timing of package moving forward

Mon 04/30/2012 11:15 AM - 11:30 AM

Attendance is for Wendy Blake

Chair: Susan Stahle/DC/USEPA/US

Location: Wendy's office

Required: Wendy Blake/DC/USEPA/US@EPA

### Description

FYI - see the email below for ORIA's timing on moving this package forward to OP. I've added my paragraphs in this version (pp 46-47):

[attachment "FR Proposal for Revision of Subpart W --Final (ss 042712).docx" deleted by Susan Stahle/DC/USEPA/US]

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Barry,

Attached is the revised preamble and rule language, thanks for your comments. I believe they add to the value of this rule. I have accepted almost all of your comments and suggestions. Where I had explanations to your comments I added them beside your original comment (there are just a few). Also, Sue Stahle in OGC had a chance to review comments of a more legal nature, and her comments are added beside yours (again, just a few). Sue, FYI for your paragraph, Mike would like to move this to the OAR front office and then on to OP on Monday. Thanks again to both of you.

Reid

---

Reid J. Rosnick  
Radiation Protection Division (6608J)  
U.S. Environmental Protection Agency  
1200 Pennsylvania Ave., NW  
Washington, DC 20460  
202.343.9563  
[rosnick.reid@epa.gov](mailto:rosnick.reid@epa.gov) [attachment "FR Proposal for Revision of Subpart W --Final.docx" deleted by Susan Stahle/DC/USEPA/US]

### Personal Notes



EPA-487

**Robert Dye/R7/USEPA/US**

04/30/2012 12:07 PM

To Wanda Farrar, Reid Rosnick

cc Nicole Owens, Amy Cole, Rebecca Weber, John Smith,  
Joshua Tapp, Michael Jay

bcc

Subject Subpart W - Region 7 concurs with no comment

On the OAR rule entitled "Proposed Rule: Revisions to National Emissions Standards for Operating Mill Tailings (Tier 2; SAN 5281; RIN 2060-AP21)," Region 7 concurs with no comment at the Air Division Director (ADD) level. I have discussed this with Becky Weber, Region 7 ADD, and I am authorized to represent Region 7's position.

---

Bob Dye  
Radiation and Indoor Air  
EPA Region 7  
901 N. 5th Street  
Kansas City, KS 66101  
(913) 551-7605  
fax (913)551-7844  
dye.robert@epa.gov

EPA-5992

**Marilyn  
Ginsberg/DC/USEPA/US**  
04/30/2012 02:27 PM

To Ronald Bergman  
cc  
bcc

Subject Fw: Subpart W Final Agency review

Hi Ron,

Our lack of interest in the Subpart W (aka Revisions to National Emissions Standards for Operating Mill Tailings) workgroup issues apparently is not so easily stated. We have the choice of one of two paths: I brief you that the Subpart W issues are not our issues; then you and I brief Ann that the Subpart W issues are not our issues; then you and Ann and I brief Pam that the Subpart W issues are not our issues: then we write a memo to that effect and then send that memo through the management chain for signatures OR we can just have OW noted as participating, but not providing a position (which is correct, because the issues in Subpart W are not relevant to us). Personally, I'd go with the second option. Please let me know.

Thanks, M

- Forwarded by Marilyn Ginsberg/DC/USEPA/US on 04/30/2012 02:08 PM -----

From: Amy Cole/DC/USEPA/US  
To: Marilyn Ginsberg/DC/USEPA/US@EPA  
Date: 04/30/2012 11:27 AM  
Subject: Re: Fw: Subpart W Final Agency review

Thanks Marilyn for passing along. However, the official position from OW needs to come from the RSC Rep (Sandy Evalenko) or from an Office Director. This can be in an email or memo format. But if it is in memo format, the memo will need to be signed by the RSC Rep or Office Director.

Otherwise, I can note OW as participating, but not providing a position.

Thank you,

---

Amy Cole  
Regulatory Management Division  
Office of Policy/ Office of the Administrator  
U.S. Environmental Protection Agency  
Phone: 202.564.6535  
Office: 6440T Ariel Rios North  
Email: cole.amy@epa.gov

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Subject: Fw: Subpart W Final Agency review

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Date: 04/02/2012 05:17 PM  
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---

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Marilyn

---

Reid Rosnick      [Hi Marilyn, I appreciate the fact that yo...](#)      03/30/2012 07:18:52 AM

From: Reid Rosnick/DC/USEPA/US  
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Reid

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Thanks, Marilyn

EPA-5993

**Ronald Bergman/DC/USEPA/US**

04/30/2012 02:51 PM

To Marilyn Ginsberg

cc

bcc

Subject Re: Fw: Subpart W Final Agency review

I'll opt for a third path. If you can do a short note about the rule, I can send that to Stephanie. She's the one who deals with OW on these things, and maybe we can circumvent the lengthy briefing process.

Thanks

Marilyn Ginsberg Hi Ron, Our lack of interest in the S... 04/30/2012 02:27:19 PM

From: Marilyn Ginsberg/DC/USEPA/US  
To: Ronald Bergman/DC/USEPA/US@EPA  
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Subject: Fw: Subpart W Final Agency review



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Thanks, M

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Thank you,

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Amy Cole  
Regulatory Management Division  
Office of Policy/ Office of the Administrator

U.S. Environmental Protection Agency  
Phone: 202.564.6535  
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Email: cole.amy@epa.gov

Marilyn Ginsberg Hello Amy, I just wanted to make s... 04/26/2012 05:45:28 PM

From: Marilyn Ginsberg/DC/USEPA/US  
To: Amy Cole/DC/USEPA/US@EPA  
Date: 04/26/2012 05:45 PM  
Subject: Fw: Subpart W Final Agency review

Hello Amy,  
I just wanted to make sure that you see this e-mail that I sent earlier to Nicole. Thanks, Marilyn

----- Forwarded by Marilyn Ginsberg/DC/USEPA/US on 04/26/2012 05:43 PM -----

From: Marilyn Ginsberg/DC/USEPA/US  
To: Nicole Owens/DC/USEPA/US@EPA  
Cc: Reid Rosnick/DC/USEPA/US@EPA  
Date: 04/02/2012 05:17 PM  
Subject: Subpart W Final Agency review

Hello Ms. Owens,  
I am representing OW on the Subpart W workgroup. I have spoken with my branch chief, Ronald Bergman, and he agrees with me that OW has no comments or issues to be addressed with regard to the document.

Thank you,  
Marilyn

Reid Rosnick Hi Marilyn, I appreciate the fact that yo... 03/30/2012 07:18:52 AM

From: Reid Rosnick/DC/USEPA/US  
To: Marilyn Ginsberg/DC/USEPA/US@EPA  
Date: 03/30/2012 07:18 AM  
Subject: Re: Subpart W Final Agency review

Hi Marilyn,

I appreciate the fact that your office might not have comments. You are the only representative from OW on the workgroup. The FAR process works as follows:

Nicole Owens of OPEI's Regulatory Management Division (RMD) will chair the FAR meeting and distribute a memorandum following the meeting that documents all positions provided and any further action agreed upon at the meeting.

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I have attached the FAR announcement memo that was distributed with the meeting invitation that outlines the process in more detail. Please let me know if you have additional questions. Thanks

Reid

[attachment "FAR Memo -- Subpart W.pdf" deleted by Marilyn Ginsberg/DC/USEPA/US]

---

Reid J. Rosnick  
Radiation Protection Division (6608J)  
U.S. Environmental Protection Agency  
1200 Pennsylvania Ave., NW  
Washington, DC 20460  
202.343.9563  
rosnick.reid@epa.gov

|                  |          |                               |                        |
|------------------|----------|-------------------------------|------------------------|
| Marilyn Ginsberg | Hi Reid, | I'm pretty sure that my Of... | 03/29/2012 07:15:55 PM |
|------------------|----------|-------------------------------|------------------------|

---

From: Marilyn Ginsberg/DC/USEPA/US  
To: Reid Rosnick/DC/USEPA/US@EPA  
Date: 03/29/2012 07:15 PM  
Subject: Subpart W Final Agency review

Hi Reid,

I'm pretty sure that my Office (OGWDW) won't have any comments. I'm looking at one final doc from you and then I'll let my management know what I think. Three questions, please, it appears that the April 19 meeting is for workgroup members, but when is the meeting for senior managers? Also, if we have no comments and no need to have a senior manager involved, how do I formally let the right person know? Lastly, is there another OW workgroup member, one from another office in OW?

Thanks, Marilyn

EPA-6088

**Marilyn  
Ginsberg/DC/USEPA/US**  
04/30/2012 02:53 PM

To: Ronald Bergman  
cc  
bcc  
Subject: Re: Fw: Subpart W Final Agency review

Will do. -- Thanks, M

Ronald Bergman I'll opt for a third path. If you can do a... 04/30/2012 02:51:09 PM

From: Ronald Bergman/DC/USEPA/US  
To: Marilyn Ginsberg/DC/USEPA/US@EPA  
Date: 04/30/2012 02:51 PM  
Subject: Re: Fw: Subpart W Final Agency review

I'll opt for a third path. If you can do a short note about the rule, I can send that to Stephanie. She's the one who deals with OW on these things, and maybe we can circumvent the lengthy briefing process.

Thanks

Marilyn Ginsberg Hi Ron, Our lack of interest in the S... 04/30/2012 02:27:19 PM

From: Marilyn Ginsberg/DC/USEPA/US  
To: Ronald Bergman/DC/USEPA/US@EPA  
Date: 04/30/2012 02:27 PM  
Subject: Fw: Subpart W Final Agency review



Hi Ron,

Our lack of interest in the Subpart W (aka Revisions to National Emissions Standards for Operating Mill Tailings) workgroup issues apparently is not so easily stated. We have the choice of one of two paths: I brief you that the Subpart W issues are not our issues; then you and I brief Ann that the Subpart W issues are not our issues; then you and Ann and I brief Pam that the Subpart W issues are not our issues: then we write a memo to that effect and then send that memo through the management chain for signatures OR we can just have OW noted as participating, but not providing a position (which is correct, because the issues in Subpart W are not relevant to us). Personally, I'd go with the second option. Please let me know.

Thanks, M

- Forwarded by Marilyn Ginsberg/DC/USEPA/US on 04/30/2012 02:08 PM -----

From: Amy Cole/DC/USEPA/US  
To: Marilyn Ginsberg/DC/USEPA/US@EPA  
Date: 04/30/2012 11:27 AM  
Subject: Re: Fw: Subpart W Final Agency review

Thanks Marilyn for passing along. However, the official position from OW needs to come from the RSC Rep (Sandy Evalenko) or from an Office Director. This can be in an email or memo format. But if it is in memo format, the memo will need to be signed by the RSC Rep or Office Director.

Otherwise, I can note OW as participating, but not providing a position.

Thank you,

---

Amy Cole  
Regulatory Management Division  
Office of Policy/ Office of the Administrator  
U.S. Environmental Protection Agency  
Phone: 202.564.6535  
Office: 6440T Ariel Rios North  
Email: cole.amy@epa.gov

---

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Marilyn

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Reid

[attachment "FAR Memo -- Subpart W.pdf" deleted by Marilyn Ginsberg/DC/USEPA/US]

-----  
Reid J. Rosnick  
Radiation Protection Division (6608J)  
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Thanks, Marilyn

EPA-5755

**Marilyn  
Ginsberg/DC/USEPA/US**  
04/30/2012 02:55 PM

To Amy Cole  
cc  
bcc

Subject Re: Fw: Subpart W Final Agency review

Hi,

We will prepare a written response (even if we just state that we have no comments). thanks, M

Amy Cole Thanks Marilyn for passing along. How... 04/30/2012 11:27:41 AM

From: Amy Cole/DC/USEPA/US  
To: Marilyn Ginsberg/DC/USEPA/US@EPA  
Date: 04/30/2012 11:27 AM  
Subject: Re: Fw: Subpart W Final Agency review

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Otherwise, I can note OW as participating, but not providing a position.

Thank you,

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Amy Cole  
Regulatory Management Division  
Office of Policy/ Office of the Administrator  
U.S. Environmental Protection Agency  
Phone: 202.564.6535  
Office: 6440T Ariel Rios North  
Email: cole.amy@epa.gov

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Marilyn

Reid Rosnick

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To: Marilyn Ginsberg/DC/USEPA/US@EPA  
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Reid

[attachment "FAR Memo -- Subpart W.pdf" deleted by Marilyn Ginsberg/DC/USEPA/US]

---

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Radiation Protection Division (6608J)  
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Washington, DC 20460  
202.343.9563

rosnick.reid@epa.gov

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Thanks, Marilyn

EPA-5857

Marilyn  
Ginsberg/DC/USEPA/US  
04/30/2012 03:51 PM

To Ronald Bergman  
cc  
bcc

Subject Subpart W (NESHAP); this is time sensitive thanks, M

Hi Ron,

I believe that the Subpart W Rule (NESHAP) has no OW issues. I think that we should e-mail a statement to that effect, that is, that we have no comments. Here is the paragraph for Stephanie. We'll need to respond; this is time sensitive. *(From Amy Cole, Reg Management Div]: " Thanks Marilyn for passing along. However, the official position from OW needs to come from the RSC Rep (Sandy Evalenko) or from an Office Director. This can be in an email or memo format. But if it is in memo format, the memo will need to be signed by the RSC Rep or Office Director. Otherwise, I can note OW as participating, but not providing a position." )*

Thanks, M

The Office of Air and Radiation is preparing a FAR on EPA's proposal to revise certain portions of the National Emission Standards for Hazardous Air Pollutants (NESHAP) for radon emissions from operating uranium mill tailings. I have been participating only to the extent that I have been looking for issues shared by both OAR and OW, but have found none. This rule addresses only air emissions and does not address any ground-water or surface-water issues.

These are the main points of the FAR:

- The NESHAP proposed emissions standards for new and existing sources are based on EPA's proposed determination as to what constitutes the generally available control technology (GACT) or management practices for this area source category.
- EPA is proposing to revise Subpart W to include requirements for affected sources at three types of operating uranium recovery facilities. The uranium recovery facilities include conventional uranium mills, ISL facilities and heap leach facilities.
- EPA is also proposing to add and refine definitions and clarify that the existing rule applies to uranium recovery facilities that extract uranium through the in-situ leach method and the heap leach method.
- EPA is proposing to refine the requirement for annual reporting to speed up potential corrective actions if a facility is found to be in non-compliance
- EPA is requesting comment on updating the methods for monitoring radon-222 emissions.



EPA-421

Reid Rosnick/DC/USEPA/US

To Raymond Lee

05/01/2012 09:23 AM

cc

bcc

Subject Re: Subpart W

Hi Ray,

Obviously the package didn't go yesterday. I'm hoping for today, but OGC is telling me it could be as late as tomorrow. Do we need to change the reg tracker for a couple of days?

Reid

-----  
Reid J. Rosnick  
Radiation Protection Division (6608J)  
U.S. Environmental Protection Agency  
1200 Pennsylvania Ave., NW  
Washington, DC 20460  
202.343.9563  
rosnick.reid@epa.gov

Raymond Lee

Hi Reid, Gotcha! Once you give me th...

04/30/2012 10:31:02 AM

From: Raymond Lee/DC/USEPA/US  
To: Reid Rosnick/DC/USEPA/US@EPA  
Date: 04/30/2012 10:31 AM  
Subject: Re: Subpart W

Hi Reid,

Gotcha! Once you give me the go-ahead we can get it routing and such.

Thanks,

Ray

-----Reid Rosnick/DC/USEPA/US wrote: -----

To: Raymond Lee/DC/USEPA/US@EPA  
From: Reid Rosnick/DC/USEPA/US  
Date: 04/30/2012 07:08AM  
Subject: Subpart W

Hi Ray,

I'm supposed to be compressed today, but I'm waiting for the go-ahead from OP to move the package. Once I hear I'll let you know and we can move it out.

Reid

-----  
Reid J. Rosnick

Radiation Protection Division (6608J)  
U.S. Environmental Protection Agency  
1200 Pennsylvania Ave., NW  
Washington, DC 20460  
202.343.9563  
[rosnick.reid@epa.gov](mailto:rosnick.reid@epa.gov)

EPA-638

Reid Rosnick/DC/USEPA/US

To Tom Peake

05/01/2012 09:47 AM

cc

bcc

Subject Fw: Subpart W

FYI

-----  
Reid J. Rosnick  
Radiation Protection Division (6608J)  
U.S. Environmental Protection Agency  
1200 Pennsylvania Ave., NW  
Washington, DC 20460  
202.343.9563  
rosnick.reid@epa.gov

----- Forwarded by Reid Rosnick/DC/USEPA/US on 05/01/2012 09:47 AM -----

From: Raymond Lee/DC/USEPA/US  
To: Reid Rosnick/DC/USEPA/US@EPA  
Date: 05/01/2012 09:31 AM  
Subject: Re: Subpart W

---

Yes, definitely. The date we had was to get it to OP by 4/30, so just consider the time for clearing ORIA, as well as a couple days with the reg. processing folks and Gina's office before it gets there.

Once you have a date let me know and I'll update it in the tracker. :)

-----  
Sent by EPA Wireless E-mail Services

-----Reid Rosnick/DC/USEPA/US wrote: -----

To: Raymond Lee/DC/USEPA/US@EPA  
From: Reid Rosnick/DC/USEPA/US  
Date: 05/01/2012 09:23AM  
Subject: Re: Subpart W

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Raymond Lee---04/30/2012 10:31:02 AM---Hi Reid, Gotcha! Once you give me the go-ahead we can get it routing and such.

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[rosnick.reid@epa.gov](mailto:rosnick.reid@epa.gov)

EPA-5047

Angelique Diaz/R8/USEPA/US

To Albion Carlson

05/01/2012 11:00 AM

cc

bcc

Subject Re: Fw: Please submit FAR Memo for "NESHAP Subpart W: Standards for Radon Emissions From Operating Uranium Mill Tailings" Proposed Rule (SAN 5281)

It was taken care of. Cindy was cc'd on the concurrence memo for the Subpart W revisions. I was out last week. Let me know if you want to see the memo.

Angelique D. Diaz, Ph.D.  
Environmental Engineer  
Air Program, USEPA/Region 8  
1595 Wynkoop Street (8P-AR)  
Denver, CO 80202-1129  
Office: 303.312.6344  
Fax: 303.312.6064  
diaz.angelique@epa.gov

Albion Carlson

Angelique, Scott received this request...

04/26/2012 03:14:07 PM

From: Albion Carlson/R8/USEPA/US  
To: Angelique Diaz/R8/USEPA/US@EPA  
Cc: Scott Whitmore/R8/USEPA/US@EPA  
Date: 04/26/2012 03:14 PM  
Subject: Fw: Please submit FAR Memo for "NESHAP Subpart W: Standards for Radon Emissions From Operating Uranium Mill Tailings" Proposed Rule (SAN 5281)

Angelique,

Scott received this request from the Office of Policy for a " FAR memo"from Region 8 per the Subpart W revisions. I'm thinking you probably know what this is about. Thanks,

Albion

----- Forwarded by Albion Carlson/R8/USEPA/US on 04/26/2012 03:06 PM -----

From: Scott Whitmore/R8/USEPA/US  
To: carlson.albion@epa.gov  
Date: 04/26/2012 03:04 PM  
Subject: Fw: Please submit FAR Memo for "NESHAP Subpart W: Standards for Radon Emissions From Operating Uranium Mill Tailings" Proposed Rule (SAN 5281)

I am not sure what this is?

----- Forwarded by Scott Whitmore/R8/USEPA/US on 04/26/2012 03:03 PM -----

From: Amy Cole/DC/USEPA/US  
To: Marilyn Ginsberg/DC/USEPA/US@EPA, Sandy Evalenko/DC/USEPA/US@EPA, Tomeka Nelson/DC/USEPA/US@EPA, George Brozowski/R6/USEPA/US@EPA, Robert Dye/R7/USEPA/US@EPA, Angelique Diaz/R8/USEPA/US@EPA, Scott Whitmore/R8/USEPA/US@EPA, CharlesA Hooper/R7/USEPA/US@EPA, Laurie Carter/R6/USEPA/US@EPA, Alice Todd/R7/USEPA/US@EPA, Sonya Moore/R8/USEPA/US@EPA  
Date: 04/26/2012 02:37 PM  
Subject: Please submit FAR Memo for "NESHAP Subpart W: Standards for Radon Emissions From Operating Uranium Mill Tailings" Proposed Rule (SAN 5281)

---

To: OW, Region 6, 7, and 8

This is a friendly reminder to please submit your office's FAR Memo for "NESHAP Subpart W: Standards for Radon Emissions From Operating Uranium Mill Tailings" Proposed Rule (SAN 5281). This FAR meeting was held on Thursday, April 19. FAR memo's are due within two days of the meeting.

\*\* If I do not receive a FAR memo from your office by COB 5/1, it will be noted in the FAR summary that there was no position provided by your office.

Also, please do not send any hardcopy to the Office of Policy. We only need an electronic version of the memo or an email stating the office's position from the correct office designation. If you have questions about what level the concurrence should be approved, please look up your office in the [ADP Designations FAR Table](#).

And, as always, please do not hesitate to contact me with questions or concerns.

Thank you,

---

Amy Cole  
Regulatory Management Division  
Office of Policy/ Office of the Administrator  
U.S. Environmental Protection Agency  
Phone: 202.564.6535  
Office: 6440T Ariel Rios North  
Email: cole.amy@epa.gov

EPA-5109

Albion Carlson/R8/USEPA/US

To Angelique Diaz

05/01/2012 11:08 AM

cc

bcc

Subject Re: Fw: Please submit FAR Memo for "NESHAP Subpart W: Standards for Radon Emissions From Operating Uranium Mill Tailings" Proposed Rule (SAN 5281)

Yes, I'd like to see it if you get a chance to send it my way. Thanks

Angelique Diaz

It was taken care of. Cindy was cc'd on...

05/01/2012 09:00:36 AM

---

From: Angelique Diaz/R8/USEPA/US  
To: Albion Carlson/R8/USEPA/US@EPA  
Date: 05/01/2012 09:00 AM  
Subject: Re: Fw: Please submit FAR Memo for "NESHAP Subpart W: Standards for Radon Emissions From Operating Uranium Mill Tailings" Proposed Rule (SAN 5281)

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Cc: Scott Whitmore/R8/USEPA/US@EPA  
Date: 04/26/2012 03:14 PM  
Subject: Fw: Please submit FAR Memo for "NESHAP Subpart W: Standards for Radon Emissions From Operating Uranium Mill Tailings" Proposed Rule (SAN 5281)

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Angelique,

Scott received this request from the Office of Policy for a "FAR memo" from Region 8 per the Subpart W revisions. I'm thinking you probably know what this is about. Thanks,

Albion

----- Forwarded by Albion Carlson/R8/USEPA/US on 04/26/2012 03:06 PM -----

---

From: Scott Whitmore/R8/USEPA/US  
To: carlson.albion@epa.gov  
Date: 04/26/2012 03:04 PM  
Subject: Fw: Please submit FAR Memo for "NESHAP Subpart W: Standards for Radon Emissions From Operating Uranium Mill Tailings" Proposed Rule (SAN 5281)

---

I am not sure what this is?

----- Forwarded by Scott Whitmore/R8/USEPA/US on 04/26/2012 03:03 PM -----

From: Amy Cole/DC/USEPA/US  
To: Marilyn Ginsberg/DC/USEPA/US@EPA, Sandy Evalenko/DC/USEPA/US@EPA, Tomeka Nelson/DC/USEPA/US@EPA, George Brozowski/R6/USEPA/US@EPA, Robert Dye/R7/USEPA/US@EPA, Angelique Diaz/R8/USEPA/US@EPA, Scott Whitmore/R8/USEPA/US@EPA, CharlesA Hooper/R7/USEPA/US@EPA, Laurie Carter/R6/USEPA/US@EPA, Alice Todd/R7/USEPA/US@EPA, Sonya Moore/R8/USEPA/US@EPA  
Date: 04/26/2012 02:37 PM  
Subject: Please submit FAR Memo for "NESHAP Subpart W: Standards for Radon Emissions From Operating Uranium Mill Tailings" Proposed Rule (SAN 5281)

---

To: OW, Region 6, 7, and 8

This is a friendly reminder to please submit your office's FAR Memo for "NESHAP Subpart W: Standards for Radon Emissions From Operating Uranium Mill Tailings" Proposed Rule (SAN 5281). This FAR meeting was held on Thursday, April 19. FAR memo's are due within two days of the meeting.

\*\* If I do not receive a FAR memo from your office by COB 5/1, it will be noted in the FAR summary that there was no position provided by your office.

Also, please do not send any hardcopy to the Office of Policy. We only need an electronic version of the memo or an email stating the office's position from the correct office designation. If you have questions about what level the concurrence should be approved, please look up your office in the [ADP Designations FAR Table](#).

And, as always, please do not hesitate to contact me with questions or concerns.

Thank you,

---

Amy Cole  
Regulatory Management Division  
Office of Policy/ Office of the Administrator  
U.S. Environmental Protection Agency  
Phone: 202.564.6535  
Office: 6440T Ariel Rios North  
Email: cole.amy@epa.gov



EPA-4723

**Wendy Blake/DC/USEPA/US**

05/01/2012 11:14 AM

To Susan Stahle

cc

bcc

Subject Accepted: Subpart W - lets talk at 1:30 - thanks!

EPA-74

**Reid Rosnick/DC/USEPA/US**

05/01/2012 11:21 AM

To oscar.paulson

cc

bcc

Subject Subpart W Comments

Hello Oscar,

Thank you for submitting comments on the Subpart W review. With your permission I will place them on the public website, as well as in the Docket for the proposed rulemaking once it has been published in the Federal Register.

Reid

---

Reid J. Rosnick  
Radiation Protection Division (6608J)  
U.S. Environmental Protection Agency  
1200 Pennsylvania Ave., NW  
Washington, DC 20460  
202.343.9563  
rosnick.reid@epa.gov

EPA-6424

**Barry Elman/DC/USEPA/US**

05/01/2012 11:42 AM

To Barry Elman

cc Alan Perrin, Daniel Schultheisz, Reid Rosnick, Susan Stahle,  
Tom Peake

bcc

Subject Re: Revised Subpart W Preamble and Rule Language

Reid,

Thanks again for the opportunity to review the revisions. In general, the package looks good -- thanks for being so accommodating of OP's comments. I agree with Sue's comments in almost all cases (thanks, Sue, for the thoughtful review), and the explanations you provided cleared up issues in most cases as well. There are, however, a few items that I'd like to discuss if possible before the package moves forward. Would you have some time to talk this afternoon? I'm available any time after 1:00 p.m. I also have a few questions for Sue. (Sue, do you have a few minutes free this afternoon?) If Sue is available, we can set up a three-way conference call or I can call Sue directly.

Thanks,

Barry

-----Barry Elman/DC/USEPA/US wrote: -----

To: Reid Rosnick/DC/USEPA/US@EPA

From: Barry Elman/DC/USEPA/US

Date: 04/30/2012 11:37AM

Cc: Alan Perrin/DC/USEPA/US@EPA, Daniel Schultheisz/DC/USEPA/US@EPA, Susan Stahle/DC/USEPA/US@EPA, Tom Peake/DC/USEPA/US@EPA

Subject: Re: Revised Subpart W Preamble and Rule Language

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Barry

Reid Rosnick---04/27/2012 05:03:03 PM---From: Reid Rosnick/DC/USEPA/US To: Barry Elman/DC/USEPA/US@EPA, Susan Stahle/DC/USEPA/US@EPA

From: Reid Rosnick/DC/USEPA/US

To: Barry Elman/DC/USEPA/US@EPA, Susan Stahle/DC/USEPA/US@EPA

Cc: Alan Perrin/DC/USEPA/US@EPA, Tom Peake/DC/USEPA/US@EPA, Daniel Schultheisz/DC/USEPA/US@EPA

Date: 04/27/2012 05:03 PM

Subject: Revised Subpart W Preamble and Rule Language

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Reid

-----  
-----

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U.S. Environmental Protection Agency  
1200 Pennsylvania Ave., NW  
Washington, DC 20460  
202.343.9563

[rosnick.reid@epa.gov](mailto:rosnick.reid@epa.gov)

*(See attached file: FR Proposal for Revision of Subpart W --Final.docx)*

[attachment "FR Proposal for Revision of Subpart W --Final.docx" removed by Barry Elman/DC/USEPA/US]

EPA-289

**Barry Elman/DC/USEPA/US**

05/01/2012 11:42 AM

To Barry Elman

cc Alan Perrin, Daniel Schultheisz, Reid Rosnick, Susan Stahle,  
Tom Peake

bcc

Subject Re: Revised Subpart W Preamble and Rule Language

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Date: 04/30/2012 11:37AM

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To: Barry Elman/DC/USEPA/US@EPA, Susan Stahle/DC/USEPA/US@EPA

Cc: Alan Perrin/DC/USEPA/US@EPA, Tom Peake/DC/USEPA/US@EPA, Daniel Schultheisz/DC/USEPA/US@EPA

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Reid

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-----

Reid J. Rosnick  
Radiation Protection Division (6608J)  
U.S. Environmental Protection Agency  
1200 Pennsylvania Ave., NW  
Washington, DC 20460  
202.343.9563  
[rosnick.reid@epa.gov](mailto:rosnick.reid@epa.gov)  
(See attached file: *FR Proposal for Revision of Subpart W --Final.docx*)

[attachment "FR Proposal for Revision of Subpart W --Final.docx" removed by Barry Elman/DC/USEPA/US]

EPA-536

Reid Rosnick/DC/USEPA/US

To Barry Elman

05/01/2012 11:58 AM

cc

bcc

Subject Re: Revised Subpart W Preamble and Rule Language

Barry,

I'm available until 3 this afternoon. Sue, is it possible that we can do this with you?

---

Reid J. Rosnick  
Radiation Protection Division (6608J)  
U.S. Environmental Protection Agency  
1200 Pennsylvania Ave., NW  
Washington, DC 20460  
202.343.9563  
rosnick.reid@epa.gov

Barry Elman

Reid, Thanks again for the opportunity...

05/01/2012 11:42:38 AM

---

From: Barry Elman/DC/USEPA/US  
To: Barry Elman/DC/USEPA/US@EPA  
Cc: Alan Perrin/DC/USEPA/US@EPA, Daniel Schultheisz/DC/USEPA/US@EPA, Reid Rosnick/DC/USEPA/US@EPA, Susan Stahle/DC/USEPA/US@EPA, Tom Peake/DC/USEPA/US@EPA  
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To: Barry Elman/DC/USEPA/US@EPA, Susan Stahle/DC/USEPA/US@EPA  
Cc: Alan Perrin/DC/USEPA/US@EPA, Tom Peake/DC/USEPA/US@EPA, Daniel Schultheisz/DC/USEPA/US@EPA  
Date: 04/27/2012 05:03 PM  
Subject: Revised Subpart W Preamble and Rule Language

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Reid

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[rosnick.reid@epa.gov](mailto:rosnick.reid@epa.gov)  
(See attached file: *FR Proposal for Revision of Subpart W --Final.docx*)

[attachment "FR Proposal for Revision of Subpart W --Final.docx" removed by Barry Elman/DC/USEPA/US]



EPA-356

Raymond Lee/DC/USEPA/US

To Reid Rosnick

05/01/2012 03:38 PM

cc

bcc

Subject Re: Transmittal Memos

Hi Reid,

I'll get these printed ASAP!

Also, just FYI, the package materials will be pretty similar to what you sent to the workgroup for FAR. You'll have:

- Flynn Action Memo
- McCarthy-Goo Action Memo
- FAR summary memo (with concurrences & substantive comments)
- Any draft communications materials (e.g., fact sheet, comm. plan)
- Draft preamble & rule language (the FR notice itself)
- Draft BID

I believe that covers everything. The reg. processing folks require the originals plus three copies of all documents. All electronic files must also be burned onto a CD and delivered with the package as well.

I am more than happy to help with any other tasks you need to put this package together - let me know and I'll get on it after I give you the printed memos.

Thanks and good luck!

Ray

Ray Lee | Center for Radiation Information and Outreach (CRIO) | US EPA | Phone 202.343.9463 | Fax 202.343.2305 | lee.raymond@epa.gov

Reid Rosnick

05/01/2012 03:27:57 PM

From: Reid Rosnick/DC/USEPA/US  
To: Raymond Lee/DC/USEPA/US@EPA  
Date: 05/01/2012 03:27 PM  
Subject: Transmittal Memos

[attachment "Action memo-Flynn.docx" deleted by Raymond Lee/DC/USEPA/US] [attachment "action\_memo\_SubpartW\_OP\_to\_OMB.docx" deleted by Raymond Lee/DC/USEPA/US] [attachment "Draft Action MEMO Subpart W.docx" deleted by Raymond Lee/DC/USEPA/US]

Reid J. Rosnick  
Radiation Protection Division (6608J)  
U.S. Environmental Protection Agency  
1200 Pennsylvania Ave., NW  
Washington, DC 20460  
202.343.9563  
rosnick.reid@epa.gov

EPA-792

**Raymond Lee/DC/USEPA/US**

05/01/2012 04:58 PM

To Deborah Banks

cc Ruthw Morgan, Reid Rosnick

bcc

Subject Just a heads-up for tomorrow...

Hi Deb, Ruthie...

