

**From:** [Thornton, Marisa](#) on behalf of [Collections.SubW](#)  
**To:** [Thornton, Marisa](#)  
**Subject:** Fw: Emily's Call In Information  
**Date:** Wednesday, October 05, 2016 9:03:05 AM

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**From:** Seidman, Emily  
**Sent:** Friday, August 26, 2016 9:28 AM  
**To:** Collections.SubW  
**Subject:** FW: Emily's Call In Information

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**From:** Seidman, Emily  
**Sent:** Wednesday, July 06, 2016 5:41 PM  
**To:** Seidman, Emily <[seidman.emily@epa.gov](mailto:seidman.emily@epa.gov)>  
**Subject:** Emily's Call In Information

Call in information:

Call In Number: 202-564-1700 or 1-855-564-1700  
Conference extension: 1107874  
Participant code: 234567

Emily Seidman | US EPA | Office of General Counsel | Air and Radiation Law Office | Mail Code 2344A | WJCN 7409F | phone: (202) 564-0906

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**From:** [Thornton, Marisa](#) on behalf of [Collections.SubW](#)  
**To:** [Thornton, Marisa](#)  
**Subject:** Fw: 3 pm Visitors are in the Lobby. Room 1317. (eom)  
**Date:** Wednesday, October 05, 2016 9:03:14 AM

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**From:** Seidman, Emily  
**Sent:** Friday, August 26, 2016 9:28 AM  
**To:** Collections.SubW  
**Subject:** FW: 3 pm Visitors are in the Lobby. Room 1317. (eom)

---

**From:** Schultheisz, Daniel  
**Sent:** Wednesday, July 27, 2016 2:52 PM  
**To:** Edwards, Jonathan <Edwards.Jonathan@epa.gov>; Perrin, Alan <Perrin.Alan@epa.gov>; Werner, Jacqueline <Werner.Jacqueline@epa.gov>; Peake, Tom <Peake.Tom@epa.gov>; Seidman, Emily <seidman.emily@epa.gov>  
**Subject:** 3 pm Visitors are in the Lobby. Room 1317. (eom)

**From:** [Thornton, Marisa](#) on behalf of [Collections.SubW](#)  
**To:** [Thornton, Marisa](#)  
**Subject:** Fw: Subpart W  
**Date:** Wednesday, October 05, 2016 9:03:26 AM

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**From:** Rodman, Sonja  
**Sent:** Tuesday, August 23, 2016 1:32 PM  
**To:** Collections.SubW  
**Subject:** FW: Subpart W

Sonja L. Rodman, Assistant General Counsel for Air Toxics, Consumer Protection and Indoor Air /  
Office of General Counsel / U.S. Environmental Protection Agency / (202) 564-4079 / 202-768-2120  
(cell)

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-----Original Appointment-----

**From:** Rodman, Sonja  
**Sent:** Monday, July 11, 2016 8:57 AM  
**To:** Edwards, Jonathan  
**Subject:** Accepted: Subpart W  
**When:** Wednesday, July 27, 2016 3:00 PM-4:00 PM (UTC-05:00) Eastern Time (US & Canada).  
**Where:** DCRoomWest1317; Conference Call 1-866-299-3188; Conference Code 202-343-9775

**From:** [Thornton, Marisa](#) on behalf of [Collections SubW](#)  
**To:** [Thornton, Marisa](#)  
**Subject:** Fw: APPROVED for OMB - NESHAP for Operating Uranium Mill Tailings - Amendments (Subpart W) (5281)  
**Date:** Wednesday, October 05, 2016 9:03:33 AM

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**From:** Stahle, Susan  
**Sent:** Thursday, August 18, 2016 1:11 PM  
**To:** Collections.SubW  
**Subject:** FW: APPROVED for OMB - NESHAP for Operating Uranium Mill Tailings - Amendments (Subpart W) (5281)

Susan Stahle  
Attorney-Advisor  
Air and Radiation Law Office  
Office of General Counsel  
U.S. Environmental Protection Agency  
202-564-1272 (ph)  
202-564-5603 (fax)  
[stahle.susan@epa.gov](mailto:stahle.susan@epa.gov)

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**From:** Seidman, Emily  
**Sent:** Thursday, July 28, 2016 4:46 PM  
**To:** Rodman, Sonja <[Rodman.Sonja@epa.gov](mailto:Rodman.Sonja@epa.gov)>; Stahle, Susan <[Stahle.Susan@epa.gov](mailto:Stahle.Susan@epa.gov)>  
**Subject:** FW: APPROVED for OMB - NESHAP for Operating Uranium Mill Tailings - Amendments (Subpart W) (5281)

FYI – Subpart W is at OMB.

---

**From:** Schultheisz, Daniel  
**Sent:** Thursday, July 28, 2016 4:45 PM  
**To:** Seidman, Emily <[seidman.emily@epa.gov](mailto:seidman.emily@epa.gov)>  
**Subject:** FW: APPROVED for OMB - NESHAP for Operating Uranium Mill Tailings - Amendments (Subpart W) (5281)

FYI

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**From:** Schultheisz, Daniel  
**Sent:** Thursday, July 28, 2016 4:43 PM  
**To:** Edwards, Jonathan <[Edwards.Jonathan@epa.gov](mailto:Edwards.Jonathan@epa.gov)>  
**Cc:** Perrin, Alan <[Perrin.Alan@epa.gov](mailto:Perrin.Alan@epa.gov)>; Werner, Jacqueline <[Werner.Jacqueline@epa.gov](mailto:Werner.Jacqueline@epa.gov)>; Peake, Tom <[Peake.Tom@epa.gov](mailto:Peake.Tom@epa.gov)>  
**Subject:** FW: APPROVED for OMB - NESHAP for Operating Uranium Mill Tailings - Amendments (Subpart W) (5281)

Subpart W has been submitted to OMB. Huzzah.

---

**From:** Muellerleile, Caryn  
**Sent:** Thursday, July 28, 2016 3:16 PM  
**To:** Nickerson, William <[Nickerson.William@epa.gov](mailto:Nickerson.William@epa.gov)>; Corrales, Mark <[Corrales.Mark@epa.gov](mailto:Corrales.Mark@epa.gov)>; Boyle, Kathryn <[Boyle.Kathryn@epa.gov](mailto:Boyle.Kathryn@epa.gov)>; Owens, Nicole <[Owens.Nicole@epa.gov](mailto:Owens.Nicole@epa.gov)>; Pritchard, Eileen <[Pritchard.Eileen@epa.gov](mailto:Pritchard.Eileen@epa.gov)>; Kime, Robin <[Kime.Robin@epa.gov](mailto:Kime.Robin@epa.gov)>; Johnson, Ann <[Johnson.Ann@epa.gov](mailto:Johnson.Ann@epa.gov)>  
**Cc:** Schultheisz, Daniel <[Schultheisz.Daniel@epa.gov](mailto:Schultheisz.Daniel@epa.gov)>; Lee, Raymond <[Lee.Raymond@epa.gov](mailto:Lee.Raymond@epa.gov)>; Mcquilkin, Wendy <[Mcquilkin.Wendy@epa.gov](mailto:Mcquilkin.Wendy@epa.gov)>; Morgan, Ruthw <[morgan.ruthw@epa.gov](mailto:morgan.ruthw@epa.gov)>; Morris, Joseph <[Morris.Joseph@epa.gov](mailto:Morris.Joseph@epa.gov)>; Knapp, Kristien <[Knapp.Kristien@epa.gov](mailto:Knapp.Kristien@epa.gov)>; Clark, Spencer <[Clark.Spencer@epa.gov](mailto:Clark.Spencer@epa.gov)>  
**Subject:** APPROVED for OMB - NESHAP for Operating Uranium Mill Tailings - Amendments (Subpart W) (5281)

Today, OP approved OAR's **NESHAP for Operating Uranium Mill Tailings - Amendments (Subpart W) (5281)** for transmission to OMB for interagency review. This tier 3 final rule has been submitted to OMB via the ROCIS database.

The screenshot shows the ROCIS.GOV website interface. At the top, there is a navigation bar with tabs for HOME, AGENDA/REGS, and ADMINISTRATION. Below this is a secondary navigation bar with icons for INBOX, RULES, AGENDA, SEARCH, AGENCY EO REVIEW, and REPORTS. The main content area displays a message: "EO Review Package was successfully submitted at 07/28/2016 15:08:05 PM." Below this message, the text "EO Review Package 2060-AP26" is visible. At the bottom left, there is a link for "Unfunded Mandates".

Caryn Muellerleile  
Regulatory Management Division  
Office of Policy  
US Environmental Protection Agency

1200 Pennsylvania Ave NW (1803A)  
Washington, DC 20460  
(202) 564-2855  
[muellerleile.caryn@epa.gov](mailto:muellerleile.caryn@epa.gov)

**From:** [Thornton, Marisa](#) on behalf of [Collections.SubW](#)  
**To:** [Thornton, Marisa](#)  
**Subject:** Fw: APPROVED for OMB - NESHAP for Operating Uranium Mill Tailings - Amendments (Subpart W) (5281)  
**Date:** Wednesday, October 05, 2016 9:03:43 AM

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**From:** Seidman, Emily  
**Sent:** Tuesday, August 16, 2016 11:37 AM  
**To:** Collections.SubW  
**Subject:** FW: APPROVED for OMB - NESHAP for Operating Uranium Mill Tailings - Amendments (Subpart W) (5281)

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**From:** Stahle, Susan  
**Sent:** Friday, July 29, 2016 11:20 AM  
**To:** Seidman, Emily <[seidman.emily@epa.gov](mailto:seidman.emily@epa.gov)>; Rodman, Sonja <[Rodman.Sonja@epa.gov](mailto:Rodman.Sonja@epa.gov)>  
**Subject:** RE: APPROVED for OMB - NESHAP for Operating Uranium Mill Tailings - Amendments (Subpart W) (5281)

Wahool!

Susan Stahle  
Attorney-Advisor  
Air and Radiation Law Office  
Office of General Counsel  
U.S. Environmental Protection Agency  
202-564-1272 (ph)  
202-564-5603 (fax)  
[stahle.susan@epa.gov](mailto:stahle.susan@epa.gov)

---

**From:** Seidman, Emily  
**Sent:** Thursday, July 28, 2016 4:46 PM  
**To:** Rodman, Sonja <[Rodman.Sonja@epa.gov](mailto:Rodman.Sonja@epa.gov)>; Stahle, Susan <[Stahle.Susan@epa.gov](mailto:Stahle.Susan@epa.gov)>  
**Subject:** FW: APPROVED for OMB - NESHAP for Operating Uranium Mill Tailings - Amendments (Subpart W) (5281)

FYI – Subpart W is at OMB.

---

**From:** Schultheisz, Daniel  
**Sent:** Thursday, July 28, 2016 4:45 PM  
**To:** Seidman, Emily <[seidman.emily@epa.gov](mailto:seidman.emily@epa.gov)>  
**Subject:** FW: APPROVED for OMB - NESHAP for Operating Uranium Mill Tailings - Amendments (Subpart W) (5281)

FYI

---

**From:** Schultheisz, Daniel  
**Sent:** Thursday, July 28, 2016 4:43 PM  
**To:** Edwards, Jonathan <[Edwards.Jonathan@epa.gov](mailto:Edwards.Jonathan@epa.gov)>  
**Cc:** Perrin, Alan <[Perrin.Alan@epa.gov](mailto:Perrin.Alan@epa.gov)>; Werner, Jacqueline <[Werner.Jacqueline@epa.gov](mailto:Werner.Jacqueline@epa.gov)>; Peake, Tom <[Peake.Tom@epa.gov](mailto:Peake.Tom@epa.gov)>  
**Subject:** FW: APPROVED for OMB - NESHAP for Operating Uranium Mill Tailings - Amendments (Subpart W) (5281)

Subpart W has been submitted to OMB. Huzzah.

