

State of Washington
Radioactive Materials License



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License Number: **WN-I043-2**

Pursuant to the Nuclear Energy and Radiation Control Act, chapter 70A.388 RCW, and the Radiation Control Regulations, chapters 246-220 through 246-254 WAC, and in reliance on statements and representations heretofore made by the licensee designated below, a license is hereby issued authorizing such licensee to transfer, receive, possess and use the radioactive material(s) designated below; and to use such radioactive materials for the purpose(s) and at the place(s) designated below. **This license is subject to all applicable rules and regulations** promulgated by the State of Washington Department of Health.

1. Licensee Name: Dawn Mining Company, L.L.C.	3. License Number: WN-I043-2 Amendment in Entirety Amendment 37
2. Address: 5326 Uranium City Road Ford, Washington 99013 Attn: Justin Raglin , Vice President	4. Expiration Date: February 28, 2025 5. Reference Number(s):

6. Radioactive Material (element and mass number).	7. Chemical and/or Physical Form.	8. Maximum quantity licensee may possess at any one time.
6.A. 11.e(2) byproduct material.	7.A. Any.	8.A. Unlimited.
6.B. Thorium-230.	7.B. Electroplated standard Source.	8.B. Total activity not to exceed 8,270 picocuries (306 Bq).

CONDITIONS

9. Authorized use.
- A. (1) Possession of byproduct material generated by the licensee's past milling operations.
 - (2) For use in the development of new techniques for treating process water that include bench scale and pilot scale. The licensee shall submit a detailed work plan to the department in writing at least 30 days in advance of bench scale testing and 60 days in advance of pilot scale testing. The licensee shall not begin the bench scale or pilot scale work until written approval is received from the department.
 - B. Possession of electroplated planchette standard check source for alpha efficiency determination and instrument quality control.

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10. The authorized place for use shall be the licensee's facility, located at 5326 Uranium City Road, Ford, Washington.
11. The licensee shall comply with the provisions of chapter 70A.388 RCW, "Nuclear Energy and Radiation"; chapter 70A.310 RCW, "Mill Tailings-Licensing and Perpetual Care;" chapter 246-220 WAC, "Radiation Protection - General Provisions"; chapter 246-221 WAC, "Radiation Protection Standards"; chapter 246-222 WAC, "Radiation Protection - Worker Rights"; chapter 246-232 WAC "Radioactive Material – Licensing Applicability"; chapter 246-235 WAC, "Radioactive Materials - Specific Licenses"; chapter 246-247 WAC, "Radiation Protection – Air Emissions"; chapter 246-252 WAC, "Radiation Protection – Uranium or Thorium Milling"; chapter 246-254 WAC, "Radiation Protection – Fees"; chapter 197-11 WAC "SEPA Rules" and other applicable rules, and is subject to the rules, regulations, and orders of the Department of Health now or hereafter in effect, and to the additional conditions specified or incorporated in this license.
12. Reference to the "department" in this license shall mean the Department of Health, Waste Management Section, or successor agency.

GENERAL OPERATION

13. **Reserved.**
14. Radioactive material shall be used by, or under the supervision of the licensee's Vice President, the licensee's General Manager, the licensee's Radiation Safety Officer (RSO), or the licensee's Radiation Safety Technician (RST), as defined in Dawn Mining Company Operating Procedure 01 (DMOP-01).
15. The licensee's RSO shall be responsible for matters dealing with radiological safety aspects of the licensed facility, and shall be ultimately responsible to the company President for matters related to radiation safety.
16. The RSO and his/her designee shall be qualified and receive training as specified in DMOP-01, and shall have the authorities and responsibilities which are contained in DMOP-01, including a minimum of 24 hours of relevant health physics training every two years.
17. The RST shall be qualified and receive training as specified in DMOP-01, and shall have the authorities and responsibilities which are contained in DMOP-01, including a minimum of 8 hours of related health and safety refresher training every two years.