I'm actually out tomorrow, but we have been working on a package here which will be delivered to you tomorrow. It is an NPRM (SAN 5281, NESHAP Subpart W amendments) that is for OMB transmittal and review. Reid Rosnick is the workgroup chair and will be sending you the final electronic copies tomorrow via e-mail, as well as delivering the original hard-copy package itself once our OD Mike Flynn signs it.

I'll be accessible via webmail, so should you have any issues or problems just let him and I know.

Thanks!

Ray

Ray Lee | Center for Radiation Information and Outreach (CRIO) | US EPA | Phone 202.343.9463 | Fax 202.343.2305 | lee.raymond@epa.

EPA-5915

**Marilyn  
Ginsberg/DC/USEPA/US**  
05/01/2012 05:02 PM

To Ronald Bergman  
cc  
bcc

Subject Fw: Subpart W -- Final Agency review

Hi Ron,

I'm just about to send Amy a reminder that we do intend to send an e-mail (I'll cc it to you for the contact info). Thanks, M

----- Forwarded by Marilyn Ginsberg/DC/USEPA/US on 05/01/2012 04:59 PM -----

From: Ronald Bergman/DC/USEPA/US  
To: Marilyn Ginsberg/DC/USEPA/US@EPA  
Date: 03/30/2012 10:30 PM  
Subject: Re: Subpart W -- Final Agency review

---

Hi Marilyn,

I agree that this doesn't have a significant impact on us, so I'm okay with you saying we have no comment. Are you the only OW representative on the workgroup?

-----Marilyn Ginsberg/DC/USEPA/US wrote: -----

To: Ann Codrington/DC/USEPA/US@EPA, Ronald Bergman/DC/USEPA/US@EPA  
From: Marilyn Ginsberg/DC/USEPA/US  
Date: 03/30/2012 06:41PM  
Subject: Subpart W -- Final Agency review

Hi Ann and Ron,

I have received notice that the Final Agency Review for revisions to National Emissions Standards for Operating Mill Tailings (Tier 2; SAN 5281) will be held on April 19. I think that although I represent OGWDW, I'm technically not on the workgroup, because the rule doesn't really affect us (OGWDW, and likely the rest of OW). I've dutifully read all the materials that have been circulated for comment (they were thrilling and had a great plot) to make sure that we didn't miss a chance to make necessary comments, and I did make some to add clarity and consistency with existing terminology. If I briefed you, that's about all that I'd say. I certainly don't think that the OD or AA needs to get involved, or, for that matter, anyone in our management chain. If you agree that National Emissions Standards for Operating Mill Tailings is not a high priority for our management, please let me know, because I have to send out a formal e-mail -- we were notified that:

**"If a participating Office or Region is not represented at the FAR meeting and has not previously contacted the Workgroup Chair and Nicole Owens in writing with his or her AA 's or RA's position prior to the meeting, "concurrence without comment" will be assumed."**

Thanks, MG

EPA-6091

**Marilyn  
Ginsberg/DC/USEPA/US**  
05/01/2012 05:03 PM

To Amy Cole  
cc Ronald Bergman  
bcc  
Subject Re: Please submit FAR Memo for "NESHAP Subpart W:  
Standards for Radon Emissions From Operating Uranium Mill  
Tailings" Proposed Rule (SAN 5281)

Hi Again,

Just as a reminder, we do intend to send you an e-mail, hopefully, by Thursday COB. Thanks, Marilyn

Amy Cole To: OW, Region 6, 7, and 8 This is a fri... 04/26/2012 04:37:21 PM

From: Amy Cole/DC/USEPA/US  
To: Marilyn Ginsberg/DC/USEPA/US@EPA, Sandy Evalenko/DC/USEPA/US@EPA, Tomeka Nelson/DC/USEPA/US@EPA, George Brozowski/R6/USEPA/US@EPA, Robert Dye/R7/USEPA/US@EPA, Angelique Diaz/R8/USEPA/US@EPA, Scott Whitmore/R8/USEPA/US@EPA, CharlesA Hooper/R7/USEPA/US@EPA, Laurie Carter/R6/USEPA/US@EPA, Alice Todd/R7/USEPA/US@EPA, Sonya Moore/R8/USEPA/US@EPA  
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And, as always, please do not hesitate to contact me with questions or concerns.

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Amy Cole  
Regulatory Management Division  
Office of Policy/ Office of the Administrator  
U.S. Environmental Protection Agency  
Phone: 202.564.6535  
Office: 6440T Ariel Rios North  
Email: cole.amy@epa.gov

EPA-478

Susan Stahle/DC/USEPA/US

05/01/2012 05:13 PM

To Barry Elman

cc Alan Perrin, Daniel Schultheisz, Reid Rosnick, Tom Peake  
bcc

Subject Re: Revised Subpart W Preamble and Rule Language

Hi Barry --

It may be best to go ahead and set up some time when you, Reid and I can talk through your questions. My LN calendar is up-to-date and shows when I am available.

Thanks,

Susan Stahle  
Air and Radiation Law Office (Rm 7502B)  
Office of General Counsel  
U.S. Environmental Protection Agency  
1200 Pennsylvania Avenue, NW (ARN: MC 2344A)  
Washington, D.C. 20460  
ph: (202) 564-1272  
fax: (202) 564-5603  
stahle.susan@epa.gov

Barry Elman

Reid, Thanks again for the opportunity...

05/01/2012 11:42:38 AM

From: Barry Elman/DC/USEPA/US  
To: Barry Elman/DC/USEPA/US@EPA  
Cc: Alan Perrin/DC/USEPA/US@EPA, Daniel Schultheisz/DC/USEPA/US@EPA, Reid Rosnick/DC/USEPA/US@EPA, Susan Stahle/DC/USEPA/US@EPA, Tom Peake/DC/USEPA/US@EPA  
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Reid

---

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[rosnick.reid@epa.gov](mailto:rosnick.reid@epa.gov)  
(See attached file: *FR Proposal for Revision of Subpart W --Final.docx*)

[attachment "FR Proposal for Revision of Subpart W --Final.docx" removed by Barry Elman/DC/USEPA/US]

EPA-4782

Susan Stahle/DC/USEPA/US

05/01/2012 05:13 PM

To Barry Elman

cc Alan Perrin, Daniel Schultheisz, Reid Rosnick, Tom Peake  
bcc

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Washington, D.C. 20460  
ph: (202) 564-1272  
fax: (202) 564-5603  
stahle.susan@epa.gov

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05/01/2012 11:42:38 AM

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Subject: Re: Revised Subpart W Preamble and Rule Language

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Thanks,

Barry

-----Barry Elman/DC/USEPA/US wrote: -----

To: Reid Rosnick/DC/USEPA/US@EPA

From: Barry Elman/DC/USEPA/US

Date: 04/30/2012 11:37AM

Cc: Alan Perrin/DC/USEPA/US@EPA, Daniel Schultheisz/DC/USEPA/US@EPA, Susan Stahle/DC/USEPA/US@EPA, Tom Peake/DC/USEPA/US@EPA

Subject: Re: Revised Subpart W Preamble and Rule Language

Reid,

Thanks for giving me the chance to review the revisions. I have two ozone rules that came through for final review this morning, and both need to be signed by the Administrator's later today. I also have to give a briefing to my AA this afternoon on another rule. So I'll try my best to review the revisions to the Subpart W package today, but I may not be able to get through it until this evening.

Barry

Reid Rosnick---04/27/2012 05:03:03 PM---From: Reid Rosnick/DC/USEPA/US To: Barry Elman/DC/USEPA/US@EPA, Susan Stahle/DC/USEPA/US@EPA

From: Reid Rosnick/DC/USEPA/US  
To: Barry Elman/DC/USEPA/US@EPA, Susan Stahle/DC/USEPA/US@EPA  
Cc: Alan Perrin/DC/USEPA/US@EPA, Tom Peake/DC/USEPA/US@EPA, Daniel Schultheisz/DC/USEPA/US@EPA  
Date: 04/27/2012 05:03 PM  
Subject: Revised Subpart W Preamble and Rule Language

---

Barry,

Attached is the revised preamble and rule language, thanks for your comments. I believe they add to the value of this rule. I have accepted almost all of your comments and suggestions. Where I had explanations to your comments I added them beside your original comment (there are just a few). Also, Sue Stahle in OGC had a chance to review comments of a more legal nature, and her comments are added beside yours (again, just a few). Sue, FYI for your paragraph, Mike would like to move this to the OAR front office and then on to OP on Monday. Thanks again to both of you.

Reid

---

Reid J. Rosnick  
Radiation Protection Division (6608J)  
U.S. Environmental Protection Agency  
1200 Pennsylvania Ave., NW  
Washington, DC 20460  
202.343.9563  
[rosnick.reid@epa.gov](mailto:rosnick.reid@epa.gov)  
(See attached file: *FR Proposal for Revision of Subpart W --Final.docx*)

[attachment "FR Proposal for Revision of Subpart W --Final.docx" removed by Barry Elman/DC/USEPA/US]



EPA-5090

**Deborah  
Lebow-Aal/R8/USEPA/US**  
05/01/2012 05:19 PM

To: Angelique Diaz  
cc  
bcc

Subject: Fw: R8 FAR MEMO: "NESHAP Subpart W: Standards for  
Radon Emissions From Operating Uranium Mill Tailings"  
Proposed Rule (SAN 5281)

FYI - confirmation that they got our memo

[Deborah Lebow Aal](#)  
U.S. Environmental Protection Agency  
Region 8 Air Program  
Unit Chief, Indoor Air, Transportation and Toxics Unit  
1595 Wynkoop Street  
Denver, CO 80202  
(303) 312-6223

----- Forwarded by Deborah Lebow-Aal/R8/USEPA/US on 05/01/2012 03:19 PM -----

From: Amy Cole/DC/USEPA/US  
To: Deborah Lebow-Aal/R8/USEPA/US@EPA  
Cc: Sonya Moore/R8/USEPA/US@EPA  
Date: 05/01/2012 02:17 PM  
Subject: Re: R8 FAR MEMO: "NESHAP Subpart W: Standards for Radon Emissions From Operating Uranium Mill Tailings" Proposed Rule (SAN 5281)

---

Thank you Deborah and Sonya!

---

Amy Cole  
Regulatory Management Division  
Office of Policy/ Office of the Administrator  
U.S. Environmental Protection Agency  
Phone: 202.564.6535  
Office: 6440T Ariel Rios North  
Email: cole.amy@epa.gov

Deborah Lebow-Aal    [Region 8's concurrence memo De...](#)    04/27/2012 09:59:12 AM

From: Deborah Lebow-Aal/R8/USEPA/US  
To: Amy Cole/DC/USEPA/US@EPA, Sonya Moore/R8/USEPA/US@EPA  
Cc: Carl Daly/R8/USEPA/US@EPA, Cynthia Reynolds/R8/USEPA/US@EPA, Angelique Diaz/R8/USEPA/US@EPA  
Date: 04/27/2012 09:59 AM  
Subject: R8 FAR MEMO: "NESHAP Subpart W: Standards for Radon Emissions From Operating Uranium Mill Tailings" Proposed Rule (SAN 5281)

---

1 attachment  
[attachment "Document.pdf" deleted by Amy Cole/DC/USEPA/US]

Region 8's concurrence memo

[Deborah Lebow Aal](#)

U.S. Environmental Protection Agency  
Region 8 Air Program  
Unit Chief, Indoor Air, Transportation and Toxics Unit  
1595 Wynkoop Street  
Denver, CO 80202  
(303) 312-6223

----- Forwarded by Deborah Lebow-Aal/R8/USEPA/US on 04/27/2012 07:57 AM -----

From: Sonya Moore/R8/USEPA/US  
To: Angelique Diaz/R8/USEPA/US@EPA, Scott Whitmore/R8/USEPA/US@EPA, Deborah Lebow-Aal/R8/USEPA/US@EPA, Carl Daly/R8/USEPA/US@EPA, Cynthia Reynolds/R8/USEPA/US@EPA, Andrea Reed/R8/USEPA/US@EPA, StephanieN Brown/DC/USEPA/US@EPA, Kathi Flavin/R8/USEPA/US@EPA, Maureen Brennan/R8/USEPA/US  
Cc: William Daniels/TMS/R8/USEPA/US@EPA  
Date: 04/27/2012 07:39 AM  
Subject: REQUEST FOR R8 FAR MEMO: Please submit FAR Memo for "NESHAP Subpart W: Standards for Radon Emissions From Operating Uranium Mill Tailings" Proposed Rule (SAN 5281)

---

Please forward to appropriate staff within your ARA. Please submit Region 8's FAR Memo for "NESHAP Subpart W: Standards for Radon Emissions From Operating Uranium Mill Tailings" Proposed Rule (SAN 5281). This FAR meeting was held on Thursday, April 19. FAR memo's are due within two days of the meeting.

Thanks,

*Sonya L. Moore*

Regulatory Review Coordinator  
US EPA, Region 8, TMS-I  
1595 Wynkoop Street  
Denver, CO 80202  
Office: (303) 312-6825  
Fax: (303) 312-6538  
[moore.sonya@epa.gov](mailto:moore.sonya@epa.gov)

----- Forwarded by Sonya Moore/R8/USEPA/US on 04/27/2012 07:19 AM -----

From: Amy Cole/DC/USEPA/US  
To: Marilyn Ginsberg/DC/USEPA/US@EPA, Sandy Evalenko/DC/USEPA/US@EPA, Tomeka Nelson/DC/USEPA/US@EPA, George Brozowski/R6/USEPA/US@EPA, Robert Dye/R7/USEPA/US@EPA, Angelique Diaz/R8/USEPA/US@EPA, Scott Whitmore/R8/USEPA/US@EPA, CharlesA Hooper/R7/USEPA/US@EPA, Laurie Carter/R6/USEPA/US@EPA, Alice Todd/R7/USEPA/US@EPA, Sonya Moore/R8/USEPA/US@EPA  
Date: 04/26/2012 02:37 PM  
Subject: Please submit FAR Memo for "NESHAP Subpart W: Standards for Radon Emissions From Operating Uranium Mill Tailings" Proposed Rule (SAN 5281)

---

To: OW, Region 6, 7, and 8

This is a friendly reminder to please submit your office's FAR Memo for "NESHAP Subpart W: Standards for Radon Emissions From Operating Uranium Mill Tailings" Proposed Rule (SAN 5281). This FAR meeting was held on Thursday, April 19. FAR memo's are due within two days of the meeting.

\*\* If I do not receive a FAR memo from your office by COB 5/1, it will be noted in the FAR summary that there was no position provided by your office.

Also, please do not send any hardcopy to the Office of Policy. We only need an electronic version of the memo or an email stating the office's position from the correct office designation. If you have questions about what level the concurrence should be approved, please look up your office in the [ADP Designations FAR Table](#).

And, as always, please do not hesitate to contact me with questions or concerns.

Thank you,

---

Amy Cole  
Regulatory Management Division  
Office of Policy/ Office of the Administrator  
U.S. Environmental Protection Agency  
Phone: 202.564.6535  
Office: 6440T Ariel Rios North  
Email: cole.amy@epa.gov

EPA-4774

**Barry Elman/DC/USEPA/US**

05/01/2012 05:31 PM

To Reid Rosnick, Susan Stahle

cc

bcc

Subject Discussion of Subpart W rule

**Meeting**

Date 05/02/2012

Time 11:00:00 AM to 11:30:00 AM

Chair Barry Elman

Invitees

Required Reid Rosnick; Susan Stahle

Optional

FYI

Location

EPA-6452

**Barry Elman/DC/USEPA/US**

05/01/2012 05:31 PM

To

cc

bcc

Subject Discussion of Subpart W rule

**Meeting**

Date 05/02/2012

Time 11:00:00 AM to 11:30:00 AM

Chair Barry Elman

Invitees

Required Reid Rosnick; Susan Stahle

Optional

FYI

Location

EPA-6462

**Susan Stahle/DC/USEPA/US**

05/01/2012 05:33 PM

To Barry Elman

cc

bcc

Subject Accepted: Discussion of Subpart W rule

EPA-75

"Paulson, Oscar (RTE)"  
<Oscar.Paulson@riotinto.com  
>

05/01/2012 07:32 PM

To Reid Rosnick

cc

bcc

Subject RE: Subpart W Comments

Reid:

I am glad that you received them. Please place them on the web site and docket.

Oscar

---

**From:** Reid Rosnick [mailto:Rosnick.Reid@epamail.epa.gov]

**Sent:** Tuesday, May 01, 2012 9:21 AM

**To:** Paulson, Oscar (RTE)

**Subject:** Subpart W Comments

Hello Oscar,

Thank you for submitting comments on the Subpart W review. With your permission I will place them on the public website, as well as in the Docket for the proposed rulemaking once it has been published in the Federal Register.

Reid

---

Reid J. Rosnick  
Radiation Protection Division (6608J)  
U.S. Environmental Protection Agency  
1200 Pennsylvania Ave., NW  
Washington, DC 20460  
202.343.9563  
rosnick.reid@epa.gov

Avis:

Ce message et toute pièce jointe sont la propriété de Rio Tinto et sont destinés seulement aux personnes ou à l'entité à qui le message est adressé. Si vous avez reçu ce message par erreur, veuillez le détruire et en aviser l'expéditeur par courriel. Si vous n'êtes pas le destinataire du message, vous n'êtes pas autorisé à utiliser, à copier ou à divulguer le contenu du message ou ses pièces jointes en tout ou en partie.

Notice:

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EPA-6453

**Reid Rosnick/DC/USEPA/US**

05/02/2012 06:51 AM

To Barry Elman

cc

bcc

Subject Accepted: Discussion of Subpart W rule

EPA-479

Reid Rosnick/DC/USEPA/US

To Susan Stahle

05/02/2012 06:54 AM

cc Barry Elman, Alan Perrin, Daniel Schultheisz, Tom Peake  
bcc

Subject Re: Revised Subpart W Preamble and Rule Language

Barry/Sue,

Just want to give you a heads-up that the package was sent to Mike Flynn late yesterday for his approval to the OAR front office. I'll keep you posted regarding its status, and I'm certain that we can resolve any issues over the next two weeks while the package is in OP.

Reid

---

Reid J. Rosnick  
Radiation Protection Division (6608J)  
U.S. Environmental Protection Agency  
1200 Pennsylvania Ave., NW  
Washington, DC 20460  
202.343.9563  
rosnick.reid@epa.gov

Susan Stahle

Hi Barry -- It may be best to go ahead a...

05/01/2012 05:13:57 PM

From: Susan Stahle/DC/USEPA/US  
To: Barry Elman/DC/USEPA/US@EPA  
Cc: Alan Perrin/DC/USEPA/US@EPA, Daniel Schultheisz/DC/USEPA/US@EPA, Reid Rosnick/DC/USEPA/US@EPA, Tom Peake/DC/USEPA/US@EPA  
Date: 05/01/2012 05:13 PM  
Subject: Re: Revised Subpart W Preamble and Rule Language

---

Hi Barry --

It may be best to go ahead and set up some time when you, Reid and I can talk through your questions. My LN calendar is up-to-date and shows when I am available.

Thanks,

Susan Stahle  
Air and Radiation Law Office (Rm 7502B)  
Office of General Counsel  
U.S. Environmental Protection Agency  
1200 Pennsylvania Avenue, NW (ARN: MC 2344A)  
Washington, D.C. 20460  
ph: (202) 564-1272  
fax: (202) 564-5603  
stahle.susan@epa.gov

Barry Elman

Reid, Thanks again for the opportunity...

05/01/2012 11:42:38 AM

From: Barry Elman/DC/USEPA/US  
To: Barry Elman/DC/USEPA/US@EPA  
Cc: Alan Perrin/DC/USEPA/US@EPA, Daniel Schultheisz/DC/USEPA/US@EPA, Reid Rosnick/DC/USEPA/US@EPA, Susan Stahle/DC/USEPA/US@EPA, Tom Peake/DC/USEPA/US@EPA

Date: 05/01/2012 11:42 AM  
Subject: Re: Revised Subpart W Preamble and Rule Language

---

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From: Barry Elman/DC/USEPA/US

Date: 04/30/2012 11:37AM

Cc: Alan Perrin/DC/USEPA/US@EPA, Daniel Schultheisz/DC/USEPA/US@EPA, Susan Stahle/DC/USEPA/US@EPA, Tom Peake/DC/USEPA/US@EPA

Subject: Re: Revised Subpart W Preamble and Rule Language

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Reid Rosnick---04/27/2012 05:03:03 PM---From: Reid Rosnick/DC/USEPA/US To: Barry Elman/DC/USEPA/US@EPA, Susan Stahle/DC/USEPA/US@EPA

From: Reid Rosnick/DC/USEPA/US

To: Barry Elman/DC/USEPA/US@EPA, Susan Stahle/DC/USEPA/US@EPA

Cc: Alan Perrin/DC/USEPA/US@EPA, Tom Peake/DC/USEPA/US@EPA, Daniel Schultheisz/DC/USEPA/US@EPA

Date: 04/27/2012 05:03 PM

Subject: Revised Subpart W Preamble and Rule Language

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Reid

---

Reid J. Rosnick  
Radiation Protection Division (6608J)  
U.S. Environmental Protection Agency  
1200 Pennsylvania Ave., NW  
Washington, DC 20460  
202.343.9563

[rosnick.reid@epa.gov](mailto:rosnick.reid@epa.gov)

*(See attached file: FR Proposal for Revision of Subpart W --Final.docx)*

[attachment "FR Proposal for Revision of Subpart W --Final.docx" removed by Barry Elman/DC/USEPA/US]

EPA-6145

**Ronald Bergman/DC/USEPA/US**  
05/02/2012 10:53 AM

To Marilyn Ginsberg  
cc  
bcc

Subject Fw: Standards for Radon Emissions From Operating Uranium Mill Tailings" Proposed Rule (SAN 5281)

FYI

----- Forwarded by Ronald Bergman/DC/USEPA/US on 05/02/2012 10:52 AM -----

From: Stephanie Flaharty/DC/USEPA/US  
To: Ronald Bergman/DC/USEPA/US@EPA  
Date: 05/02/2012 08:15 AM  
Subject: Re: Standards for Radon Emissions From Operating Uranium Mill Tailings" Proposed Rule (SAN 5281)

---

Thanks Ron -- I'll pass on to OW.

Steph Flaharty  
Sr. Reg. Mgr./ FOIA Rep.  
Office of Ground Water and Drinking Water  
202.564.5072

Ronald Bergman [Hi Stephanie, Marilyn Ginsberg has b...](#) 05/02/2012 07:58:33 AM

From: Ronald Bergman/DC/USEPA/US  
To: Stephanie Flaharty/DC/USEPA/US@EPA  
Date: 05/02/2012 07:58 AM  
Subject: Standards for Radon Emissions From Operating Uranium Mill Tailings" Proposed Rule (SAN 5281)

---

Hi Stephanie,

Marilyn Ginsberg has been participating on this workgroup (Subpart W Rule, NESHAP, SAN 5281), which is now going to FAR. We were participating because of the potential link to UIC Class 1 or Class 3 permits for uranium mining. However, there are no OGWDW issues, and we believe no OW issues. OP says that statement needs to come from Sandy. We are okay staying silent and having OW's response be "no comment," but we'll let you and Sandy decide. Marilyn's description of the rulemaking is below. Please let me know if you need further information.

Thanks

The Office of Air and Radiation is preparing a FAR on EPA's proposal to revise certain portions of the National Emission Standards for Hazardous **Air** Pollutants (NESHAP) for radon emissions from operating uranium mill tailings. I have been participating only to the extent that I have been looking for issues shared by both OAR and OW, but have found none. This rule addresses only air emissions and does not address any ground-water or surface-water issues.

These are the main points of the FAR:

- The NESHAP proposed emissions standards for new and existing sources are based on EPA's proposed determination as to what constitutes the generally available control technology (GACT) or management practices for this area source category.
- EPA is proposing to revise Subpart W to include requirements for affected sources at three types of operating uranium recovery facilities. The uranium recovery facilities include conventional uranium mills, ISL facilities and heap leach facilities.
- EPA is also proposing to add and refine definitions and clarify that the existing rule applies to uranium recovery facilities that extract uranium through the in-situ leach method and the heap leach method.
- EPA is proposing to refine the requirement for annual reporting to speed up potential corrective actions if a facility is found to be in non-compliance
- EPA is requesting comment on updating the methods for monitoring radon-222 emissions.

EPA-5838

**Marilyn  
Ginsberg/DC/USEPA/US**

05/02/2012 12:09 PM

To Stephanie Flaharty

cc

bcc

Subject Fw: Standards for Radon Emissions From Operating Uranium  
Mill Tailings" Proposed Rule (SAN 5281)

Hi Steph,

Not to make life difficult, but this is time sensitive. This is what happened: since we saw that we had no issues, we decided to remain silent (the default is that, if we remain silent, we are "concurring without comment"). Well, the other night, we decided that it would be best to run this thru you, but, alas, our response was due last night. So, I e-mailed Amy Cole telling her that she would hear from us by COB Thursday. She agreed to wait to hear from us. So, even if we decide to use the default "concur without comments", I still have to notify her that she can "release the hold" and move the rule-making process along.

So could you please let me know if 1) we can get something to her by COB tomorrow OR 2) we're not going to send her something (that is, we're going to trigger "the default), because in either event, I have to let her know.

Thanks, Marilyn

----- Forwarded by Marilyn Ginsberg/DC/USEPA/US on 05/02/2012 11:40 AM -----

From: Ronald Bergman/DC/USEPA/US  
To: Marilyn Ginsberg/DC/USEPA/US@EPA  
Date: 05/02/2012 10:53 AM  
Subject: Fw: Standards for Radon Emissions From Operating Uranium Mill Tailings" Proposed Rule (SAN 5281)

---

FYI

----- Forwarded by Ronald Bergman/DC/USEPA/US on 05/02/2012 10:52 AM -----

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To: Ronald Bergman/DC/USEPA/US@EPA  
Date: 05/02/2012 08:15 AM  
Subject: Re: Standards for Radon Emissions From Operating Uranium Mill Tailings" Proposed Rule (SAN 5281)

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Steph Flaharty  
Sr. Reg. Mgr./ FOIA Rep.  
Office of Ground Water and Drinking Water  
202.564.5072

Ronald Bergman

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05/02/2012 07:58:33 AM

From: Ronald Bergman/DC/USEPA/US  
To: Stephanie Flaharty/DC/USEPA/US@EPA  
Date: 05/02/2012 07:58 AM  
Subject: Standards for Radon Emissions From Operating Uranium Mill Tailings" Proposed Rule (SAN 5281)

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- EPA is proposing to refine the requirement for annual reporting to speed up potential corrective actions if a facility is found to be in non-compliance
- EPA is requesting comment on updating the methods for monitoring radon-222 emissions.



EPA-5970

**Marilyn  
Ginsberg/DC/USEPA/US**  
05/02/2012 01:03 PM

To Sandy Evalenko, Stephanie Flaharty  
cc bergman.ronald  
bcc  
Subject Re: Please submit FAR Memo for "NESHAP Subpart W:  
Standards for Radon Emissions From Operating Uranium Mill  
Tailings" Proposed Rule (SAN 5281)

Hello,

Thank you for addressing this so expeditiously - it's very much appreciated. -- Marilyn

Sandy Evalenko [Here's OW's FAR memo at the AA lev...](#) 05/02/2012 12:40:23 PM

From: Sandy Evalenko/DC/USEPA/US  
To: Amy Cole/DC/USEPA/US@EPA  
Cc: Tomeka Nelson/DC/USEPA/US@EPA, Stephanie Flaharty/DC/USEPA/US@EPA, Marilyn  
Ginsberg/DC/USEPA/US@EPA  
Date: 05/02/2012 12:40 PM  
Subject: Re: Please submit FAR Memo for "NESHAP Subpart W: Standards for Radon Emissions From  
Operating Uranium Mill Tailings" Proposed Rule (SAN 5281)

Here's OW's FAR memo at the AA level.

[attachment "FAR NESHAP Radon Emissions Subpart W (SAN 5281). 5-2-12.doc" deleted by Marilyn  
Ginsberg/DC/USEPA/US]

Sandy Evalenko  
Water Policy Staff  
Office of Water (4101M)  
3226K EPA East  
(202) 564-0264 telephone  
(202) 564-0194 fax

Amy Cole [To: OW, Region 6, 7, and 8 This is a fri...](#) 04/26/2012 04:37:22 PM

From: Amy Cole/DC/USEPA/US  
To: Marilyn Ginsberg/DC/USEPA/US@EPA, Sandy Evalenko/DC/USEPA/US@EPA, Tomeka  
Nelson/DC/USEPA/US@EPA, George Brozowski/R6/USEPA/US@EPA, Robert  
Dye/R7/USEPA/US@EPA, Angelique Diaz/R8/USEPA/US@EPA, Scott  
Whitmore/R8/USEPA/US@EPA, CharlesA Hooper/R7/USEPA/US@EPA, Laurie  
Carter/R6/USEPA/US@EPA, Alice Todd/R7/USEPA/US@EPA, Sonya  
Moore/R8/USEPA/US@EPA  
Date: 04/26/2012 04:37 PM  
Subject: Please submit FAR Memo for "NESHAP Subpart W: Standards for Radon Emissions From  
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To: OW, Region 6, 7, and 8

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\*\* If I do not receive a FAR memo from your office by COB 5/1, it will be noted in the FAR summary that  
there was no position provided by your office.

Also, please do not send any hardcopy to the Office of Policy. We only need an electronic version of the

memo or an email stating the office's position from the correct office designation. If you have questions about what level the concurrence should be approved, please look up your office in the [ADP Designations FAR Table](#).

And, as always, please do not hesitate to contact me with questions or concerns.

Thank you,

---

Amy Cole  
Regulatory Management Division  
Office of Policy/ Office of the Administrator  
U.S. Environmental Protection Agency  
Phone: 202.564.6535  
Office: 6440T Ariel Rios North  
Email: cole.amy@epa.gov

EPA-5168

**Mike Flynn/DC/USEPA/US**  
Sent by: Virginia Stradford

05/02/2012 01:50 PM

To Jonathan Edwards, Reid Rosnick

cc

bcc

Subject Subpart W Rulemaking Revision Discussion

**Meeting**

Date 05/02/2012

Time 03:00:00 PM to 03:30:00 PM

Chair Mike Flynn

Invitees

Required Jonathan Edwards; Reid Rosnick

Optional

FYI

Location MFO

EPA-5165

**Jonathan  
Edwards/DC/USEPA/US**  
05/02/2012 01:54 PM

To Alan Perrin, Tom Peake  
cc  
bcc

Subject Fw: Subpart W Rulemaking Revision Discussion

FYI

----- Forwarded by Jonathan Edwards/DC/USEPA/US on 05/02/2012 01:53 PM -----

## Subpart W Rulemaking Revision Discussion

**Wed 05/02/2012 3:00 PM - 3:30  
PM**

Attendance is for Jonathan Edwards

Chair: **Mike Flynn/DC/USEPA/US**  
Sent By: **Virginia Stradford/DC/USEPA/US**  
Location: MFO

|                                                                          |
|--------------------------------------------------------------------------|
| Required: Jonathan Edwards/DC/USEPA/US@EPA, Reid Rosnick/DC/USEPA/US@EPA |
|--------------------------------------------------------------------------|

### Description

---

### Personal Notes

---



EPA-6487

Barry Elman/DC/USEPA/US

To Eileen Pritchard

05/03/2012 04:19 PM

cc

bcc

Subject Re: FAR Memo for Uranium Mill Tailings (Subpart W)  
Proposed Rule

Eileen: Do you know if this was ever signed?

Thanks,

Barry

Eileen Pritchard Barry. Thanks. I am asking Robin if J... 04/27/2012 02:16:57 PM

From: Eileen Pritchard/DC/USEPA/US  
To: Barry Elman/DC/USEPA/US@EPA  
Cc: Paul Balserak/DC/USEPA/US@EPA  
Date: 04/27/2012 02:16 PM  
Subject: Re: FAR Memo for Uranium Mill Tailings (Subpart W) Proposed Rule

Barry. Thanks. I am asking Robin if Jackie or Verna can put it into CMS.

\*\*\*\*\*

Eileen Pritchard  
EPA/OP/ORPM  
1200 Pennsylvania Ave, NW  
Room 3521-C  
Mailcode 1804-A  
Washington, DC 20460  
(202)564-6578  
(202)566-0268 - FAX  
email: pritchard.eileen@epa.gov

Barry Elman Eileen, Attached is the FAR memo for t... 04/27/2012 12:03:09 PM

From: Barry Elman/DC/USEPA/US  
To: Eileen Pritchard/DC/USEPA/US@EPA  
Cc: Paul Balserak/DC/USEPA/US@EPA  
Date: 04/27/2012 12:03 PM  
Subject: FAR Memo for Uranium Mill Tailings (Subpart W) Proposed Rule

Eileen,

Attached is the FAR memo for the Uranium Mill Tailings proposed rule. Per our discussion yesterday afternoon, is there someone in the office today who can package the memo for signature?

Barry

[attachment "OP FAR Memo -- Proposed Uranium Mill Tailings (Subpart W) Rule -- 23 Apr 12 -- FINAL.asd.doc" deleted by Eileen Pritchard/DC/USEPA/US]

EPA-6515

**Eileen  
Pritchard/DC/USEPA/US**  
05/03/2012 04:31 PM

To Barry Elman  
cc  
bcc  
Subject Re: FAR Memo for Uranium Mill Tailings (Subpart W)  
Proposed Rule

the memo is with michael as of this morning.