---

**From:** Muellerleile, Caryn  
**Sent:** Thursday, July 28, 2016 3:16 PM  
**To:** Nickerson, William <[Nickerson.William@epa.gov](mailto:Nickerson.William@epa.gov)>; Corrales, Mark <[Corrales.Mark@epa.gov](mailto:Corrales.Mark@epa.gov)>; Boyle, Kathryn <[Boyle.Kathryn@epa.gov](mailto:Boyle.Kathryn@epa.gov)>; Owens, Nicole <[Owens.Nicole@epa.gov](mailto:Owens.Nicole@epa.gov)>; Pritchard, Eileen <[Pritchard.Eileen@epa.gov](mailto:Pritchard.Eileen@epa.gov)>; Kime, Robin <[Kime.Robin@epa.gov](mailto:Kime.Robin@epa.gov)>; Johnson, Ann <[Johnson.Ann@epa.gov](mailto:Johnson.Ann@epa.gov)>  
**Cc:** Schultheisz, Daniel <[Schultheisz.Daniel@epa.gov](mailto:Schultheisz.Daniel@epa.gov)>; Lee, Raymond <[Lee.Raymond@epa.gov](mailto:Lee.Raymond@epa.gov)>; Mcquilkin, Wendy <[Mcquilkin.Wendy@epa.gov](mailto:Mcquilkin.Wendy@epa.gov)>; Morgan, Ruthw <[morgan.ruthw@epa.gov](mailto:morgan.ruthw@epa.gov)>; Morris, Joseph <[Morris.Joseph@epa.gov](mailto:Morris.Joseph@epa.gov)>; Knapp, Kristien <[Knapp.Kristien@epa.gov](mailto:Knapp.Kristien@epa.gov)>; Clark, Spencer <[Clark.Spencer@epa.gov](mailto:Clark.Spencer@epa.gov)>  
**Subject:** APPROVED for OMB - NESHAP for Operating Uranium Mill Tailings - Amendments (Subpart W) (5281)

Today, OP approved OAR's **NESHAP for Operating Uranium Mill Tailings - Amendments (Subpart W)** (5281) for transmission to OMB for interagency review. This tier 3 final rule has been submitted to OMB via the ROCIS database.

RIN: 2060-AP26 (201610)  
Stage of Rulemaking: Final Rule Stage  
Title: National Emission Standards for Hazardous Air Pollutants (NESHAP) Subpart W: Standards for Radon Emissions From Operating Uranium Mill Tailings: Review

 EO Review Package was successfully submitted at 07/28/2016 15:08:05 PM.

EO Review Package 2060-AP26

**Unfunded Mandates**

Caryn Muellerleile  
Regulatory Management Division  
Office of Policy  
US Environmental Protection Agency  
1200 Pennsylvania Ave NW (1803A)  
Washington, DC 20460  
(202) 564-2855  
[muellerleile.caryn@epa.gov](mailto:muellerleile.caryn@epa.gov)

**From:** [Thornton, Marisa](#) on behalf of [Collections.SubW](#)  
**To:** [Thornton, Marisa](#)  
**Subject:** Fw: APPROVED for OMB - NESHAP for Operating Uranium Mill Tailings - Amendments (Subpart W) (5281)  
**Date:** Wednesday, October 05, 2016 9:03:51 AM

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**From:** Seidman, Emily  
**Sent:** Monday, August 8, 2016 2:22 PM  
**To:** Collections.SubW  
**Subject:** FW: APPROVED for OMB - NESHAP for Operating Uranium Mill Tailings - Amendments (Subpart W) (5281)

---

**From:** Seidman, Emily  
**Sent:** Thursday, July 28, 2016 4:46 PM  
**To:** Rodman, Sonja <[Rodman.Sonja@epa.gov](mailto:Rodman.Sonja@epa.gov)>; Stahle, Susan <[Stahle.Susan@epa.gov](mailto:Stahle.Susan@epa.gov)>  
**Subject:** FW: APPROVED for OMB - NESHAP for Operating Uranium Mill Tailings - Amendments (Subpart W) (5281)

FYI – Subpart W is at OMB.

---

**From:** Schultheisz, Daniel  
**Sent:** Thursday, July 28, 2016 4:45 PM  
**To:** Seidman, Emily <[seidman.emily@epa.gov](mailto:seidman.emily@epa.gov)>  
**Subject:** FW: APPROVED for OMB - NESHAP for Operating Uranium Mill Tailings - Amendments (Subpart W) (5281)

FYI

---

**From:** Schultheisz, Daniel  
**Sent:** Thursday, July 28, 2016 4:43 PM  
**To:** Edwards, Jonathan <[Edwards.Jonathan@epa.gov](mailto:Edwards.Jonathan@epa.gov)>  
**Cc:** Perrin, Alan <[Perrin.Alan@epa.gov](mailto:Perrin.Alan@epa.gov)>; Werner, Jacqueline <[Werner.Jacqueline@epa.gov](mailto:Werner.Jacqueline@epa.gov)>; Peake, Tom <[Peake.Tom@epa.gov](mailto:Peake.Tom@epa.gov)>  
**Subject:** FW: APPROVED for OMB - NESHAP for Operating Uranium Mill Tailings - Amendments (Subpart W) (5281)

Subpart W has been submitted to OMB. Huzzah.

---

**From:** Muellerleile, Caryn  
**Sent:** Thursday, July 28, 2016 3:16 PM  
**To:** Nickerson, William <[Nickerson.William@epa.gov](mailto:Nickerson.William@epa.gov)>; Corrales, Mark <[Corrales.Mark@epa.gov](mailto:Corrales.Mark@epa.gov)>; Boyle, Kathryn <[Boyle.Kathryn@epa.gov](mailto:Boyle.Kathryn@epa.gov)>; Owens, Nicole <[Owens.Nicole@epa.gov](mailto:Owens.Nicole@epa.gov)>; Pritchard, Eileen <[Pritchard.Eileen@epa.gov](mailto:Pritchard.Eileen@epa.gov)>; Kime, Robin <[Kime.Robin@epa.gov](mailto:Kime.Robin@epa.gov)>; Johnson, Ann <[Johnson.Ann@epa.gov](mailto:Johnson.Ann@epa.gov)>  
**Cc:** Schultheisz, Daniel <[Schultheisz.Daniel@epa.gov](mailto:Schultheisz.Daniel@epa.gov)>; Lee, Raymond <[Lee.Raymond@epa.gov](mailto:Lee.Raymond@epa.gov)>; Mcquilkkin, Wendy <[Mcquilkkin.Wendy@epa.gov](mailto:Mcquilkkin.Wendy@epa.gov)>; Morgan, Ruthw <[morgan.ruthw@epa.gov](mailto:morgan.ruthw@epa.gov)>; Morris, Joseph <[Morris.Joseph@epa.gov](mailto:Morris.Joseph@epa.gov)>; Knapp, Kristien <[Knapp.Kristien@epa.gov](mailto:Knapp.Kristien@epa.gov)>; Clark, Spencer <[Clark.Spencer@epa.gov](mailto:Clark.Spencer@epa.gov)>  
**Subject:** APPROVED for OMB - NESHAP for Operating Uranium Mill Tailings - Amendments (Subpart W) (5281)

Today, OP approved OAR's **NESHAP for Operating Uranium Mill Tailings - Amendments (Subpart W)** (5281) for transmission to OMB for interagency review. This tier 3 final rule has been submitted to OMB via the ROCIS database.

The screenshot shows the ROCIS.GOV website interface. At the top, there is a navigation bar with tabs for HOME, AGENDA/REGS, and ADMINISTRATION. Below this is a secondary navigation bar with icons for INBOX, RULES, AGENDA, SEARCH, AGENCY EO REVIEW, and REPORTS. The main content area displays a breadcrumb trail: Home > Agenda/Regs > Agency EO Review > EO Package. Below the breadcrumb, the following information is shown: RIN: 2060-AP26 (201610), Stage of Rulemaking: Final Rule Stage, and Title: National Emission Standards for Hazardous Air Pollutants (NESHAP) Subpart W: Standards for Radon Emissions From Operating Uranium Mill Tailings: Review. A green notification box with a checkmark icon states: "EO Review Package was successfully submitted at 07/28/2016 15:08:05 PM." At the bottom right of the notification area, the text "EO Review Package 2060-AP26" is displayed. At the bottom left, the text "Unfunded Mandates" is visible.

Caryn Muellerleile  
Regulatory Management Division  
Office of Policy  
US Environmental Protection Agency  
1200 Pennsylvania Ave NW (1803A)  
Washington, DC 20460  
(202) 564-2855  
[muellerleile.caryn@epa.gov](mailto:muellerleile.caryn@epa.gov)



**From:** [Thornton, Marisa](#) on behalf of [Collections.SubW](#)  
**To:** [Thornton, Marisa](#)  
**Subject:** Fw: Subpart W  
**Date:** Wednesday, October 05, 2016 9:04:11 AM

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**From:** Seidman, Emily  
**Sent:** Monday, August 8, 2016 2:21 PM  
**To:** Collections.SubW  
**Subject:** FW: Subpart W

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**From:** Rodman, Sonja  
**Sent:** Friday, July 22, 2016 2:50 PM  
**To:** Seidman, Emily <[seidman.emily@epa.gov](mailto:seidman.emily@epa.gov)>  
**Subject:** RE: Subpart W

Emily, FYI I will be out of town next week and will miss this. I don't think you need me anyway, I just thought I would let you know.

Sonja L. Rodman, Assistant General Counsel for Air Toxics, Consumer Protection and Indoor Air /  
Office of General Counsel / U.S. Environmental Protection Agency / (202) 564-4079 / 202-768-2120  
(cell)

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-----Original Appointment-----

**From:** Edwards, Jonathan  
**Sent:** Tuesday, June 28, 2016 8:24 AM  
**To:** Edwards, Jonathan; Schultheisz, Daniel; Werner, Jacqueline; Perrin, Alan; Peake, Tom; Seidman, Emily; Cherepy, Andrea; Stahle, Susan; Rodman, Sonja  
**Subject:** Subpart W  
**When:** Wednesday, July 27, 2016 3:00 PM-4:00 PM (UTC-05:00) Eastern Time (US & Canada).  
**Where:** DCRoomWest1317; Conference Call 1-866-299-3188; Conference Code 202-343-9775

Purpose: Meeting with National Mining Association/Energy Fuels.

Technical POC: Dan Schultheisz

Scheduler:

Patricia Holden

202-343-9458

**From:** [Thornton, Marisa](#) on behalf of [Collections.SubW](#)  
**To:** [Thornton, Marisa](#)  
**Subject:** Fw: subpart W  
**Date:** Wednesday, October 05, 2016 9:04:18 AM

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---

**From:** Seidman, Emily  
**Sent:** Monday, August 8, 2016 2:21 PM  
**To:** Collections.SubW  
**Subject:** FW: subpart W

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**From:** Seidman, Emily  
**Sent:** Thursday, July 21, 2016 9:13 AM  
**To:** Rodman, Sonja <Rodman.Sonja@epa.gov>  
**Subject:** subpart W

Still at the policy office. Expecting it will go to OMB at the end of this week or next week. Dan hasn't received any questions from the policy office about the rule. Thus far, he's heard that OMB is not going to request a briefing.