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18. Individuals designated as authorized users shall report to the RSO on matters dealing with radiological safety. The RSO or his/her designee shall be accessible to the authorized users at all times. Authorized users shall have qualifications as specified in DMOP-01 or equivalent. Any person newly hired as an authorized user shall have all work reviewed and approved by the RSO as part of a comprehensive training program until appropriate course training is complete.
19. A. The licensee shall notify the department immediately by telephone and/or email followed by written notification upon learning of the departure of any Vice President, General Manager, RSO, or RST.
- B. The licensee shall notify the department in writing within 30 days of the appointment of any new Vice President, General Manager, RSO, or RST. This notification shall clearly demonstrate how the proposed appointee meets or exceeds the requirements specified in DMOP-01.
- C. The licensee shall notify the department in writing at least 30 days prior or as soon as practical to any changes in the licensee's corporate structure.

FACILITY OPERATIONS

20. The licensee shall not allow eating, drinking, smoking, chewing of tobacco or vapor use in the restricted areas.
21. A. The licensee shall maintain and utilize only those Operating Procedures, Emergency Response Procedures and Quality Assurance Procedures (DMOPs, DMEPs and DMQPs) approved by the department. Any change to those procedures must be approved by the department. The licensee shall have all written procedures reviewed and approved by the RSO before a change in a procedure is proposed to the department.
- B. For operations not previously reviewed by the department, the licensee may propose revised operations of limited time and scope-of-work, for departmental review and approval, so that revised operations may be tested prior to formal adoption.
- C. An up-to-date copy of each written procedure (DMOP, DMEP, DMQP) shall be kept in the millsite office.
- D. DMC shall use the most recent department-approved version of the procedures identified in License Condition 21.C and implement each of the items in each written procedure.

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22. The licensee shall require the radiation safety staff to perform and document inspections at the frequencies required in accordance with DMOP-04. The licensee shall initiate corrective action for any deficiencies noted during the inspection within seven working days. The results of the inspections and any necessary corrective actions shall be reported in the annual ALARA (as low as reasonably achievable) Audit Report as described in License Condition 24.
23. The licensee shall conduct a physical inventory at intervals not to exceed twelve months, as described in DMOP-02, to account for all sealed sources received and possessed at the facility. The licensee shall report the results of the inventories in the annual ALARA Audit Report as described in License Condition 24.
24. The licensee shall perform an annual ALARA audit of the radiation safety program which shall be led by the RSO. This audit must be completed and submitted to the department by May 31 of each year. The audit team should include the General Manager. The report shall include summaries of the analytical results of the radiological surveys and any recommendations to further reduce personnel exposures or environmental releases of uranium or radon and radon progeny.

In order to evaluate the ALARA objective, the licensee shall, at a minimum, review and summarize the following records:

- A. Safety meeting minutes, attendance records, and training program records.
- B. Sealed source inventories.
- C. Instrument check and calibration records.
- D. Any radiological inspection and contamination survey reports required by this license.
- E. Environmental radiological effluent and monitoring data.
- F. Reports of overexposure submitted to the department.
- G. Assessment of operating procedures and any proposed changes.
- H. Unusual events.

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25. The licensee shall conduct annual operational training that covers all aspects of operational safety, quality, and emergency procedures for site employees. The DMOPs, DMEPs and DMQPs shall be used to conduct operations training to ensure consistency and thoroughness. Additionally, the annual ALARA audit report required by License Condition 24 shall be a part of the annual refresher training.
26. To demonstrate compliance with chapter 246-221 WAC, the licensee shall monitor the site perimeter for direct gamma radiation dose, radon concentration, and radionuclide concentrations in airborne particulates, at locations and frequencies specified in the Site-Wide Sampling and Analysis Plan described in License Condition 28.B.
27. Release of equipment from the restricted area shall be in accordance with DMOP-04.

ENVIRONMENTAL

28. The licensee shall conduct activities at the site to detect, monitor and address the potential radioactive material contribution to the environment.