\*\*\*\*\*

Eileen Pritchard  
EPA/OP/ORPM  
1200 Pennsylvania Ave, NW  
Room 3521-C  
Mailcode 1804-A  
Washington, DC 20460  
(202)564-6578  
(202)566-0268 - FAX  
email: pritchard.eileen@epa.gov

Barry Elman Eileen: Do you know if this was ever si... 05/03/2012 04:19:24 PM

From: Barry Elman/DC/USEPA/US  
To: Eileen Pritchard/DC/USEPA/US@EPA  
Date: 05/03/2012 04:19 PM  
Subject: Re: FAR Memo for Uranium Mill Tailings (Subpart W) Proposed Rule

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Thanks,

Barry

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From: Eileen Pritchard/DC/USEPA/US  
To: Barry Elman/DC/USEPA/US@EPA  
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Date: 04/27/2012 02:16 PM  
Subject: Re: FAR Memo for Uranium Mill Tailings (Subpart W) Proposed Rule

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\*\*\*\*\*

Eileen Pritchard  
EPA/OP/ORPM  
1200 Pennsylvania Ave, NW  
Room 3521-C  
Mailcode 1804-A  
Washington, DC 20460  
(202)564-6578  
(202)566-0268 - FAX  
email: pritchard.eileen@epa.gov

Barry Elman Eileen, Attached is the FAR memo for t... 04/27/2012 12:03:09 PM

From: Barry Elman/DC/USEPA/US  
To: Eileen Pritchard/DC/USEPA/US@EPA  
Cc: Paul Balserak/DC/USEPA/US@EPA  
Date: 04/27/2012 12:03 PM  
Subject: FAR Memo for Uranium Mill Tailings (Subpart W) Proposed Rule

---

Eileen,

Attached is the FAR memo for the Uranium Mill Tailings proposed rule. Per our discussion yesterday afternoon, is there someone in the office today who can package the memo for signature?

Barry

[attachment "OP FAR Memo -- Proposed Uranium Mill Tailings (Subpart W) Rule -- 23 Apr 12 -- FINAL.asd.doc" deleted by Eileen Pritchard/DC/USEPA/US]



EPA-553

**Daniel  
Schultheisz/DC/USEPA/US**  
05/08/2012 10:31 AM

To Reid Rosnick  
cc  
bcc  
Subject Re: Re: Briefing for Bob P on 190 (and our other regs) on  
Friday afternoon

Suggest emphasizing that this is a proposal (not sure how this will be addressed at the beginning of the overall briefing). Slide 3 in particular could be read as final revisions.

On slide 3, note that the monitoring requirement for conventional impoundments is being proposed for elimination. In the third bullet, note that there are no heap leach facilities operating. In the last bullet, note that there are cross-references to part 192 for this provision.

It might be useful to note that OECA sent out section 114 letters for non-conventional impoundments. Maybe the last slide, second bullet, can address this newly explicit determination.

-----Reid Rosnick/DC/USEPA/US wrote: -----

To: Tom Peake/DC/USEPA/US@EPA  
From: Reid Rosnick/DC/USEPA/US  
Date: 05/07/2012 02:49PM  
Cc: Daniel Schultheisz/DC/USEPA/US@EPA, Betsy Forinash/DC/USEPA/US@EPA, Andrea Cherepy/DC/USEPA/US@EPA, Philip Egidi/DC/USEPA/US@EPA, Brian Littleton/DC/USEPA/US@EPA  
Subject: Re: Briefing for Bob P on 190 (and our other regs) on Friday afternoon

All,

Attached are some slides for Subpart W. The last slide is anticipated reactions to the rulemaking, and in the event the briefing is too long, feel free to remove it. Let me know if you have questions or comments.

*(See attached file: OMB brief for Bob Perciasepe.RJR.pptx)*

-----  
Reid J. Rosnick  
Radiation Protection Division (6608J)  
U.S. Environmental Protection Agency  
1200 Pennsylvania Ave., NW  
Washington, DC 20460  
202.343.9563  
rosnick.reid@epa.gov

[attachment "OMB brief for Bob Perciasepe.RJR.pptx" removed by Daniel Schultheisz/DC/USEPA/US]

EPA-25

**EAS.System@EPA**  
05/08/2012 11:55 AM

To Reid Rosnick  
cc  
bcc

Subject EAS Document Notification: For your reference: Award:  
EP-D-10-042/3-03

Award: EP-D-10-042/3-03 has been approved by Matt Courtad in EAS.  
Description: Technical and regulatory support in the possible dev of  
rulemaking to modify NESHAPs Subpart W  
Owner: Valerie Daigler  
Contract Specialist: Nnenna Njoku  
Contracting Officer: Matt Courtad  
Project Officer: Valerie Daigler  
Site: OAR/ORIA  
Contracting Office: RTPPOD

EPA-5126

**Jonathan  
Edwards/DC/USEPA/US**  
05/09/2012 10:52 AM

To Reid Rosnick  
cc Tom Peake, Alan Perrin  
bcc  
Subject Fw: Uranium mill tailings rule

Reid-- As you'll probably guess when you read Don's note below, there seems to be some confusion between Subpart W, the ANPRM for Fuel Cycle, and 192. Be that as it may, can we say that for subpart W --- which is probably what she has before her for her signature -- we've incorporated and been responsive to all of OP's comments, as much as possible? Also I understand that some final changes were made...does OAR have those now?--Jon

----- Forwarded by Jonathan Edwards/DC/USEPA/US on 05/09/2012 10:49 AM -----

From: Don Zinger/DC/USEPA/US  
To: Jonathan Edwards/DC/USEPA/US@EPA  
Cc: Anna Duncan/DC/USEPA/US@EPA  
Date: 05/09/2012 09:30 AM  
Subject: Uranium mill tailings rule

---

Jonathan,

Gina is ready to sign off on the package to send it to OP but she just saw a memo from OP that concurs with comments. Her question is: does the current draft include the revisions suggested by OP? Please let me know. Thanks.

EPA-5148

**Jonathan  
Edwards/DC/USEPA/US**  
05/09/2012 01:34 PM

To Don Zinger  
cc Anna Duncan  
bcc

Subject Re: Uranium mill tailings rule

Don --- I believe the proposed rule to which you refer is the NESHAP Subpart W rule, which is different from our Uranium Mill Tailings rule. We just received OP's formal concurrence with comments yesterday, but we have been working with OP over the last 2 weeks to incorporate their comments. Additionally we needed several paragraphs from OGC to complete the package. Both those tasks have now been completed, but given the late arrival of the OP concurrence letter and OGC language, there is an updated package today to the one that Gina is currently reviewing. We can send that new package to Deborah Banks now, or provide the slightly updated package to OP when Gina sends the current package over-- do you have a preference? ---however there are no significant changes to what Gina already has. But we'll need to work with OP during OP review process to make sure they are happy with how their comments were addressed. Please call if you need to discuss further....my direct number is 202.343.9437. ---Jon

Don Zinger

Jonathan, Gina is ready to sign off on t...

05/09/2012 09:30:29 AM

From: Don Zinger/DC/USEPA/US  
To: Jonathan Edwards/DC/USEPA/US@EPA  
Cc: Anna Duncan/DC/USEPA/US@EPA  
Date: 05/09/2012 09:30 AM  
Subject: Uranium mill tailings rule

---

Jonathan,  
Gina is ready to sign off on the package to send it to OP but she just saw a memo from OP that concurs with comments. Her question is: does the current draft include the revisions suggested by OP? Please let me know. Thanks.

EPA-5166

Kirsten King/DC/USEPA/US

05/09/2012 01:49 PM

To Ruthw Morgan

cc Jonathan Edwards, Raymond Lee, OAR Special Assistants,  
Tom Eagles, Linda Chappell

bcc

Subject Re: SAN 5281 - NESHAP Subpart W: Standards for Radon  
Emissions From Operating Uranium Mill Tailings: Review  
(NPRM)(OMB)(AA)

Hi Ruth,

ORIA will be bringing you edits to this rule that incorporate comments received from OP. I'm holding onto the rulemaking package in our office so the old rule can be swapped out. Could you please also forward Sharon and me an electronic copy of any documents that were updated? Once we receive this, it will go to Gina for her to sign off on the action memo. Please let me know if you have any questions.

Thank you,

Kirsten King

Special Assistant to the Assistant Administrator

U.S. Environmental Protection Agency | Office of Air and Radiation

Ariel Rios North 5406E

king.kirsten@epa.gov | 202.564.2618

Ruthw Morgan

To OAR Special Assistants for review o...

05/04/2012 02:06:59 PM

From: Ruthw Morgan/DC/USEPA/US

To: OAR Special Assistants

Cc: Tom Eagles/DC/USEPA/US@EPA, Janet McCabe/DC/USEPA/US@EPA, Betsy  
Shaw/DC/USEPA/US@EPA, Don Zinger/DC/USEPA/US@EPA, Linda  
Chappell/DC/USEPA/US@EPA, Deborah Banks/DC/USEPA/US@EPA, John  
Millett/DC/USEPA/US@EPA, Andrea Drinkard/DC/USEPA/US@EPA, Allison  
Dennis/DC/USEPA/US@EPA, Raymond Lee/DC/USEPA/US@EPA, Eileen  
Pritchard/DC/USEPA/US@EPA, Nicole Owens/DC/USEPA/US@EPA, Mariana  
Cubeddu/DC/USEPA/US@EPA, Reid Rosnick/DC/USEPA/US@EPA

Date: 05/04/2012 02:06 PM

Subject: SAN 5281 - NESHAP Subpart W: Standards for Radon Emissions From Operating Uranium Mill  
Tailings: Review  
(NPRM)(OMB)(AA)

## To OAR Special Assistants for review on OMB package :

[attachment "Memo Flynn.pdf" deleted by Kirsten King/DC/USEPA/US] [attachment  
"action\_memo\_SubpartW\_OP\_to\_OMB.docx" deleted by Kirsten King/DC/USEPA/US] [attachment "Draft  
Action MEMO Subpart W.docx" deleted by Kirsten King/DC/USEPA/US] [attachment "Subpart W  
CommunicationPlan\_v2.0.docx" deleted by Kirsten King/DC/USEPA/US] [attachment  
"FactSheet-SubpartWNPR-drafrjr.docx" deleted by Kirsten King/DC/USEPA/US] [attachment "Subpart  
W-EIA-BID.docx" deleted by Kirsten King/DC/USEPA/US] [attachment "FR Proposal for Revision of  
Subpart W -Final.docx" deleted by Kirsten King/DC/USEPA/US]

05/04/2012 SAN: 5281 Tier: 2  
01:27 PM

CMS Control #:

**NESHAP Subpart W: Standards for Radon Emissions From Operating Uranium Mill Tailings : Review**

| Reviewers         | Sign Off | Concur | Concur w/<br>Comment | Non- Concur | Date |
|-------------------|----------|--------|----------------------|-------------|------|
| OPAR              |          |        |                      |             |      |
| Special Assistant |          |        |                      |             |      |
| Don Zinger        |          |        |                      |             |      |
| Janet G. McCabe   |          |        |                      |             |      |
| Gina McCarthy     |          |        |                      |             |      |

Stage: NPRM for OMB Clearance for AA's signature

Deadline:

---

**ORIA** Contact: Reid Rosnick, 202 343-9563  
**ORIA** Mgmt. Level Reviewer: Raymond Lee, 202 343-9463  
**OPAR** Contact:

Return to:  Deborah Banks  Ruth Morgan

EPA-5656

Anna Duncan/DC/USEPA/US

To Mike Flynn

05/09/2012 02:39 PM

cc

bcc

Subject Fw: Subpart W rule

Mike No action needed on you part. Jon answered Gina's question. Just wanted you to be aware

Anna Duncan  
Chief of Staff  
Office of Radiation and Indoor Air, USEPA  
Phone : 202-343-9316

----- Forwarded by Anna Duncan/DC/USEPA/US on 05/09/2012 02:13 PM -----

From: Jonathan Edwards/DC/USEPA/US  
To: Don Zinger/DC/USEPA/US@EPA  
Cc: Anna Duncan/DC/USEPA/US@EPA  
Date: 05/09/2012 01:34 PM  
Subject: Re: Uranium mill tailings rule

---

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Don Zinger

[Jonathan, Gina is ready to sign off on t...](#)

05/09/2012 09:30:29 AM

From: Don Zinger/DC/USEPA/US  
To: Jonathan Edwards/DC/USEPA/US@EPA  
Cc: Anna Duncan/DC/USEPA/US@EPA  
Date: 05/09/2012 09:30 AM  
Subject: Uranium mill tailings rule

---

Jonathan,  
Gina is ready to sign off on the package to send it to OP but she just saw a memo from OP that concurs with comments. Her question is: does the current draft include the revisions suggested by OP? Please let me know. Thanks.

EPA-5156

**Jonathan  
Edwards/DC/USEPA/US**  
05/09/2012 03:36 PM

To Reid Rosnick, Tom Peake, Alan Perrin, Daniel Schultheisz  
cc  
bcc

Subject Fw: SAN 5281 - NESHAP Subpart W: Standards for Radon  
Emissions From Operating Uranium Mill Tailings: Review  
(NPRM)(OMB)(AA)

FYI

----- Forwarded by Jonathan Edwards/DC/USEPA/US on 05/09/2012 03:35 PM -----

From: Kirsten King/DC/USEPA/US  
To: Ruthw Morgan/DC/USEPA/US@EPA  
Cc: Jonathan Edwards/DC/USEPA/US@EPA, Raymond Lee/DC/USEPA/US@EPA, OAR Special  
Assistants, Tom Eagles/DC/USEPA/US@EPA, Linda Chappell/DC/USEPA/US@EPA  
Date: 05/09/2012 01:49 PM  
Subject: Re: SAN 5281 - NESHAP Subpart W: Standards for Radon Emissions From Operating Uranium Mill  
Tailings: Review  
(NPRM)(OMB)(AA)

---

Hi Ruth,

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Thank you,

Kirsten King  
Special Assistant to the Assistant Administrator  
U.S. Environmental Protection Agency | Office of Air and Radiation  
Ariel Rios North 5406E  
king.kirsten@epa.gov | 202.564.2618

---

Ruthw Morgan To OAR Special Assistants for review o... 05/04/2012 02:06:59 PM

From: Ruthw Morgan/DC/USEPA/US  
To: OAR Special Assistants  
Cc: Tom Eagles/DC/USEPA/US@EPA, Janet McCabe/DC/USEPA/US@EPA, Betsy  
Shaw/DC/USEPA/US@EPA, Don Zinger/DC/USEPA/US@EPA, Linda  
Chappell/DC/USEPA/US@EPA, Deborah Banks/DC/USEPA/US@EPA, John  
Millett/DC/USEPA/US@EPA, Andrea Drinkard/DC/USEPA/US@EPA, Allison  
Dennis/DC/USEPA/US@EPA, Raymond Lee/DC/USEPA/US@EPA, Eileen  
Pritchard/DC/USEPA/US@EPA, Nicole Owens/DC/USEPA/US@EPA, Mariana  
Cubeddu/DC/USEPA/US@EPA, Reid Rosnick/DC/USEPA/US@EPA  
Date: 05/04/2012 02:06 PM  
Subject: SAN 5281 - NESHAP Subpart W: Standards for Radon Emissions From Operating Uranium Mill  
Tailings: Review  
(NPRM)(OMB)(AA)

---

**To OAR Special Assistants for review on OMB package :**

[attachment "Memo Flynn.pdf" deleted by Kirsten King/DC/USEPA/US] [attachment



"action\_memo\_SubpartW\_OP\_to\_OMB.docx" deleted by Kirsten King/DC/USEPA/US] [attachment "Draft Action MEMO Subpart W.docx" deleted by Kirsten King/DC/USEPA/US] [attachment "Subpart W CommunicationPlan\_v2.0.docx" deleted by Kirsten King/DC/USEPA/US] [attachment "FactSheet-SubpartWNPR-drafrjr.docx" deleted by Kirsten King/DC/USEPA/US] [attachment "Subpart W-EIA-BID.docx" deleted by Kirsten King/DC/USEPA/US] [attachment "FR Proposal for Revision of Subpart W -Final.docx" deleted by Kirsten King/DC/USEPA/US]

05/04/2012 SAN: 5281 Tier: 2  
01:27 PM

CMS Control #:

**NESHAP Subpart W: Standards for Radon Emissions From Operating Uranium Mill Tailings : Review**

| Reviewers         | Sign Off | Concur | Concur w/ Comment | Non- Concur | Date |
|-------------------|----------|--------|-------------------|-------------|------|
| OPAR              |          |        |                   |             |      |
| Special Assistant |          |        |                   |             |      |
| Don Zinger        |          |        |                   |             |      |
| Janet G. McCabe   |          |        |                   |             |      |
| Gina McCarthy     |          |        |                   |             |      |

Stage: NPRM for OMB Clearance for AA's signature

Deadline:

ORIA Contact: Reid Rosnick, 202 343-9563  
 ORIA Mgmt. Level Reviewer: Raymond Lee, 202 343-9463  
 OPAR Contact:

Return to:  Deborah Banks  Ruth Morgan

EPA-5140

Raymond Lee/DC/USEPA/US

05/09/2012 03:48 PM

To Alan Perrin, Jonathan Edwards

cc

bcc

Subject Fw: Re: SAN 5281 - NESHAP Subpart W: Standards for Radon Emissions From Operating Uranium Mill Tailings: Review (NPRM)(OMB)(AA)

FYI -- looks like Reid's package is now on its way to OP!

-----Forwarded by Raymond Lee/DC/USEPA/US on 05/09/2012 03:48PM

To: Ruthw Morgan/DC/USEPA/US@EPA

From: Kirsten King/DC/USEPA/US

Date: 05/09/2012 03:28PM

Cc: Allison Dennis/DC/USEPA/US@EPA, Andrea Drinkard/DC/USEPA/US@EPA, Betsy Shaw/DC/USEPA/US@EPA, Deborah Banks/DC/USEPA/US@EPA, Don Zinger/DC/USEPA/US@EPA, Eileen Pritchard/DC/USEPA/US@EPA, Janet McCabe/DC/USEPA/US@EPA, John Millett/DC/USEPA/US@EPA, Linda Chappell/DC/USEPA/US@EPA, Mariana Cubeddu/DC/USEPA/US@EPA, Nicole Owens/DC/USEPA/US@EPA, OAR Special Assistants, Raymond Lee/DC/USEPA/US@EPA, Reid Rosnick/DC/USEPA/US@EPA, Tom Eagles/DC/USEPA/US@EPA  
Subject: Re: SAN 5281 - NESHAP Subpart W: Standards for Radon Emissions From Operating Uranium Mill Tailings: Review (NPRM)(OMB)(AA)

OAR-IO concurs with edits.

*(See attached file: Draft Action MEMO Subpart W.docx)*

*(See attached file: FR Proposal for Revision of Subpart W Final.docx)*

Kirsten King

Special Assistant to the Assistant Administrator

U.S. Environmental Protection Agency | Office of Air and Radiation

Ariel Rios North 5406E

king.kirsten@epa.gov | 202.564.2618

Inactive hide details for Ruthw Morgan---05/04/2012 02:06:59 PM---To OAR Special Assistants for review on OMB package:[Ruthw Morgan---05/04/2012 02:06:59 PM---To OAR Special Assistants for review on OMB package:](#)

From: Ruthw Morgan/DC/USEPA/US

To: OAR Special Assistants

Cc: Tom Eagles/DC/USEPA/US@EPA, Janet McCabe/DC/USEPA/US@EPA, Betsy Shaw/DC/USEPA/US@EPA, Don Zinger/DC/USEPA/US@EPA, Linda Chappell/DC/USEPA/US@EPA, Deborah Banks/DC/USEPA/US@EPA, John Millett/DC/USEPA/US@EPA, Andrea Drinkard/DC/USEPA/US@EPA, Allison Dennis/DC/USEPA/US@EPA, Raymond Lee/DC/USEPA/US@EPA, Eileen Pritchard/DC/USEPA/US@EPA, Nicole Owens/DC/USEPA/US@EPA, Mariana Cubeddu/DC/USEPA/US@EPA, Reid Rosnick/DC/USEPA/US@EPA

Date: 05/04/2012 02:06 PM

Subject: SAN 5281 - NESHAP Subpart W: Standards for Radon Emissions From Operating Uranium Mill Tailings: Review (NPRM)(OMB)(AA)

**To OAR Special Assistants for review on OMB package:**

[attachment "Memo Flynn.pdf" deleted by Kirsten King/DC/USEPA/US] [attachment "action\_memo\_SubpartW\_OP\_to\_OMB.docx" deleted by Kirsten King/DC/USEPA/US] [attachment "Draft Action MEMO Subpart W.docx" deleted by Kirsten King/DC/USEPA/US] [attachment "Subpart W CommunicationPlan\_v2.0.docx" deleted by Kirsten King/DC/USEPA/US] [attachment "FactSheet-SubpartWNPR-drafrtrj.docx" deleted by Kirsten King/DC/USEPA/US] [attachment "Subpart W-EIA-BID.docx" deleted by Kirsten King/DC/USEPA/US] [attachment "FR Proposal for Revision of Subpart W -Final.docx" deleted by Kirsten King/DC/USEPA/US]

|                                |                      |                    |                           |
|--------------------------------|----------------------|--------------------|---------------------------|
| [IMAGE]<br>05/04/2012 01:27 PM | [IMAGE]<br>SAN: 5281 | [IMAGE]<br>Tier: 2 | [IMAGE]<br>CMS Control #: |
|--------------------------------|----------------------|--------------------|---------------------------|

**NESHAP Subpart W: Standards for Radon Emissions From Operating Uranium Mill Tailings: Review**

| [IMAGE]<br>Reviewers         | [IMAGE]<br>Sign Off | [IMAGE]<br>Concur | [IMAGE]<br>Concur w/ Comment | [IMAGE]<br>Non-Concur | [IMAGE]<br>Date |
|------------------------------|---------------------|-------------------|------------------------------|-----------------------|-----------------|
| [IMAGE]<br>OPAR              | [IMAGE]             | [IMAGE]           | [IMAGE]                      | [IMAGE]               | [IMAGE]         |
| [IMAGE]<br>Special Assistant | [IMAGE]             | [IMAGE]           | [IMAGE]                      | [IMAGE]               | [IMAGE]         |
| [IMAGE]<br>Don Zinger        | [IMAGE]             | [IMAGE]           | [IMAGE]                      | [IMAGE]               | [IMAGE]         |
| [IMAGE]<br>Janet G. McCabe   | [IMAGE]             | [IMAGE]           | [IMAGE]                      | [IMAGE]               | [IMAGE]         |
| [IMAGE]<br>Gina McCarthy     | [IMAGE]             | [IMAGE]           | [IMAGE]                      | [IMAGE]               | [IMAGE]         |

[IMAGE]

[IMAGE]

[IMAGE]

Stage: NPRM for OMB  
Clearance for AA's  
signature

[IMAGE] [IMAGE]  
Deadline:

[IMAGE]

[IMAGE] [IMAGE]  
**ORIA** Contact: Reid Rosnick, 202 343-9563

[IMAGE] [IMAGE]  
**ORIA** Mgmt. Level Raymond Lee, 202 343-9463

Reviewer:  
[IMAGE] [IMAGE]

**OPAR** Contact:

[IMAGE] [IMAGE]  
Return to:

[attachment "Draft Action MEMO Subpart W.docx" removed by Raymond Lee/DC/USEPA/US]

[attachment "FR Proposal for Revision of Subpart W Final.docx" removed by Raymond Lee/DC/USEPA/US]

EPA-5149

**Jonathan  
Edwards/DC/USEPA/US**  
05/09/2012 04:45 PM

To Reid Rosnick  
cc  
bcc  
Subject Re: Revised NESHAP Subpart W Preamble and Rule  
Language

thanks Reid....Jon

Reid Rosnick      Don, Jon Edwards asked me to send th...      05/09/2012 01:52:58 PM

From: Reid Rosnick/DC/USEPA/US  
To: Don Zinger/DC/USEPA/US@EPA  
Cc: Jonathan Edwards/DC/USEPA/US@EPA, Alan Perrin/DC/USEPA/US@EPA, Ruthw  
Morgan/DC/USEPA/US@EPA, Deborah Banks/DC/USEPA/US@EPA  
Date: 05/09/2012 01:52 PM  
Subject: Revised NESHAP Subpart W Preamble and Rule Language

---

Don,

Jon Edwards asked me to send this version of the revised NPRM for the NESHAP Subpart W (SAN 5281) rulemaking for Gina's review. I have addressed OP's comments and have added language from OGC at the beginning of Section III.

Ruth, if you need three hard copies of this I can get it to you tomorrow morning. Please let me know if there is anything else you need. Thanks

Reid

[attachment "FR Proposal for Revision of Subpart W Final.docx" deleted by Jonathan Edwards/DC/USEPA/US]

-----  
Reid J. Rosnick  
Radiation Protection Division (6608J)  
U.S. Environmental Protection Agency  
1200 Pennsylvania Ave., NW  
Washington, DC 20460  
202.343.9563  
rosnick.reid@epa.gov

EPA-5136

Anna Duncan/DC/USEPA/US

To Jonathan Edwards

05/10/2012 11:43 AM

cc

bcc

Subject Re: Fw: SAN 5281 - NESHAP Subpart W: Standards for Radon Emissions From Operating Uranium Mill Tailings: Review (NPRM)(AA)(OMB)

Great new.....BTW I will work up some interview questions for our interviews... some are going to be schdyled for Monday.... Will share with you and Dennis tomorrow. am open to suggestions and refinement of the questions. BTW I spoke to Mike and he shared some guidance for the panel. I'd like to share that guidance with you and Dennis verbally. Are you in on Friday? If not, I'll stop by.

Anna Duncan

Chief of Staff

Office of Radiation and Indoor Air, USEPA

Phone : 202-343-9316

Jonathan Edwards

Mike and Anna -- good news. Subp...

05/10/2012 10:53:35 AM

From: Jonathan Edwards/DC/USEPA/US  
To: Mike Flynn/DC/USEPA/US@EPA, Anna Duncan/DC/USEPA/US@EPA  
Cc: Reid Rosnick/DC/USEPA/US@EPA, Tom Peake/DC/USEPA/US@EPA, Alan Perrin/DC/USEPA/US@EPA, Daniel Schultheisz/DC/USEPA/US@EPA  
Date: 05/10/2012 10:53 AM  
Subject: Fw: SAN 5281 - NESHAP Subpart W: Standards for Radon Emissions From Operating Uranium Mill Tailings: Review (NPRM)(AA)(OMB)

Mike and Anna -- good news. Subpart W has been transmitted to OP... Jon

----- Forwarded by Jonathan Edwards/DC/USEPA/US on 05/10/2012 10:52 AM -----

From: Reid Rosnick/DC/USEPA/US  
To: Jonathan Edwards/DC/USEPA/US@EPA, Alan Perrin/DC/USEPA/US@EPA, Tom Peake/DC/USEPA/US@EPA  
Date: 05/10/2012 10:45 AM  
Subject: Fw: SAN 5281 - NESHAP Subpart W: Standards for Radon Emissions From Operating Uranium Mill Tailings: Review (NPRM)(AA)(OMB)

On the way...

Reid J. Rosnick  
Radiation Protection Division (6608J)  
U.S. Environmental Protection Agency  
1200 Pennsylvania Ave., NW  
Washington, DC 20460  
202.343.9563  
rosnick.reid@epa.gov

----- Forwarded by Reid Rosnick/DC/USEPA/US on 05/10/2012 10:44 AM -----

From: Ruthw Morgan/DC/USEPA/US  
To: Mariana Cubeddu/DC/USEPA/US@EPA, Philip Schwartz/DC/USEPA/US@EPA  
Cc: OAR Special Assistants, Tom Eagles/DC/USEPA/US@EPA, Janet McCabe/DC/USEPA/US@EPA, Betsy Shaw/DC/USEPA/US@EPA, Don Zinger/DC/USEPA/US@EPA, Linda Chappell/DC/USEPA/US@EPA, Deborah Banks/DC/USEPA/US@EPA, John Millett/DC/USEPA/US@EPA, Andrea Drinkard/DC/USEPA/US@EPA, Allison Dennis/DC/USEPA/US@EPA, Raymond Lee/DC/USEPA/US@EPA, Eileen


Pritchard/DC/USEPA/US@EPA, Nicole Owens/DC/USEPA/US@EPA, Reid  
Rosnick/DC/USEPA/US@EPA, Raymond Lee/DC/USEPA/US@EPA

Date: 05/10/2012 10:42 AM

Subject: SAN 5281 - NESHAP Subpart W: Standards for Radon Emissions From Operating Uranium Mill  
Tailings: Review (NPRM)(AA)(OMB)

## To Phil/OP for review and submittal to OMB :

[attachment "Draft Action MEMO Subpart W.docx" deleted by Anna Duncan/DC/USEPA/US] [attachment  
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"action\_memo\_SubpartW\_OP\_to\_OMB.docx" deleted by Anna Duncan/DC/USEPA/US] [  
[attachment "Subpart W CommunicationPlan\_v2.0.docx" deleted by Anna Duncan/DC/USEPA/US]  
[attachment "FactSheet-SubpartWNPR-drafttrjr.docx" deleted by Anna Duncan/DC/USEPA/US]  
[attachment "Subpart W-EIA-BID.docx" deleted by Anna Duncan/DC/USEPA/US]

|                                                                                   |                                                                                                  |                |      |
|-----------------------------------------------------------------------------------|--------------------------------------------------------------------------------------------------|----------------|------|
| 05/10/2012                                                                        | SAN#: 5281                                                                                       | CMS Control #: |      |
|  | NESHAP Subpart W: Standards for Radon Emissions From<br>Operating Uranium Mill Tailings : Review |                |      |
|                                                                                   | Tier: 2                                                                                          | RIN#:2060-AP26 | ORIA |

OP/Mariana Cubeddu, OP/Phil Schwartz, OAR Correspondence Unit, OPMO File, ORIA File

NPRM is ready for  OMB  
 Federal Register  
 Administrator's signature

### Comments:

**ORIA Reg Contact:** Reid Rosnick, 202 343-9563  
**ORIA Mgmt. Level Reviewer:** Raymond Lee, 202 343-9463

**Communications Contact:**  John Millett (202)564-2903

Thanks,

Deborah Banks  Ruth Morgan

EPA-5137

Jonathan  
Edwards/DC/USEPA/US  
05/10/2012 12:01 PM

To Anna Duncan  
cc  
bcc

Subject Re: Fw: SAN 5281 - NESHAP Subpart W: Standards for  
Radon Emissions From Operating Uranium Mill Tailings:  
Review (NPRM)(AA)(OMB)

Yes...in on Friday...

Anna Duncan

Great new.....BTW I will work up som...

05/10/2012 11:43:52 AM

---

From: Anna Duncan/DC/USEPA/US  
To: Jonathan Edwards/DC/USEPA/US@EPA  
Date: 05/10/2012 11:43 AM  
Subject: Re: Fw: SAN 5281 - NESHAP Subpart W: Standards for Radon Emissions From Operating  
Uranium Mill Tailings: Review (NPRM)(AA)(OMB)

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Anna Duncan  
Chief of Staff  
Office of Radiation and Indoor Air, USEPA  
Phone : 202-343-9316

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On the way...

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U.S. Environmental Protection Agency  
1200 Pennsylvania Ave., NW  
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202.343.9563  
rosnick.reid@epa.gov

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To: Mariana Cubeddu/DC/USEPA/US@EPA, Philip Schwartz/DC/USEPA/US@EPA  
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|                                                                                     |                                                                                               |                |      |
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| 05/10/2012                                                                          | SAN#: 5281                                                                                    | CMS Control #: |      |
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|                                                                                     | Tier: 2                                                                                       | RIN#:2060-AP26 | ORIA |

OP/Mariana Cubeddu, OP/Phil Schwartz, OAR Correspondence Unit, OPMO File, ORIA File

NPRM is ready for  OMB  
 Federal Register  
 Administrator's signature

### Comments:

**ORIA Reg Contact:** Reid Rosnick, 202 343-9563  
**ORIA Mgmt. Level Reviewer:** Raymond Lee, 202 343-9463

**Communications Contact:**  John Millett (202)564-2903

Thanks,

Deborah Banks  Ruth Morgan

EPA-669

Reid Rosnick/DC/USEPA/US

To Angelique Diaz

05/17/2012 08:09 AM

cc

bcc

Subject Oscar Paulson

Hi Angelique,

I forgot to mention the other day that Oscar sent me a 842 page document on Kennecott's review of Subpart W. I placed it on the public website at

<http://www.epa.gov/radiation/neshaps/subpartw/rulemaking-activity.html>

It's at the bottom of the "Current Action" heading. I haven't really looked at it yet, I've been busy with other stuff. I also asked Oscar if he wanted me to place it in the docket, and he said yes.