Emily Seidman | US EPA | Office of General Counsel | Air and Radiation Law Office | Mail Code 2344A | WJCN 7409F | phone: (202) 564-0906

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**From:** [Thornton, Marisa](#) on behalf of [Collections.SubW](#)  
**To:** [Thornton, Marisa](#)  
**Subject:** Fw: July 11 Revision to Subpart W Final Rule  
**Date:** Wednesday, October 05, 2016 9:04:38 AM

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**From:** Seidman, Emily  
**Sent:** Monday, August 8, 2016 2:21 PM  
**To:** Collections.SubW  
**Subject:** FW: July 11 Revision to Subpart W Final Rule

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**From:** Rodman, Sonja  
**Sent:** Monday, July 11, 2016 11:48 AM  
**To:** Seidman, Emily <[seidman.emily@epa.gov](mailto:seidman.emily@epa.gov)>  
**Subject:** RE: July 11 Revision to Subpart W Final Rule

Great, thanks for the update.

Sonja L. Rodman, Assistant General Counsel for Air Toxics, Consumer Protection and Indoor Air /  
Office of General Counsel / U.S. Environmental Protection Agency / (202) 564-4079 / 202-768-2120  
(cell)

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---

**From:** Seidman, Emily  
**Sent:** Monday, July 11, 2016 11:39 AM  
**To:** Rodman, Sonja <[Rodman.Sonja@epa.gov](mailto:Rodman.Sonja@epa.gov)>  
**Subject:** FW: July 11 Revision to Subpart W Final Rule

FYI. Dan sent revisions to Janet at the end of last week. Janet provided a few small edits last night and said it's ready to move forward. Dan incorporated those revisions and expects the rule to go to OP by the end of the week.

Emily Seidman | US EPA | Office of General Counsel | Air and Radiation Law Office | Mail Code 2344A | WJCN 7409F | phone: (202) 564-0906

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---

**From:** Schultheisz, Daniel  
**Sent:** Monday, July 11, 2016 11:35 AM  
**To:** Seidman, Emily <[seidman.emily@epa.gov](mailto:seidman.emily@epa.gov)>; Johnson, Ann <[Johnson.Ann@epa.gov](mailto:Johnson.Ann@epa.gov)>  
**Subject:** FW: July 11 Revision to Subpart W Final Rule

FYI, Janet had some very minor comments on the version sent last week and we expect it to move to OP this week.

---

**From:** Cyran, Carissa  
**Sent:** Monday, July 11, 2016 11:32 AM  
**To:** Schultheisz, Daniel <[Schultheisz.Daniel@epa.gov](mailto:Schultheisz.Daniel@epa.gov)>  
**Cc:** Edwards, Jonathan <[Edwards.Jonathan@epa.gov](mailto:Edwards.Jonathan@epa.gov)>; Perrin, Alan <[Perrin.Alan@epa.gov](mailto:Perrin.Alan@epa.gov)>; Peake, Tom <[Peake.Tom@epa.gov](mailto:Peake.Tom@epa.gov)>  
**Subject:** RE: July 11 Revision to Subpart W Final Rule

Good morning, Dan,

No, I will send this version electronically to Janet since we don't need hard copies, and have her sign the transmittal memo hopefully tonight.

Thank you!

Carissa

---

**From:** Schultheisz, Daniel  
**Sent:** Monday, July 11, 2016 11:27 AM  
**To:** Cyran, Carissa <[Cyran.Carissa@epa.gov](mailto:Cyran.Carissa@epa.gov)>  
**Cc:** Edwards, Jonathan <[Edwards.Jonathan@epa.gov](mailto:Edwards.Jonathan@epa.gov)>; Perrin, Alan <[Perrin.Alan@epa.gov](mailto:Perrin.Alan@epa.gov)>; Peake, Tom <[Peake.Tom@epa.gov](mailto:Peake.Tom@epa.gov)>  
**Subject:** July 11 Revision to Subpart W Final Rule

Carissa:

Attached is a revised version of the rule/preamble incorporating Janet's comments over the weekend. Thanks for sending it on to her, and I appreciate her getting to it so quickly. In her note to Jon Edwards, she said "this should be ready to move to the next step." Is there anything else you need from me to make that happen? Thanks.

Dan

**From:** [Thornton, Marisa](#) on behalf of [Collections.SubW](#)  
**To:** [Thornton, Marisa](#)  
**Subject:** Fw: Revisions to Subpart W  
**Date:** Wednesday, October 05, 2016 9:04:48 AM

---

---

**From:** Seidman, Emily  
**Sent:** Monday, August 8, 2016 2:21 PM  
**To:** Collections.SubW  
**Subject:** FW: Revisions to Subpart W

---

**From:** Schultheisz, Daniel  
**Sent:** Monday, July 11, 2016 10:43 AM  
**To:** Seidman, Emily <[seidman.emily@epa.gov](mailto:seidman.emily@epa.gov)>  
**Subject:** RE: Revisions to Subpart W

Thanks.

---

**From:** Seidman, Emily  
**Sent:** Monday, July 11, 2016 10:42 AM  
**To:** Schultheisz, Daniel <[Schultheisz.Daniel@epa.gov](mailto:Schultheisz.Daniel@epa.gov)>  
**Subject:** RE: Revisions to Subpart W

Ignore my comment. I must have read over the word "below." Please leave it as you had it.

Sounds good! I'm ok with you sending the new version to OAR.

Emily Seidman | US EPA | Office of General Counsel | Air and Radiation Law Office | Mail Code 2344A | WJCN 7409F | phone: (202) 564-0906

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---

**From:** Schultheisz, Daniel  
**Sent:** Monday, July 11, 2016 10:40 AM  
**To:** Seidman, Emily <[seidman.emily@epa.gov](mailto:seidman.emily@epa.gov)>  
**Subject:** RE: Revisions to Subpart W

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**Sent:** Monday, July 11, 2016 10:13 AM  
**To:** Schultheisz, Daniel <[Schultheisz.Daniel@epa.gov](mailto:Schultheisz.Daniel@epa.gov)>  
**Subject:** RE: Revisions to Subpart W

Dan-

Looks good to me. One small typographical edit on p. 94.

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**From:** Schultheisz, Daniel  
**Sent:** Friday, July 08, 2016 4:37 PM  
**To:** Seidman, Emily <[seidman.emily@epa.gov](mailto:seidman.emily@epa.gov)>; Johnson, Ann <[Johnson.Ann@epa.gov](mailto:Johnson.Ann@epa.gov)>  
**Subject:** FW: Revisions to Subpart W

Emily and Ann:

For your reading pleasure. Thanks.

Dan

---

**From:** Schultheisz, Daniel  
**Sent:** Friday, July 08, 2016 4:26 PM  
**To:** Cyran, Carissa <[Cyran.Carissa@epa.gov](mailto:Cyran.Carissa@epa.gov)>  
**Subject:** Revisions to Subpart W

Carissa:

Attached are three documents responding to Janet’s comments on the Subpart W final rule. They

are 1) a redline-strikeout version of the rule and preamble; 2) a clean version (dated July 8); and 3) a table showing how we considered each comment, with annotations providing additional detail. I will have to look through this again to see if any formatting issues came up when creating the clean version, and may have a few minor changes, but nothing significant.

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Dan Schultheisz  
U.S. Environmental Protection Agency  
Office of Radiation and Indoor Air  
Radiation Protection Division  
(202) 343-9349



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**To:** [Thornton, Marisa](#)  
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**Sent:** Friday, July 08, 2016 4:37 PM  
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Emily and Ann:

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Radiation Protection Division  
(202) 343-9349

**From:** [Thornton, Marisa](#) on behalf of [Collections.SubW](#)  
**To:** [Thornton, Marisa](#)  
**Subject:** Fw: Revisions to Subpart W  
**Date:** Wednesday, October 05, 2016 9:05:12 AM

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**From:** Seidman, Emily  
**Sent:** Monday, August 8, 2016 2:21 PM  
**To:** Collections.SubW  
**Subject:** FW: Revisions to Subpart W

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**Sent:** Monday, July 11, 2016 10:40 AM  
**To:** Seidman, Emily <[seidman.emily@epa.gov](mailto:seidman.emily@epa.gov)>  
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**Subject:** RE: Revisions to Subpart W

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**Sent:** Friday, July 08, 2016 4:37 PM  
**To:** Seidman, Emily <[seidman.emily@epa.gov](mailto:seidman.emily@epa.gov)>; Johnson, Ann <[Johnson.Ann@epa.gov](mailto:Johnson.Ann@epa.gov)>  
**Subject:** FW: Revisions to Subpart W

Emily and Ann:

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Dan

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**From:** Schultheisz, Daniel  
**Sent:** Friday, July 08, 2016 4:26 PM  
**To:** Cyran, Carissa <[Cyran.Carissa@epa.gov](mailto:Cyran.Carissa@epa.gov)>  
**Subject:** Revisions to Subpart W

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Dan Schultheisz  
U.S. Environmental Protection Agency  
Office of Radiation and Indoor Air  
Radiation Protection Division  
(202) 343-9349

**From:** [Thornton, Marisa](#) on behalf of [Collections.SubW](#)  
**To:** [Thornton, Marisa](#)  
**Subject:** Fw: Subpart W  
**Date:** Wednesday, October 05, 2016 9:05:22 AM

---

---

**From:** Seidman, Emily  
**Sent:** Monday, August 8, 2016 2:21 PM  
**To:** Collections.SubW  
**Subject:** FW: Subpart W

-----Original Appointment-----

**From:** Seidman, Emily  
**Sent:** Monday, July 11, 2016 8:55 AM  
**To:** Edwards, Jonathan  
**Subject:** Accepted: Subpart W  
**When:** Wednesday, July 27, 2016 3:00 PM-4:00 PM (UTC-05:00) Eastern Time (US & Canada).  
**Where:** DCRoomWest1317; Conference Call 1-866-299-3188; Conference Code 202-343-9775

**From:** [Thornton, Marisa](#) on behalf of [Collections.SubW](#)  
**To:** [Thornton, Marisa](#)  
**Subject:** Fw: Subpart W  
**Date:** Wednesday, October 05, 2016 9:05:30 AM

---

---

**From:** Seidman, Emily  
**Sent:** Monday, August 8, 2016 2:21 PM  
**To:** Collections.SubW  
**Subject:** FW: Subpart W

---

**From:** Seidman, Emily  
**Sent:** Tuesday, July 05, 2016 4:00 PM  
**To:** Schultheisz, Daniel <[Schultheisz.Daniel@epa.gov](mailto:Schultheisz.Daniel@epa.gov)>  
**Subject:** RE: Subpart W

I mistakenly left in a comment back-and-forth on p. 69. FYI- Sonja is good with the revised text.  
Thanks!

---

**From:** Seidman, Emily  
**Sent:** Tuesday, July 05, 2016 3:31 PM  
**To:** Schultheisz, Daniel <[Schultheisz.Daniel@epa.gov](mailto:Schultheisz.Daniel@epa.gov)>  
**Subject:** Subpart W

Dan,

The attached includes revisions from me and Sonja in response to comments from Janet directed to OGC, and some of her broader comments as well. I'm available most of this week to discuss, but will be out Thursday afternoon and Friday. However, if needed, I can jump on a call those days. I hope you enjoyed the long weekend.