A. Annual Environmental Report

The licensee shall monitor groundwater, surface water, sediment, gamma dose rate, radon gas concentration, and air particulate for radionuclide concentrations consistent with the most recent department-approved Site-wide Sampling and Analysis Plan and will report these data in a comprehensive annual report. The licensee shall submit the Annual Environmental Report of the previous calendar year to the department for review no later than May 31 each year.

The Annual Environmental Report shall include:

- (1) Discussion of compliance with standards and regulations.
- (2) Narrative description of all the sampling.
- (3) Monitoring and radiological surveillance activities conducted during the previous calendar year consistent with the Site-wide Sampling and Analysis Plan.
- (4) Tabular and graphical data presentations to assist with identification of trends or anomalous analytical or monitoring results.
- (5) Discussion of trend analyses, all anomalous results and actions taken to evaluate the anomalous results.

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- (6) Description of the quality assurance program.
- (7) Description of any proposed Site-Wide Sampling and Analysis Plan modifications and the rationale for such modifications.
- (8) Electronic copies of analytical results for each media and sample site, with results for the previous calendar year as well as historic results.

B. Site-Wide Sampling and Analysis Plan

The licensee shall maintain a comprehensive Site-Wide Sampling and Analysis Plan for all environmental and operational monitoring. The Site-Wide Sampling and Analysis Plan may be modified as warranted by millsite conditions after the department has reviewed and approved proposed modifications, or when the department determines that modifications are necessary. Any Site-Wide Sampling and Analysis Plan modifications proposed by the licensee shall include a detailed description of the proposed modifications, the technical basis for the modifications and the schedule to implement the modifications. All modifications to the Site-Wide Sampling and Analysis Plan, whether licensee proposed or directed by the department, during a calendar year, shall be documented in the Annual Environmental Report for that calendar year.

C. Corrective Actions and Groundwater Protection Plan

Pursuant to WAC 246-252-030, Criterion 5, the licensee shall conduct corrective actions at the site to address groundwater that exceeds groundwater protection standards as set forth in the department-approved Groundwater Protection Plan dated September 28, 2015. All corrective actions, including monitoring specific to corrective actions, shall be detailed in the Groundwater Protection Plan (GWPP). The Groundwater Protection Plan may be modified as warranted by millsite conditions after the department has reviewed and approved proposed modifications, or when the department determines that modifications are necessary.

D. Data Evaluation and Reporting

The licensee shall review, evaluate and report sampling and monitoring data consistent with Dawn Mining Company Quality Assurance Procedures (DMQPs).

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WASTEWATER MANAGEMENT SYSTEM OPERATIONS

29. The licensee shall operate the Evaporation Pond 6 system consistent with DMOP-20 and the following specific conditions:
- A. The licensee shall discharge meteoric water consistent with department-approved Operating Procedures, Emergency Response Procedures and Quality Assurance Procedures (DMOPs, DMEPs and DMQPs) and Site-Wide Sampling and Analysis Plan described in License Condition 28.B.
 - B. The licensee shall manage process water consistent with department-approved Operating Procedures, Emergency Response Procedures and Quality Assurance Procedures (DMOPs, DMEPs and DMQPs) and Site-Wide Sampling and Analysis Plan described in License Condition 28.B.
 - C. The licensee shall not discharge any treated or untreated process water to surface water, ground water or to the ground surface at the facility.
 - D. The licensee shall document cell volumes measured on the last day of the month, cell leakage, and meteoric water discharge volumes on a monthly basis. Quarterly, by the 15th of the month following the end of the quarter, the licensee shall submit an email to the department providing the monthly reports for the previous quarter.
 - E. The licensee shall prepare and submit to the department Evaporation Pond 6 operations pre-season and end-of-season reports by April 30 and December 31 of each year. The pre-season report shall cover the timeframe between November 1 and March 31, and shall include operating conditions and the strategy for the upcoming operational season (including operating parameters, meteoric and process water volumes and water quality, water measurement and accounting, climate data and calculation of leakage rates through the primary liner). The end-of-season report shall cover the timeframe between April 1 and October 31, and shall include operating conditions and performance (including operating parameters, meteoric and process water volumes and water quality, water measurement and accounting, climate data, calculation of leakage rates through the primary liner and settlement monitoring).
 - F. The licensee shall complete decommissioning of Evaporation Pond 6 by December 31, 2025.