Reid

---

Reid J. Rosnick  
Radiation Protection Division (6608J)  
U.S. Environmental Protection Agency  
1200 Pennsylvania Ave., NW  
Washington, DC 20460  
202.343.9563  
rosnick.reid@epa.gov

EPA-7

"Abe Zeitoun"  
<azeitoun@scainc.com>

05/23/2012 10:46 AM

Please respond to  
<azeitoun@scainc.com>

To Reid Rosnick

cc Valerie Daigler, Mike Eagle, Tom Peake, "Steve Marschke",  
"Steve Ostrow"

bcc

Subject RE: Signed QAPP Pages

Hi Reid,

Thank you and thanks to Mike for your promptness....in response to your assumption, You are absolutely correct, the hours are within the WP efforts.

I have forwarded your email to Steve Marschke, the task manager, to immediately begin looking at Paulson comments.

We will contact you soon, for sure.



*The information contained in this e-mail message and any attached files are confidential information. If you have received this e-mail in error, please notify the sender immediately by reply e-mail and delete all copies. If you are not the intended recipient, any use, reliance, dissemination, disclosure, or copying of this e-mail or any part of this e-mail or attached files is unauthorized.*

**From:** Reid Rosnick [<mailto:Rosnick.Reid@epamail.epa.gov>]

**Sent:** Wednesday, May 23, 2012 9:04 AM

**To:** [azeitoun@scainc.com](mailto:azeitoun@scainc.com)

**Cc:** Valerie Daigler; Mike Eagle; Tom Peake

**Subject:** Signed QAPP Pages

Hi Abe,

Attached below are the signed QAPP approval sheets for WAs 2-03 and 3-03. After discussions with Mike Eagle and Valerie Daigler we have determined that we will treat the QAPP for WA 3-03 as an informational update only. We did not require a QAPP for the current work assignment, and did not list one in the work assignment deliverables. We assume the effort used to produce this document is included in the time/hours used to produce the work plan.

Also, I dropped in the mail today a DVD of comments from Oscar Paulson of Kennecott Uranium. Oscar produced comments on (among other issues) several of the SC&A deliverables from prior work assignments that have been posted on the Subpart W public website at <http://www.epa.gov/radiation/neshaps/subpartw/rulemaking-activity.html> The comments are found in the first 40 pages or so of the document.

Please let me know if you have any questions. Thanks

Reid

---

Reid J. Rosnick  
Radiation Protection Division (6608J)  
U.S. Environmental Protection Agency  
1200 Pennsylvania Ave., NW  
Washington, DC 20460  
202.343.9563  
[rosnick.reid@epa.gov](mailto:rosnick.reid@epa.gov)

----- Forwarded by Reid Rosnick/DC/USEPA/US on 05/23/2012 08:48 AM -----

From: cts/cts/QP/USEPA/US@EPA  
To: Reid Rosnick/DC/USEPA/US@EPA  
Date: 05/23/2012 08:38 AM  
Subject:

---

Please open the attached document. This document was digitally sent to you using an HP Digital Sending device.

EPA-702

**Reid Rosnick/DC/USEPA/US**

05/29/2012 09:25 AM

To Raymond Lee

cc

bcc

Subject Anything from OP?

Tom wants to know if you've heard anything about Subpart W. I have not.

---

Reid J. Rosnick  
Radiation Protection Division (6608J)  
U.S. Environmental Protection Agency  
1200 Pennsylvania Ave., NW  
Washington, DC 20460  
202.343.9563  
rosnick.reid@epa.gov

EPA-809

Reid Rosnick/DC/USEPA/US

To Raymond Lee

05/29/2012 10:12 AM

cc

bcc

Subject Re: Anything from OP?

No problem...Thanks!

---

Reid J. Rosnick  
Radiation Protection Division (6608J)  
U.S. Environmental Protection Agency  
1200 Pennsylvania Ave., NW  
Washington, DC 20460  
202.343.9563  
rosnick.reid@epa.gov

Raymond Lee

Hi Reid, I was just at a reg, meeting ov...

05/29/2012 10:08:51 AM

---

From: Raymond Lee/DC/USEPA/US  
To: Reid Rosnick/DC/USEPA/US@EPA  
Date: 05/29/2012 10:08 AM  
Subject: Re: Anything from OP?

Hi Reid,

I was just at a reg, meeting over at Ariel Rios and was not given any additional information, unfortunately. Looks like we're still in wait and see mode. :(

Thanks,

Ray

Ray Lee | Center for Radiation Information and Outreach (CRIO) | US EPA | Phone 202.343.9463 | Fax 202.343.2305 | lee.raymond@epa.gov

Reid Rosnick

Tom wants to know if you've heard anyt...

05/29/2012 09:25:01 AM

---

From: Reid Rosnick/DC/USEPA/US  
To: Raymond Lee/DC/USEPA/US@EPA  
Date: 05/29/2012 09:25 AM  
Subject: Anything from OP?

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Reid J. Rosnick  
Radiation Protection Division (6608J)  
U.S. Environmental Protection Agency  
1200 Pennsylvania Ave., NW  
Washington, DC 20460  
202.343.9563  
rosnick.reid@epa.gov

EPA-379

Reid Rosnick/DC/USEPA/US

To Tom Peake

05/29/2012 10:13 AM

cc

bcc

Subject Fw: Anything from OP?

From Ray, nothing yet.

---

Reid J. Rosnick  
Radiation Protection Division (6608J)  
U.S. Environmental Protection Agency  
1200 Pennsylvania Ave., NW  
Washington, DC 20460  
202.343.9563  
rosnick.reid@epa.gov

----- Forwarded by Reid Rosnick/DC/USEPA/US on 05/29/2012 10:12 AM -----

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Reid Rosnick

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05/29/2012 09:25:01 AM

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Washington, DC 20460  
202.343.9563  
rosnick.reid@epa.gov



EPA-6535

**Raymond Lee/DC/USEPA/US**

05/29/2012 12:13 PM

To Mariana Cubeddu

cc Eileen Pritchard, Darryl Adams

bcc

Subject Status of a couple ORIA items

Hi Mariana/Eileen/Darryl...

I was just curious about a couple of items that are currently still in OP awaiting transmittal to OMB. I'm trying to update the reg. tracker for this week and I understand that the ANPRM for revised Nuclear Power Operations (SAN 5581) is still in OP (since 4/23), as is the NESHAP Subpart W NPRM (SAN 5281, since 5/10). Are there any updates I can report back on for these items, including projected submissions to OMB?

Thanks!

Ray

Ray Lee | Center for Radiation Information and Outreach (CRIO) | US EPA | Phone 202.343.9463 | Fax 202.343.2305 | lee.raymond@epa.gov

EPA-6518

**Eileen  
Pritchard/DC/USEPA/US**  
05/29/2012 12:52 PM

To Lesley Schaaff  
cc Barry Elman  
bcc  
Subject Alex would like Uranium Mill Tailings to get  
moving.....

Shall I get it off your desk, Lesley??

\*\*\*\*\*

Eileen Pritchard  
EPA/OP/ORPM  
1200 Pennsylvania Ave, NW  
Room 3521-C  
Mailcode 1804-A  
Washington, DC 20460  
(202)564-6578  
(202)566-0268 - FAX  
email: pritchard.eileen@epa.gov

EPA-6467

**Lesley Schaaff/DC/USEPA/US**

05/30/2012 10:27 AM

To Eileen Pritchard, Barry Elman

cc

bcc

Subject can i move uranium mill tailings now?

Lesley Schaaff  
Director, Policy & Regulatory Analysis Division  
Office of Policy/Office of the Administrator  
U.S. Environmental Protection Agency  
Phone: 202-564-6567  
schaaff.lesley@epa.gov

EPA-6537

**Eileen  
Pritchard/DC/USEPA/US**  
05/30/2012 12:36 PM

To Raymond Lee  
cc Darryl Adams, Mariana Cubeddu  
bcc  
Subject Re: Status of a couple ORIA items

Ray.....sorry for my tardiness in getting back to you on these. Here is the status:

NUCLEAR POWER: OP has recommended 2 week notice of this action to Bob P and that they should discuss with their management.

URANIUM MILL TAILINGS: This package is currently moving through our signature chain.

\*\*\*\*\*

Eileen Pritchard  
EPA/OP/ORPM  
1200 Pennsylvania Ave, NW  
Room 3521-C  
Mailcode 1804-A  
Washington, DC 20460  
(202)564-6578  
(202)566-0268 - FAX  
email: pritchard.eileen@epa.gov

Raymond Lee [Hi Mariana/Eileen/Darryl... I was just cu...](#) 05/29/2012 12:13:14 PM

From: Raymond Lee/DC/USEPA/US  
To: Mariana Cubeddu/DC/USEPA/US@EPA  
Cc: Eileen Pritchard/DC/USEPA/US@EPA, Darryl Adams/DC/USEPA/US@EPA  
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Thanks!

Ray

EPA-5686

Jonathan  
Edwards/DC/USEPA/US  
05/30/2012 09:42 PM

To Mike Flynn  
cc Alan Perrin  
bcc  
Subject Fw: Status of a couple ORIA items

Mike --- FYI on the info below. It looks like OP has recommended to Bob P. that the two week notice be given to OMB on our ANPRM and that discussion be started with OMB management, so just waiting for Bob P's thumbs up...also looks like subpart W is moving through OP approval chain... Jon

-----Forwarded by Jonathan Edwards/DC/USEPA/US on 05/30/2012 09:39PM

-----  
To: Brian Littleton/DC/USEPA/US@EPA, Reid Rosnick/DC/USEPA/US@EPA  
From: Raymond Lee/DC/USEPA/US  
Date: 05/30/2012 12:50PM  
Cc: Alan Perrin/DC/USEPA/US@EPA, Tom Peake/DC/USEPA/US@EPA, Jonathan Edwards/DC/USEPA/US@EPA, Tony Nesky/DC/USEPA/US@EPA  
Subject: Fw: Status of a couple ORIA items

Hi all,

A status update, FYI.

Thanks,

Ray

Ray Lee | Center for Radiation Information and Outreach (CRIO) | US EPA | Phone 202.343.9463 | Fax 202.343.2305 | lee.raymond@epa.

----- Forwarded by Raymond Lee/DC/USEPA/US on 05/30/2012 12:50 PM -----

From: Eileen Pritchard/DC/USEPA/US  
To: Raymond Lee/DC/USEPA/US@EPA  
Cc: Darryl Adams/DC/USEPA/US@EPA, Mariana Cubeddu/DC/USEPA/US@EPA  
Date: 05/30/2012 12:37 PM  
Subject: Re: Status of a couple ORIA items

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EPA/OP/ORPM  
1200 Pennsylvania Ave, NW  
Room 3521-C  
Mailcode 1804-A  
Washington, DC 20460  
(202)564-6578  
(202)566-0268 - FAX  
email: [pritchard.eileen@epa.gov](mailto:pritchard.eileen@epa.gov)

Inactive hide details for Raymond Lee---05/29/2012 12:13:14 PM---Hi Mariana/Eileen/Darryl... I was just curious about a couple Raymond Lee---05/29/2012 12:13:14 PM---Hi Mariana/Eileen/Darryl... I was just curious about a couple of items that are currently still in O

From: Raymond Lee/DC/USEPA/US  
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Cc: Eileen Pritchard/DC/USEPA/US@EPA, Darryl Adams/DC/USEPA/US@EPA  
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Thanks!

Ray

EPA-6347

Mike Flynn/DC/USEPA/US

To Jonathan Edwards

05/31/2012 11:00 AM

cc

bcc

Subject Re: Status of a couple ORIA items

Thanks jon. Good news - I plan to still get a note up about our recent communications with NRC.  
to -----\Sent by EPA Wireless E-Mail Services.

---

**From:** Jonathan Edwards  
**Sent:** 05/30/2012 09:42 PM EDT  
**To:** Mike Flynn  
**Cc:** Alan Perrin  
**Subject:** Fw: Status of a couple ORIA items

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From: Raymond Lee/DC/USEPA/US  
Date: 05/30/2012 12:50PM  
Cc: Alan Perrin/DC/USEPA/US@EPA, Tom Peake/DC/USEPA/US@EPA, Jonathan Edwards/DC/USEPA/US@EPA, Tony Nesky/DC/USEPA/US@EPA  
Subject: Fw: Status of a couple ORIA items

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Cc: Darryl Adams/DC/USEPA/US@EPA, Mariana Cubeddu/DC/USEPA/US@EPA  
Date: 05/30/2012 12:37 PM  
Subject: Re: Status of a couple ORIA items

---

Ray.....sorry for my tardiness in getting back to you on these. Here is the status:

NUCLEAR POWER: OP has recommended 2 week notice of this action to Bob P and that they should discuss with their management.

URANIUM MILL TAILINGS: This package is currently moving through our signature chain.

\*\*\*\*\*

Eileen Pritchard  
EPA/OP/ORPM  
1200 Pennsylvania Ave, NW  
Room 3521-C  
Mailcode 1804-A  
Washington, DC 20460  
(202)564-6578  
(202)566-0268 - FAX  
email: [pritchard.eileen@epa.gov](mailto:pritchard.eileen@epa.gov)

Raymond Lee---05/29/2012 12:13:14 PM---Hi Mariana/Eileen/Darryl... I was just curious about a couple of items that are currently still in O

From: Raymond Lee/DC/USEPA/US  
To: Mariana Cubeddu/DC/USEPA/US@EPA  
Cc: Eileen Pritchard/DC/USEPA/US@EPA, Darryl Adams/DC/USEPA/US@EPA  
Date: 05/29/2012 12:13 PM  
Subject: Status of a couple ORIA items

---

Hi Mariana/Eileen/Darryl...

I was just curious about a couple of items that are currently still in OP awaiting transmittal to OMB. I'm trying to update the reg. tracker for this week and I understand that the ANPRM for revised Nuclear Power Operations (SAN 5581) is still in OP (since 4/23), as is the NESHAP Subpart W NPRM (SAN 5281, since 5/10). Are there any updates I can report back on for these items, including projected submissions to OMB?

Thanks!

Ray



EPA-26

**EAS.System@EPA**  
06/05/2012 05:15 PM

To Reid Rosnick  
cc  
bcc

Subject EAS Document Notification: For your reference: Award:  
EP-D-10-042/3-03

Award: EP-D-10-042/3-03 has been approved by Matt Courtad in EAS.  
Modification: 000001  
Description: Technical and regulatory support in the possible dev of  
rulemaking to modify NESHAPs Subpart W  
Owner: Valerie Daigler  
Contract Specialist: Nnenna Njoku  
Contracting Officer: Matt Courtad  
Project Officer: Valerie Daigler  
Site: OAR/ORIA  
Contracting Office: RTPPOD

EPA-6493

**Eileen  
Pritchard/DC/USEPA/US**  
06/06/2012 08:49 AM

To Barry Elman  
cc  
bcc

Subject Uranium Mill Tailings

Do you know or have any intel on why we haven't moved this one? OAR is asking. It has been with Michael since 5/30.

\*\*\*\*\*

Eileen Pritchard  
EPA/OP/ORPM  
1200 Pennsylvania Ave, NW  
Room 3521-C  
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Washington, DC 20460  
(202)564-6578  
(202)566-0268 - FAX  
email: pritchard.eileen@epa.gov

EPA-6441

Barry Elman/DC/USEPA/US

To Eileen Pritchard

06/06/2012 12:27 PM

cc Lesley Schaaff

bcc

Subject Re: Uranium Mill Tailings

Lesley told me a couple of weeks ago that Michael has been instructed to hold the package. As far as I know, OMB hasn't yet been given two week notice. I defer to Lesley on what to say to OAR about the status of the package, beyond the fact that PRAD has cleared it and it has been with Michael since 5/30.

Eileen Pritchard

[Do you know or have any intel on why...](#)

06/06/2012 08:49:47 AM

From: Eileen Pritchard/DC/USEPA/US  
To: Barry Elman/DC/USEPA/US@EPA  
Date: 06/06/2012 08:49 AM  
Subject: Uranium Mill Tailings

---

Do you know or have any intel on why we haven't moved this one? OAR is asking. It has been with Michael since 5/30.

\*\*\*\*\*

Eileen Pritchard  
EPA/OP/ORPM  
1200 Pennsylvania Ave, NW  
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Washington, DC 20460  
(202)564-6578  
(202)566-0268 - FAX  
email: pritchard.eileen@epa.gov

EPA-6412

Eileen  
Pritchard/DC/USEPA/US  
06/06/2012 12:34 PM

To Barry Elman  
cc Lesley Schaaff  
bcc  
Subject Re: Uranium Mill Tailings

thanks.\*\*\*\*\*

Eileen Pritchard  
EPA/OP/ORPM  
1200 Pennsylvania Ave, NW  
Room 3521-C  
Mailcode 1804-A  
Washington, DC 20460  
(202)564-6578  
(202)566-0268 - FAX  
email: pritchard.eileen@epa.gov

Barry Elman      Lesley told me a couple of weeks ago t...      06/06/2012 12:27:20 PM

From: Barry Elman/DC/USEPA/US  
To: Eileen Pritchard/DC/USEPA/US@EPA  
Cc: Lesley Schaaff/DC/USEPA/US@EPA  
Date: 06/06/2012 12:27 PM  
Subject: Re: Uranium Mill Tailings

Lesley told me a couple of weeks ago that Michael has been instructed to hold the package. As far as I know, OMB hasn't yet been given two week notice. I defer to Lesley on what to say to OAR about the status of the package, beyond the fact that PRAD has cleared it and it has been with Michael since 5/30.

Eileen Pritchard      Do you know or have any intel on why...      06/06/2012 08:49:47 AM

From: Eileen Pritchard/DC/USEPA/US  
To: Barry Elman/DC/USEPA/US@EPA  
Date: 06/06/2012 08:49 AM  
Subject: Uranium Mill Tailings

Do you know or have any intel on why we haven't moved this one? OAR is asking. It has been with Michael since 5/30.

\*\*\*\*\*

Eileen Pritchard  
EPA/OP/ORPM  
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Washington, DC 20460  
(202)564-6578  
(202)566-0268 - FAX  
email: pritchard.eileen@epa.gov

EPA-6413

Lesley Schaaff/DC/USEPA/US  
06/06/2012 12:36 PM  
To Eileen Pritchard  
cc Barry Elman  
bcc  
Subject Re: Uranium Mill Tailings

same story as with the anprm for nukes. they should talk to OAR sr management.

Lesley Schaaff  
Director, Policy & Regulatory Analysis Division  
Office of Policy/Office of the Administrator  
U.S. Environmental Protection Agency  
Phone: 202-564-6567  
schaaff.lesley@epa.gov

Eileen Pritchard [thanks.\\*\\*\\*\\*\\*](#) Eileen Pri... 06/06/2012 12:34:33 PM

From: Eileen Pritchard/DC/USEPA/US  
To: Barry Elman/DC/USEPA/US@EPA  
Cc: Lesley Schaaff/DC/USEPA/US@EPA  
Date: 06/06/2012 12:34 PM  
Subject: Re: Uranium Mill Tailings

thanks.\*\*\*\*\*  
Eileen Pritchard  
EPA/OP/ORPM  
1200 Pennsylvania Ave, NW  
Room 3521-C  
Mailcode 1804-A  
Washington, DC 20460  
(202)564-6578  
(202)566-0268 - FAX  
email: pritchard.eileen@epa.gov

Barry Elman [Lesley told me a couple of weeks ago t...](#) 06/06/2012 12:27:20 PM

From: Barry Elman/DC/USEPA/US  
To: Eileen Pritchard/DC/USEPA/US@EPA  
Cc: Lesley Schaaff/DC/USEPA/US@EPA  
Date: 06/06/2012 12:27 PM  
Subject: Re: Uranium Mill Tailings

Lesley told me a couple of weeks ago that Michael has been instructed to hold the package. As far as I know, OMB hasn't yet been given two week notice. I defer to Lesley on what to say to OAR about the status of the package, beyond the fact that PRAD has cleared it and it has been with Michael since 5/30.

Eileen Pritchard [Do you know or have any intel on why...](#) 06/06/2012 08:49:47 AM

From: Eileen Pritchard/DC/USEPA/US  
To: Barry Elman/DC/USEPA/US@EPA  
Date: 06/06/2012 08:49 AM  
Subject: Uranium Mill Tailings

Do you know or have any intel on why we haven't moved this one? OAR is asking. It has been with Michael since 5/30.

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email: [pritchard.eileen@epa.gov](mailto:pritchard.eileen@epa.gov)

EPA-879

Reid Rosnick/DC/USEPA/US

06/07/2012 09:34 AM

To Beth Miller

cc

bcc

Subject Re: Subpart W and 190 webpages

What are you going to be starting?

-----  
-----

Reid J. Rosnick  
Radiation Protection Division (6608J)  
U.S. Environmental Protection Agency  
1200 Pennsylvania Ave., NW  
Washington, DC 20460  
202.343.9563  
[rosnick.reid@epa.gov](mailto:rosnick.reid@epa.gov)

-----Beth Miller/DC/USEPA/US wrote: -----

To: Reid Rosnick/DC/USEPA/US@EPA, Tony Nesky/DC/USEPA/US@EPA, Brian Littleton/DC/USEPA/US@EPA  
From: Beth Miller/DC/USEPA/US  
Date: 06/07/2012 09:16AM  
Cc: Glenna Shields/DC/USEPA/US@EPA, Marisa Savoy/DC/USEPA/US@EPA  
Subject: Subpart W and 190 webpages

Hello All,

I will be starting tomorrow Friday June 8 thru June 15. If any of you need assistance on any of your pages please see Marisa. Thank you.



Please consider the environment before printing this e-mail.