Emily Seidman | US EPA | Office of General Counsel | Air and Radiation Law Office | Mail Code 2344A | WJCN 7409F | phone: (202) 564-0906

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**From:** [Thornton, Marisa](#) on behalf of [Collections.SubW](#)  
**To:** [Thornton, Marisa](#)  
**Subject:** Fw: Introductory Briefing and EO 12866 Invitee List: NESHAP for Uranium Mill Tailings  
**Date:** Wednesday, October 05, 2016 9:05:40 AM

---

---

**From:** Schultheisz, Daniel  
**Sent:** Thursday, August 4, 2016 10:08 AM  
**To:** Collections.SubW  
**Subject:** FW: Introductory Briefing and EO 12866 Invitee List: NESHAP for Uranium Mill Tailings

---

**From:** Szabo, Aaron [mailto:[Aaron\\_L\\_Szabo@omb.eop.gov](mailto:Aaron_L_Szabo@omb.eop.gov)]  
**Sent:** Sunday, July 31, 2016 5:42 PM  
**To:** Schultheisz, Daniel <[Schultheisz.Daniel@epa.gov](mailto:Schultheisz.Daniel@epa.gov)>  
**Cc:** Johnson, Ann <[Johnson.Ann@epa.gov](mailto:Johnson.Ann@epa.gov)>  
**Subject:** RE: Introductory Briefing and EO 12866 Invitee List: NESHAP for Uranium Mill Tailings

Dan,

With respect to the briefing time, please ignore the previous email and please set a time for 1 hour at 3:30pm (to 4:30pm) on Wednesday, August 3<sup>rd</sup>. Thank you very much.

---

**From:** Szabo, Aaron  
**Sent:** Sunday, July 31, 2016 5:31 PM  
**To:** 'Schultheisz, Daniel' <[Schultheisz.Daniel@epa.gov](mailto:Schultheisz.Daniel@epa.gov)>  
**Cc:** Johnson, Ann <[Johnson.Ann@epa.gov](mailto:Johnson.Ann@epa.gov)>  
**Subject:** RE: Introductory Briefing and EO 12866 Invitee List: NESHAP for Uranium Mill Tailings

Daniel,

Thank you very much for the response. Let's do 2pm on Thursday for 1 hour. With respect to whether you want to come in, these are generally done over the phone (as the interagency members will not be coming in), but if you would like to do this in person I can try and get a room (I can at least get a smaller room that could support a couple of people from EPA). Either way, could you send me a scheduler with a teleconference line for 2-3pm on Thursday for the briefing and let me know whether you will be providing any briefing materials.

Thank you very much and let me know if you have any questions. I will be out of pocket Monday afternoon, but will have my work phone on me and will try and respond as soon as possible.

---



**From:** Schultheisz, Daniel [<mailto:Schultheisz.Daniel@epa.gov>]  
**Sent:** Friday, July 29, 2016 10:05 AM  
**To:** Szabo, Aaron <[Aaron\\_L\\_Szabo@omb.eop.gov](mailto:Aaron_L_Szabo@omb.eop.gov)>  
**Cc:** Johnson, Ann <[Johnson.Ann@epa.gov](mailto:Johnson.Ann@epa.gov)>  
**Subject:** FW: Introductory Briefing and EO 12866 Invitee List: NESHAP for Uranium Mill Tailings

Aaron:

Please add Ann Johnson, EPA Office of Policy ([Johnson.ann@epa.gov](mailto:Johnson.ann@epa.gov)) to the list of invitees for external stakeholder meetings. Thanks.

Dan

---

**From:** Schultheisz, Daniel  
**Sent:** Friday, July 29, 2016 8:12 AM  
**To:** 'Szabo, Aaron' <[Aaron\\_L\\_Szabo@omb.eop.gov](mailto:Aaron_L_Szabo@omb.eop.gov)>  
**Cc:** Peake, Tom <[Peake.Tom@epa.gov](mailto:Peake.Tom@epa.gov)>  
**Subject:** RE: Introductory Briefing and EO 12866 Invitee List: NESHAP for Uranium Mill Tailings

Aaron:

Thanks for getting in touch so quickly. It looks like Wednesday afternoon (after about 2:30) and Thursday afternoon will be best for a briefing to ensure that divisional management can attend (our Acting Office Director is on leave next week). Are you envisioning a teleconference, or would you like us to do an in-person briefing?

You should know that Reid Rosnick has retired, so I am the primary point of contact for the rule. For external stakeholder meetings, in addition to me, you should invite the following people:

Jonathan Edwards, Acting Director, ORIA ([edwards.jonathan@epa.gov](mailto:edwards.jonathan@epa.gov));  
Jacqueline Werner, Acting Director, Radiation Protection Division ([werner.jacqueline@epa.gov](mailto:werner.jacqueline@epa.gov));  
Alan Perrin, Deputy Director, RPD ([perrin.alan@epa.gov](mailto:perrin.alan@epa.gov));  
Tom Peake, Director, Center for Waste Management and Regulations ([peake.tom@epa.gov](mailto:peake.tom@epa.gov));  
Emily Seidman, Office of General Counsel ([seidman.emily@epa.gov](mailto:seidman.emily@epa.gov)).

Please let me know which times work best for you. Thanks.

Dan Schultheisz  
U.S. Environmental Protection Agency  
Office of Radiation and Indoor Air  
Radiation Protection Division  
(202) 343-9349

---

**From:** Szabo, Aaron [[mailto:Aaron\\_L\\_Szabo@omb.eop.gov](mailto:Aaron_L_Szabo@omb.eop.gov)]  
**Sent:** Thursday, July 28, 2016 5:15 PM

**To:** [rosnick.reid@epa.gov](mailto:rosnick.reid@epa.gov); Schultheisz, Daniel <[Schultheisz.Daniel@epa.gov](mailto:Schultheisz.Daniel@epa.gov)>

**Cc:** Szabo, Aaron <[Aaron\\_L\\_Szabo@omb.eop.gov](mailto:Aaron_L_Szabo@omb.eop.gov)>

**Subject:** Introductory Briefing and EO 12866 Invitee List: NESHAP for Uranium Mill Tailings

Reid and Dan,

I am the lead for the EPA NPRM entitled, “National Emission Standards for Hazardous Air Pollutants (NESHAP) Subpart W: Standards for Radon Emissions From Operating Uranium Mill Tailings: Review” (RIN 2060-AP26). Can you please provide some times and dates that EPA can provide an initial interagency briefing on this rule next week (preferably after Tuesday)? Also, please provide a list of EPA staff with their emails that should be invited to external stakeholder meetings under our EO 12866 procedures.

Thank you very much and please let me know if you have any questions.

Aaron L. Szabo  
Policy Analyst  
Office of Information and Regulatory Affairs  
Office of Management and Budget  
202-395-3621  
[Aaron\\_L\\_Szabo@omb.eop.gov](mailto:Aaron_L_Szabo@omb.eop.gov)

**From:** [Thornton, Marisa](#) on behalf of [Collections.SubW](#)  
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Alan Perrin, Deputy Director, RPD ([perrin.alan@epa.gov](mailto:perrin.alan@epa.gov));  
Tom Peake, Director, Center for Waste Management and Regulations ([peake.tom@epa.gov](mailto:peake.tom@epa.gov));  
Emily Seidman, Office of General Counsel ([seidman.emily@epa.gov](mailto:seidman.emily@epa.gov)).

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U.S. Environmental Protection Agency  
Office of Radiation and Indoor Air  
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Aaron L. Szabo

Policy Analyst

Office of Information and Regulatory Affairs

Office of Management and Budget

202-395-3621

[Aaron\\_L\\_Szabo@omb.eop.gov](mailto:Aaron_L_Szabo@omb.eop.gov)

**From:** [Thornton, Marisa](#) on behalf of [Collections.SubW](#)  
**To:** [Thornton, Marisa](#)  
**Subject:** Fw: Radon regs for uranium mines under White House review  
**Date:** Wednesday, October 05, 2016 9:05:55 AM

---

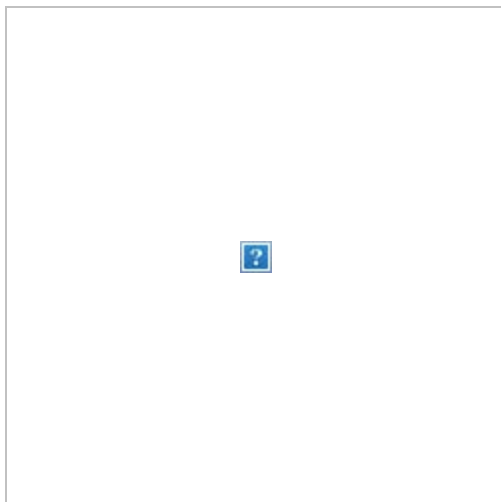
---

**From:** Schultheisz, Daniel  
**Sent:** Thursday, August 4, 2016 10:07 AM  
**To:** Collections.SubW  
**Subject:** FW: Radon regs for uranium mines under White House review

---

**From:** Perrin, Alan  
**Sent:** Friday, July 29, 2016 4:46 PM  
**To:** Peake, Tom <Peake.Tom@epa.gov>; Schultheisz, Daniel <Schultheisz.Daniel@epa.gov>  
**Subject:** Radon regs for uranium mines under White House review

<http://www.eenews.net/greenwire/2016/07/29/stories/1060040983>



## AIR POLLUTION: Radon regs for uranium mines under White House review

[www.eenews.net](http://www.eenews.net)

More than two years after unveiling its initial draft, U.S. EPA is close to wrapping up work on an overhaul of standards for radon releases from uranium processing facilities.

