

State of Washington  
**Radioactive Materials License**

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License Number: WN-I043-2  
Amendment No. 26

**DAWN MINING COMPANY, LLC**  
5326 Uranium City Road  
Ford, Washington 99013

Attention: Robert Nelson  
Vice-President & General Manager

In accordance with the amendment request information referenced in License Condition 53.H, regarding extending the receipt and disposal of Midnite Mine Water Treatment Plant (MMWTP) sludge into TDA-4, License Condition 33 of Radioactive Materials License Number WN-I043-2 is amended as follows:

License Condition 33 is amended to read:

33. The receipt and disposal of MMWTP filtercake sludge (solids) at the licensee's millsite is authorized through **December 31, 2013**, provided that Dawn Mining Company meets the following milestones:
- A. A report scope (outline) shall be submitted to the department for review and approval before September 15, 2011, for updating the Evaporation Pond Water and Residuals Management Plan. The report scope shall address, at a minimum: end of season water volumes for all of the evaporation ponds; evaporation rates and remaining volumes of pond process water; TDA-4 underdrain pumping discharge volume, rate, quality data, and piezometer water level data; plan and schedule for discharging meteoric water; evaluation of alternatives for enhancing evaporative losses of process water; and projected impacts on proposed decommissioning schedule. The plan shall also include detailed discussion of residuals management and characterization. The updated Evaporation Pond Water and Residuals Management Plan report shall be submitted to the department for review and approval by November 1, 2011, and shall include all available data from January 1, 2011 through October 15, 2011.**
  - B. A report scope (outline) shall be submitted to the department for review and approval before September 30, 2011, for the updated Ore Stockpile/Lower North Area Investigation Report. The updated Ore Stockpile/Lower North Area Investigation Report shall be submitted to the department for review and approval by November 15, 2011. The Investigation Report shall be a complete enough integration of physical and chemical conditions to form the basis for development of**

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the Ore Stockpile/Lower North Area evaluation of alternatives and selection of remedial actions, to be provided to the department for review and approval by March 15, 2012.

- C. DMC must comply with all U.S. Department of Transportation (USDOT) requirements for the transportation of radioactive materials.
- D. Sludge (solids) transport to TDA-4 and disposal operations shall cease when winter weather results in hazardous road conditions, making it unsafe for operations personnel.
- E. An annual Facility (TDA-4) Utilization Report shall be submitted to the department by March 1 of each year and shall include an aerial photograph of the millsite, surveyed footprint and final surface elevations of all materials (sludge and evaporation pond residuals), disposed material activities and volumes, projected remaining capacity of TDA-4, settlement monitoring summary report, the as-built report for temporary and annual covers constructed over the disposed materials, and any proposed operational changes for the coming year.

In the event that any of the milestones are not met for filling and stabilization activities in TDA-4, authorization for the two-year extension for the receipt and disposal of MMWTP filtercake sludge may be modified, suspended, or revoked.

License Condition 53.H is added:

- 53. H. Letter and attachments dated July 5, 2011, signed by Robert E. Nelson, Vice President and General Manager, RE: Revised Proposal for Disposal Midnite Mine Water Treatment Plant Solids in Tailings Disposal Area 4.

FOR THE STATE OF WASHINGTON DEPARTMENT OF HEALTH

Date: August 16, 2011

By: for Mikel Elsen  
Mikel Elsen, Supervisor  
Waste Management Section