Beth Miller  
202-343-9223

EPA-4996

Alan Perrin/DC/USEPA/US

To Raymond Lee

06/11/2012 01:33 PM

cc

bcc

Subject Re: Please UPDATE OAR Reg Tracker and OAR Weekly - by noon WEDNESDAY

Ray, could I get the attachment?

~~~~~

Alan Perrin, Deputy Director  
Radiation Protection Division, USEPA  
office (202) 343-9775 | bb (202) 279-0376

Raymond Lee

Hi all, Here is the latest reg. tracker info...

06/11/2012 01:09:30 PM

From: Raymond Lee/DC/USEPA/US  
To: Mike Boyd/DC/USEPA/US@EPA, Sara DeCair/DC/USEPA/US@EPA, Andrea Cherepy/DC/USEPA/US@EPA, Reid Rosnick/DC/USEPA/US@EPA, Brian Littleton/DC/USEPA/US@EPA  
Cc: Tom Peake/DC/USEPA/US@EPA, Lee Veal/DC/USEPA/US@EPA, Alan Perrin/DC/USEPA/US@EPA, Jonathan Edwards/DC/USEPA/US@EPA  
Date: 06/11/2012 01:09 PM  
Subject: Re: Please UPDATE OAR Reg Tracker and OAR Weekly - by noon WEDNESDAY

Hi all,

Here is the latest reg. tracker information for your review. Please note that the deadline for these updates has been moved up to meet Janet & Gina's schedules, so everything is due back to Tom Eagles by **Wednesday (6/13) at noon**. Therefore, I need your input by **COB tomorrow (Tuesday)**.

It looks like OP & OMB have been busy (in ADP Tracker, at least) and have updated their dates for our actions. Unfortunately, everything has been delayed:

- 190 ANPR is now scheduled to be transmitted to OMB by OP on 6/22
- NESHAP Subpart W is now scheduled to be transmitted to OMB by OP on 6/29
- PAGs is now scheduled to have OMB review completed by 9/14

Andrea, are we still on target for the Options Selection meeting for your action? It is still on the tracker for 6/21.

Thanks,

Ray

Ray Lee | Center for Radiation Information and Outreach (CRIO) | US EPA | Phone 202.343.9463 | Fax 202.343.2305 | lee.raymond@epa.

Tom Eagles

Please update both the Reg Tracker an...

06/10/2012 10:54:29 PM

From: Tom Eagles/DC/USEPA/US  
To: Jeremy Arling/DC/USEPA/US@EPA, Joseph-J Dougherty/DC/USEPA/US@EPA, Pat Scoville/DC/USEPA/US@EPA, Raymond Lee/DC/USEPA/US@EPA  
Cc: Betsy Shaw/DC/USEPA/US@EPA, Mary Henigin/DC/USEPA/US@EPA, Alan Rush/DC/USEPA/US@EPA, Jackie Krieger/DC/USEPA/US@EPA, Colleen Mason/DC/USEPA/US@EPA, Wanda Farrar/DC/USEPA/US@EPA



Date: 06/10/2012 10:54 PM  
Subject: Please UPDATE OAR Reg Tracker and OAR Weekly - by noon WEDNESDAY

---

Please update both the Reg Tracker and the OAR Weekly. The previous versions of each are attached.

For the Weekly, please add any new items and delete any entries that are no longer relevant. Note that in many cases a given rule may simply shift to a different category -- e.g., a rule previously listed as "going to OP" may have moved to the "rules in OP" category. Also, a given rule could appear in more than one category.

**Note that I have moved up the due date from Thursday noon to Wednesday noon .** This is necessary so I can produce the final product in time to meet Gina's and Janet's schedules.

Please update both documents and email them to me by noon this Wednesday, June 13.

Tom Eagles  
OAR/OPAR  
202-564-1952  
Cellphone 410-707-1384

[attachment "OAR Reg Tracker June 8 2012.docx" deleted by Raymond Lee/DC/USEPA/US] [attachment "OAR Weekly June 8 2012.docx" deleted by Raymond Lee/DC/USEPA/US]

EPA-591

Philip Egidi/DC/USEPA/US

06/18/2012 01:50 PM

To "Welling, Mike (VDH)"

cc Reid Rosnick

bcc

Subject Re: Cohen Part 61 Report

Not much. I am not really working on Subpart W.  
If you have specific questions, call Reid Rosnick directly.  
202-343-9563  
He is in the cube right next to me and a great guy.

I hope you are OK with your new boss. Same as the old boss?

PVE

Philip Egidi  
Environmental Scientist  
U.S. Environmental Protection Agency  
Office of Radiation and Indoor Air  
Radiation Protection Division  
Center for Waste Management and Regulations  
Washington, DC

phone: 202-343-9186  
email: egidi.philip@epa.gov  
cell: 970-209-2885

"Welling, Mike (VDH)"

What can you tell me about this...

06/18/2012 09:33:52 AM

From: "Welling, Mike (VDH)" <Mike.Welling@vdh.virginia.gov>  
To: Philip Egidi/DC/USEPA/US@EPA  
Date: 06/18/2012 09:33 AM  
Subject: Cohen Part 61 Report

What can you tell me about this?

<http://www.epa.gov/rpdweb00/docs/neshaps/subpart-w/historical-rulemakings/subpart-w-risk.pdf>

Michael Welling  
Director Radioactive Materials Program  
Virginia Dept of Health  
109 Governor St, Room 730  
Richmond, VA 23219  
(T) 804-864-8168  
(F) 804-864-8155

<http://www.vdh.virginia.gov/Epidemiology/RadiologicalHealth/>

From Teddy Roosevelt: "The best executive is one who has sense enough to pick good people to do what he wants done, and self restraint enough to keep from meddling with them while they do it."

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EPA-842

Brian Littleton/DC/USEPA/US

To Raymond Lee

06/19/2012 03:43 PM

cc Tom Peake, Reid Rosnick, Alan Perrin, Jonathan Edwards  
bcc

Subject Re: Please UPDATE OAR Reg Tracker and OAR Weekly - by  
noon WEDNESDAY

I talked with Jan Gilbreath today to see if she had any insight into what was occurring with the regulations going forth to OMB. She re-assured me that OP was **not** holding our regulations up. The problem is that, "at the highest levels" a decision has not been made to move forward on not only our regulations, but on any other Agency regulations. She further on pontificated that since EPA has been made out by the Republicans as the "job killing Agency", the likelihood that any regulations going forward, short of court ordered regulations, is pretty slim.

But at least our (RPD) standards are not being singled out for 'no action'.

Brian

\*\*\*\*\*

Brian Littleton

EPA, Office of Air and Radiation/Radiation Protection Division  
1200 Pennsylvania Avenue, NW - Mailcode 6608J  
Washington D.C. 20460  
(202) 343-9216

Raymond Lee

[Hi all, Just FYI...I've got another update...](#)

06/19/2012 12:11:51 PM

From: Raymond Lee/DC/USEPA/US  
To: Tom Peake/DC/USEPA/US@EPA, Brian Littleton/DC/USEPA/US@EPA, Reid Rosnick/DC/USEPA/US@EPA  
Cc: Alan Perrin/DC/USEPA/US@EPA, Jonathan Edwards/DC/USEPA/US@EPA  
Date: 06/19/2012 12:11 PM  
Subject: Re: Please UPDATE OAR Reg Tracker and OAR Weekly - by noon WEDNESDAY

Hi all,

Just FYI...I've got another update on our rules, and it's bad news again - they've pushed out the OP to OMB transmittal dates (surprise, surprise). For 190, it's scheduled for 7/20, and for NESHAP Subpart W it's scheduled for 7/13. On the reg. update call last Thursday with Alan, OP didn't give us any additional information other than that they're waiting from the green light from Bob P.'s folks to send it over.

Thanks,

Ray

Ray Lee | Center for Radiation Information and Outreach (CRIO) | US EPA | Phone 202.343.9463 | Fax 202.343.2305 | lee.raymond@epa.gov

Brian Littleton

[Status quo seems fine from my end on...](#)

06/19/2012 10:36:40 AM

From: Brian Littleton/DC/USEPA/US  
To: Raymond Lee/DC/USEPA/US@EPA  
Date: 06/19/2012 10:36 AM  
Subject: Re: Please UPDATE OAR Reg Tracker and OAR Weekly - by noon WEDNESDAY

Status quo seems fine from my end on 40 CFR 190 ANPR.

Brian

\*\*\*\*\*

Brian Littleton  
EPA, Office of Air and Radiation/Radiation Protection Division  
1200 Pennsylvania Avenue, NW - Mailcode 6608J  
Washington D.C. 20460  
(202) 343-9216

Raymond Lee      [Hi all, Here is this week's reg. tracker u...](#)      06/18/2012 02:04:54 PM

From: Raymond Lee/DC/USEPA/US  
To: boyd.mike@epa.gov, Sara DeCair/DC/USEPA/US@EPA, Andrea Cherepy/DC/USEPA/US@EPA, Reid Rosnick/DC/USEPA/US@EPA, Brian Littleton/DC/USEPA/US@EPA  
Cc: Alan Perrin/DC/USEPA/US@EPA, peake.tom@epa.gov, Lee Veal/DC/USEPA/US@EPA, Jonathan Edwards/DC/USEPA/US@EPA  
Date: 06/18/2012 02:04 PM  
Subject: Re: Please UPDATE OAR Reg Tracker and OAR Weekly - by noon WEDNESDAY

---

Hi all,

Here is this week's reg. tracker update. Everything remains the same as of last week, aside from Andrea's Uranium Extraction Facilities rule; OAR's reg. management group has meetings every week regarding OS/FAR meetings and since the 6/21 date had not been scheduled, they automatically moved it out two weeks to 7/5. I know we are still awaiting the go-ahead from Mike, so please revise as appropriate.

Thanks,

Ray

-----Tom Eagles/DC/USEPA/US wrote: -----

To: Jeremy Arling/DC/USEPA/US@EPA, Joseph-J Dougherty/DC/USEPA/US@EPA, Pat Scoville/DC/USEPA/US@EPA, Raymond Lee/DC/USEPA/US@EPA  
From: Tom Eagles/DC/USEPA/US  
Date: 06/18/2012 07:30AM  
Cc: Betsy Shaw/DC/USEPA/US@EPA, Mary Henigin/DC/USEPA/US@EPA, Alan Rush/DC/USEPA/US@EPA, Jackie Krieger/DC/USEPA/US@EPA, Colleen Mason/DC/USEPA/US@EPA, Wanda Farrar/DC/USEPA/US@EPA  
Subject: Please UPDATE OAR Reg Tracker and OAR Weekly - by noon WEDNESDAY

Please update both the Reg Tracker and the OAR Weekly. The previous versions of each are attached.

For the Weekly, please add any new items and delete any entries that are no longer relevant. Note that in many cases a given rule may simply shift to a different category -- e.g., a rule previously listed as "going to OP" may have moved to the "rules in OP" category. Also, a given rule could appear in more than one category.

**Note that I have moved up the due date from Thursday noon to Wednesday noon .** This is necessary so I can produce the final product in time to meet Gina's and Janet's schedules.

Please update both documents and email them to me by noon this Wednesday, June 20.

Tom Eagles  
OAR/OPAR  
202-564-1952  
Cellphone 410-707-1384

*(See attached file: OAR Reg Tracker June 13 2012.docx)(See attached file: OAR Weekly June 13 2012.docx)*

[attachment "OAR Reg Tracker June 13 2012.docx" removed by Raymond Lee/DC/USEPA/US]  
[attachment "OAR Weekly June 13 2012.docx" removed by Raymond Lee/DC/USEPA/US][attachment  
"OAR Reg Tracker June 13 2012.doc" deleted by Brian Littleton/DC/USEPA/US]

EPA-698

Reid Rosnick/DC/USEPA/US

06/20/2012 11:16 AM

To Bill Long

cc Tom Peake

bcc

Subject Re: NESHAPs

Bill,

No problem. I am compressed next Monday but I am available the rest of the week from 9-2 each day. Whatever works for you and Tom will be OK with me.

Reid

-----  
Reid J. Rosnick  
Radiation Protection Division (6608J)  
U.S. Environmental Protection Agency  
1200 Pennsylvania Ave., NW  
Washington, DC 20460  
202.343.9563  
rosnick.reid@epa.gov

Bill Long

Okay - if Reid is compressed, reply to A...

06/20/2012 11:07:31 AM

From: Bill Long/DC/USEPA/US  
To: Tom Peake/DC/USEPA/US@EPA  
Cc: Reid Rosnick/DC/USEPA/US@EPA  
Date: 06/20/2012 11:07 AM  
Subject: Re: NESHAPs

Okay - if Reid is compressed, reply to All and then we can take it from there to find a date.

Sorry I forgot your name, Reid!

Bill

Tom Peake

Bill, Reid is our NESHAPs person. I thi...

06/20/2012 10:51:20 AM

From: Tom Peake/DC/USEPA/US  
To: Bill Long/DC/USEPA/US@EPA  
Cc: Reid Rosnick/DC/USEPA/US@EPA  
Date: 06/20/2012 10:51 AM  
Subject: Re: NESHAPs

Bill,  
Reid is our NESHAPs person. I think he is compressed next Monday.  
I will talk to Reid and we'll get back to you.

Tom Peake  
Director  
Center for Waste Management and Regulations  
US EPA (6608J)  
1200 Pennsylvania Ave, NW  
Washington, DC 20460  
phone: 202-343-9765

Physical Location and for deliveries:  
Room 529  
1310 L St, NW  
Washington, DC 20005

Bill Long

Tom I wanted to follow up on our brief c...

06/20/2012 09:28:36 AM

From: Bill Long/DC/USEPA/US  
To: Tom Peake/DC/USEPA/US@EPA, Phillip H. Jenkins <pjenkins@BOWSER-MORNER.COM>  
Cc: Philip Jalbert/DC/USEPA/US@EPA, Janise Palmer/DC/USEPA/US@EPA  
Date: 06/20/2012 09:28 AM  
Subject: NESHAPs

---

Tom

I wanted to follow up on our brief conversation and see if we might be able to set up a discussion on NESHAPs. I have no technical depth or history on this subject, but Phil Jenkins from Bowser-Morner labs brings up some good points and I thought we should talk this through, at least informally.

I can't remember the person who handles NESHAPs for you, but am hoping you can loop him in.

Would you, Tom, you, Phil Jenkins be free sometime on Monday the 25th to have a conference call?

(and Phil and Jani you are welcome too!)

Thanks,  
Bill

For background, here are a few things Phil Jenkins has written to me on the topic:

While I have not thoroughly reviewed 40CFR61, I have done enough to tell you my concerns. They relate to the methods specified in Appendix B for the measurement of radon.

Appendix B, Method 114, Test Methods for Measuring Radionuclide Emissions from Radioactive Sources:

Method A-6, Radon-222, Continuous Gas Monitor: The only type of continuous monitor for radon that is specified here is one that uses a flow-through scintillation cell as the detector (for example, the Pylon Model AB5 or now the Model AB6). That was certainly the method of choice 30 years ago, but today there are monitors that use other detection methods, such as pulse-ion chambers or solid-state detectors. In some places in 40CFR61 it is stated that other methods can be used if preapproved by EPA, but I don't see that statement for all situations. Further, it would be better if other methods were specifically stated within Appendix B. I have had at least one client say to me that they could ONLY use a scintillation cell type monitor to show compliance. So, my questions are: Can other continuous monitor types be approved by EPA for compliance with radon-222 measurements for compliance with 40CFR61, and if so, how would one go about doing that? Can other types of continuous monitors someday be specifically listed in Appendix B, and if so, how would that happen?

Method A-7 allows for the use of alpha-track devices, as long as they are preapproved by EPA. These are the only two types of devices that seem to be specifically allowed (scintillation cell continuous monitors and alpha-track devices). My personal opinion is that continuous monitors would be preferable, but there may be certain applications where alpha-track devices would be sufficient, so I have no problem with this.

Appendix B, Method 115, Monitoring for Radon-222 Emissions:

Other than flux measurements, which I am not addressing here (I have little to no interest in flux measurements), this method seems to point back to Methods A-6 and A-7 of Method 114, so my comments above apply here.



Monitoring of radon-220 or its decay products is not addressed at all. What about a facility where it is known that a significant amount of radon-220 (thoron) is, or can be, emitted? I am currently working on a situation in Canada where they have a mixed radon and thoron problem. Perhaps this is something that should be considered at some point.

That sums up my concerns. I don't know if this warrants a "meeting," but I would just like for my concerns to be known. Please make it clear to everyone that I have no fiduciary interest here in the sense that I do not work for any company that manufactures or sells radon measurement instrumentation. However, I do occasionally have clients call about monitoring around uranium mines, mills, mill tailings, etc. and they are concerned about monitoring methods, calibration, etc. Further, if thoron were addressed in the future, it could enhance my consulting in retirement, someday.

I had one client specifically tell me that the monitor that they wanted to buy had to be "qualified" in a radon chamber to measure radon decay products, and that this was an EPA requirement. However, this was not a monitor that is listed in Appendix B of 40CFR61, and it measures radon decay products, not radon itself, so I don't know what regulation this client was referring to. The manufacturer of this instrument visited our facility three times to show "qualification" (whatever that means) that their monitors did quantitatively measure radon decay product concentration, before the units were sold to the client.

If there are EPA regulations, other than 40CFR61, that relate to radon or radon decay product monitoring around uranium mines, mills, mill tailings, etc. please make me aware of them.

EPA-5128

**Mike Flynn/DC/USEPA/US**

06/26/2012 12:44 PM

To Anna Duncan, Jonathan Edwards

cc

bcc

Subject Rule status - pls advise

I know the 190 anprm is still awaiting submission to omb. Is subpart w at omb now?  
to -----\Sent by EPA Wireless E-Mail Services.

EPA-6348

**Mike Flynn/DC/USEPA/US**

06/26/2012 12:44 PM

To Anna Duncan, Jonathan Edwards

cc

bcc

Subject Rule status - pls advise

I know the 190 anprm is still awaiting submission to omb. Is subpart w at omb now?  
to -----\Sent by EPA Wireless E-Mail Services.

EPA-5129

Anna Duncan/DC/USEPA/US

06/26/2012 12:54 PM

To Mike Flynn

cc Jonathan Edwards

bcc

Subject Re: Rule status - pls advise

it's still in OP

Anna Duncan  
Chief of Staff  
Office of Radiation and Indoor Air, USEPA  
Phone : 202-343-9316

Mike Flynn

I know the 190 anprm is still awaiting s...

06/26/2012 12:44:41 PM

From: Mike Flynn/DC/USEPA/US  
To: Anna Duncan/DC/USEPA/US@EPA, Jonathan Edwards/DC/USEPA/US@EPA  
Date: 06/26/2012 12:44 PM  
Subject: Rule status - pls advise

---

I know the 190 anprm is still awaiting submission to omb. Is subpart w at omb now?  
to -----\Sent by EPA Wireless E-Mail Services.

EPA-5145

Anna Duncan/DC/USEPA/US

06/26/2012 12:57 PM

To Mike Flynn, Jonathan Edwards

cc

bcc

Subject Fw: Rule status - pls advise

Ray Lee says that OP plans to send to OMB on Aug 3. I guess they are metering out non - deadline or court-ordered rules to OMB

Anna Duncan  
Chief of Staff  
Office of Radiation and Indoor Air, USEPA  
Phone : 202-343-9316

----- Forwarded by Anna Duncan/DC/USEPA/US on 06/26/2012 12:56 PM -----

From: Anna Duncan/DC/USEPA/US  
To: Mike Flynn/DC/USEPA/US@EPA  
Cc: Jonathan Edwards/DC/USEPA/US@EPA  
Date: 06/26/2012 12:54 PM  
Subject: Re: Rule status - pls advise

---

it's still in OP

Anna Duncan  
Chief of Staff  
Office of Radiation and Indoor Air, USEPA  
Phone : 202-343-9316

Mike Flynn

I know the 190 anprm is still awaiting s...

06/26/2012 12:44:41 PM

From: Mike Flynn/DC/USEPA/US  
To: Anna Duncan/DC/USEPA/US@EPA, Jonathan Edwards/DC/USEPA/US@EPA  
Date: 06/26/2012 12:44 PM  
Subject: Rule status - pls advise

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I know the 190 anprm is still awaiting submission to omb. Is subpart w at omb now?  
to -----\Sent by EPA Wireless E-Mail Services.

EPA-5146

**Jonathan  
Edwards/DC/USEPA/US**  
06/26/2012 01:15 PM

To Anna Duncan  
cc Mike Flynn, Alan Perrin  
bcc  
Subject Re: Fw: Rule status - pls advise

Actually, the news is not that positive or optimistic yet -- August 3 is just the date that they've entered into the system similar to the way they've pushed dates back previously. Still no positive indication that Bob P has approved the movement of the ANPRM or subpart W out of the agency yet....Jon

Anna Duncan | [Ray Lee says that OP plans to send to...](#) | 06/26/2012 12:57:42 PM

From: Anna Duncan/DC/USEPA/US  
To: Mike Flynn/DC/USEPA/US@EPA, Jonathan Edwards/DC/USEPA/US@EPA  
Date: 06/26/2012 12:57 PM  
Subject: Fw: Rule status - pls advise

---

Ray Lee says that OP plans to send to OMB on Aug 3. I guess they are metering out non - deadline or court-ordered rules to OMB

Anna Duncan  
Chief of Staff  
Office of Radiation and Indoor Air, USEPA  
Phone : 202-343-9316

----- Forwarded by Anna Duncan/DC/USEPA/US on 06/26/2012 12:56 PM -----

From: Anna Duncan/DC/USEPA/US  
To: Mike Flynn/DC/USEPA/US@EPA  
Cc: Jonathan Edwards/DC/USEPA/US@EPA  
Date: 06/26/2012 12:54 PM  
Subject: Re: Rule status - pls advise

---

it's still in OP

Anna Duncan  
Chief of Staff  
Office of Radiation and Indoor Air, USEPA  
Phone : 202-343-9316

Mike Flynn | [I know the 190 anprm is still awaiting s...](#) | 06/26/2012 12:44:41 PM

From: Mike Flynn/DC/USEPA/US  
To: Anna Duncan/DC/USEPA/US@EPA, Jonathan Edwards/DC/USEPA/US@EPA  
Date: 06/26/2012 12:44 PM  
Subject: Rule status - pls advise

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I know the 190 anprm is still awaiting submission to omb. Is subpart w at omb now?  
to -----\Sent by EPA Wireless E-Mail Services.

EPA-6

Reid Rosnick/DC/USEPA/US

05/23/2012 09:03 AM

To azeitoun

cc Valerie Daigler, Mike Eagle, Tom Peake

bcc

Subject Signed QAPP Pages

Hi Abe,

Attached below are the signed QAPP approval sheets for WAs 2-03 and 3-03. After discussions with Mike Eagle and Valerie Daigler we have determined that we will treat the QAPP for WA 3-03 as an informational update only. We did not require a QAPP for the current work assignment, and did not list one in the work assignment deliverables. We assume the effort used to produce this document is included in the time/hours used to produce the work plan.

Also, I dropped in the mail today a DVD of comments from Oscar Paulson of Kennecott Uranium. Oscar produced comments on (among other issues) several of the SC&A deliverables from prior work assignments that have been posted on the Subpart W public website at <http://www.epa.gov/radiation/neshaps/subpartw/rulemaking-activity.html> The comments are found in the first 40 pages or so of the document.

Please let me know if you have any questions. Thanks

Reid

---

Reid J. Rosnick  
Radiation Protection Division (6608J)  
U.S. Environmental Protection Agency  
1200 Pennsylvania Ave., NW  
Washington, DC 20460  
202.343.9563  
rosnick.reid@epa.gov

----- Forwarded by Reid Rosnick/DC/USEPA/US on 05/23/2012 08:48 AM -----

From: cts/cts/QP/USEPA/US@EPA  
To: Reid Rosnick/DC/USEPA/US@EPA  
Date: 05/23/2012 08:38 AM  
Subject:

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Please open the attached document. This document was digitally sent to you

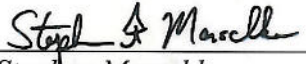
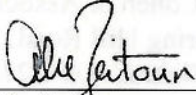


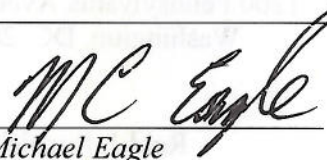


using an HP Digital Sending device. [Untitled].pdf

Effective Date: May 17, 2012	Revision No. 0	Document No. QAPP 3-03	Page No. 2 of 13
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## A PROJECT MANAGEMENT

### A.1 Title and Approval Sheet


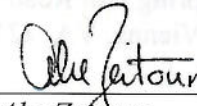
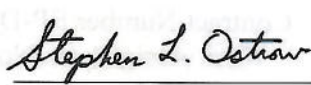
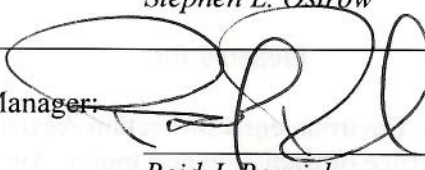
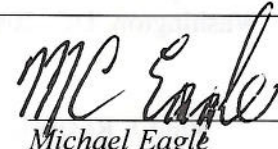
<b>S. Cohen &amp; Associates:</b>  <i>Radiological, Analytical, and Evaluation Support for Radiation Protection Programs</i>	Document No. QAPP 3-03
	Effective Date: May 18, 2012
	Revision No.: 0
<b>Work Assignment 3-03:</b> <i>Technical and Regulatory Support in the Possible Development of a Rulemaking to Modify NESHAPS Subpart W, the National Emissions Standards for Radon Emissions from Operating Uranium Mills (40 CFR 61.250)</i>	Supersedes: N/A
Work Assignment Task Manager:  <div style="text-align: center;">   <hr/> Stephen Marschke </div> Date: 5/18/2012	
Project Manager:  <div style="text-align: center;">   <hr/> Abe Zetoun </div> Date: 5/18/2012	
Corporate Quality Assurance Mgr:  <div style="text-align: center;">   <hr/> Stephen L. Ostrow </div> Date: 05/18/12	
EPA Work Assignment Manager:  <div style="text-align: center;">   <hr/> Reid J. Rosnick </div> Date: 5/21/12	
EPA Quality Assurance Manager:  <div style="text-align: center;">   <hr/> Michael Eagle </div> Date: 5/21/12	



Effective Date: May 10, 2012	Revision No. 0	Document No. QAPP 2-03	Page No. 2 of 13
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## A PROJECT MANAGEMENT

### A.1 Title and Approval Sheet

<b>S. Cohen &amp; Associates:</b>  <i>Radiological, Analytical, and Evaluation Support for Radiation Protection Programs</i>	Document No. QAPP 2-03
	Effective Date: May 18, 2012
	Revision No.: 0
<b>Work Assignment 2-03:</b> <i>Technical and Regulatory Support to Develop a Rulemaking to Modify the NESHAP Subpart W Standard for Radon Emissions from Operating Uranium Mills (40 CFR 61.250)</i>	Supersedes:  N/A
Work Assignment Task Manager:   for Harry Pettengill	Date: 05/18/12
Project Manager:   Abe Zeitoun	Date: 05/18/12
Corporate Quality Assurance Mgr:   Stephen L. Ostrow	Date: 05/18/12
EPA Work Assignment Manager:   Reid J. Rosnick	Date: 5/21/12
EPA Quality Assurance Manager:   Michael Eagle	Date: 5/22/12

EPA-5088

**Angelique  
Diaz/R8/USEPA/US**  
04/09/2012 12:28 PM

To Deborah Lebow-Aal  
cc  
bcc  
Subject Subpart W FAR Hot Topic



Hot Topic 040912 Subpart W FAR.doc

Reid left me a message about the level needed for the concurrence memo and he said Carl can sign it and that they are taking everyone at their word that the "RA is aware" but that it can be an informal think, like Callie letting Jim know in a weekly meeting (for example). In this case, maybe it's the Hot Topic making sure Jim is aware(?). It really sounds like it's up to Carl to decide if he wants to sign the memo or elevate it.

-Angelique

Angelique D. Diaz, Ph.D.  
Environmental Engineer  
Air Program, USEPA/Region 8  
1595 Wynkoop Street (8P-AR)  
Denver, CO 80202-1129  
Office: 303.312.6344  
Fax: 303.312.6064  
diaz.angelique@epa.gov

## **HOT TOPIC**

### **SUBPART W FINAL AGENCY REVIEW MEETING**

EPA is proposing to update and revise 40 CFR Part 61 Subpart W, which regulates radon emissions from uranium byproduct material impoundments at uranium recovery facilities (i.e., conventional mills, in situ recovery facilities, and heap leach facilities). The Final Agency Review meeting for the revisions is scheduled for April 19, 2012. Region 8 has been heavily involved in the development of the proposed rule and plans to concur without comment.

**Contact: Deborah Lebow Aal, 312-6223 or Dr. Angelique Diaz, 312-6344**

EPA-6530

**Marcos Aquino/R3/USEPA/US**

04/10/2012 05:05 PM

To Marcos Aquino

cc StephanieN Brown, Michael Appleby, Rita Tate-Dunlap,  
Darryl Adams, Brian Littleton, Wanda Farrar, Jan Gilbreath  
bcc

Subject Re: Fw: Awaiting Final Agency Review (FAR) Memo's for  
SAN 5281; RIN 2060-AR12 - Environmental Radiation  
Protection Standards for Nuclear Power Operations -  
CORRECTON - SAN 5581

Made correction to Jan's name. Sorry Jan.



Concurr wo Comment R3 ANPR 40 CFR 190.pdf

Marcos Aquino  
Regional Radiation Program Manager  
Office of Air Partnerships Programs  
Air Protection Division (3AP50)  
US EPA Region III  
1650 Arch Street  
Philadelphia, Pennsylvania 19103-2029  
215.814.3422 office  
215.514.8357 mobile  
aquino.marcos@epa.gov  
<http://www.epa.gov/reg3artd/radiation/radiation.htm>

UNITED STATES ENVIRONMENTAL PROTECTION AGENCY  
REGION III  
1650 Arch Street  
Philadelphia, Pennsylvania 19103-2029

APR 10 2012

**SUBJECT:** Concur without Comment – Region 3's  
Response to the Final Agency Review for  
Advanced Notice of Proposed Rulemaking for  
Revising Environmental Radiation Protection  
Standards for Nuclear Power Operations (Tier  
2; SAN 5281, RIN 2060-AP26)

**FROM:** Diana Esher, Director   
Air Protection Division (3AP00)

**TO:** Gina McCarthy  
Assistant Administrator, Office of Air and Radiation

Thank you for the opportunity to review the Final Agency Review materials for  
Advanced Notice of Proposed Rulemaking for Revising Environmental Radiation Protection  
Standards for Nuclear Power Operations. Region 3 concurs without comment.

If you have any concerns, please contact Marcos Aquino at 215-814-3422.

**cc:** Wanda Farrar, OAR  
Brian Littleton, ORIA  
Jan Gilbreath, OP  
Darryl Adams, OP  
Michael Appleby, OPM, Region 3  
Rita Tate, OPM, Region 3



EPA-824

**Reid Rosnick/DC/USEPA/US**

04/12/2012 09:29 AM

To Beth Miller

cc

bcc

Subject Subpart W



**Subpart W Quarterly Conference Call - 04052012.pdf**

---

Reid J. Rosnick  
Radiation Protection Division (6608J)  
U.S. Environmental Protection Agency  
1200 Pennsylvania Ave., NW  
Washington, DC 20460  
202.343.9563  
rosnick.reid@epa.gov

## Subpart W Quarterly Conference Call April 5, 2012

### **Attendees**

EPA: Angelique Diaz, Region 8, Reid Rosnick, ORIA

ENVIRONMENTAL GROUPS: Jennifer Thurston (Sheep Mountain Alliance), Sarah Fields (Uranium Watch)

INDUSTRY: Oscar Paulson (Kennecott), R. Ellis (Energy Fuels), Jim Cain (Cotter), Toby Wright (Wright Environmental)

OTHER: Travis Stills (Energy Minerals Law Center)

### **Discussion**

*Reid*

Update on Final Agency Review (FAR).

Gina McCarthy (Assistant Administrator for the Office of Air and Radiation) provided comments – a sound economic analysis is need for this rule. Worked into the preamble in ~1 month, workgroup review of the language added. FAR scheduled for 4/19/12. Last point for internal cross agency review of action. Forum for confirming that workgroup successfully completed its job and confirming that rulemaking package is complete and ready for Office of Management and Budget (OMB) review and all agency and external requirements have been met. Hoping for concurrence without comment and expecting concurrence with comment from OGC (minor). Ready for OMB for review at end of April. 90 days in OMB when acknowledged receipt of package.