---

~~~~~  
**Alan Perrin, Deputy Director**  
**Radiation Protection Division, USEPA**  
**ofc (202) 343-9775 | mbl (202) 279-0376**

**From:** [Thornton, Marisa](#) on behalf of [Collections.SubW](#)  
**To:** [Thornton, Marisa](#)  
**Subject:** Fw: Subpart W Docket Item  
**Date:** Wednesday, October 05, 2016 9:06:03 AM

---

---

**From:** Schultheisz, Daniel  
**Sent:** Thursday, August 4, 2016 10:07 AM  
**To:** Collections.SubW  
**Subject:** FW: Subpart W Docket Item

---

**From:** Nesky, Anthony  
**Sent:** Friday, July 29, 2016 3:16 PM  
**To:** Schultheisz, Daniel <[Schultheisz.Daniel@epa.gov](mailto:Schultheisz.Daniel@epa.gov)>  
**Subject:** Re: Subpart W Docket Item

It's submitted!

---

**From:** Schultheisz, Daniel  
**Sent:** Friday, July 29, 2016 9:17 AM  
**To:** Nesky, Anthony  
**Subject:** Subpart W Docket Item

Tony:

Can you put the attached file in the docket? Thanks.

Dan

**From:** [Thornton, Marisa](#) on behalf of [Collections.SubW](#)  
**To:** [Thornton, Marisa](#)  
**Subject:** Fw: Introductory Briefing and EO 12866 Invitee List: NESHAP for Uranium Mill Tailings  
**Date:** Wednesday, October 05, 2016 9:06:13 AM

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**From:** Schultheisz, Daniel  
**Sent:** Friday, July 29, 2016 12:07 PM  
**To:** Collections.SubW  
**Subject:** FW: Introductory Briefing and EO 12866 Invitee List: NESHAP for Uranium Mill Tailings

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**From:** Schultheisz, Daniel  
**Sent:** Friday, July 29, 2016 10:05 AM  
**To:** 'Szabo, Aaron' <[Aaron\\_L\\_Szabo@omb.eop.gov](mailto:Aaron_L_Szabo@omb.eop.gov)>  
**Cc:** Johnson, Ann <[Johnson.Ann@epa.gov](mailto:Johnson.Ann@epa.gov)>  
**Subject:** FW: Introductory Briefing and EO 12866 Invitee List: NESHAP for Uranium Mill Tailings

Aaron:

Please add Ann Johnson, EPA Office of Policy ([Johnson.ann@epa.gov](mailto:Johnson.ann@epa.gov)) to the list of invitees for external stakeholder meetings. Thanks.

Dan

---

**From:** Schultheisz, Daniel  
**Sent:** Friday, July 29, 2016 8:12 AM  
**To:** 'Szabo, Aaron' <[Aaron\\_L\\_Szabo@omb.eop.gov](mailto:Aaron_L_Szabo@omb.eop.gov)>  
**Cc:** Peake, Tom <[Peake.Tom@epa.gov](mailto:Peake.Tom@epa.gov)>  
**Subject:** RE: Introductory Briefing and EO 12866 Invitee List: NESHAP for Uranium Mill Tailings

Aaron:

Thanks for getting in touch so quickly. It looks like Wednesday afternoon (after about 2:30) and Thursday afternoon will be best for a briefing to ensure that divisional management can attend (our Acting Office Director is on leave next week). Are you envisioning a teleconference, or would you like us to do an in-person briefing?

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Jacqueline Werner, Acting Director, Radiation Protection Division ([werner.jacqueline@epa.gov](mailto:werner.jacqueline@epa.gov));  
Alan Perrin, Deputy Director, RPD ([perrin.alan@epa.gov](mailto:perrin.alan@epa.gov));  
Tom Peake, Director, Center for Waste Management and Regulations ([peake.tom@epa.gov](mailto:peake.tom@epa.gov));  
Emily Seidman, Office of General Counsel ([seidman.emily@epa.gov](mailto:seidman.emily@epa.gov)).

Please let me know which times work best for you. Thanks.

Dan Schultheisz  
U.S. Environmental Protection Agency  
Office of Radiation and Indoor Air  
Radiation Protection Division  
(202) 343-9349

---

**From:** Szabo, Aaron [[mailto:Aaron\\_L\\_Szabo@omb.eop.gov](mailto:Aaron_L_Szabo@omb.eop.gov)]  
**Sent:** Thursday, July 28, 2016 5:15 PM  
**To:** [rosnick.reid@epa.gov](mailto:rosnick.reid@epa.gov); Schultheisz, Daniel <[Schultheisz.Daniel@epa.gov](mailto:Schultheisz.Daniel@epa.gov)>  
**Cc:** Szabo, Aaron <[Aaron\\_L\\_Szabo@omb.eop.gov](mailto:Aaron_L_Szabo@omb.eop.gov)>  
**Subject:** Introductory Briefing and EO 12866 Invitee List: NESHAP for Uranium Mill Tailings

Reid and Dan,

I am the lead for the EPA NPRM entitled, "National Emission Standards for Hazardous Air Pollutants (NESHAP) Subpart W: Standards for Radon Emissions From Operating Uranium Mill Tailings: Review" (RIN 2060-AP26). Can you please provide some times and dates that EPA can provide an initial interagency briefing on this rule next week (preferably after Tuesday)? Also, please provide a list of EPA staff with their emails that should be invited to external stakeholder meetings under our EO 12866 procedures.

Thank you very much and please let me know if you have any questions.

Aaron L. Szabo  
Policy Analyst  
Office of Information and Regulatory Affairs  
Office of Management and Budget  
202-395-3621  
[Aaron\\_L\\_Szabo@omb.eop.gov](mailto:Aaron_L_Szabo@omb.eop.gov)

**From:** [Thornton, Marisa](#) on behalf of [Collections.SubW](#)  
**To:** [Thornton, Marisa](#)  
**Subject:** Fw: Introductory Briefing and EO 12866 Invitee List: NESHAP for Uranium Mill Tailings  
**Date:** Wednesday, October 05, 2016 9:06:22 AM

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**From:** Schultheisz, Daniel  
**Sent:** Friday, July 29, 2016 12:07 PM  
**To:** Collections.SubW  
**Subject:** FW: Introductory Briefing and EO 12866 Invitee List: NESHAP for Uranium Mill Tailings

---

**From:** Schultheisz, Daniel  
**Sent:** Friday, July 29, 2016 10:03 AM  
**To:** Muellerleile, Caryn <[Muellerleile.Caryn@epa.gov](mailto:Muellerleile.Caryn@epa.gov)>; Johnson, Ann <[Johnson.Ann@epa.gov](mailto:Johnson.Ann@epa.gov)>  
**Subject:** RE: Introductory Briefing and EO 12866 Invitee List: NESHAP for Uranium Mill Tailings

[Will do.](#)

---

**From:** Muellerleile, Caryn  
**Sent:** Friday, July 29, 2016 9:50 AM  
**To:** Schultheisz, Daniel <[Schultheisz.Daniel@epa.gov](mailto:Schultheisz.Daniel@epa.gov)>; Johnson, Ann <[Johnson.Ann@epa.gov](mailto:Johnson.Ann@epa.gov)>  
**Subject:** RE: Introductory Briefing and EO 12866 Invitee List: NESHAP for Uranium Mill Tailings

Thanks, Dan. Can you make sure that Ann is included on those meeting invitations?

Caryn Muellerleile  
Regulatory Management Division  
Office of Policy  
US Environmental Protection Agency  
1200 Pennsylvania Ave NW (1803A)  
Washington, DC 20460  
(202) 564-2855  
[muellerleile.caryn@epa.gov](mailto:muellerleile.caryn@epa.gov)

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**From:** Schultheisz, Daniel  
**Sent:** Friday, July 29, 2016 9:40 AM  
**To:** Muellerleile, Caryn <[Muellerleile.Caryn@epa.gov](mailto:Muellerleile.Caryn@epa.gov)>; Johnson, Ann <[Johnson.Ann@epa.gov](mailto:Johnson.Ann@epa.gov)>  
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**To:** 'Szabo, Aaron' <[Aaron\\_L\\_Szabo@omb.eop.gov](mailto:Aaron_L_Szabo@omb.eop.gov)>  
**Cc:** Peake, Tom <[Peake.Tom@epa.gov](mailto:Peake.Tom@epa.gov)>  
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Jacqueline Werner, Acting Director, Radiation Protection Division ([werner.jacqueline@epa.gov](mailto:werner.jacqueline@epa.gov));  
Alan Perrin, Deputy Director, RPD ([perrin.alan@epa.gov](mailto:perrin.alan@epa.gov));  
Tom Peake, Director, Center for Waste Management and Regulations ([peake.tom@epa.gov](mailto:peake.tom@epa.gov));  
Emily Seidman, Office of General Counsel ([seidman.emily@epa.gov](mailto:seidman.emily@epa.gov)).

Please let me know which times work best for you. Thanks.

Dan Schultheisz  
U.S. Environmental Protection Agency  
Office of Radiation and Indoor Air  
Radiation Protection Division  
(202) 343-9349

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**From:** Szabo, Aaron [[mailto:Aaron\\_L\\_Szabo@omb.eop.gov](mailto:Aaron_L_Szabo@omb.eop.gov)]  
**Sent:** Thursday, July 28, 2016 5:15 PM  
**To:** [rosnick.reid@epa.gov](mailto:rosnick.reid@epa.gov); Schultheisz, Daniel <[Schultheisz.Daniel@epa.gov](mailto:Schultheisz.Daniel@epa.gov)>  
**Cc:** Szabo, Aaron <[Aaron\\_L\\_Szabo@omb.eop.gov](mailto:Aaron_L_Szabo@omb.eop.gov)>  
**Subject:** Introductory Briefing and EO 12866 Invitee List: NESHAP for Uranium Mill Tailings

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EPA staff with their emails that should be invited to external stakeholder meetings under our EO 12866 procedures.

Thank you very much and please let me know if you have any questions.

Aaron L. Szabo  
Policy Analyst  
Office of Information and Regulatory Affairs  
Office of Management and Budget  
202-395-3621  
[Aaron\\_L\\_Szabo@omb.eop.gov](mailto:Aaron_L_Szabo@omb.eop.gov)

**From:** [Thornton, Marisa](#) on behalf of [Collections SubW](#)  
**To:** [Thornton, Marisa](#)  
**Subject:** Fw: APPROVED for OMB - NESHAP for Operating Uranium Mill Tailings - Amendments (Subpart W) (5281)  
**Date:** Wednesday, October 05, 2016 9:06:31 AM

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**From:** Schultheisz, Daniel  
**Sent:** Friday, July 29, 2016 12:07 PM  
**To:** Collections.SubW  
**Subject:** FW: APPROVED for OMB - NESHAP for Operating Uranium Mill Tailings - Amendments (Subpart W) (5281)

---

**From:** Peake, Tom  
**Sent:** Friday, July 29, 2016 9:58 AM  
**To:** Edwards, Jonathan <[Edwards.Jonathan@epa.gov](mailto:Edwards.Jonathan@epa.gov)>; Perrin, Alan <[Perrin.Alan@epa.gov](mailto:Perrin.Alan@epa.gov)>; Schultheisz, Daniel <[Schultheisz.Daniel@epa.gov](mailto:Schultheisz.Daniel@epa.gov)>  
**Cc:** Werner, Jacqueline <[Werner.Jacqueline@epa.gov](mailto:Werner.Jacqueline@epa.gov)>  
**Subject:** RE: APPROVED for OMB - NESHAP for Operating Uranium Mill Tailings - Amendments (Subpart W) (5281)

I did and he responded: Hooray!!  
Yes, indeedy, thanks to Mr. Dan!