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30. The licensee shall submit a proposal and work plan to the department for approval prior to constructing or modifying any wastewater management process or facility.

INTEGRATED PROJECT SCHEDULE

31. The licensee shall submit an update of the Integrated Project Schedule (IPS) by November 1 of each year. The report shall include descriptions of each major task sufficient for independent department review, the schedule and interdependency of tasks, and an updated financial surety estimate. The Integrated Project Schedule shall include all tasks sufficient to meet chapter 246-252 WAC, approved Closure Plan, final environmental review documents, and all applicable requirements of this license.
- A. The Integrated Project Schedule must address the following major tasks:
- (1) ENVIRONMENTAL MONITORING
 - (2) GROUNDWATER CORRECTIVE ACTIONS
 - (3) EVAPORATION SYSTEM OPERATIONS AND CLOSURE
 - (4) MILLSITE DECOMMISSIONING AND DISPOSAL OPERATIONS
 - (5) CONTAMINATED SOIL CLEANUP AND DISPOSAL OPERATIONS
 - (6) BORROW SOURCE AREA OPERATIONS
 - (7) MONITORING AND STABILIZATION OPERATIONS
 - (8) LICENSE TERMINATION
 - (9) LONG-TERM SURVEILLANCE AND MAINTENANCE PLANNING
- B. The Integrated Project Schedule shall provide the actual or anticipated task initiation date, task duration and the estimated task completion date.
- C. The Integrated Project Schedule shall provide an updated estimate of the funds necessary to complete closure.
- D. The Integrated Project Schedule shall include a millsite aerial photograph representing site conditions in the late summer or early fall.

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ENGINEERING

32. Before engaging in any major construction-related activity the licensee shall submit to the department a plan and an ALARA evaluation. The licensee must obtain prior approval from the department before proceeding with any construction project.
33. Detailed design and specifications must be prepared for each major construction activity, reviewed and approved by a Washington State licensed engineer, and submitted to the department for approval, prior to commencement of construction for that activity. When approved, detailed design and specifications shall be placed under document control procedures. Any modifications of detailed design and specifications must be approved by the department.
34. The detailed design and specifications for each major construction activity shall include Quality Control procedures that are consistent with the Quality Assurance Program of this license.
35. Within 120 days after completion of each construction activity, the licensee shall provide a construction completion report that includes: (1) as-built documents; and (2) a stamped, licensed engineer review verifying that construction was concluded and meets design plans and specifications.

CLOSURE

36. The licensee shall maintain and utilize a Monitoring and Stabilization Plan to evaluate the performance of the surface reclamation for the period after construction of the surface reclamation, and prior to license termination. The purpose of the Monitoring and Stabilization Plan is to provide specific monitoring and inspection requirements to verify construction performance, and evaluate erosion and long-term success of re-vegetation of the surface reclamation, including the final radon barrier. The Monitoring and Stabilization Plan shall include action levels and/or performance criteria, and actions necessary to assure continued compliance with construction completion documents.

The Monitoring and Stabilization Plan may be modified as warranted by millsite conditions after the department has reviewed and approved proposed modifications, or when the department determines that modifications are necessary. Any Monitoring and Stabilization Plan modifications proposed by the licensee shall include a detailed description of the proposed modifications, the technical basis for the modifications and the schedule to implement the modifications. All modifications to the Monitoring and Stabilization Plan during a calendar year, whether licensee proposed or directed by the department, shall be documented in the Monitoring and Stabilization Plan for that calendar year.

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37. The licensee shall submit a Monitoring and Stabilization report to the department annually, as specified in the Monitoring and Stabilization Plan. The report shall include: inspection personnel and dates; descriptions of areas inspected and conditions observed; discussion of areas requiring remedial measures; work conducted or omitted that is a deviation from the most recent-approved Monitoring and Stabilization Plan; and, follow-up work. The licensee shall make all monitoring and stabilization inspection reports available to the department for review at the millsite.