New timeline (will be added to the website):

To OMB – end of April

Proposed Rule Published in Federal Register - ~ Mid September

### **Questions**

*Sarah Fields:* How will rule address “many problems” at conventional mill tailings?

*Reid:* In our review we looked at whether or not there are technologies available more than what we currently have in the existing rule. We did those determinations and that will be in the rule. Documents we used are in the website in terms of analyses of engineering capabilities for conventional impoundments. The Proposed Rule is making it clear that evaporation ponds at any facility that holds Uranium byproduct is subject to Subpart W and we are looking at standards at those facilities. Regulating heap leach as well and looked at requirements for minimizing ground water contamination as well as radon emissions. Looked at how we can increase protection at conventional impoundments and heap leach piles.

*Oscar Paulson:* Risk assessment released was from radon and radon only. You are also talking about risks from ground water contamination and minimizing those through engineering techniques. Haven't seen a risk assessment for ground water. What are you going off of to determine the GW risks and how to minimize them?

*Reid:* The risks for ground water will be looked at in a separate rule, the UMTRCA review. Reference rulemaking in 12/1989 where various methods to minimize radon were looked at we set double liner requirements to protect ground water. That's as far as we are going in this rulemaking, leaving the rest to Part 192 workgroup.

*Oscar:* that makes sense because can see the work getting tangled quickly if looked at by both workgroups.

*Reid:* Ground water may be dealt with in 192 standards. We make reference in Subpart W for double liners.

*Sarah Fields:* Understanding that newer impoundments there is a 40 acre limit do not have to measure radon releases during life of impoundment. Is that true and will it change?

*Reid:* True. That has been true since 1989. For impoundments before 1989, they were required to measure radon flux. Any impoundment that came into existence after 12/15/1989 had to follow one of 2 work practices – continuous or phased disposal. When you speak of 40 acres, you are talking about the phased disposal, which allows for 2 impoundments of 40 acres or less.

*Sarah:* When exactly does a uranium tailings impoundment become operational? Regulations refer to going into closure, but sometimes tailings impoundments will sit for decades without going into closure. Seems like facility has to state to NRC (or Agreement State) that they are going into closure with and approved reclamation plan and milestones. Examples – Ticaboo site hasn't gone through final closure. Currently, at White Mesa mill they have 4 operating impoundments. Think it is a serious situation when regulators allow disposal at additional tailings impoundments when previous impoundments have not entered into closure. White Mesa currently in violation of Subpart W regulations, in my opinion, brought to attention of EPA R8 and Radiation Control Program in UT. Last issue is whether or not these mill tailings impoundments are major sources and subject to Title V process. EPA fell short of responsibilities in CAA, supposed to take a look at radionuclides and determine what major facilities are. Obvious that tailings facilities are major sources of HAPs, as are underground mines. Utah has a poorly implemented Rad NESHAPs program, which can be corrected if uranium recovery facilities are designated as major sources. There are many problems with Subpart B and now Subpart W in Utah. This can be partially solved by designating Subpart B and W sources as major sources.

*Reid:* Recognize there were issues with operation, standby, closure definitions. Agree, we need a clear cut line when a facility is in operation and when it goes into closure. Attempting to address this in the proposed rule. Not getting into Subpart B, because not purpose of the call.



With respect to Subpart W, we pointed you in direction of UT DAQ since they have authority. We also have said that we are looking into them and making sure the regulations are followed.

*Sarah:* Under CAA, EPA didn't make a determination on what is a major facility for radionuclides. Not unreasonable to request that a determination of major source be made during the rulemaking.

*Reid:* You are correct that it has not been done. If we use the criteria for all other emission sources (25 TPY) then the uranium recovery facilities do not meet that criteria so under existing rule not classified as a major source.

*Sarah:* So there needs to be rules specifically designed for radionuclides, since it's an apples and oranges situation.

*Travis Stills:* I would think that this would be looked at as part of this review. Also should be looked at for Subpart B. Don't see any technical documents on the website and no information on any economic data on the website. Standing complaint and disappointing. Discussed during settlement providing a full and open availability of materials that EPA is considering. Can only assume that you've done nothing since no information has been provided. Repeating complaint. Completely unacceptable that EPA is out of date by 22 years of protecting the public. There are some people that have used these proceeding to shield not open up the process. No effort by EPA that we were agreed upon. Under wraps. Don't seem to be based on anything besides emails. If it's not on the website, I assume it does not exist. Assume industry will attack proposed rule as not having enough information and the public wants to be supportive.

*Reid:* As stated in past, many of documents, as OGC attempted to explain on numerous occasions, many documents are deliberative and not at liberty to release them.

*Travis:* Think you are abusing this.

*Reid:* Sorry you feel that way. Refer you to Susan Stahle. Can't argue legal arguments, but can only tell you what I am bound to do by our regulations and policy.

*Travis:* Purpose of the quarterly calls was to have an open process. My feedback is that there is no data, no met deadlines, no compliance with what congress told you to do in 1990. Reason for this call is to raise that point. I'll deal with it in other ways I see. Some in EPA not honoring the reason for the call.

*Reid:* Thank you for your comment.

*Jennifer Thurston:* Can we revisit the major source issue? Can someone help me understand the 25 TPY and why Blanding mill doesn't fit those requirements.

*Reid:* If this is a follow up from a S. Fields question, her issue is that phased disposal allows for two impoundments and she feels there are 4 rather than 2. Is that your question?

*Jennifer:* No, just wanted to clarify the 25 TPY and find information and understand better with respect to revision when it comes out later this year.

*Reid:* Can look at pCi/m<sup>2</sup>-s flux data and do a straight calculation.

*Angelique:* 25 TPY is a very large number for radon-222 emissions. A tailing impoundment would have to be incredibly large to emit 10 TPY of radon-222. No facility is anywhere near this.

*Sarah:* Are considered to be major sources of air pollutants but these are for non-radioactive sources and they have to have a permit from UT DAQ. When I was asking for a designation for major source I was talking about Subpart W. Two different issues, all U mills should be major sources under subpart W, EPA should correct that. Standard should that all mills are major sources. Not confusing, difficult, or unreasonable. Subpart B – uranium mine and mill proposed together, how would radon emissions from mill and mine be worked out since they have the same air space. White Mesa – how do you take into account the radon emissions from tailings impoundment to consider off site dose. EPA needs to look at mill as a whole, not the way it's done now with several requirements. In license renewal process it was difficult to sort out and understand how owners of White Mesa mill use radon flux data from Cells 2 and 3, and have other 2 cells.

*Oscar:* One quick comment. You mentioned determination of exposure from mill and impoundments, want to point out that exposure to radionuclides, include Radon and decay products, from any licensed by uranium recovery is governed under 10 CFR Part 20 which limits does to any member of the public to 100 mrem. That is covered in NRC regulations.

*Sarah:* Issue comes up in how they measure/calculate that. Becomes quite an issue when you get down into the nitty gritty of how that is calculated/measured.

*Oscar:* NRC released a draft reg guide for comment that outlines specific acceptable methods

*Reid:* Example you used on mill/mine site, such as what may be proposed for Virginia.

Anything within the facility boundary would be used to determine if major source – mine, impoundments, and if over cutoff then would look at as a major source.

*Sarah:* Would they add up all emissions to determine dose to nearest resident if there are two different standards. What would they use? Don't think EPA has ever looked at this.

*Reid:* you are probably right and may be confounded by what vents are operated. A complex situation that I'm sure we will be looking at.

*Sarah:* time to bring this up is now.

*Reid:* you are correct. We've been in contact with the state of VA. If VA allows then they will have to rewrite their regulations.

*Sarah:* this is federal. It would be EPA and NRC.

*Reid:* We have the opportunity to sit down with VA to figure out how to do that. This wasn't our charge in Subpart W but we will look at it and have been thinking about these things. There are a number of options available and we will look at them. Agree that sooner is better than later. We want to make sure we are proactive; these ideas and concepts are being discussed.

*Sarah:* Thank you.

*Reid:* Next Call is July 5<sup>th</sup> at 11AM EDT. Hopefully more news on the status of Subpart W. Happy to take calls or emails. Remember emails for questions are on the website. Number of ways to contact me. Feel free to call or email at any time.

EPA-163

**Reid Rosnick/DC/USEPA/US**

04/18/2012 09:26 AM

To Beth Miller

cc

bcc

Subject Subpart W Docket Submission

Beth,

Would you please put this in the Subpart W docket? Thanks



JK0370395.pdf

---

Reid J. Rosnick  
Radiation Protection Division (6608J)  
U.S. Environmental Protection Agency  
1200 Pennsylvania Ave., NW  
Washington, DC 20460  
202.343.9563  
rosnick.reid@epa.gov

# CONSTRUCTION OF AN ENVIRONMENTAL RADON MONITORING SYSTEM USING CR-39 NUCLEAR TRACK DETECTORS

GIL HOON AHN\* and JAI-KI LEE<sup>1</sup>

National Nuclear Management & Control Agency  
305-600, POX 114 Yuseong, Daejeon, Korea

<sup>1</sup>Dept. of Nuclear Engineering Hanyang University  
17 Haengdang-Dong, Sungdong-Gu, Seoul, 133-791 Korea

\*Corresponding author. E-mail : ghahn-nnca@kins.re.kr

*Received December 7, 2004*

*Accepted for Publication May 31, 2005*

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An environmental radon monitoring system, comprising a radon-cup, an etching system, and a track counting system, was constructed. The radon cup is a cylindrical chamber with a radius of 2.2 cm and a height of 3.2 cm in combination with a CR-39 detector. Carbon is impregnated in the bodies of the detector chamber to avoid problem of an electrostatic charge. The optimized etching condition for the CR-39 exposed to a radon environment turned out to be a 6 N NaOH solution at 70°C over a 7hour period. The bulk etch rate under the optimized condition was  $1.14 \pm 0.03 \mu\text{m h}^{-1}$ . The diameter of the tracks caused by radon and its progeny were found to be in the range of 10~25  $\mu\text{m}$  under the optimized condition. The track images were observed with a track counting system, which consisted of an optical microscope, a color charged couple device (CCD) camera, and an image processor. The calibration factor of this system is obtained to be  $0.105 \pm 0.006 \text{ tracks cm}^{-2} \text{ per Bq m}^{-3} \text{ d}$ .

---

**KEYWORDS** : Radon, Radon Cup, Etching, CR-39, Solid State Nuclear Track Detector(SSNTD)

## 1. INTRODUCTION

Radon is the largest and most variable contributor of public exposure to radiation. It is estimated that the annual effective dose by radon and its progeny from the inhalation of air is about 50% of natural public exposure dose rate and prolonged exposure to high levels of radon can cause lung cancer [1]. In recent years, interest in this subject has been increasing rapidly in Korea because of news that the radon concentration of underground water in some regions and air of some Seoul subway stations is higher than action guideline level of other countries [2-4]. Measurement of radon exposure has gained added significance because of the increased potential for lung cancer caused by the combined effects of radon, air pollution, and smoking [5].

The environmental radon concentration is a function of time and climate conditions. To monitor radon, both active and passive techniques have been developed. Active methods are usually used for short-term measurements of radon and for detailed investigations of individual sites under inspection. Passive methods are more suitable for the assessment of radon exposure over long time scales and can be used for large-scale surveys at moderate cost.

For that reason, many countries have performed large-scale radon surveys using passive monitoring devices, have assessed the public exposure dose rate from radon, and have adopted appropriate actions for protection against radon [6-9]. Therefore, the construction of reliable and inexpensive radon monitoring system to assess the radon exposure should be done first in Korea.

In this work, radon cup using solid-state nuclear track detector (SSNTD), which have the ability to integrate over multiple day-long intervals of time at dwelling and building is developed along with a track counting system. Additionally, the optimum etching condition is also found. The proposed system can be used for large-scale surveys of environmental radon.

## 2. EXPERIMENTAL METHODS AND RESULTS

### 2.1 Radon Cup

A radon cup used for radon exposure assessments is made up of detection material and detector chamber. A radon cup used over long time scales with large-scale surveys must be small, low cost, and easy to both handle

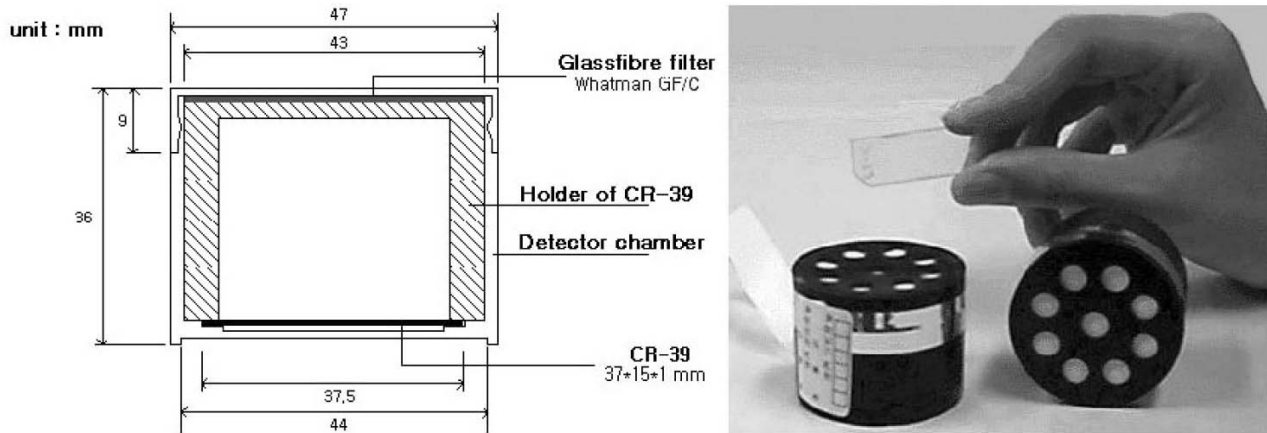


Fig. 1. The Radon Cup Developed in this Study

and read [10]. The sensitivity of a radon cup is dependent on the material and volume of the detector chamber, the position of the detection material in the detector chamber, and the filter that shuts out radon progeny.

### 2.1.1 Detection Material

The most popular member of the SSNTDs family, CR-39, was selected because of its good sensitivity, stability against various environmental factors, and high degree of optical clarity. Large sheets of CR-39 were supplied by Fukuvi Co., Ltd., Japan. Sheets of 0.9 mm thickness were used for robustness and to avoid the possibility of tracks on the back surface being detected by the image analyzer. These sheets were cut into rectangular shapes sized 1.5 cm  $\times$  3.7 cm, and one corner of the rectangle was removed to allow for proper orientation. A serial number was engraved on each element in Arabic numerals for ease of identification.

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variations in the outside concentration. But the radon concentration may be overestimated because the short half-time for entry will allow some thoron to enter the detector [11]. The radon cup developed in this study is shown in Figure 1.

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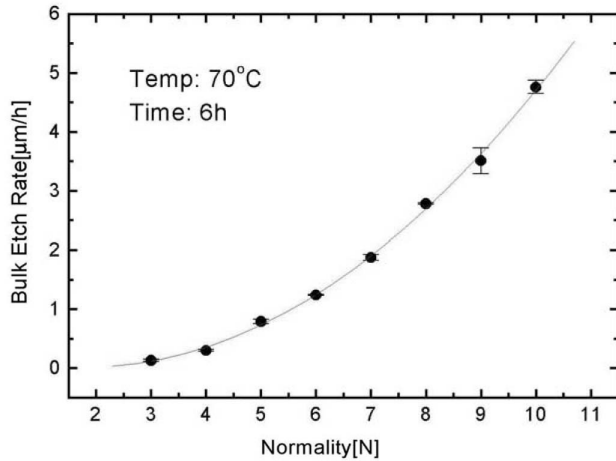


Fig. 2. The Change of Bulk Etch Rate with Normality of an Aqueous Solution of NaOH

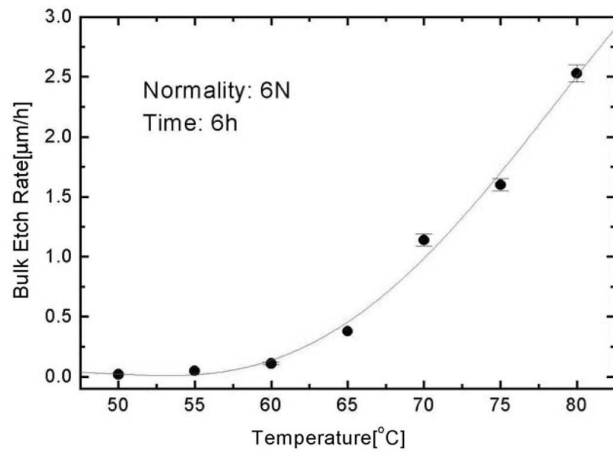


Fig. 3. The Change of Bulk Etch Rate with Temperature of an Aqueous Solution of NaOH

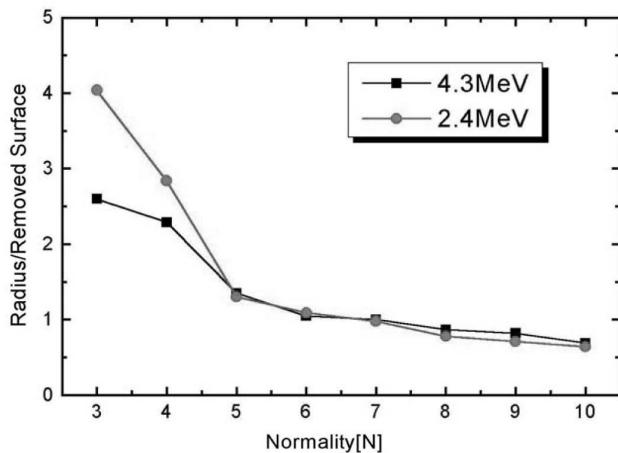


Fig. 4. Variation of the Ratio Between Track Radius and Thickness of Removed Surface as a Function of Normality of an Aqueous Solution of NaOH

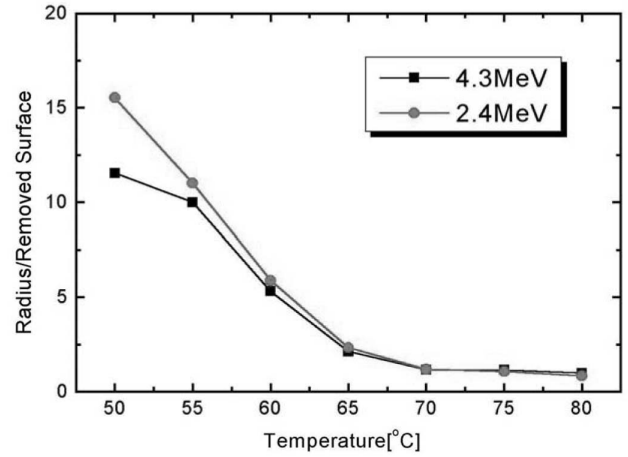


Fig. 5. Variation of the Ratio Between Track Radius and Thickness of Removed Surface as a Function of Temperature of an Aqueous Solution of NaOH

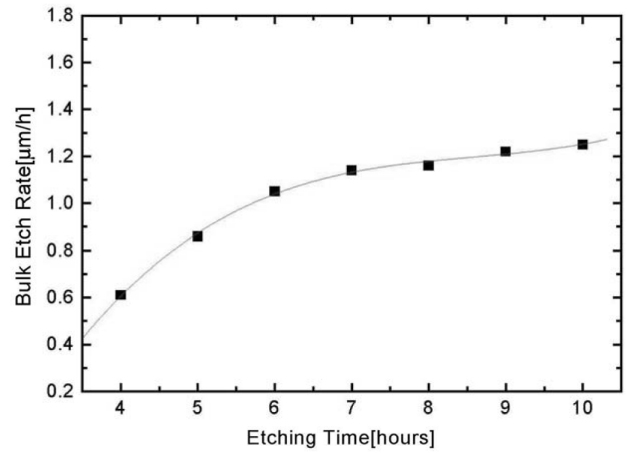


Fig. 6. Dependence of the Bulk Etch rate of CR-39 on the Etching Time

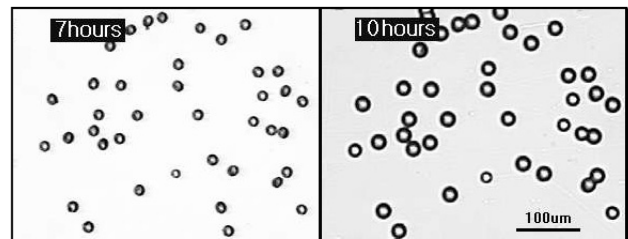


Fig. 7. Tracks of 4.3 MeV  $\alpha$ -particle Produced in CR-39 for Different Etching Times

5. It is clear from these figures that the etching sensitivity ( $V_t / V_b$ ) is high because the ratio between the track radius and the thickness of the removed surface is low in a solution of 6 N NaOH at 70°C. The dependence of the bulk etch rate

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### 2.3 Track Counting System

The etched tracks were observed using an optical microscope fitted with an objective lens of 149 times magnification. At this magnification one counting field covers an area of 0.99  $\text{mm}^2$ . The microscope image was viewed with a high-quality monochrome charge coupled device (CCD) TV camera, which is connected to a PC-based image analyzer (Image-Pro Plus version 4.0). The image analyzer displays images on a monitor. Tracks are counted automatically in 10 different fields around center of the detector (covering 9.9  $\text{mm}^2$ ). For unexposed detectors used for the assessment of background track density, 20 different fields were scanned. The tracks appeared as dark spots on a clear white background, and a grey-level threshold detection was performed to separate the tracks from the clear CR-39. Tracks were not accepted as genuine unless their areas and roundnesses ( $\text{perimeter}^2 / (4 * \pi * \text{area})$ ) fell within the acceptance criteria. The upper and lower limits for area of acceptable tracks were 50 and 450  $\mu\text{m}^2$  and for roundness 1 and 1.8, respectively, where a roundness of 1 refers to a disc. The track counting system developed in this study is shown in Figure 8.

### 2.4 Calibration and Intercomparison

Calibration experiments were carried out to evaluate the relationship between the track density recorded and the radon concentration. Reliable measurements of radon concentrations with an integrating device depend sensitively on the soundness of the calibration procedure. Exposure to radon was done at the National Radiological Protection

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Before using this system for a large survey program, it is essential to test the limit of the application at higher exposure levels. For that reason, exposure to radon was done at the Korea Research Institute of Standards and Science radon chamber [17]. The radon level varied between 396  $\text{kBq h m}^{-3}$  and 795  $\text{kBq h m}^{-3}$  with 5 radon-cups at 4 different level points. Figure 10 shows the result of the linearity test. It is clear from this figure that the detector response is maintained to about 800  $\text{kBq h m}^{-3}$  with good linearity.

To ensure the quality of a radon measurement, it is important to compare different detectors exposed side by side. Although passive radon measurement techniques are simple in principle, it has been found that it is difficult in practice to maintain good quality control. AlphaGUARD, which is an active device and the radon-cup developed in this study were exposed together in a radon chamber at Hanyang University. The AlphaGUARD device is the centerpiece of a portable measuring system for the continuous determination of radon concentration, and uses the proven principle of the pulse ionization chamber [18]. The



Fig. 8. Track Counting System

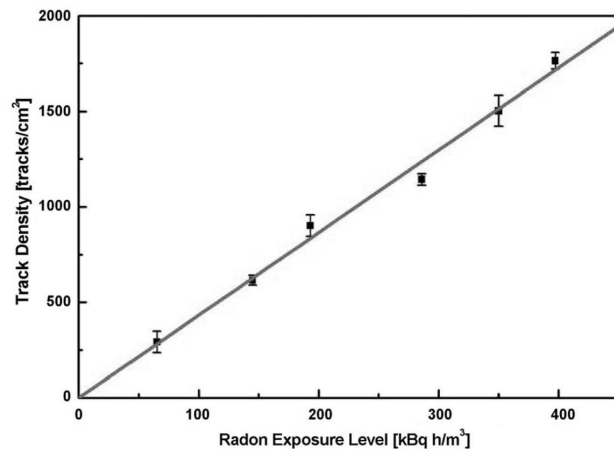


Fig. 9. Calibration of the Detector Against Radon Concentration. Damage to LWR Secondary-side Piping [1]



**Table 1.** Calibration Factors for Detectors Exposed in the Radon Cup Versus Radon Level

Radon level [kBq h m <sup>-3</sup> ]	Track density [tracks cm <sup>-2</sup> ]	Calibration factor [tracks cm <sup>-2</sup> per Bq m <sup>-3</sup> d]
65	291.8 ± 57	0.108 ± 0.021
145	615.5 ± 26	0.102 ± 0.004
193	901.7 ± 57	0.112 ± 0.007
286	1143.6 ± 32	0.096 ± 0.002
350	1503.2 ± 81	0.103 ± 0.006
397	1763.7 ± 43	0.107 ± 0.003
<b>Mean</b>		<b>0.105 ± 0.006</b>

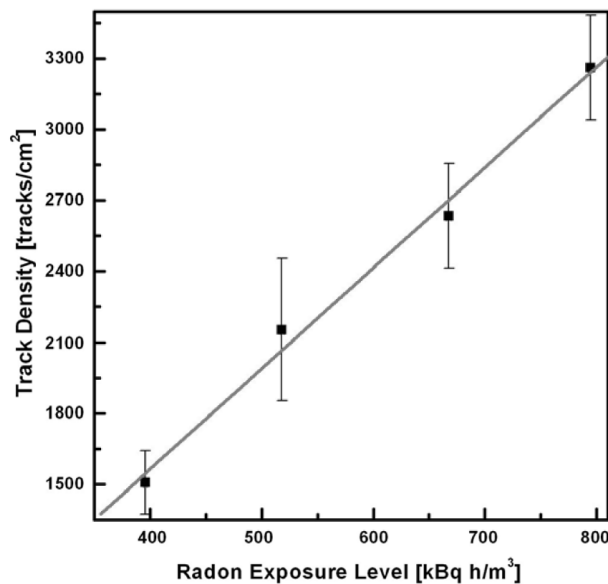


Fig. 10. Result of Linearity Test at Higher Exposure Levels

relative radon concentration normalized over the radon concentration by AlphaGUARD is shown in Figure 11. The radon concentration measured by the radon cup is in an acceptable agreement, within 20 %, with the value obtained by AlphaGUARD. There are many potential sources of error for this result, such as slight changes of etching conditions, different batches of the radon cup, and problems of proper recognition of the etched tracks by the automatic image analyzer [19].

### 3. CONCLUSION

For large-scale surveys of radon levels in the living environment, a measurement tool should be low cost, easy to distribute, readily available, and simple to evaluate. The proposed environmental radon monitoring system,

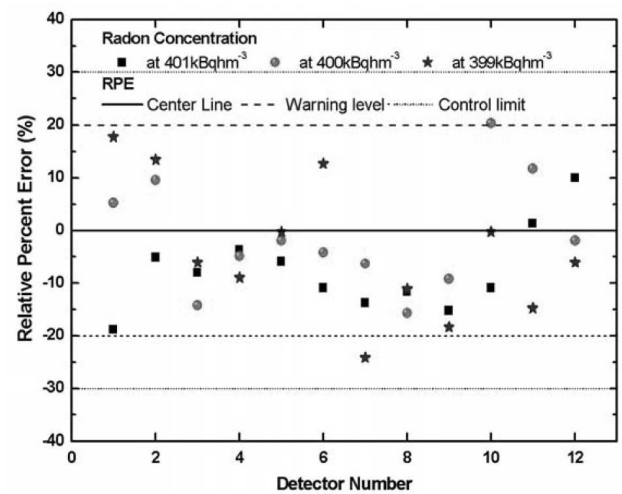


Fig. 11. 101 Result of Intercomparison of Radon Detectors

composed of a radon cup, a chemical etching system, and a track counting system was constructed. The developed radon cup is a cylindrical chamber with a radius of 2.2cm and a height of 3.2 cm in combination with a CR-39 detector. The optimized etching condition for the CR-39 exposed in a radon environment turned out to be a 6 N NaOH solution at 70 °C over a 7hour period. The bulk etch rate under the optimized condition was  $1.14 \pm 0.03 \mu\text{m h}^{-1}$ . The images of tracks were observed by the track counting system, which consisted of an optical microscope, a CCD camera, and an image processor. The calibration factor of this system was obtained to be  $0.105 \pm 0.006$  tracks cm<sup>-2</sup> per Bq m<sup>-3</sup> d. The radon concentration measured by the developed radon cup was in acceptable agreement with the values obtained by another device at intercomparison experiment.

The proposed radon monitoring system can be used to investigate nationwide radon levels to estimate the annual effective dose to the public by radon. The data on the survey

using this system will be used as the baseline data to decide the action level for radon in Korea. Finally, this system will contribute effectively for the reduction of lung cancer caused by radon.

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**Reid Rosnick/DC/USEPA/US**

04/18/2012 09:26 AM

To Beth Miller

cc

bcc

Subject Subpart W Docket Submission

Beth,

Would you please put this in the Subpart W docket? Thanks



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U.S. Environmental Protection Agency  
1200 Pennsylvania Ave., NW  
Washington, DC 20460  
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# CONSTRUCTION OF AN ENVIRONMENTAL RADON MONITORING SYSTEM USING CR-39 NUCLEAR TRACK DETECTORS

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*Received December 7, 2004*

*Accepted for Publication May 31, 2005*

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An environmental radon monitoring system, comprising a radon-cup, an etching system, and a track counting system, was constructed. The radon cup is a cylindrical chamber with a radius of 2.2 cm and a height of 3.2 cm in combination with a CR-39 detector. Carbon is impregnated in the bodies of the detector chamber to avoid problem of an electrostatic charge. The optimized etching condition for the CR-39 exposed to a radon environment turned out to be a 6 N NaOH solution at 70°C over a 7hour period. The bulk etch rate under the optimized condition was  $1.14 \pm 0.03 \mu\text{m h}^{-1}$ . The diameter of the tracks caused by radon and its progeny were found to be in the range of 10~25  $\mu\text{m}$  under the optimized condition. The track images were observed with a track counting system, which consisted of an optical microscope, a color charged couple device (CCD) camera, and an image processor. The calibration factor of this system is obtained to be  $0.105 \pm 0.006 \text{ tracks cm}^{-2} \text{ per Bq m}^{-3} \text{ d}$ .

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**KEYWORDS** : Radon, Radon Cup, Etching, CR-39, Solid State Nuclear Track Detector(SSNTD)

## 1. INTRODUCTION

Radon is the largest and most variable contributor of public exposure to radiation. It is estimated that the annual effective dose by radon and its progeny from the inhalation of air is about 50% of natural public exposure dose rate and prolonged exposure to high levels of radon can cause lung cancer [1]. In recent years, interest in this subject has been increasing rapidly in Korea because of news that the radon concentration of underground water in some regions and air of some Seoul subway stations is higher than action guideline level of other countries [2-4]. Measurement of radon exposure has gained added significance because of the increased potential for lung cancer caused by the combined effects of radon, air pollution, and smoking [5].

The environmental radon concentration is a function of time and climate conditions. To monitor radon, both active and passive techniques have been developed. Active methods are usually used for short-term measurements of radon and for detailed investigations of individual sites under inspection. Passive methods are more suitable for the assessment of radon exposure over long time scales and can be used for large-scale surveys at moderate cost.

For that reason, many countries have performed large-scale radon surveys using passive monitoring devices, have assessed the public exposure dose rate from radon, and have adopted appropriate actions for protection against radon [6-9]. Therefore, the construction of reliable and inexpensive radon monitoring system to assess the radon exposure should be done first in Korea.

In this work, radon cup using solid-state nuclear track detector (SSNTD), which have the ability to integrate over multiple day-long intervals of time at dwelling and building is developed along with a track counting system. Additionally, the optimum etching condition is also found. The proposed system can be used for large-scale surveys of environmental radon.

## 2. EXPERIMENTAL METHODS AND RESULTS

### 2.1 Radon Cup

A radon cup used for radon exposure assessments is made up of detection material and detector chamber. A radon cup used over long time scales with large-scale surveys must be small, low cost, and easy to both handle

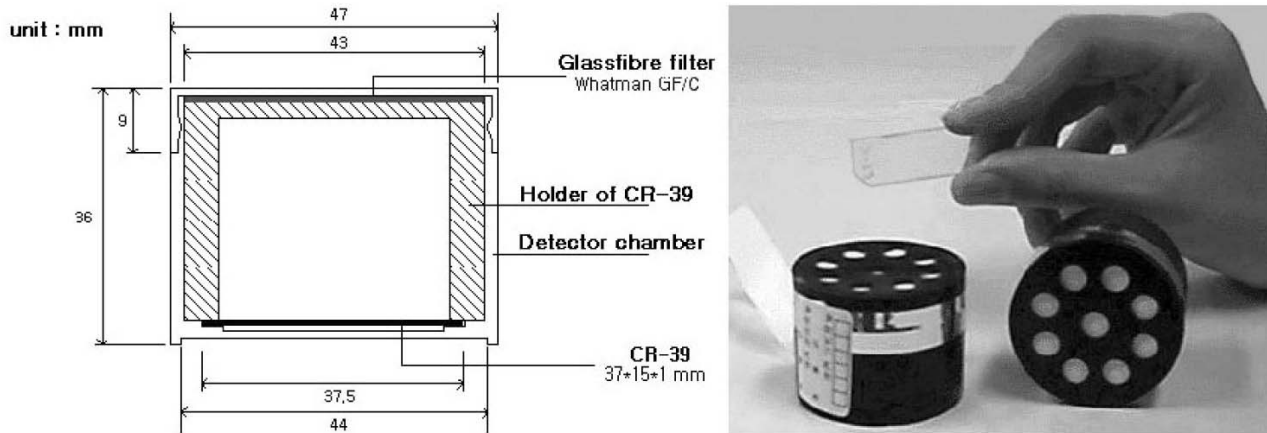


Fig. 1. The Radon Cup Developed in this Study

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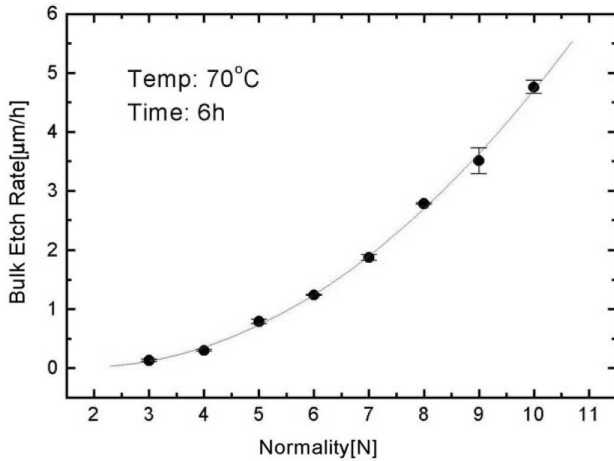


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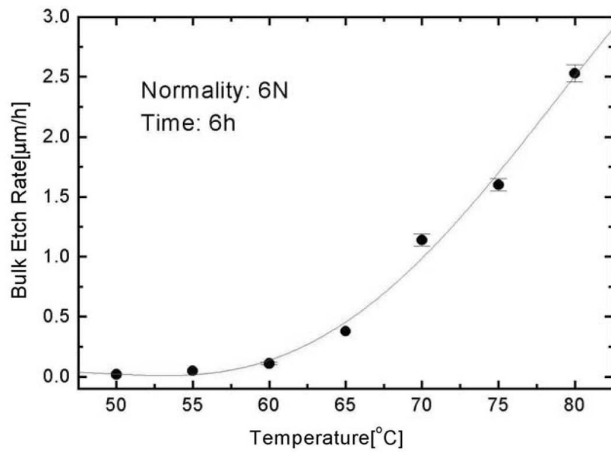


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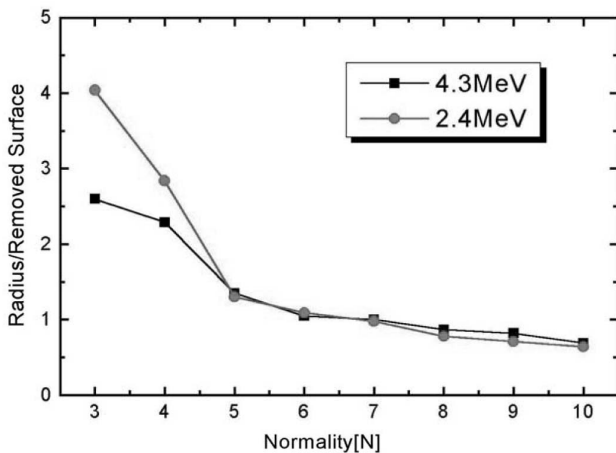


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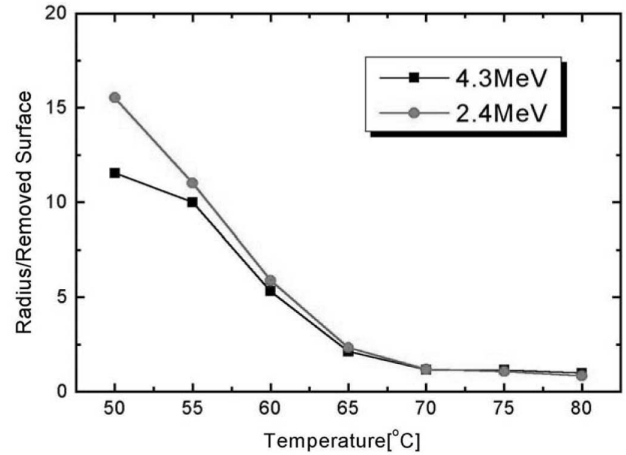


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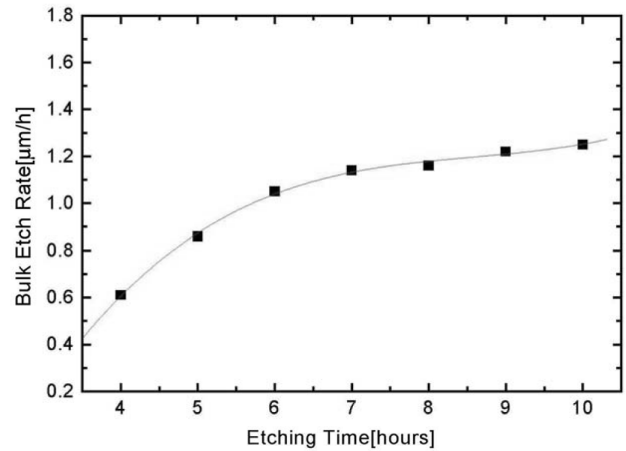


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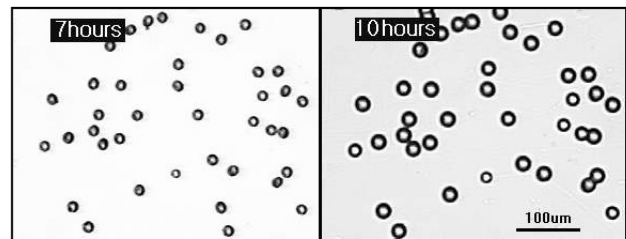


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Before using this system for a large survey program, it is essential to test the limit of the application at higher exposure levels. For that reason, exposure to radon was done at the Korea Research Institute of Standards and Science radon chamber [17]. The radon level varied between 396  $\text{kBq h m}^{-3}$  and 795  $\text{kBq h m}^{-3}$  with 5 radon-cups at 4 different level points. Figure 10 shows the result of the linearity test. It is clear from this figure that the detector response is maintained to about 800  $\text{kBq h m}^{-3}$  with good linearity.

To ensure the quality of a radon measurement, it is important to compare different detectors exposed side by side. Although passive radon measurement techniques are simple in principle, it has been found that it is difficult in practice to maintain good quality control. AlphaGUARD, which is an active device and the radon-cup developed in this study were exposed together in a radon chamber at Hanyang University. The AlphaGUARD device is the centerpiece of a portable measuring system for the continuous determination of radon concentration, and uses the proven principle of the pulse ionization chamber [18]. The