**From:** Edwards, Jonathan  
**Sent:** Friday, July 29, 2016 7:50 AM  
**To:** Perrin, Alan <[Perrin.Alan@epa.gov](mailto:Perrin.Alan@epa.gov)>; Schultheisz, Daniel <[Schultheisz.Daniel@epa.gov](mailto:Schultheisz.Daniel@epa.gov)>  
**Cc:** Werner, Jacqueline <[Werner.Jacqueline@epa.gov](mailto:Werner.Jacqueline@epa.gov)>; Peake, Tom <[Peake.Tom@epa.gov](mailto:Peake.Tom@epa.gov)>  
**Subject:** Re: APPROVED for OMB - NESHAP for Operating Uranium Mill Tailings - Amendments (Subpart W) (5281)

Someone give Reid the good news -- and many thanks to everyone who pushed this closer to the finish line--- particularly, Mr. Schultheisz. --Jon

---

**From:** Perrin, Alan  
**Sent:** Thursday, July 28, 2016 6:40:16 PM  
**To:** Schultheisz, Daniel; Edwards, Jonathan  
**Cc:** Werner, Jacqueline; Peake, Tom  
**Subject:** RE: APPROVED for OMB - NESHAP for Operating Uranium Mill Tailings - Amendments (Subpart W) (5281)

Huzzah, indeed. ☺

Alan Perrin, Deputy Director  
Radiation Protection Division, USEPA  
ofc (202) 343-9775 | mbl (202) 279-0376

---

**From:** Schultheisz, Daniel  
**Sent:** Thursday, July 28, 2016 4:43 PM  
**To:** Edwards, Jonathan <[Edwards.Jonathan@epa.gov](mailto:Edwards.Jonathan@epa.gov)>  
**Cc:** Perrin, Alan <[Perrin.Alan@epa.gov](mailto:Perrin.Alan@epa.gov)>; Werner, Jacqueline <[Werner.Jacqueline@epa.gov](mailto:Werner.Jacqueline@epa.gov)>; Peake, Tom <[Peake.Tom@epa.gov](mailto:Peake.Tom@epa.gov)>  
**Subject:** FW: APPROVED for OMB - NESHAP for Operating Uranium Mill Tailings - Amendments (Subpart W) (5281)

Subpart W has been submitted to OMB. Huzzah.

---

**From:** Muellerleile, Caryn  
**Sent:** Thursday, July 28, 2016 3:16 PM  
**To:** Nickerson, William <[Nickerson.William@epa.gov](mailto:Nickerson.William@epa.gov)>; Corrales, Mark <[Corrales.Mark@epa.gov](mailto:Corrales.Mark@epa.gov)>; Boyle, Kathryn <[Boyle.Kathryn@epa.gov](mailto:Boyle.Kathryn@epa.gov)>; Owens, Nicole <[Owens.Nicole@epa.gov](mailto:Owens.Nicole@epa.gov)>; Pritchard, Eileen <[Pritchard.Eileen@epa.gov](mailto:Pritchard.Eileen@epa.gov)>; Kime, Robin <[Kime.Robin@epa.gov](mailto:Kime.Robin@epa.gov)>; Johnson, Ann <[Johnson.Ann@epa.gov](mailto:Johnson.Ann@epa.gov)>  
**Cc:** Schultheisz, Daniel <[Schultheisz.Daniel@epa.gov](mailto:Schultheisz.Daniel@epa.gov)>; Lee, Raymond <[Lee.Raymond@epa.gov](mailto:Lee.Raymond@epa.gov)>; Mcquilkin, Wendy <[Mcquilkin.Wendy@epa.gov](mailto:Mcquilkin.Wendy@epa.gov)>; Morgan, Ruthw <[morgan.ruthw@epa.gov](mailto:morgan.ruthw@epa.gov)>; Morris, Joseph <[Morris.Joseph@epa.gov](mailto:Morris.Joseph@epa.gov)>; Knapp, Kristien <[Knapp.Kristien@epa.gov](mailto:Knapp.Kristien@epa.gov)>; Clark, Spencer <[Clark.Spencer@epa.gov](mailto:Clark.Spencer@epa.gov)>  
**Subject:** APPROVED for OMB - NESHAP for Operating Uranium Mill Tailings - Amendments (Subpart W) (5281)

Today, OP approved OAR's **NESHAP for Operating Uranium Mill Tailings - Amendments (Subpart W)** (5281) for transmission to OMB for interagency review. This tier 3 final rule has been submitted to OMB via the ROCIS database.

RIN: 2060-AP26 (201610)  
Stage of Rulemaking: Final Rule Stage  
Title: National Emission Standards for Hazardous Air Pollutants (NESHAP) Subpart W: Standards for Radon Emissions From Operating Uranium Mill Tailings: Review

 EO Review Package was successfully submitted at 07/28/2016 15:08:05 PM.

EO Review Package 2060-AP26

**Unfunded Mandates**

Caryn Muellerleile  
Regulatory Management Division  
Office of Policy  
US Environmental Protection Agency  
1200 Pennsylvania Ave NW (1803A)  
Washington, DC 20460  
(202) 564-2855  
[muellerleile.caryn@epa.gov](mailto:muellerleile.caryn@epa.gov)

**From:** [Thornton, Marisa](#) on behalf of [Collections.SubW](#)  
**To:** [Thornton, Marisa](#)  
**Subject:** Fw: Message  
**Date:** Wednesday, October 05, 2016 9:06:40 AM

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**From:** Schultheisz, Daniel  
**Sent:** Friday, July 29, 2016 12:07 PM  
**To:** Collections.SubW  
**Subject:** FW: Message

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**From:** Mandeville, Douglas [mailto:[Douglas.Mandeville@nrc.gov](mailto:Douglas.Mandeville@nrc.gov)]  
**Sent:** Friday, July 29, 2016 9:51 AM  
**To:** Schultheisz, Daniel <[Schultheisz.Daniel@epa.gov](mailto:Schultheisz.Daniel@epa.gov)>  
**Subject:** Message

Dan –

I got your voice mail earlier this morning. Thanks for the update on the NESHAPS rule.

Doug

Douglas T. Mandeville  
U.S. NRC  
Uranium Recovery Licensing Branch  
301-415-0724

**From:** [Thornton, Marisa](#) on behalf of [Collections.SubW](#)  
**To:** [Thornton, Marisa](#)  
**Subject:** Fw: Introductory Briefing and EO 12866 Invitee List: NESHAP for Uranium Mill Tailings  
**Date:** Wednesday, October 05, 2016 9:06:48 AM

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**From:** Schultheisz, Daniel  
**Sent:** Friday, July 29, 2016 12:06 PM  
**To:** Collections.SubW  
**Subject:** FW: Introductory Briefing and EO 12866 Invitee List: NESHAP for Uranium Mill Tailings

---

**From:** Muellerleile, Caryn  
**Sent:** Friday, July 29, 2016 9:50 AM  
**To:** Schultheisz, Daniel <[Schultheisz.Daniel@epa.gov](mailto:Schultheisz.Daniel@epa.gov)>; Johnson, Ann <[Johnson.Ann@epa.gov](mailto:Johnson.Ann@epa.gov)>  
**Subject:** RE: Introductory Briefing and EO 12866 Invitee List: NESHAP for Uranium Mill Tailings

Thanks, Dan. Can you make sure that Ann is included on those meeting invitations?

Caryn Muellerleile  
Regulatory Management Division  
Office of Policy  
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**Sent:** Friday, July 29, 2016 9:40 AM  
**To:** Muellerleile, Caryn <[Muellerleile.Caryn@epa.gov](mailto:Muellerleile.Caryn@epa.gov)>; Johnson, Ann <[Johnson.Ann@epa.gov](mailto:Johnson.Ann@epa.gov)>  
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**Sent:** Friday, July 29, 2016 8:12 AM  
**To:** 'Szabo, Aaron' <[Aaron\\_L\\_Szabo@omb.eop.gov](mailto:Aaron_L_Szabo@omb.eop.gov)>  
**Cc:** Peake, Tom <[Peake.Tom@epa.gov](mailto:Peake.Tom@epa.gov)>



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Jacqueline Werner, Acting Director, Radiation Protection Division ([werner.jacqueline@epa.gov](mailto:werner.jacqueline@epa.gov));  
Alan Perrin, Deputy Director, RPD ([perrin.alan@epa.gov](mailto:perrin.alan@epa.gov));  
Tom Peake, Director, Center for Waste Management and Regulations ([peake.tom@epa.gov](mailto:peake.tom@epa.gov));  
Emily Seidman, Office of General Counsel ([seidman.emily@epa.gov](mailto:seidman.emily@epa.gov)).

Please let me know which times work best for you. Thanks.

Dan Schultheisz  
U.S. Environmental Protection Agency  
Office of Radiation and Indoor Air  
Radiation Protection Division  
(202) 343-9349

---

**From:** Szabo, Aaron [[mailto:Aaron\\_L\\_Szabo@omb.eop.gov](mailto:Aaron_L_Szabo@omb.eop.gov)]

**Sent:** Thursday, July 28, 2016 5:15 PM

**To:** [rosnick.reid@epa.gov](mailto:rosnick.reid@epa.gov); Schultheisz, Daniel <[Schultheisz.Daniel@epa.gov](mailto:Schultheisz.Daniel@epa.gov)>

**Cc:** Szabo, Aaron <[Aaron\\_L\\_Szabo@omb.eop.gov](mailto:Aaron_L_Szabo@omb.eop.gov)>

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**Subject:** Fw: Introductory Briefing and EO 12866 Invitee List: NESHAP for Uranium Mill Tailings  
**Date:** Wednesday, October 05, 2016 9:07:01 AM

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**From:** Schultheisz, Daniel  
**Sent:** Friday, July 29, 2016 12:06 PM  
**To:** Collections.SubW  
**Subject:** FW: Introductory Briefing and EO 12866 Invitee List: NESHAP for Uranium Mill Tailings

---

**From:** Johnson, Ann  
**Sent:** Friday, July 29, 2016 9:49 AM  
**To:** Schultheisz, Daniel <[Schultheisz.Daniel@epa.gov](mailto:Schultheisz.Daniel@epa.gov)>  
**Subject:** RE: Introductory Briefing and EO 12866 Invitee List: NESHAP for Uranium Mill Tailings

Thanks for the heads up.

---

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**To:** Muellerleile, Caryn <[Muellerleile.Caryn@epa.gov](mailto:Muellerleile.Caryn@epa.gov)>; Johnson, Ann <[Johnson.Ann@epa.gov](mailto:Johnson.Ann@epa.gov)>  
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Alan Perrin, Deputy Director, RPD ([perrin.alan@epa.gov](mailto:perrin.alan@epa.gov));  
Tom Peake, Director, Center for Waste Management and Regulations ([peake.tom@epa.gov](mailto:peake.tom@epa.gov));  
Emily Seidman, Office of General Counsel ([seidman.emily@epa.gov](mailto:seidman.emily@epa.gov)).

Please let me know which times work best for you. Thanks.

Dan Schultheisz  
U.S. Environmental Protection Agency  
Office of Radiation and Indoor Air  
Radiation Protection Division  
(202) 343-9349

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**To:** [rosnick.reid@epa.gov](mailto:rosnick.reid@epa.gov); Schultheisz, Daniel <[Schultheisz.Daniel@epa.gov](mailto:Schultheisz.Daniel@epa.gov)>  
**Cc:** Szabo, Aaron <[Aaron\\_L\\_Szabo@omb.eop.gov](mailto:Aaron_L_Szabo@omb.eop.gov)>  
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Thank you very much and please let me know if you have any questions.

Aaron L. Szabo  
Policy Analyst  
Office of Information and Regulatory Affairs  
Office of Management and Budget  
202-395-3621  
[Aaron\\_L\\_Szabo@omb.eop.gov](mailto:Aaron_L_Szabo@omb.eop.gov)

**From:** [Thornton, Marisa](#) on behalf of [Collections.SubW](#)  
**To:** [Thornton, Marisa](#)  
**Subject:** Fw: Introductory Briefing and EO 12866 Invitee List: NESHAP for Uranium Mill Tailings  
**Date:** Wednesday, October 05, 2016 9:07:15 AM

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---

**From:** Schultheisz, Daniel  
**Sent:** Friday, July 29, 2016 12:06 PM  
**To:** Collections.SubW  
**Subject:** FW: Introductory Briefing and EO 12866 Invitee List: NESHAP for Uranium Mill Tailings

---

**From:** Schultheisz, Daniel  
**Sent:** Friday, July 29, 2016 9:40 AM  
**To:** Muellerleile, Caryn <[Muellerleile.Caryn@epa.gov](mailto:Muellerleile.Caryn@epa.gov)>; Johnson, Ann <[Johnson.Ann@epa.gov](mailto:Johnson.Ann@epa.gov)>  
**Subject:** FW: Introductory Briefing and EO 12866 Invitee List: NESHAP for Uranium Mill Tailings

FYI, OMB has asked for an introductory briefing next week.