FINANCIAL

38. The licensee shall maintain a department-approved financial surety arrangement consistent with WAC 246-252-090, Criterion 9. This requirement may be satisfied by a department-approved parent company guarantee and standby trust financial surety bond or other acceptable financial instrument.

The licensee shall submit financial tests and supporting documentation from the Corporate Chief Financial Officer and independent certified accountant to the Department pursuant to WAC 246-252-030, Criterion 9(e) as specified in NRC NUREG 1757 annually by March 31. These tests and documentation support the parent company's use of the guarantee and standby trust.

The licensee shall also submit updated closure cost estimates annually by November 1, and provide the closure cost estimates within the Integrated Project Schedule report. The licensee shall also submit updated closure cost estimates no later than 60 days following any modification or re-evaluation of the closure plan that affects closure costs, and no later than 60 days after the department may otherwise request an update. For each update of estimated closure costs, the licensee shall submit to the department supporting documentation showing a breakdown of the costs and the basis of the updated cost estimate, with adjustments for inflation, changes in engineering plans, activities performed, and any other conditions affecting the estimated costs for site closure. Following the licensee's submission of any updated closure cost estimate, the department will review and comment in writing on the closure cost estimate. Such comments may concur with or may order revisions to the licensee's closure cost estimate. The licensee shall be entitled to obtain review of a department order directing any material revisions to the licensee's closure cost estimate. Such review shall be by adjudicative proceeding, conducted pursuant to chapter 246-10 WAC, including the right to judicial review in accordance with WAC 246-10-706. The licensee shall revise its financial assurance in accordance with a final order of the department.

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39. The licensee shall notify the department, in writing, immediately following the filing of a voluntary or involuntary petition for bankruptcy under any Chapters of Title 11 (Bankruptcy) of the United States Code (USC) by or against:
- A. The licensee;
 - B. An entity [as the term is defined in 11 USC, Section 101(14)] controlling a licensee or listing the license or licensee as property of the estate; or
 - C. An affiliate [as the term is defined in 11 USC, Section 101(2)] of the licensee, and
 - D. The licensee's notification must also indicate the bankruptcy court in which the petition for bankruptcy was filed; and
 - E. The date of the filing of the petition.

AIR EMISSIONS

40. The licensee shall conduct an air emissions monitoring program according to the air license(s) issued by the Radioactive Air Emissions Section. Washington State Department of Health in accordance with chapter 246-247 WAC. The licensee must comply with all conditions contained in the current Radioactive Air Emissions License:
- DMC Radioactive Air Emissions License 050 (RAEL 050).

INCORPORATION BY REFERENCE

41. Except as specifically provided by this license, the licensee shall possess and use radioactive material described in items 6, 7 and 8 of this license in accordance with statements, representations, and procedures contained in the documents listed below. The department's "Rules and Regulations for Radiation Protection," Title 246 WAC, shall govern the licensee's statements in applications or letters, unless statements are more restrictive than the regulations. Any changes to the documents listed below shall require departmental approval in the form of an amendment to this license.
- A. License renewal application dated April 4, 2019, and attachments, including Attachment A dated April 22, 2019 and Attachment B dated November 4, 2019.