Fig. 8. Track Counting System

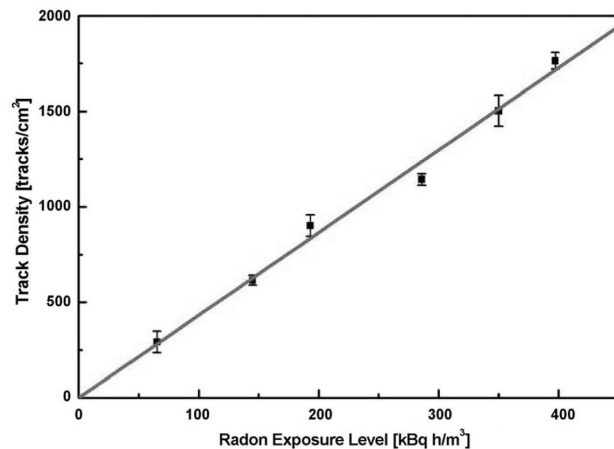


Fig. 9. Calibration of the Detector Against Radon Concentration. Damage to LWR Secondary-side Piping [1]

**Table 1.** Calibration Factors for Detectors Exposed in the Radon Cup Versus Radon Level

Radon level [kBq h m <sup>-3</sup> ]	Track density [tracks cm <sup>-2</sup> ]	Calibration factor [tracks cm <sup>-2</sup> per Bq m <sup>-3</sup> d]
65	291.8 ± 57	0.108 ± 0.021
145	615.5 ± 26	0.102 ± 0.004
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<b>Mean</b>		<b>0.105 ± 0.006</b>

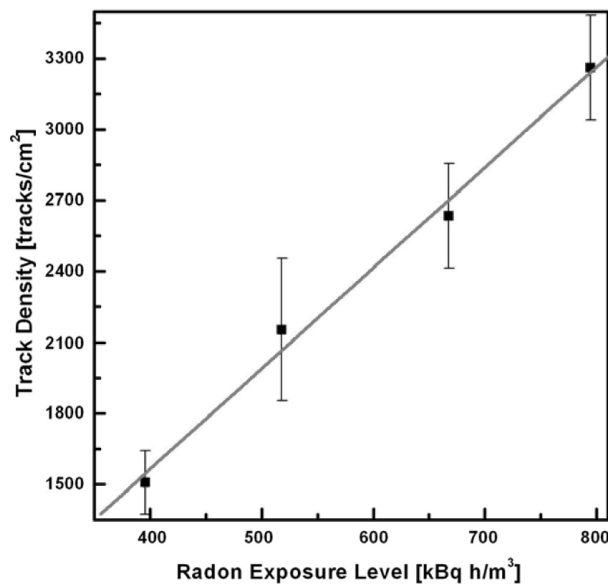


Fig. 10. Result of Linearity Test at Higher Exposure Levels

relative radon concentration normalized over the radon concentration by AlphaGUARD is shown in Figure 11. The radon concentration measured by the radon cup is in an acceptable agreement, within 20 %, with the value obtained by AlphaGUARD. There are many potential sources of error for this result, such as slight changes of etching conditions, different batches of the radon cup, and problems of proper recognition of the etched tracks by the automatic image analyzer [19].

### 3. CONCLUSION

For large-scale surveys of radon levels in the living environment, a measurement tool should be low cost, easy to distribute, readily available, and simple to evaluate. The proposed environmental radon monitoring system,

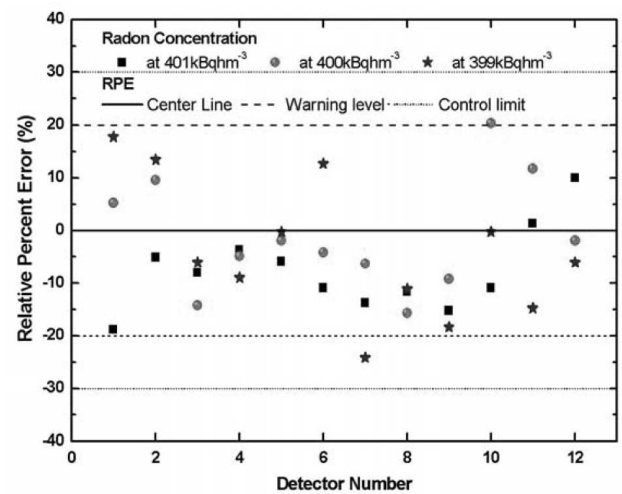


Fig. 11. 101 Result of Intercomparison of Radon Detectors

composed of a radon cup, a chemical etching system, and a track counting system was constructed. The developed radon cup is a cylindrical chamber with a radius of 2.2cm and a height of 3.2 cm in combination with a CR-39 detector. The optimized etching condition for the CR-39 exposed in a radon environment turned out to be a 6 N NaOH solution at 70 °C over a 7hour period. The bulk etch rate under the optimized condition was  $1.14 \pm 0.03 \mu\text{m h}^{-1}$ . The images of tracks were observed by the track counting system, which consisted of an optical microscope, a CCD camera, and an image processor. The calibration factor of this system was obtained to be  $0.105 \pm 0.006$  tracks cm<sup>-2</sup> per Bq m<sup>-3</sup> d. The radon concentration measured by the developed radon cup was in acceptable agreement with the values obtained by another device at intercomparison experiment.

The proposed radon monitoring system can be used to investigate nationwide radon levels to estimate the annual effective dose to the public by radon. The data on the survey



using this system will be used as the baseline data to decide the action level for radon in Korea. Finally, this system will contribute effectively for the reduction of lung cancer caused by radon.

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EPA-3275

**Tim Benner**

To

cc

bcc

Subject: UPLOAD

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UNITED STATES ENVIRONMENTAL PROTECTION AGENCY  
WASHINGTON, D.C. 20460

APR 18 2012

OFFICE OF  
RESEARCH AND DEVELOPMENT

**MEMORANDUM**

**SUBJECT:** Revisions to National Emission Standards for Radon Emissions from Operating Mill Tailings – **Concurrence**

**FROM:** Fred S. Hauchman   
Director  
Office of Science Policy (8104R)

**TO:** Wanda T. Farrar  
Steering Committee Representative  
Office of Air and Radiation (6103A)

Thank you for the opportunity to review and comment on the proposed Revisions to National Emission Standards for Radon Emissions from Operating Mill Tailings. ORD concurs with the proposal. We have submitted specific mark-up comments on multiple drafts of the preamble to ORIA staff separately.

Should you have any questions, please contact Tim Benner of my staff at 202-564-6769.

cc: Tim Benner, ORD/OSP  
Robert Fegley, ORD/OSP  
Rita Schoeny, ORD/OSP  
Reid Rosnick, OAR/ORIA  
Nicole Owens, OP

EPA-395

**Tim Benner/DC/USEPA/US**

04/19/2012 01:32 PM

To Amy Cole, Reid Rosnick

cc

bcc

Subject ORD concurrence on subpart W radon standards

Here is ORD's concurrence memo for today's FAR meeting on ORIA's proposed subpart W radon emission standards.

Tim



5281concur1.pdf




UNITED STATES ENVIRONMENTAL PROTECTION AGENCY  
WASHINGTON, D.C. 20460

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Robert Fegley, ORD/OSP  
Rita Schoeny, ORD/OSP  
Reid Rosnick, OAR/ORIA  
Nicole Owens, OP

EPA-5227

**Angelique Diaz**

To

cc

bcc

Subject UPLOAD

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**UNITED STATES ENVIRONMENTAL PROTECTION AGENCY  
REGION 8**

1595 Wynkoop Street  
DENVER, CO 80202-1129  
Phone 800-227-8917  
<http://www.epa.gov/region08>

**MEMORANDUM**

**SUBJECT:** Final Agency Review for Revisions to 40 CFR Part 61 Subpart W – **Concur without comment**

**FROM:** Callie A. Videtich, Assistant Regional Administrator  
Office of Partnerships and Regulatory Assistance

**TO:** Amy Cole  
Regulatory Management Division  
Office of Policy/Office of the Administrator

Thank you for the opportunity to comment on the revisions to the National Emission Standards for Radon Emissions from Operating Mill Tailings (40 CFR Part 61 Subpart W). Region 8 concurs without comment on the revisions.

**cc:** Reid Rosnick (ORIA)

EPA-436

Reid Rosnick/DC/USEPA/US

To: Beth Miller

04/23/2012 09:15 AM

cc

bcc

Subject: Fw: Subpart W Docket Submission

This one should also go in the Documents section ;)

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Reid J. Rosnick  
Radiation Protection Division (6608J)  
U.S. Environmental Protection Agency  
1200 Pennsylvania Ave., NW  
Washington, DC 20460  
202.343.9563  
rosnick.reid@epa.gov

----- Forwarded by Reid Rosnick/DC/USEPA/US on 04/23/2012 09:15 AM -----

From: Reid Rosnick/DC/USEPA/US  
To: Beth Miller/DC/USEPA/US@EPA  
Date: 04/18/2012 09:26 AM  
Subject: Subpart W Docket Submission

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Beth,

Would you please put this in the Subpart W docket? Thanks



JK0370395.pdf

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Radiation Protection Division (6608J)  
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1200 Pennsylvania Ave., NW  
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# CONSTRUCTION OF AN ENVIRONMENTAL RADON MONITORING SYSTEM USING CR-39 NUCLEAR TRACK DETECTORS

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*Received December 7, 2004*

*Accepted for Publication May 31, 2005*

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An environmental radon monitoring system, comprising a radon-cup, an etching system, and a track counting system, was constructed. The radon cup is a cylindrical chamber with a radius of 2.2 cm and a height of 3.2 cm in combination with a CR-39 detector. Carbon is impregnated in the bodies of the detector chamber to avoid problem of an electrostatic charge. The optimized etching condition for the CR-39 exposed to a radon environment turned out to be a 6 N NaOH solution at 70°C over a 7hour period. The bulk etch rate under the optimized condition was  $1.14 \pm 0.03 \mu\text{m h}^{-1}$ . The diameter of the tracks caused by radon and its progeny were found to be in the range of 10~25  $\mu\text{m}$  under the optimized condition. The track images were observed with a track counting system, which consisted of an optical microscope, a color charged couple device (CCD) camera, and an image processor. The calibration factor of this system is obtained to be  $0.105 \pm 0.006 \text{ tracks cm}^{-2} \text{ per Bq m}^{-3} \text{ d}$ .

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**KEYWORDS** : Radon, Radon Cup, Etching, CR-39, Solid State Nuclear Track Detector(SSNTD)

## 1. INTRODUCTION

Radon is the largest and most variable contributor of public exposure to radiation. It is estimated that the annual effective dose by radon and its progeny from the inhalation of air is about 50% of natural public exposure dose rate and prolonged exposure to high levels of radon can cause lung cancer [1]. In recent years, interest in this subject has been increasing rapidly in Korea because of news that the radon concentration of underground water in some regions and air of some Seoul subway stations is higher than action guideline level of other countries [2-4]. Measurement of radon exposure has gained added significance because of the increased potential for lung cancer caused by the combined effects of radon, air pollution, and smoking [5].

The environmental radon concentration is a function of time and climate conditions. To monitor radon, both active and passive techniques have been developed. Active methods are usually used for short-term measurements of radon and for detailed investigations of individual sites under inspection. Passive methods are more suitable for the assessment of radon exposure over long time scales and can be used for large-scale surveys at moderate cost.

For that reason, many countries have performed large-scale radon surveys using passive monitoring devices, have assessed the public exposure dose rate from radon, and have adopted appropriate actions for protection against radon [6-9]. Therefore, the construction of reliable and inexpensive radon monitoring system to assess the radon exposure should be done first in Korea.

In this work, radon cup using solid-state nuclear track detector (SSNTD), which have the ability to integrate over multiple day-long intervals of time at dwelling and building is developed along with a track counting system. Additionally, the optimum etching condition is also found. The proposed system can be used for large-scale surveys of environmental radon.

## 2. EXPERIMENTAL METHODS AND RESULTS

### 2.1 Radon Cup

A radon cup used for radon exposure assessments is made up of detection material and detector chamber. A radon cup used over long time scales with large-scale surveys must be small, low cost, and easy to both handle

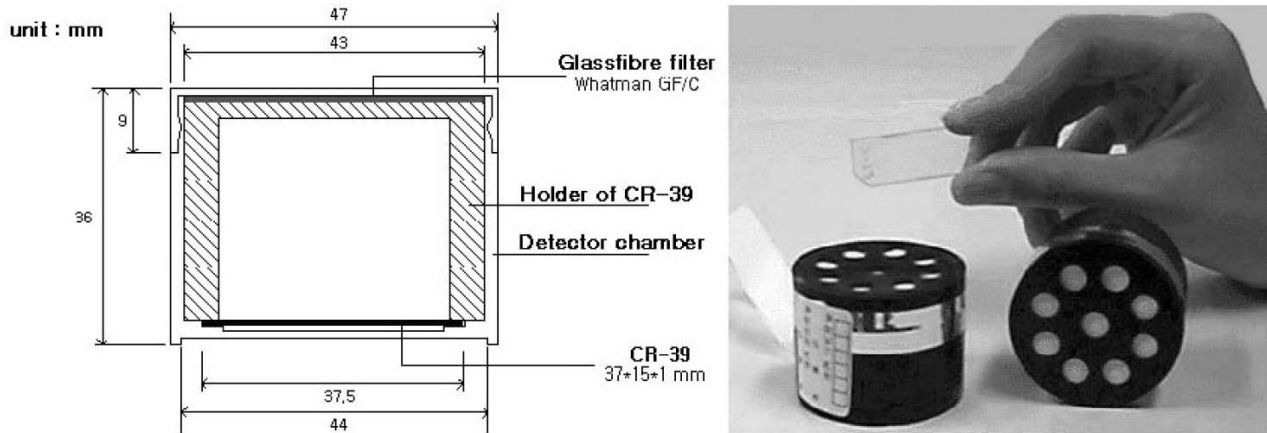


Fig. 1. The Radon Cup Developed in this Study

and read [10]. The sensitivity of a radon cup is dependent on the material and volume of the detector chamber, the position of the detection material in the detector chamber, and the filter that shuts out radon progeny.

### 2.1.1 Detection Material

The most popular member of the SSNTDs family, CR-39, was selected because of its good sensitivity, stability against various environmental factors, and high degree of optical clarity. Large sheets of CR-39 were supplied by Fukuvi Co., Ltd., Japan. Sheets of 0.9 mm thickness were used for robustness and to avoid the possibility of tracks on the back surface being detected by the image analyzer. These sheets were cut into rectangular shapes sized 1.5 cm  $\times$  3.7 cm, and one corner of the rectangle was removed to allow for proper orientation. A serial number was engraved on each element in Arabic numerals for ease of identification.

### 2.1.2 Detector Chamber

The detector chamber is a cylindrical cup of 2.2 cm in radius and 3.2 cm in height. Carbon is impregnated in the wall material, polypropylene, to enhance electrical conductivity and to avoid the problem of electrostatic charge. This cup is sealed with glass-fibre filter (Whatman GF/C, England) that discriminates short-lived thoron by delaying the entry of gases into the chamber, limits access of moisture, and blocks the entry of radon progeny and dust present in the ambient air [11-13]. The CR-39 on the bottom of the detector chamber is fixed by holder to reduce any error that might be caused by its movement. Radon enters the holder with a half-time for entry about 1 minute, which is short compared with the radon half-life of 3.82 days [11]. This means that the radon concentration inside the detector chamber quickly approaches that outside. It can be shown that the long-term average radon concentration inside the detector chamber is the same as that outside, despite any

variations in the outside concentration. But the radon concentration may be overestimated because the short half-time for entry will allow some thoron to enter the detector [11]. The radon cup developed in this study is shown in Figure 1.

### 2.2 Track Etching System

The optimal use of any track detector is largely dependent on standardization of various etching parameters, such as the bulk etch rate ( $V_b$ ) and track etch rate ( $V_t$ ), both of which must be experimentally determined under suitable conditions. A set of systematic experiments was carried out to find the optimal etching condition. CR-39 samples were irradiated using two alpha source (2.4 MeV and 4.3 MeV) with  $2\pi$  geometry. Irradiated CR-39 samples were etched in a NaOH solution, which is the most popular etchant and has been extensively studied [14]; varying concentrations of NaOH solution were used, from 3~10 N, at temperatures ranging from 50 to 80 °C, during periods of 4 to 10 hours. After etching, the CR-39 samples were cleaned in running water for 20 minutes and dried flat between tissue wipes to remove the etchant and etch products from the surface of the detector. The optimum etching condition for the CR-39 used in this study turned out to be etching the CR-39 in a solution of 6 N NaOH solution at 70 °C over a 7 hour period. Figure 2 shows the changes of the bulk etch rate with normality of an aqueous solution of NaOH at 70 °C, and Figure 3 shows the one with temperature of an aqueous solution of NaOH at 6 N. It can be seen in these figures that the normality has a stronger effect than temperature, and reproducibility of the etching temperature and normality is important, because the bulk etch rates change rapidly with temperature above 60 °C. Values of the ratio between the track radius and the thickness of the removed surface are plotted as a function of the normality and temperature of the NaOH solution in Figures 4 and

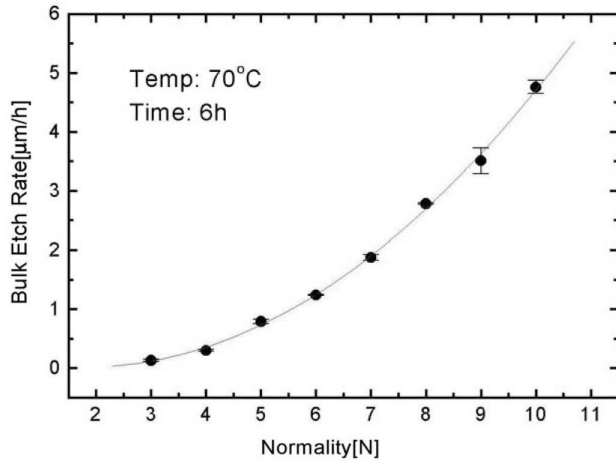


Fig. 2. The Change of Bulk Etch Rate with Normality of an Aqueous Solution of NaOH

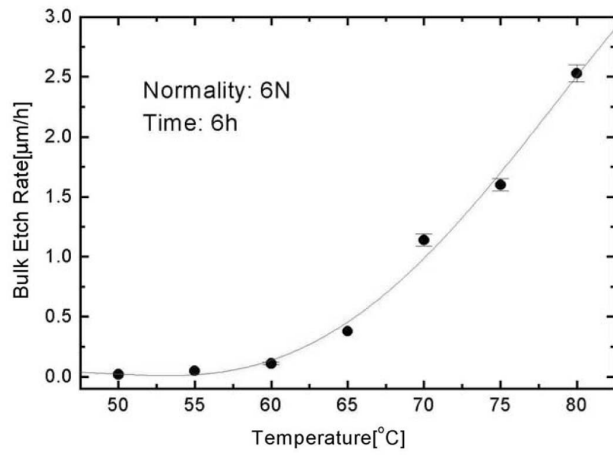


Fig. 3. The Change of Bulk Etch Rate with Temperature of an Aqueous Solution of NaOH

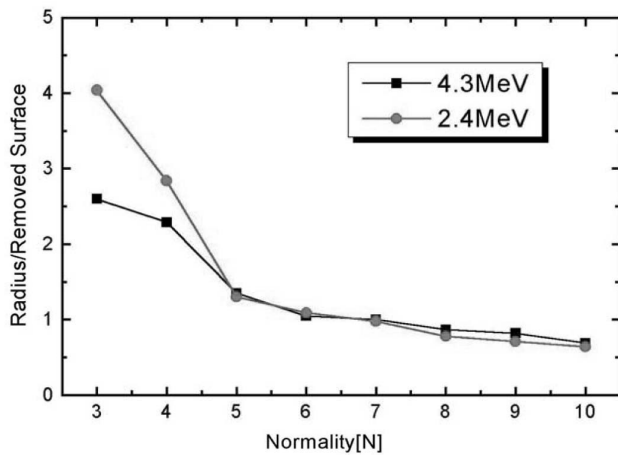


Fig. 4. Variation of the Ratio Between Track Radius and Thickness of Removed Surface as a Function of Normality of an Aqueous Solution of NaOH

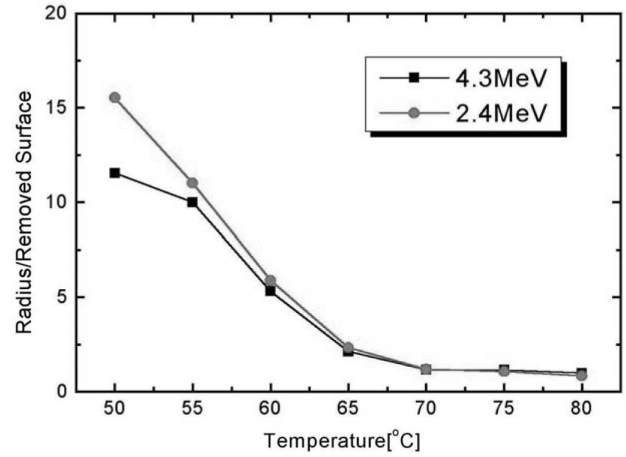


Fig. 5. Variation of the Ratio Between Track Radius and Thickness of Removed Surface as a Function of Temperature of an Aqueous Solution of NaOH

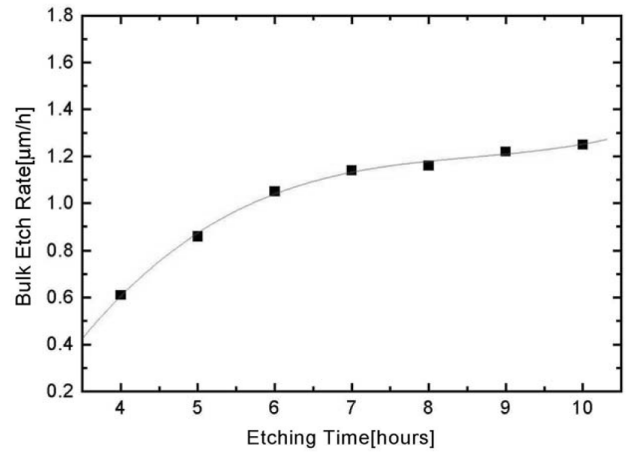


Fig. 6. Dependence of the Bulk Etch rate of CR-39 on the Etching Time

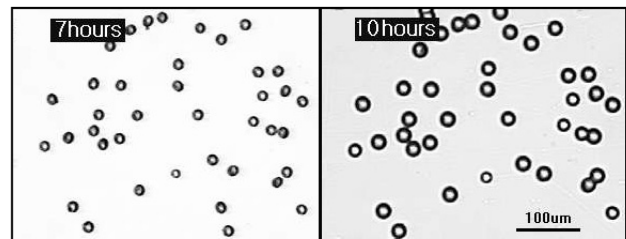


Fig. 7. Tracks of 4.3 MeV  $\alpha$ -particle Produced in CR-39 for Different Etching Times

5. It is clear from these figures that the etching sensitivity ( $V_t / V_b$ ) is high because the ratio between the track radius and the thickness of the removed surface is low in a solution of 6 N NaOH at 70°C. The dependence of the bulk etch rate

on the etching time is shown in Figure 6. The bulk etch rate was found to be saturated after 7 hours. The bulk etch rate under the optimized condition was  $1.14 \pm 0.03 \mu\text{m h}^{-1}$ , and the diameters of the etched tracks were in the range of 10–25  $\mu\text{m}$ . Figure 7 shows the appearance of the tracks of  $\alpha$ -particle of 4.3 MeV produced in CR-39 for different etching times at a magnification of 149.

### 2.3 Track Counting System

The etched tracks were observed using an optical microscope fitted with an objective lens of 149 times magnification. At this magnification one counting field covers an area of 0.99  $\text{mm}^2$ . The microscope image was viewed with a high-quality monochrome charge coupled device (CCD) TV camera, which is connected to a PC-based image analyzer (Image-Pro Plus version 4.0). The image analyzer displays images on a monitor. Tracks are counted automatically in 10 different fields around center of the detector (covering 9.9  $\text{mm}^2$ ). For unexposed detectors used for the assessment of background track density, 20 different fields were scanned. The tracks appeared as dark spots on a clear white background, and a grey-level threshold detection was performed to separate the tracks from the clear CR-39. Tracks were not accepted as genuine unless their areas and roundnesses ( $\text{perimeter}^2 / (4 * \pi * \text{area})$ ) fell within the acceptance criteria. The upper and lower limits for area of acceptable tracks were 50 and 450  $\mu\text{m}^2$  and for roundness 1 and 1.8, respectively, where a roundness of 1 refers to a disc. The track counting system developed in this study is shown in Figure 8.

### 2.4 Calibration and Intercomparison

Calibration experiments were carried out to evaluate the relationship between the track density recorded and the radon concentration. Reliable measurements of radon concentrations with an integrating device depend sensitively on the soundness of the calibration procedure. Exposure to radon was done at the National Radiological Protection

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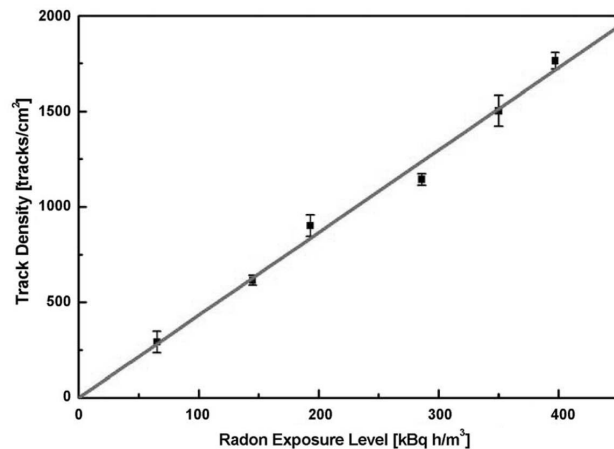


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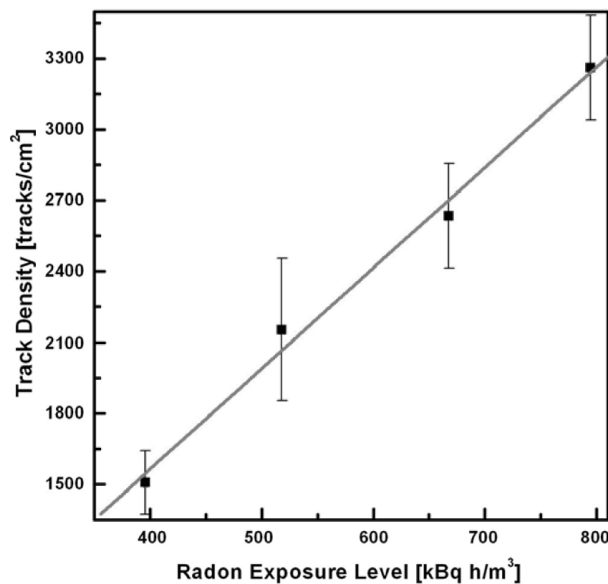


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relative radon concentration normalized over the radon concentration by AlphaGUARD is shown in Figure 11. The radon concentration measured by the radon cup is in an acceptable agreement, within 20 %, with the value obtained by AlphaGUARD. There are many potential sources of error for this result, such as slight changes of etching conditions, different batches of the radon cup, and problems of proper recognition of the etched tracks by the automatic image analyzer [19].

### 3. CONCLUSION

For large-scale surveys of radon levels in the living environment, a measurement tool should be low cost, easy to distribute, readily available, and simple to evaluate. The proposed environmental radon monitoring system,

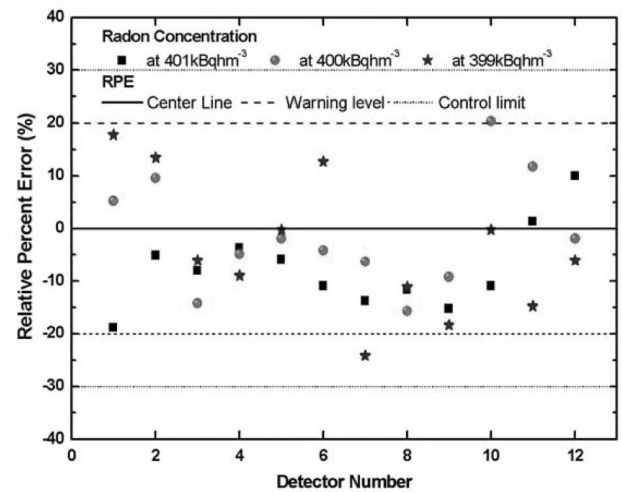


Fig. 11. 101 Result of Intercomparison of Radon Detectors

composed of a radon cup, a chemical etching system, and a track counting system was constructed. The developed radon cup is a cylindrical chamber with a radius of 2.2cm and a height of 3.2 cm in combination with a CR-39 detector. The optimized etching condition for the CR-39 exposed in a radon environment turned out to be a 6 N NaOH solution at 70 °C over a 7hour period. The bulk etch rate under the optimized condition was  $1.14 \pm 0.03 \mu\text{m h}^{-1}$ . The images of tracks were observed by the track counting system, which consisted of an optical microscope, a CCD camera, and an image processor. The calibration factor of this system was obtained to be  $0.105 \pm 0.006$  tracks cm<sup>-2</sup> per Bq m<sup>-3</sup> d. The radon concentration measured by the developed radon cup was in acceptable agreement with the values obtained by another device at intercomparison experiment.

The proposed radon monitoring system can be used to investigate nationwide radon levels to estimate the annual effective dose to the public by radon. The data on the survey

using this system will be used as the baseline data to decide the action level for radon in Korea. Finally, this system will contribute effectively for the reduction of lung cancer caused by radon.

## REFERENCES

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EPA-3439

**Philip Egidi/DC/USEPA/US**

04/24/2012 10:06 AM

To Andrea Cherepy, Tom Peake

cc

bcc

Subject Cherepy\_Egidi\_Rosnick\_NRC-NMA 2012-05-07.pptx

I added a slide relative to the SAB charge areas.

Felt that was a good way to frame the discussion without getting into what we can't discuss yet.

Let me know your thoughts.

PVE

Philip Egidi

Environmental Scientist

U.S. Environmental Protection Agency

Office of Radiation and Indoor Air

Radiation Protection Division

Center for Waste Management and Regulations

Washington, DC

phone: 202-343-9186

email: [egidi.philip@epa.gov](mailto:egidi.philip@epa.gov)

cell: 970-209-2885



- Cherepy\_Egidi\_Rosnick\_NRC-NMA 2012-05-07.pptx



***U.S. EPA Regulations Review Update:  
Subpart W NESHAPS (40 CFR 61)  
Uranium and Thorium Mill Tailings (40 CFR 192)***

---

Andrea Cherepy, Phil Egidi, Reid Rosnick  
Radiation Protection Division  
U.S. Environmental Protection Agency

NRC/NMA recovery Workshop  
May 7, 2012



## 40 CFR 61 Subpart W Summary

- Applies to radon emissions from operating uranium mill tailings impoundments as of 1989.
  - Radon emissions flux standard: 20 pCi/m<sup>2</sup>-sec.
  - Currently, 3 impoundments qualify
- After 12/15/1989, new impoundments were required to meet one of two new work practices.
  - ✓ Phased disposal – Impoundment size(2)  $\leq$  40 acres.
  - ✓ Continuous disposal – dewatered tailings with no more than 10 acres uncovered.



## 40 CFR 61 Subpart W Summary

- Both must meet design, construction, ground-water monitoring standards at 40 CFR 192.32(a).
- Work practices were designed to achieve at least equivalent risk reductions as obtained by the numerical standard.



## Status of 40 CFR Part 61, Subpart W

- Proposed Regulation underwent Final Agency Review in April 2012.
- Package to be sent soon to OMB.
- OMB review is expected to take ~ 90 days.
- EPA will address any comments, questions or changes requested by OMB.
- Proposal in Federal Register after OMB review.



# Subpart W Outreach

- ✓ Established a dedicated web site to act as an information outlet.
- ✓ <http://www.epa.gov/radiation/neshaps/subpartw/rulemaking-activity.html>
- ✓ Site contains:
  - current and historical rulemaking documents,
  - presentations,
  - contact information,
  - useful links.



# Subpart W Outreach

- ✓ Quarterly conference calls to answer stakeholder questions.
- ✓ Next call – July 5, 2012 – 11:00 AM EDT.
- ✓ Call in number is 1-866-299-3188.
  - conference code 2023439563#
- ✓ Public participation by e-mail:
  - [subpartw@epa.gov](mailto:subpartw@epa.gov)



## 40 CFR 192 Rulemaking

- EPA plans to revise its regulations for uranium and thorium milling
- Schedule for major milestones:
  - ✓ 2012 proposal
  - ✓ Anticipate public hearings in early 2013



## Focus of 40 CFR Part 192 Review

- Existing regulations and standards lack explicit provisions for in-situ recovery (ISR) facilities
  - ✓ ISR now principal means of uranium recovery in the U.S.
- Regulatory changes will focus on groundwater at ISR sites
- Science Advisory Board provided recommendations to EPA
  - ✓ Documents are available to the public at <http://epa.gov/sab/>



# SAB Charge Areas

- (1) monitoring network design;
- (2) effective baseline monitoring;
- (3) restoration-phase monitoring to define trends in groundwater constituents and ultimate arrival at stability; and
- (4) use of appropriate statistical techniques and data processing for reliable conclusions.





# Science Advisory Board Recommendations (examples)

- Identify groundwater constituents and parameters pertinent for monitoring, not limited to those with regulatory limits but also including non-hazardous constituents that can affect the behavior of, or serve as surrogates for, constituents of interest
- Carefully qualify the meaning of “return to pre-operational groundwater quality”
- Collect sufficient pre-operational groundwater monitoring data to support reliable post-operational decision making



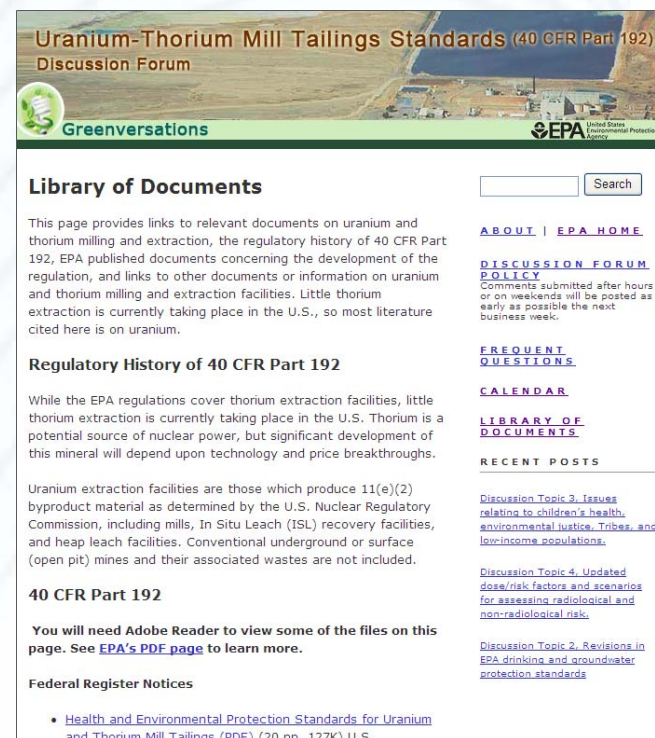
# Additional Information

Background documents available on internet:

<http://blog.epa.gov/milltailingsblog/library-of-documents/>

Public participation by e-mail:

[Uranium.Review@epa.gov](mailto:Uranium.Review@epa.gov)



The screenshot shows the EPA website for the Uranium-Thorium Mill Tailings Standards (40 CFR Part 192) Discussion Forum. The page features a header with the title and EPA logo, a search bar, and several navigation links. The main content area includes a description of the forum's purpose, a section on the regulatory history of 40 CFR Part 192, and a list of recent posts. A sidebar on the right contains links for 'ABOUT | EPA HOME', 'DISCUSSION FORUM POLICY', 'FREQUENT QUESTIONS', 'CALENDAR', 'LIBRARY OF DOCUMENTS', and 'RECENT POSTS'. The 'RECENT POSTS' section lists three topics: 'Issues relating to children's health, environmental justice, Tribes, and low-income populations', 'Updated dose/risk factors and scenarios for assessing radiological and non-radiological risk', and 'Revisions in EPA drinking and groundwater protection standards'. A 'Federal Register Notices' section at the bottom lists a document titled 'Health and Environmental Protection Standards for Uranium and Thorium Mill Tailings (PDF) (20 pp, 127K) U.S.'.

**Uranium-Thorium Mill Tailings Standards (40 CFR Part 192) Discussion Forum**

**Library of Documents**

This page provides links to relevant documents on uranium and thorium milling and extraction, the regulatory history of 40 CFR Part 192, EPA published documents concerning the development of the regulation, and links to other documents or information on uranium and thorium milling and extraction facilities. Little thorium extraction is currently taking place in the U.S., so most literature cited here is on uranium.

**Regulatory History of 40 CFR Part 192**

While the EPA regulations cover thorium extraction facilities, little thorium extraction is currently taking place in the U.S. Thorium is a potential source of nuclear power, but significant development of this mineral will depend upon technology and price breakthroughs.

Uranium extraction facilities are those which produce 11(e)(2) byproduct material as determined by the U.S. Nuclear Regulatory Commission, including mills, In Situ Leach (ISL) recovery facilities, and heap leach facilities. Conventional underground or surface (open pit) mines and their associated wastes are not included.

**40 CFR Part 192**

You will need Adobe Reader to view some of the files on this page. See [EPA's PDF page](#) to learn more.

**Federal Register Notices**

- [Health and Environmental Protection Standards for Uranium and Thorium Mill Tailings \(PDF\) \(20 pp, 127K\) U.S.](#)

**ABOUT | EPA HOME**

**DISCUSSION FORUM POLICY**  
Comments submitted after hours or on weekends will be posted as early as possible the next business week.

**FREQUENT QUESTIONS**

**CALENDAR**

**LIBRARY OF DOCUMENTS**

**RECENT POSTS**

[Discussion Topic 3: Issues relating to children's health, environmental justice, Tribes, and low-income populations.](#)

[Discussion Topic 4: Updated dose/risk factors and scenarios for assessing radiological and non-radiological risk.](#)

[Discussion Topic 2: Revisions in EPA drinking and groundwater protection standards](#)



# Summary

- EPA plans to revise existing regulation and standards
- Revisions focused on ISR issues
- Expect proposal in late 2012
- Public hearings likely in early 2013



EPA-4987

Alan Perrin/DC/USEPA/US

04/25/2012 06:17 PM

To Shelley Blake

cc Jonathan Edwards, Gina Costantino, Rafaela Ferguson,  
Valerie Daigler, Tom Peake

bcc

Subject HAC Qs

Shelley,

This is our proposal for responding to HAC Qs 1 and 2. Dollars include both contracts and FTE. In Q1, \$ cover the period FY11 through proposal (or ANPRM, in the case of 40 CFR 190).

I'm also attaching a spreadsheet below for internal reference only as you discuss these numbers with Mike. The spreadsheet contains the breakout for contracts/FTE by year; it also includes numbers for FY09-10, should you choose to include these years in the response to Q1. Let me know if you have any questions. -Alan

*Response to Question 1:*

Environmental Radiation Protection Standards for Nuclear Power Operations (40 CFR Part 190);  
Advance Notice of Proposed Rulemaking -- \$601 k

National Emission Standards for Radon Emissions from Operating Mill Tailings (NESHAP) (40 CFR  
Part 61, Subpart W); Notice of Proposed Rulemaking -- \$609 k

Health and Environmental Protection Standards for Uranium and Thorium Mill Tailings (40 CFR Part  
192); Notice of Proposed Rulemaking -- \$1,594 k

*Response to Question 2:*

Health and Environmental Protection Standards for Uranium and Thorium Mill Tailings (40 CFR Part  
192); Notice of Proposed Rulemaking -- \$64 k



HAC cost info 190 192 and subpart W\_v1.xlsx