---

**From:** Schultheisz, Daniel  
**Sent:** Friday, July 29, 2016 8:12 AM  
**To:** 'Szabo, Aaron' <[Aaron\\_L\\_Szabo@omb.eop.gov](mailto:Aaron_L_Szabo@omb.eop.gov)>  
**Cc:** Peake, Tom <[Peake.Tom@epa.gov](mailto:Peake.Tom@epa.gov)>  
**Subject:** RE: Introductory Briefing and EO 12866 Invitee List: NESHAP for Uranium Mill Tailings

Aaron:

Thanks for getting in touch so quickly. It looks like Wednesday afternoon (after about 2:30) and Thursday afternoon will be best for a briefing to ensure that divisional management can attend (our Acting Office Director is on leave next week). Are you envisioning a teleconference, or would you like us to do an in-person briefing?

You should know that Reid Rosnick has retired, so I am the primary point of contact for the rule. For external stakeholder meetings, in addition to me, you should invite the following people:

Jonathan Edwards, Acting Director, ORIA ([edwards.jonathan@epa.gov](mailto:edwards.jonathan@epa.gov));  
Jacqueline Werner, Acting Director, Radiation Protection Division ([werner.jacqueline@epa.gov](mailto:werner.jacqueline@epa.gov));  
Alan Perrin, Deputy Director, RPD ([perrin.alan@epa.gov](mailto:perrin.alan@epa.gov));  
Tom Peake, Director, Center for Waste Management and Regulations ([peake.tom@epa.gov](mailto:peake.tom@epa.gov));  
Emily Seidman, Office of General Counsel ([seidman.emily@epa.gov](mailto:seidman.emily@epa.gov)).

Please let me know which times work best for you. Thanks.

Dan Schultheisz  
U.S. Environmental Protection Agency  
Office of Radiation and Indoor Air  
Radiation Protection Division  
(202) 343-9349

---

**From:** Szabo, Aaron [[mailto:Aaron\\_L\\_Szabo@omb.eop.gov](mailto:Aaron_L_Szabo@omb.eop.gov)]  
**Sent:** Thursday, July 28, 2016 5:15 PM  
**To:** [rosnick.reid@epa.gov](mailto:rosnick.reid@epa.gov); Schultheisz, Daniel <[Schultheisz.Daniel@epa.gov](mailto:Schultheisz.Daniel@epa.gov)>  
**Cc:** Szabo, Aaron <[Aaron\\_L\\_Szabo@omb.eop.gov](mailto:Aaron_L_Szabo@omb.eop.gov)>  
**Subject:** Introductory Briefing and EO 12866 Invitee List: NESHAP for Uranium Mill Tailings

Reid and Dan,

I am the lead for the EPA NPRM entitled, "National Emission Standards for Hazardous Air Pollutants (NESHAP) Subpart W: Standards for Radon Emissions From Operating Uranium Mill Tailings: Review" (RIN 2060-AP26). Can you please provide some times and dates that EPA can provide an initial interagency briefing on this rule next week (preferably after Tuesday)? Also, please provide a list of EPA staff with their emails that should be invited to external stakeholder meetings under our EO 12866 procedures.

Thank you very much and please let me know if you have any questions.

Aaron L. Szabo  
Policy Analyst  
Office of Information and Regulatory Affairs  
Office of Management and Budget  
202-395-3621  
[Aaron\\_L\\_Szabo@omb.eop.gov](mailto:Aaron_L_Szabo@omb.eop.gov)

**From:** [Thornton, Marisa](#) on behalf of [Collections.SubW](#)  
**To:** [Thornton, Marisa](#)  
**Subject:** Fw: Subpart W Docket Item  
**Date:** Wednesday, October 05, 2016 9:07:25 AM  
**Attachments:** [Energy Fuels Meeting Summary 7-27-2016.pdf](#)

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**From:** Schultheisz, Daniel  
**Sent:** Friday, July 29, 2016 12:06 PM  
**To:** Collections.SubW  
**Subject:** FW: Subpart W Docket Item

---

**From:** Schultheisz, Daniel  
**Sent:** Friday, July 29, 2016 9:17 AM  
**To:** Nesky, Anthony <Nesky.Tony@epa.gov>  
**Subject:** Subpart W Docket Item

Tony:

Can you put the attached file in the docket? Thanks.

Dan

**Summary of Meeting  
Radionuclide NESHAPs Subpart W  
Environmental Protection Agency Headquarters  
July 27, 2016  
Washington, DC  
Docket No. EPA-HQ-OAR-2008-0218**

**Attendees:**

Jonathan Edwards, EPA Office of Radiation and Indoor Air  
Jacqueline Werner, EPA ORIA  
Alan Perrin, EPA ORIA  
Tom Peake, EPA ORIA  
Dan Schultheisz, EPA ORIA  
Maria Kanevsky, EPA ORIA  
Emily Seidman, EPA Office of General Counsel  
David Frydenlund, Energy Fuels Resources (USA), Inc.  
Harold Roberts, Energy Fuels Resources (USA), Inc.  
Anthony Thompson, Thompson & Pugsley, PLLC  
Chris Pugsley, Thompson & Pugsley, PLLC

**Summary of Meeting:**

Energy Fuels (EFR) discussed its concerns with EPA's proposed rule, as outlined in the attached handout. EFR described aspects of its operations that would be affected by the proposal. There was also discussion of the process that led to EPA's rescission of Subpart T in 1994.



**MEETING WITH UNITED STATES NUCLEAR REGULATORY COMMISSION**  
**UNITED STATES ENVIRONMENTAL PROTECTION AGENCY 40 CFR PART 61, SUBPART W FINAL**  
**RULE**  
**ENERGY FUELS RESOURCES (USA), INC.**

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- Energy Fuels Resources (USA), Inc. (EFR) also is in the process of licensing the Sheep Mountain heap leach project in the State of Wyoming, which currently would be regulated by the United States Nuclear Regulatory Commission (NRC); EFR currently holds a State of Utah (Agreement State) Atomic Energy Act (AEA) license for the White Mesa Mill in the State of Utah, an NRC AEA license for the Nichols Ranch *in situ* leach uranium recovery (ISR) facility in Wyoming, and a State of Texas (Agreement State) AEA license for the Alta Mesa ISR facility in Texas
- The United States Environmental Protection Agency (EPA) has proposed revisions to its Clean Air Act (CAA) 40 CFR Part 61, Subpart W (Subpart W) rule for radon emissions from active uranium mill tailings impoundments:
  - Work practice standards (“phased” or “continuous” disposal) for expeditious covering of uranium mill tailings to minimize radon emissions;
  - Use of only two (2) impoundments at any one time;
  - Application of construction and management requirements to evaporation ponds at *all* uranium recovery facilities
- The revisions to these regulations present a number of key changes that present benefits (by clarifying the existing rules) or detriments (by imposing new rules) to NRC/Agreement State licensees;
- While the beneficial attributes of the revised rule do not significantly alter past practices, the detrimental attributes of said revised rule provide little or no public or occupational health and safety benefits:
  - Proposed minimum one (1) meter of water cover over evaporation ponds likely to be prohibitively burdensome with little or no benefit:
    - EPA admits “saturated tailings” only 2% of radon emissions from dry tailings
    - Proposed rule interferes with water balance and processing activities

- Distinction between “uranium byproduct material and tailings” from the AEA definition of 11e.(2) byproduct material:
  - The Commission has found that NRC has exclusive, federal preemptive authority over all components of 11e.(2) byproduct material
  - EPA definition causes confusion on when Subpart W ceases and Appendix A takes over
- Distinction between “operations” and “closure” for disposal of different types of 11e.(2) byproduct material:
  - 11e.(2) byproduct material encompasses both “tailings” and “other wastes” which are disposed of at different points in a conventional uranium mill’s lifecycle
  - Clarification needed to define when Subpart W ceases and Appendix A takes over
- Dual/duplicative jurisdiction concerns and regulatory efficiency:
  - Under the proposed regulatory program from EPA, uranium recovery licenses would be required to obtain an EPA construction permit for each impoundment and evaporation pond *as well as* an NRC license for the same facilities
- Proposed application of Subpart W to heap leach facilities:
  - Unclear whether EPA has the CAA authority to regulate such facilities
  - Proposed rule is technically unworkable
- The National Mining Association (NMA) has proposed rescission of Subpart W in a manner similar to past NRC/EPA joint efforts to rescind 40 CFR Part 60, Subparts I and T:
  - Dual/duplicative regulation is a critical focus for this proposal;
  - In the 1980s and 1990s, as a result of a lawsuit filed against EPA by the American Mining Congress (AMC) (now the National Mining Association (NMA)), the Commission entered into negotiations with EPA and AMC to rescind 40 CFR Part 60, Subparts I and T;
  - At the conclusion of these negotiations, EPA agreed to rescind Subparts I and T if NRC would engage in a rulemaking to harmonize its regulations to reflect EPA’s requirements;
  - The same type of action could be pursued here without the need for a lawsuit

- **Current uranium recovery facilities have been and currently are operating in a manner that is adequate to protect public health and safety and the environment under NRC regulatory authority; there is no need for two regulatory regimes requiring the expenses of two licenses/permits when one would be sufficient with no corresponding increase in risk to public health and safety;**
- **EFR believes that discussions between the Commission and EPA officials would help eliminate unnecessarily duplicative regulation without an increase in potential risk to public health and safety consistent with NRC's AEA statutory mission**

**From:** [Thornton, Marisa](#) on behalf of [Collections.SubW](#)  
**To:** [Thornton, Marisa](#)  
**Subject:** Fw: Introductory Briefing and EO 12866 Invitee List: NESHAP for Uranium Mill Tailings  
**Date:** Wednesday, October 05, 2016 9:07:36 AM

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**Sent:** Friday, July 29, 2016 12:06 PM  
**To:** Collections.SubW  
**Subject:** FW: Introductory Briefing and EO 12866 Invitee List: NESHAP for Uranium Mill Tailings

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**Sent:** Friday, July 29, 2016 8:12 AM  