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- B. Department letter approving Dawn Mining Company operating procedures (DMOPs, DMEP and DMQPs), February 5, 2020, for implementation when the department issues this license.
- C. The Radiation Safety Program Manual, Revision 1, dated January 21, 2020, and subsequent revisions.
- D. The Site-Wide Sampling and Analysis Plan, Revision 6, dated January 16, 2020, and subsequent revisions.
- E. The Groundwater Protection Plan, Revision 1, dated September 28, 2015, and subsequent revisions.
- F. The Closure Plan, dated May 1994, and letter and attachments dated December 28, 1994.
- G. Surface reclamation construction completion reports, including:
 - (1) TDAs 1-3/EP 1-5 Radon Barrier Construction Completion Report, dated June 12, 2017.
 - (2) TDAs 1-3/EP 1-5 Radon Barrier Construction Completion Report, Revision 1, dated June 2019.
 - (3) EP-2 Embankment Reclamation Cover Construction Completion Report, Rev. 1, dated June 2019.
 - (4) Tailings Line Area Radon Barrier Completion Report, Rev. 1, dated June 2019.
 - (5) TDA-4 Radon Barrier Construction Completion Report, Rev. 1, dated June 2019.
 - (6) TDA 1-4 Radon Barrier Diversion Channel Construction Completion Report, dated November 30, 2018.
 - (7) Stockpile Area Cover Construction Completion Report, dated February 24, 2015 and January 28, 2016.
- H. Department letter dated March 31, 2020, regarding Dawn Mining Company, Clarification to Radioactive Materials License WN-I043-2, Amendment 32 Renewal.

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- I. DMC letter and attachments dated May 21, 2020, and June 2, 2020, RE: request to change Radiation Safety Officer.
- J. DMC amendment request to change the decommissioning date for Evaporation Pond 6 (License Condition 29.F), including the following:
 - (1) DMC letter dated November 29, 2021, Re: 2022 Integrated Project Schedule for Closure of the Dawn Mining Company Millsite dated November 29, 2021.
 - (2) Department letter dated February 23, 2022, Re: Revised Washington State Department of Health 2022 Surety Cost Estimate Review, Dawn Mining Company Millsite.
 - (3) Department letter dated May 16, 2022, Re: Newmont Corporation Parent Guarantee for the Dawn Mining Company Millsite.
- K. DMC letter from William Lyle to John Martell, dated August 20, 2024, RE: amendment request to operate a thermal evaporator in accordance with the following:
 - (1) 2024 Thermal Evaporator Implementation Plan Evaporation Pond 6, Revision 2, dated July 31, 2024.
 - (2) Thermal Evaporator Implementation Design Evaporation Pond 6 (EP-6), dated July 17, 2024.
 - (3) Thermal Evaporation Implementation Design Construction Specifications, dated July 17, 2024.
 - (4) Borrow Area Management Plan, Revision 2, dated July 31, 2024.
 - (5) Thermal Evaporator Radiation Safety Plan, Revision 003, dated August 9, 2024.
 - (6) Dawn Mill Health and Safety Plan, Revision 2.0, dated July 25, 2024.
 - (7) Dawn Mill Standard Operating Procedures, Revision 2.0, dated July 25, 2024.
 - (8) Thermal Evaporator Health and Safety Plan, Revision 1, dated August 12, 2024.

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- L. DMC letter from Devon Horntvedt, P.E., to Jason Mickelson, dated April 10, 2025, RE: amendment request to allow for the solids management operations outlined in the 2025 Thermal Evaporator Implementation Plan (to discharge residuals directly into Cell 3 instead of supersacks).
- M. The following Thermal Evaporator documents supersede previously approved documents:
- (1) 2025 Thermal Evaporator Implementation Plan Evaporation Pond 6, Revision 1, dated May 2, 2025.
 - (2) Thermal Evaporator Implementation Design Evaporation Pond 6 (EP-6), dated May 2025.
 - (3) 2025 Thermal Evaporator Implementation Design Construction Specifications, dated May 1, 2025.
 - (4) Borrow Area Management Plan, Revision 4, dated May 9, 2025.
 - (5) 2025 Thermal Evaporator Radiation Safety Plan, Revision 04, dated May 22, 2025.
 - (6) Dawn Mill Health and Safety Plan, Revision 4.0, dated May 9, 2025.
 - (7) Dawn Mill Standard Operating Procedures, Revision 3.0, dated May 20, 2025.
 - (8) 2025 Thermal Evaporator Health and Safety Plan, Revision 2, dated May 9, 2025.

FOR THE STATE OF WASHINGTON DEPARTMENT OF HEALTH

Date: May 29, 2025

By: _____

Jason Mickelson, Supervisor
Waste Management Section