~~~~~  
Alan Perrin, Deputy Director  
Radiation Protection Division, USEPA  
office (202) 343-9775 | bb (202) 279-0376



EPA-703

Reid Rosnick/DC/USEPA/US

04/27/2012 08:34 AM

To: George Brozowski

cc

bcc

Subject: Fw: Re: Concurrence? Final Agency Review package - (SAN 5281) NESHAP Subpart W: Standards for Radon Emissions from Operating Uranium Mill Tailings Proposed Rule

George,

You need a memo like the one attached from Region 10. I assume it can be from your Office Director, but you need to check on the delegation for your specific Region.

Reid

---

Reid J. Rosnick  
Radiation Protection Division (6608J)  
U.S. Environmental Protection Agency  
1200 Pennsylvania Ave., NW  
Washington, DC 20460  
202.343.9563  
[rosnick.reid@epa.gov](mailto:rosnick.reid@epa.gov)

-----Forwarded by Reid Rosnick/DC/USEPA/US on 04/27/2012 08:32AM -----

To: Amy Cole/DC/USEPA/US@EPA

From: Andrea Westenberger/R10/USEPA/US

Date: 04/25/2012 12:28PM

Cc: Reid Rosnick/DC/USEPA/US@EPA, Nicole Owens/DC/USEPA/US@EPA, Charlie Garlow/DC/USEPA/US@EPA, Keith Bartlett/DC/USEPA/US@EPA, Stephen Hoffman/DC/USEPA/US@EPA, Stuart Walker/DC/USEPA/US@EPA, Gerain Perry/DC/USEPA/US@EPA, George Brozowski/R6/USEPA/US@EPA, Laurie Carter/R6/USEPA/US@EPA, Davis Zhen/R10/USEPA/US@EPA, Wanda Farrar/DC/USEPA/US@EPA

Subject: Re: Concurrence? Final Agency Review package - (SAN 5281) NESHAP Subpart W: Standards for Radon Emissions from Operating Uranium Mill Tailings Proposed Rule

Hi all,

R10's Concurrence memo is attached.

*(See attached file: farposition-concur01-07-09 R10 Subpart W dz.pdf)*

Thank you,

Andrea

---

Andrea Schrock Westenberger

EPA Region 10 - Strategic Planning  
1200 Sixth Avenue, Suite 900 (OMP-146)  
Seattle, WA 98101  
(206) 553-6111  
[westenberger.andrea@epa.gov](mailto:westenberger.andrea@epa.gov)

---

Inactive hide details for Davis Zhen---04/20/2012 02:23:06 PM---Hi Amy, I would like to provide a position and will do so in a [Davis Zhen---04/20/2012 02:23:06 PM---Hi Amy, I would like to provide a position and will do so in a written memo to Wanda Farrar, Reid Ro](#)

From: Davis Zhen/R10/USEPA/US  
To: Amy Cole/DC/USEPA/US@EPA,  
Cc: Reid Rosnick/DC/USEPA/US@EPA, Nicole Owens/DC/USEPA/US@EPA, Charlie Garlow/DC/USEPA/US@EPA, Keith Bartlett/DC/USEPA/US@EPA, Stephen Hoffman/DC/USEPA/US@EPA, Stuart Walker/DC/USEPA/US@EPA, Gerain Perry/DC/USEPA/US@EPA, George Brozowski/R6/USEPA/US@EPA, Davis Zhen/R10/USEPA/US@EPA, Andrea Westenberger/R10/USEPA/US@EPA, Laurie Carter/R6/USEPA/US@EPA  
Date: 04/20/2012 02:23 PM  
Subject: Re: Concurrence? Final Agency Review package - (SAN 5281) NESHAP  
Subpart W: Standards for Radon Emissions from Operating Uranium Mill Tailings Proposed Rule

---

Hi Amy,

I would like to provide a position and will do so in a written memo to Wanda Farrar, Reid Rosnick within a few days of this FAR meeting. I will be out of office next week, and Andrea Westenberger will be the point of contact in my absence.

Davis

Inactive hide details for Amy Cole---04/19/2012 01:37:35 PM---Dear OECA, OSWER, R6 and R7, Your office was not present at the [Amy Cole---04/19/2012 01:37:35 PM---Dear OECA, OSWER, R6 and R7, Your office was not present at the April 19th Final Agency Review meet](#)

From: Amy Cole/DC/USEPA/US  
To: Charlie Garlow/DC/USEPA/US@EPA, Keith Bartlett/DC/USEPA/US@EPA, Stephen Hoffman/DC/USEPA/US@EPA, Stuart Walker/DC/USEPA/US@EPA, Gerain Perry/DC/USEPA/US@EPA, George Brozowski/R6/USEPA/US@EPA, Davis Zhen/R10/USEPA/US@EPA, Andrea Westenberger/R10/USEPA/US@EPA, Laurie Carter/R6/USEPA/US@EPA  
Cc: Nicole Owens/DC/USEPA/US@EPA  
Date: 04/19/2012 01:37 PM  
Subject: Concurrence? Final Agency Review package - (SAN 5281) NESHAP Subpart W: Standards for Radon Emissions from Operating Uranium Mill Tailings Proposed Rule

---

Dear OECA, OSWER, R6 and R7,


Your office was not present at the April 19th Final Agency Review meeting for the NESHAP Subpart W for Radon Emissions from Operating Uranium Mill Tailings. You or someone from your office was listed on the workgroup for this action in ADP Tracker. Please let me know if....

- 1) you no longer would like to participate on this workgroup
- 2) you want to continue to participate on this workgroup, but will not be providing a FAR concurrence or position
- 3) your office would like to provide a position and will do so in a written memo to Wanda Farrar, Reid Rosnick within a few days of this FAR meeting, also including in the email Nicole Owens, Amy Cole and the rest of the workgroup.

Thank you. And please do not hesitate to contact me with questions or concerns.

---

Amy Cole  
Regulatory Management Division  
Office of Policy/ Office of the Administrator  
U.S. Environmental Protection Agency  
Phone: 202.564.6535  
Office: 6440T Ariel Rios North

Email: [cole.amy@epa.gov](mailto:cole.amy@epa.gov)  - farposition-concur01-07-09 R10 Subpart W dz.pdf





UNITED STATES ENVIRONMENTAL PROTECTION AGENCY  
REGION 10

1200 Sixth Avenue, Suite 900  
Seattle, WA 98101-3140

Office of Air, Waste and Toxics

**MEMORANDUM**

SUBJECT: Concur without comment  
Office of Air, Waste and Toxics, Region 10 Response to the Final Agency  
Review for (SAN 5281) NESHAP Subpart W: Standards for Radon Emissions  
from Operating Uranium Mill Tailings Proposed Rule

FROM: ~~Rick Albright~~  
Director, ~~Office of Air, Waste and Toxics~~

TO: Mike Flynn  
Director, Office of Radiation and Indoor Air

Thank you for the opportunity to review the Final Agency Review materials for the revision of NESHAP Subpart W: Standards for Radon Emissions from Operating Uranium Mill Tailings Proposed Rule. Region 10 concurs without comment.

If you have any concerns, please contact Davis Zhen of my staff at (206) 553-7660.

cc: Wanda Farrar, OAR  
Reid Rosnick, ORIA  
Nicole Owens, OP

EPA-5053

**Deborah  
Lebow-Aal/R8/USEPA/US**  
04/27/2012 09:58 AM

To Amy Cole, Sonya Moore  
cc Carl Daly, Cynthia Reynolds, Angelique Diaz  
bcc  
Subject R8 FAR MEMO: "NESHAP Subpart W: Standards for Radon Emissions From Operating Uranium Mill Tailings" Proposed Rule (SAN 5281)

1 attachment



Document.pdf

Region 8's concurrence memo

[Deborah Lebow Aal](#)  
U.S. Environmental Protection Agency  
Region 8 Air Program  
Unit Chief, Indoor Air, Transportation and Toxics Unit  
1595 Wynkoop Street  
Denver, CO 80202  
(303) 312-6223

----- Forwarded by Deborah Lebow-Aal/R8/USEPA/US on 04/27/2012 07:57 AM -----

From: Sonya Moore/R8/USEPA/US  
To: Angelique Diaz/R8/USEPA/US@EPA, Scott Whitmore/R8/USEPA/US@EPA, Deborah Lebow-Aal/R8/USEPA/US@EPA, Carl Daly/R8/USEPA/US@EPA, Cynthia Reynolds/R8/USEPA/US@EPA, Andrea Reed/R8/USEPA/US@EPA, StephanieN Brown/DC/USEPA/US@EPA, Kathi Flavin/R8/USEPA/US@EPA, Maureen Brennan/R8/USEPA/US  
Cc: William Daniels/TMS/R8/USEPA/US@EPA  
Date: 04/27/2012 07:39 AM  
Subject: REQUEST FOR R8 FAR MEMO: Please submit FAR Memo for "NESHAP Subpart W: Standards for Radon Emissions From Operating Uranium Mill Tailings" Proposed Rule (SAN 5281)

---

Please forward to appropriate staff within your ARA. Please submit Region 8's FAR Memo for "NESHAP Subpart W: Standards for Radon Emissions From Operating Uranium Mill Tailings" Proposed Rule (SAN 5281). This FAR meeting was held on Thursday, April 19. FAR memo's are due within two days of the meeting.

Thanks,

*Sonya L. Moore*

Regulatory Review Coordinator  
US EPA, Region 8, TMS-I  
1595 Wynkoop Street  
Denver, CO 80202  
Office: (303) 312-6825  
Fax: (303) 312-6538  
[moore.sonya@epa.gov](mailto:moore.sonya@epa.gov)

----- Forwarded by Sonya Moore/R8/USEPA/US on 04/27/2012 07:19 AM -----

From: Amy Cole/DC/USEPA/US  
To: Marilyn Ginsberg/DC/USEPA/US@EPA, Sandy Evalenko/DC/USEPA/US@EPA, Tomeka Nelson/DC/USEPA/US@EPA, George Brozowski/R6/USEPA/US@EPA, Robert Dye/R7/USEPA/US@EPA, Angelique Diaz/R8/USEPA/US@EPA, Scott Whitmore/R8/USEPA/US@EPA, CharlesA Hooper/R7/USEPA/US@EPA, Laurie Carter/R6/USEPA/US@EPA, Alice Todd/R7/USEPA/US@EPA, Sonya Moore/R8/USEPA/US@EPA  
Date: 04/26/2012 02:37 PM  
Subject: Please submit FAR Memo for "NESHAP Subpart W: Standards for Radon Emissions From Operating Uranium Mill Tailings" Proposed Rule (SAN 5281)

---

To: OW, Region 6, 7, and 8

This is a friendly reminder to please submit your office's FAR Memo for "NESHAP Subpart W: Standards for Radon Emissions From Operating Uranium Mill Tailings" Proposed Rule (SAN 5281). This FAR meeting was held on Thursday, April 19. FAR memo's are due within two days of the meeting.

\*\* If I do not receive a FAR memo from your office by COB 5/1, it will be noted in the FAR summary that there was no position provided by your office.

Also, please do not send any hardcopy to the Office of Policy. We only need an electronic version of the memo or an email stating the office's position from the correct office designation. If you have questions about what level the concurrence should be approved, please look up your office in the [ADP Designations FAR Table](#).

And, as always, please do not hesitate to contact me with questions or concerns.

Thank you,

---

Amy Cole  
Regulatory Management Division  
Office of Policy/ Office of the Administrator  
U.S. Environmental Protection Agency  
Phone: 202.564.6535  
Office: 6440T Ariel Rios North  
Email: [cole.amy@epa.gov](mailto:cole.amy@epa.gov)



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY  
REGION 8

1595 Wynkoop Street  
DENVER, CO 80202-1129  
Phone 800-227-8917  
<http://www.epa.gov/region08>

APR 25 2012

**MEMORANDUM**

SUBJECT: Final Agency Review for Revisions to 40 CFR Part 61 Subpart W – **Concur without comment**

FROM: Callie Videtich, Acting Assistant Regional Administrator  
Office of Partnerships and Regulatory Assistance

A handwritten signature in black ink, appearing to read "Callie Videtich", written over the printed name in the FROM field.

TO: Amy Cole  
Regulatory Management Division  
Office of Policy/Office of the Administrator

Thank you for the opportunity to comment on the revisions to the National Emission Standards for Radon Emissions from Operating Mill Tailings (40 CFR Part 61 Subpart W). Region 8 concurs without comment on the revisions.

cc: Reid Rosnick (ORIA)



EPA-5064

Angelique  
Diaz/R8/USEPA/US  
05/01/2012 10:57 AM

To Reid Rosnick  
cc  
bcc  
Subject Fw: R8 FAR MEMO: "NESHAP Subpart W: Standards for  
Radon Emissions From Operating Uranium Mill Tailings"  
Proposed Rule (SAN 5281)

Just making sure you saw this.

Angelique D. Diaz, Ph.D.  
Environmental Engineer  
Air Program, USEPA/Region 8  
1595 Wynkoop Street (8P-AR)  
Denver, CO 80202-1129  
Office: 303.312.6344  
Fax: 303.312.6064  
diaz.angelique@epa.gov

----- Forwarded by Angelique Diaz/R8/USEPA/US on 05/01/2012 08:57 AM -----

From: Deborah Lebow-Aal/R8/USEPA/US  
To: Amy Cole/DC/USEPA/US@EPA, Sonya Moore/R8/USEPA/US@EPA  
Cc: Carl Daly/R8/USEPA/US@EPA, Cynthia Reynolds/R8/USEPA/US@EPA, Angelique  
Diaz/R8/USEPA/US@EPA  
Date: 04/27/2012 07:59 AM  
Subject: R8 FAR MEMO: "NESHAP Subpart W: Standards for Radon Emissions From Operating Uranium  
Mill Tailings" Proposed Rule (SAN 5281)

---

1 attachment



Document.pdf

Region 8's concurrence memo

[Deborah Lebow Aal](#)  
U.S. Environmental Protection Agency  
Region 8 Air Program  
Unit Chief, Indoor Air, Transportation and Toxics Unit  
1595 Wynkoop Street  
Denver, CO 80202  
(303) 312-6223

----- Forwarded by Deborah Lebow-Aal/R8/USEPA/US on 04/27/2012 07:57 AM -----

From: Sonya Moore/R8/USEPA/US  
To: Angelique Diaz/R8/USEPA/US@EPA, Scott Whitmore/R8/USEPA/US@EPA, Deborah  
Lebow-Aal/R8/USEPA/US@EPA, Carl Daly/R8/USEPA/US@EPA, Cynthia  
Reynolds/R8/USEPA/US@EPA, Andrea Reed/R8/USEPA/US@EPA, StephanieN  
Brown/DC/USEPA/US@EPA, Kathi Flavin/R8/USEPA/US@EPA, Maureen Brennan/R8/USEPA/US  
Cc: William Daniels/TMS/R8/USEPA/US@EPA  
Date: 04/27/2012 07:39 AM  
Subject: REQUEST FOR R8 FAR MEMO: Please submit FAR Memo for "NESHAP Subpart W: Standards  
for Radon Emissions From Operating Uranium Mill Tailings" Proposed Rule (SAN 5281)

---

Please forward to appropriate staff within your ARA. Please submit Region 8's FAR Memo for "NESHAP Subpart W: Standards for Radon Emissions From Operating Uranium Mill Tailings" Proposed Rule (SAN 5281). This FAR meeting was held on Thursday, April 19. FAR memo's are due within two days of the meeting.

Thanks,

*Sonya L. Moore*

Regulatory Review Coordinator  
US EPA, Region 8, TMS-I  
1595 Wynkoop Street  
Denver, CO 80202  
Office: (303) 312-6825  
Fax: (303) 312-6538  
[moore.sonya@epa.gov](mailto:moore.sonya@epa.gov)

----- Forwarded by Sonya Moore/R8/USEPA/US on 04/27/2012 07:19 AM -----

From: Amy Cole/DC/USEPA/US  
To: Marilyn Ginsberg/DC/USEPA/US@EPA, Sandy Evalenko/DC/USEPA/US@EPA, Tomeka Nelson/DC/USEPA/US@EPA, George Brozowski/R6/USEPA/US@EPA, Robert Dye/R7/USEPA/US@EPA, Angelique Diaz/R8/USEPA/US@EPA, Scott Whitmore/R8/USEPA/US@EPA, CharlesA Hooper/R7/USEPA/US@EPA, Laurie Carter/R6/USEPA/US@EPA, Alice Todd/R7/USEPA/US@EPA, Sonya Moore/R8/USEPA/US@EPA  
Date: 04/26/2012 02:37 PM  
Subject: Please submit FAR Memo for "NESHAP Subpart W: Standards for Radon Emissions From Operating Uranium Mill Tailings" Proposed Rule (SAN 5281)

---

To: OW, Region 6, 7, and 8

This is a friendly reminder to please submit your office's FAR Memo for "NESHAP Subpart W: Standards for Radon Emissions From Operating Uranium Mill Tailings" Proposed Rule (SAN 5281). This FAR meeting was held on Thursday, April 19. FAR memo's are due within two days of the meeting.

\*\* If I do not receive a FAR memo from your office by COB 5/1, it will be noted in the FAR summary that there was no position provided by your office.

Also, please do not send any hardcopy to the Office of Policy. We only need an electronic version of the memo or an email stating the office's position from the correct office designation. If you have questions about what level the concurrence should be approved, please look up your office in the [ADP Designations FAR Table](#).

And, as always, please do not hesitate to contact me with questions or concerns.

Thank you,

---

Amy Cole  
Regulatory Management Division  
Office of Policy/ Office of the Administrator  
U.S. Environmental Protection Agency  
Phone: 202.564.6535  
Office: 6440T Ariel Rios North  
Email: [cole.amy@epa.gov](mailto:cole.amy@epa.gov)





UNITED STATES ENVIRONMENTAL PROTECTION AGENCY  
REGION 8

1595 Wynkoop Street  
DENVER, CO 80202-1129  
Phone 800-227-8917  
<http://www.epa.gov/region08>

APR 25 2012

**MEMORANDUM**

SUBJECT: Final Agency Review for Revisions to 40 CFR Part 61 Subpart W – **Concur without comment**

FROM: Callie Videtich, Acting Assistant Regional Administrator  
Office of Partnerships and Regulatory Assistance

A handwritten signature in black ink, appearing to read "Callie Videtich", written over a horizontal line.

TO: Amy Cole  
Regulatory Management Division  
Office of Policy/Office of the Administrator

Thank you for the opportunity to comment on the revisions to the National Emission Standards for Radon Emissions from Operating Mill Tailings (40 CFR Part 61 Subpart W). Region 8 concurs without comment on the revisions.

cc: Reid Rosnick (ORIA)



EPA-5084

Angelique  
Diaz/R8/USEPA/US  
05/01/2012 12:41 PM

To: Albion Carlson  
cc  
bcc  
Subject: Fw: R8 FAR MEMO: "NESHAP Subpart W: Standards for Radon Emissions From Operating Uranium Mill Tailings" Proposed Rule (SAN 5281)

Angelique D. Diaz, Ph.D.  
Environmental Engineer  
Air Program, USEPA/Region 8  
1595 Wynkoop Street (8P-AR)  
Denver, CO 80202-1129  
Office: 303.312.6344  
Fax: 303.312.6064  
diaz.angelique@epa.gov

----- Forwarded by Angelique Diaz/R8/USEPA/US on 05/01/2012 10:40 AM -----

From: Angelique Diaz/R8/USEPA/US  
To: Reid Rosnick/DC/USEPA/US@EPA  
Date: 05/01/2012 08:57 AM  
Subject: Fw: R8 FAR MEMO: "NESHAP Subpart W: Standards for Radon Emissions From Operating Uranium Mill Tailings" Proposed Rule (SAN 5281)

---

Just making sure you saw this.

Angelique D. Diaz, Ph.D.  
Environmental Engineer  
Air Program, USEPA/Region 8  
1595 Wynkoop Street (8P-AR)  
Denver, CO 80202-1129  
Office: 303.312.6344  
Fax: 303.312.6064  
diaz.angelique@epa.gov

----- Forwarded by Angelique Diaz/R8/USEPA/US on 05/01/2012 08:57 AM -----

From: Deborah Lebow-Aal/R8/USEPA/US  
To: Amy Cole/DC/USEPA/US@EPA, Sonya Moore/R8/USEPA/US@EPA  
Cc: Carl Daly/R8/USEPA/US@EPA, Cynthia Reynolds/R8/USEPA/US@EPA, Angelique Diaz/R8/USEPA/US@EPA  
Date: 04/27/2012 07:59 AM  
Subject: R8 FAR MEMO: "NESHAP Subpart W: Standards for Radon Emissions From Operating Uranium Mill Tailings" Proposed Rule (SAN 5281)

---

1 attachment



Document.pdf

Region 8's concurrence memo

[Deborah Lebow Aal](#)  
U.S. Environmental Protection Agency  
Region 8 Air Program  
Unit Chief, Indoor Air, Transportation and Toxics Unit  
1595 Wynkoop Street

Denver, CO 80202  
(303) 312-6223

----- Forwarded by Deborah Lebow-Aal/R8/USEPA/US on 04/27/2012 07:57 AM -----

From: Sonya Moore/R8/USEPA/US  
To: Angelique Diaz/R8/USEPA/US@EPA, Scott Whitmore/R8/USEPA/US@EPA, Deborah Lebow-Aal/R8/USEPA/US@EPA, Carl Daly/R8/USEPA/US@EPA, Cynthia Reynolds/R8/USEPA/US@EPA, Andrea Reed/R8/USEPA/US@EPA, StephanieN Brown/DC/USEPA/US@EPA, Kathi Flavin/R8/USEPA/US@EPA, Maureen Brennan/R8/USEPA/US  
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Thanks,

*Sonya L. Moore*

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And, as always, please do not hesitate to contact me with questions or concerns.

Thank you,

---

Amy Cole  
Regulatory Management Division  
Office of Policy/ Office of the Administrator  
U.S. Environmental Protection Agency  
Phone: 202.564.6535  
Office: 6440T Ariel Rios North  
Email: cole.amy@epa.gov

EPA-552

**Reid Rosnick/DC/USEPA/US**

05/07/2012 02:49 PM

To Tom Peake

cc Daniel Schultheisz, Betsy Forinash, Andrea Cherepy, Philip Egid, Brian Littleton

bcc

Subject Re: Briefing for Bob P on 190 (and our other regs) on Friday afternoon

All,

Attached are some slides for Subpart W. The last slide is anticipated reactions to the rulemaking, and in the event the briefing is too long, feel free to remove it. Let me know if you have questions or comments.



OMB brief for Bob Perciasepe.RJR.pptx

---

Reid J. Rosnick  
Radiation Protection Division (6608J)  
U.S. Environmental Protection Agency  
1200 Pennsylvania Ave., NW  
Washington, DC 20460  
202.343.9563  
rosnick.reid@epa.gov

# Revised NESHAP 40 CFR 61, Subpart W

Subpart W limits radon emissions from operating facilities managing uranium byproduct material

- Generated by processing to extract uranium
- 1989 regulation primarily targeted to conventional mills/impoundments
  - Large volumes of waste requiring permanent management
  - In-situ and heap leach technologies not directly addressed

Action prompted by notice of intent to sue

- Agency failed to meet CAA deadline to review
- Settlement agreement with two interest groups



# Revised NESHAP 40 CFR 61, Subpart W

Revise Subpart W as a Generally Available Control Technology (GACT) standard as follows:

- Source Category: Facilities licensed to manage uranium byproduct material during and following the processing of uranium ore, also known as uranium mills and associated tailings
- Affected Sources:
  1. Conventional impoundments
  2. Non-conventional impoundments where tailings are present in solution and contained in ponds
    - Commonly known as evaporation and holding ponds
    - Found at ISL, Heap Leach and Conventional Mills
  3. Heap Leach Piles





# Revised NESHAP 40 CFR 61, Subpart W

- Conventional Impoundments
  - Size/number restrictions
  - Limited area of tailings exposed to minimize radon emissions
- Nonconventional Impoundments (Ponds)
  - No size restrictions, but maintain one meter of water over byproduct material to limit radon
- Heap leach piles
  - Size/number restrictions
  - Maintain 30% moisture to limit radon emissions
- All sources conform to RCRA liner requirements



# Subpart W Anticipated Reactions

## Anticipated reaction from industry/stakeholders

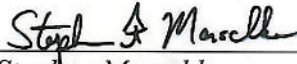
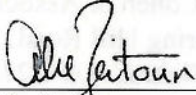


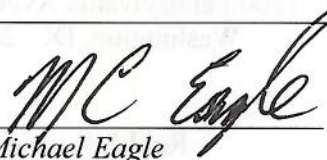
- We anticipate significant interest from environmental groups who wanted us to establish emissions limits, rather than work practice standards.
- We also anticipate interest from industry, who will challenge our determinations on the applicability of Subpart W to evaporation ponds and heap leach piles.
- Reactions from state, local and tribal governments and related organizations will be generally supportive.



|                                 |                   |                           |                     |
|---------------------------------|-------------------|---------------------------|---------------------|
| Effective Date:<br>May 17, 2012 | Revision No.<br>0 | Document No.<br>QAPP 3-03 | Page No.<br>2 of 13 |
|---------------------------------|-------------------|---------------------------|---------------------|

## A PROJECT MANAGEMENT


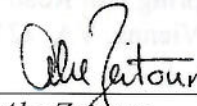
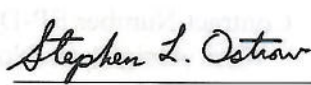
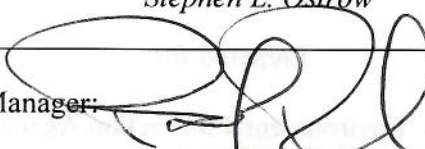
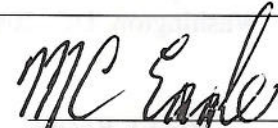
### A.1 Title and Approval Sheet

|                                                                                                                                                                                                                                                    |                                 |
|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------------------------|
| <b>S. Cohen &amp; Associates:</b><br><br><i>Radiological, Analytical, and Evaluation Support for Radiation Protection Programs</i>                                                                                                                 | Document No.<br>QAPP 3-03       |
|                                                                                                                                                                                                                                                    | Effective Date:<br>May 18, 2012 |
|                                                                                                                                                                                                                                                    | Revision No.:<br>0              |
| <b>Work Assignment 3-03:</b><br><i>Technical and Regulatory Support in the Possible Development of a Rulemaking to Modify NESHAPS Subpart W, the National Emissions Standards for Radon Emissions from Operating Uranium Mills (40 CFR 61.250)</i> | Supersedes:<br>N/A              |
| Work Assignment Task Manager:<br><br><div style="text-align: center;"> <br/> <hr/> Stephen Marschke </div> Date: 5/18/2012                                       |                                 |
| Project Manager:<br><br><div style="text-align: center;"> <br/> <hr/> Abe Zetoun </div> Date: 5/18/2012                                                         |                                 |
| Corporate Quality Assurance Mgr:<br><br><div style="text-align: center;"> <br/> <hr/> Stephen L. Ostrow </div> Date: 05/18/12                                   |                                 |
| EPA Work Assignment Manager:<br><br><div style="text-align: center;"> <br/> <hr/> Reid J. Rosnick </div> Date: 5/21/12                                         |                                 |
| EPA Quality Assurance Manager:<br><br><div style="text-align: center;"> <br/> <hr/> Michael Eagle </div> Date: 5/21/12                                         |                                 |

|                                 |                   |                           |                     |
|---------------------------------|-------------------|---------------------------|---------------------|
| Effective Date:<br>May 10, 2012 | Revision No.<br>0 | Document No.<br>QAPP 2-03 | Page No.<br>2 of 13 |
|---------------------------------|-------------------|---------------------------|---------------------|

## A PROJECT MANAGEMENT

### A.1 Title and Approval Sheet

|                                                                                                                                                                                                          |                                 |
|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------------------------|
| <b>S. Cohen &amp; Associates:</b><br><br><i>Radiological, Analytical, and Evaluation Support for Radiation Protection Programs</i>                                                                       | Document No.<br>QAPP 2-03       |
|                                                                                                                                                                                                          | Effective Date:<br>May 18, 2012 |
|                                                                                                                                                                                                          | Revision No.:<br>0              |
| <b>Work Assignment 2-03:</b><br><i>Technical and Regulatory Support to Develop a Rulemaking to Modify the NESHAP Subpart W Standard for Radon Emissions from Operating Uranium Mills (40 CFR 61.250)</i> | Supersedes:<br><br>N/A          |
| Work Assignment Task Manager:<br><br><br>for <i>Harry Pettengill</i>                                                    | Date: 05/18/12                  |
| Project Manager:<br><br><br><i>Abe Zeitoun</i>                                                                        | Date: 05/18/12                  |
| Corporate Quality Assurance Mgr:<br><br><br><i>Stephen L. Ostrow</i>                                                 | Date: 05/18/12                  |
| EPA Work Assignment Manager:<br><br><br><i>Reid J. Rosnick</i>                                                       | Date: 5/21/12                   |
| EPA Quality Assurance Manager:<br><br><br><i>Michael Eagle</i>                                                        | Date: 5/22/12                   |

EPA-6

Reid Rosnick/DC/USEPA/US

05/23/2012 09:03 AM

To azeitoun

cc Valerie Daigler, Mike Eagle, Tom Peake

bcc

Subject Signed QAPP Pages

Hi Abe,

Attached below are the signed QAPP approval sheets for WAs 2-03 and 3-03. After discussions with Mike Eagle and Valerie Daigler we have determined that we will treat the QAPP for WA 3-03 as an informational update only. We did not require a QAPP for the current work assignment, and did not list one in the work assignment deliverables. We assume the effort used to produce this document is included in the time/hours used to produce the work plan.

Also, I dropped in the mail today a DVD of comments from Oscar Paulson of Kennecott Uranium. Oscar produced comments on (among other issues) several of the SC&A deliverables from prior work assignments that have been posted on the Subpart W public website at <http://www.epa.gov/radiation/neshaps/subpartw/rulemaking-activity.html> The comments are found in the first 40 pages or so of the document.

Please let me know if you have any questions. Thanks

Reid

---

Reid J. Rosnick  
Radiation Protection Division (6608J)  
U.S. Environmental Protection Agency  
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Washington, DC 20460  
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rosnick.reid@epa.gov

----- Forwarded by Reid Rosnick/DC/USEPA/US on 05/23/2012 08:48 AM -----

From: cts/cts/QP/USEPA/US@EPA  
To: Reid Rosnick/DC/USEPA/US@EPA  
Date: 05/23/2012 08:38 AM  
Subject:

---

Please open the attached document. This document was digitally sent to you



using an HP Digital Sending device. [Untitled].pdf

EPA-5349

Tony Nesky/DC/USEPA/US

04/05/2012 02:20 PM

To Reid Rosnick

cc Glenna Shields

bcc

Subject Subpart W Communications Plan: Do you need help with press release?

Dear Reid:

Your communication plan called for a press release. Do you have one drafted already? If not, I'd be happy to help.

I'll also get back to you with suggestions on your fact sheet early next week. Maybe we folks in CRIO can put it into a format similar to the ones we are doing for Brian.

If you are planning on issuing the fact sheet as a publication and putting it on the website, it will have to go through Product Review, but that can happen simultaneously with Final Agency Review.

Tony Nesky  
Center for Radiation Information and Outreach  
Tel: 202-343-9597  
nesky.tony@epa.gov

-----Reid Rosnick/DC/USEPA/US wrote: -----

To: Tony Nesky/DC/USEPA/US@EPA  
From: Reid Rosnick/DC/USEPA/US  
Date: 01/23/2012 08:40AM  
Subject: Subpart W Communications Plan

Hi Tony,

Sorry for the delay in reviewing the plan, but thanks for the changes and suggestions. I have incorporated them (attached). Regarding your two comments, currently I do not have a fact sheet put together, and I would welcome your help. Second, I do not have a list of stakeholders in the form of a mailing list. My thought was that by posting the news on the Subpart W website we would reach the stakeholders that have been following us for the last two years, but I'm open to any suggestions.

I'm working from home today, but hopefully we can discuss in person tomorrow. Thanks again for your help.

Reid

---

Reid J. Rosnick  
Radiation Protection Division (6608J)  
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1200 Pennsylvania Ave., NW  
Washington, DC 20460  
202.343.9563  
[rosnick.reid@epa.gov](mailto:rosnick.reid@epa.gov)

[attachment "Subpart W CommunicationPlan\_v2.0.docx" removed by Tony Nesky/DC/USEPA/US]