**To:** 'Szabo, Aaron' <[Aaron\\_L\\_Szabo@omb.eop.gov](mailto:Aaron_L_Szabo@omb.eop.gov)>  
**Cc:** Peake, Tom <[Peake.Tom@epa.gov](mailto:Peake.Tom@epa.gov)>  
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Aaron:

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Jacqueline Werner, Acting Director, Radiation Protection Division ([werner.jacqueline@epa.gov](mailto:werner.jacqueline@epa.gov));  
Alan Perrin, Deputy Director, RPD ([perrin.alan@epa.gov](mailto:perrin.alan@epa.gov));  
Tom Peake, Director, Center for Waste Management and Regulations ([peake.tom@epa.gov](mailto:peake.tom@epa.gov));  
Emily Seidman, Office of General Counsel ([seidman.emily@epa.gov](mailto:seidman.emily@epa.gov)).

Please let me know which times work best for you. Thanks.

Dan Schultheisz  
U.S. Environmental Protection Agency  
Office of Radiation and Indoor Air  
Radiation Protection Division  
(202) 343-9349

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**From:** Szabo, Aaron [[mailto:Aaron\\_L\\_Szabo@omb.eop.gov](mailto:Aaron_L_Szabo@omb.eop.gov)]  
**Sent:** Thursday, July 28, 2016 5:15 PM  
**To:** [rosnick.reid@epa.gov](mailto:rosnick.reid@epa.gov); Schultheisz, Daniel <[Schultheisz.Daniel@epa.gov](mailto:Schultheisz.Daniel@epa.gov)>  
**Cc:** Szabo, Aaron <[Aaron\\_L\\_Szabo@omb.eop.gov](mailto:Aaron_L_Szabo@omb.eop.gov)>  
**Subject:** Introductory Briefing and EO 12866 Invitee List: NESHAP for Uranium Mill Tailings

Reid and Dan,

I am the lead for the EPA NPRM entitled, "National Emission Standards for Hazardous Air Pollutants (NESHAP) Subpart W: Standards for Radon Emissions From Operating Uranium Mill Tailings: Review" (RIN 2060-AP26). Can you please provide some times and dates that EPA can provide an initial interagency briefing on this rule next week (preferably after Tuesday)? Also, please provide a list of EPA staff with their emails that should be invited to external stakeholder meetings under our EO 12866 procedures.

Thank you very much and please let me know if you have any questions.

Aaron L. Szabo  
Policy Analyst  
Office of Information and Regulatory Affairs  
Office of Management and Budget  
202-395-3621  
[Aaron\\_L\\_Szabo@omb.eop.gov](mailto:Aaron_L_Szabo@omb.eop.gov)



**From:** [Thornton, Marisa](#) on behalf of [Collections SubW](#)  
**To:** [Thornton, Marisa](#)  
**Subject:** Fw: APPROVED for OMB - NESHAP for Operating Uranium Mill Tailings - Amendments (Subpart W) (5281)  
**Date:** Wednesday, October 05, 2016 9:07:44 AM

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**From:** Schultheisz, Daniel  
**Sent:** Friday, July 29, 2016 12:06 PM  
**To:** Collections.SubW  
**Subject:** FW: APPROVED for OMB - NESHAP for Operating Uranium Mill Tailings - Amendments (Subpart W) (5281)

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**From:** Edwards, Jonathan  
**Sent:** Friday, July 29, 2016 7:50 AM  
**To:** Perrin, Alan <[Perrin.Alan@epa.gov](mailto:Perrin.Alan@epa.gov)>; Schultheisz, Daniel <[Schultheisz.Daniel@epa.gov](mailto:Schultheisz.Daniel@epa.gov)>  
**Cc:** Werner, Jacqueline <[Werner.Jacqueline@epa.gov](mailto:Werner.Jacqueline@epa.gov)>; Peake, Tom <[Peake.Tom@epa.gov](mailto:Peake.Tom@epa.gov)>  
**Subject:** Re: APPROVED for OMB - NESHAP for Operating Uranium Mill Tailings - Amendments (Subpart W) (5281)

Someone give Reid the good news -- and many thanks to everyone who pushed this closer to the finish line--- particularly, Mr. Schultheisz. --Jon

---

**From:** Perrin, Alan  
**Sent:** Thursday, July 28, 2016 6:40:16 PM  
**To:** Schultheisz, Daniel; Edwards, Jonathan  
**Cc:** Werner, Jacqueline; Peake, Tom  
**Subject:** RE: APPROVED for OMB - NESHAP for Operating Uranium Mill Tailings - Amendments (Subpart W) (5281)

Huzzah, indeed. ☺

---

Alan Perrin, Deputy Director  
Radiation Protection Division, USEPA  
ofc (202) 343-9775 | mbl (202) 279-0376

---

**From:** Schultheisz, Daniel  
**Sent:** Thursday, July 28, 2016 4:43 PM  
**To:** Edwards, Jonathan <[Edwards.Jonathan@epa.gov](mailto:Edwards.Jonathan@epa.gov)>  
**Cc:** Perrin, Alan <[Perrin.Alan@epa.gov](mailto:Perrin.Alan@epa.gov)>; Werner, Jacqueline <[Werner.Jacqueline@epa.gov](mailto:Werner.Jacqueline@epa.gov)>; Peake, Tom <[Peake.Tom@epa.gov](mailto:Peake.Tom@epa.gov)>  
**Subject:** FW: APPROVED for OMB - NESHAP for Operating Uranium Mill Tailings - Amendments (Subpart W) (5281)

Subpart W has been submitted to OMB. Huzzah.

---

**From:** Muellerleile, Caryn  
**Sent:** Thursday, July 28, 2016 3:16 PM  
**To:** Nickerson, William <[Nickerson.William@epa.gov](mailto:Nickerson.William@epa.gov)>; Corrales, Mark <[Corrales.Mark@epa.gov](mailto:Corrales.Mark@epa.gov)>; Boyle, Kathryn <[Boyle.Kathryn@epa.gov](mailto:Boyle.Kathryn@epa.gov)>; Owens, Nicole <[Owens.Nicole@epa.gov](mailto:Owens.Nicole@epa.gov)>; Pritchard, Eileen <[Pritchard.Eileen@epa.gov](mailto:Pritchard.Eileen@epa.gov)>; Kime, Robin <[Kime.Robin@epa.gov](mailto:Kime.Robin@epa.gov)>; Johnson, Ann <[Johnson.Ann@epa.gov](mailto:Johnson.Ann@epa.gov)>  
**Cc:** Schultheisz, Daniel <[Schultheisz.Daniel@epa.gov](mailto:Schultheisz.Daniel@epa.gov)>; Lee, Raymond <[Lee.Raymond@epa.gov](mailto:Lee.Raymond@epa.gov)>; Mcquilkin, Wendy <[Mcquilkin.Wendy@epa.gov](mailto:Mcquilkin.Wendy@epa.gov)>; Morgan, Ruthw <[morgan.ruthw@epa.gov](mailto:morgan.ruthw@epa.gov)>; Morris, Joseph <[Morris.Joseph@epa.gov](mailto:Morris.Joseph@epa.gov)>; Knapp, Kristien <[Knapp.Kristien@epa.gov](mailto:Knapp.Kristien@epa.gov)>; Clark, Spencer <[Clark.Spencer@epa.gov](mailto:Clark.Spencer@epa.gov)>  
**Subject:** APPROVED for OMB - NESHAP for Operating Uranium Mill Tailings - Amendments (Subpart W) (5281)

Today, OP approved OAR's **NESHAP for Operating Uranium Mill Tailings - Amendments (Subpart W)** (5281) for transmission to OMB for interagency review. This tier 3 final rule has been submitted to OMB via the ROCIS database.

The screenshot shows the ROCIS.GOV website interface. At the top, there is a navigation bar with 'HOME', 'AGENDA/REGS', and 'ADMINISTRATION'. Below this is a secondary navigation bar with icons for 'INBOX', 'RULES', 'AGENDA', 'SEARCH', 'AGENCY EO REVIEW', and 'REPORTS'. The main content area displays a notification: 'EO Review Package was successfully submitted at 07/28/2016 15:08:05 PM.' Below the notification, there is a section for 'EO Review Package 2060-AP26' with details: 'RRI: 2060-AP26 (201610)', 'Stage of Rulemaking: Final Rule Stage', and 'Title: National Emission Standards for Hazardous Air Pollutants (NESHAP) Subpart W: Standards for Radon Emissions From Operating Uranium Mill Tailings: Review'. At the bottom left, there is a link for 'Unfunded Mandates'.

Caryn Muellerleile  
Regulatory Management Division  
Office of Policy  
US Environmental Protection Agency  
1200 Pennsylvania Ave NW (1803A)  
Washington, DC 20460

(202) 564-2855  
[muellerleile.caryn@epa.gov](mailto:muellerleile.caryn@epa.gov)

**From:** [Thornton, Marisa](#) on behalf of [Collections.SubW](#)  
**To:** [Thornton, Marisa](#)  
**Subject:** Fw: W?  
**Date:** Wednesday, October 05, 2016 9:07:53 AM

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**From:** Schultheisz, Daniel  
**Sent:** Friday, July 29, 2016 12:06 PM  
**To:** Collections.SubW  
**Subject:** FW: W?

---

**From:** Egidi, Philip  
**Sent:** Friday, July 29, 2016 7:20 AM  
**To:** Schultheisz, Daniel <[Schultheisz.Daniel@epa.gov](mailto:Schultheisz.Daniel@epa.gov)>  
**Subject:** W?

Let me know what you want for scope for 5-08 for the next 6 months so I can put the SOW together over the weekend.

Will be teleworking Monday, but may get a late start...

Will finish the routing packages Tuesday when in the office.

Best to use my personal email since I will have no WiFi this weekend...

PVE



**From:** [Thornton, Marisa](#) on behalf of [Collections.SubW](#)  
**To:** [Thornton, Marisa](#)  
**Subject:** Fw: FW: APPROVED for OMB - NESHAP for Operating Uranium Mill Tailings - Amendments (Subpart W) (5281)  
**Date:** Wednesday, October 05, 2016 9:08:04 AM

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**From:** Schultheisz, Daniel  
**Sent:** Friday, July 29, 2016 12:06 PM  
**To:** Collections.SubW  
**Subject:** FW: FW: APPROVED for OMB - NESHAP for Operating Uranium Mill Tailings - Amendments (Subpart W) (5281)

**From:** Reid Rosnick [mailto:rosnickr@gmail.com]  
**Sent:** Friday, July 29, 2016 6:47 AM  
**To:** Peake, Tom <[Peake.Tom@epa.gov](mailto:Peake.Tom@epa.gov)>  
**Cc:** Schultheisz, Daniel <[Schultheisz.Daniel@epa.gov](mailto:Schultheisz.Daniel@epa.gov)>  
**Subject:** Re: FW: APPROVED for OMB - NESHAP for Operating Uranium Mill Tailings - Amendments (Subpart W) (5281)

Hooray!!

On Thursday, July 28, 2016, Peake, Tom <[Peake.Tom@epa.gov](mailto:Peake.Tom@epa.gov)> wrote:

FYI

---

**From:** Lee, Raymond  
**Sent:** Thursday, July 28, 2016 3:33 PM  
**To:** Peake, Tom <[Peake.Tom@epa.gov](mailto:Peake.Tom@epa.gov)>; Perrin, Alan <[Perrin.Alan@epa.gov](mailto:Perrin.Alan@epa.gov)>  
**Cc:** Edwards, Jonathan <[Edwards.Jonathan@epa.gov](mailto:Edwards.Jonathan@epa.gov)>  
**Subject:** Fw: APPROVED for OMB - NESHAP for Operating Uranium Mill Tailings - Amendments (Subpart W) (5281)

FYI, great news on Subpart W - on its way to OMB!

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

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**From:** Muellerleile, Caryn  
**Sent:** Thursday, July 28, 2016 3:16 PM  
**To:** Nickerson, William; Corrales, Mark; Boyle, Kathryn; Owens, Nicole; Pritchard, Eileen; Kime, Robin; Johnson, Ann  
**Cc:** Schultheisz, Daniel; Lee, Raymond; Mcquilkiln, Wendy; Morgan, Ruthw; Morris, Joseph; Knapp, Kristien; Clark, Spencer  
**Subject:** APPROVED for OMB - NESHAP for Operating Uranium Mill Tailings - Amendments (Subpart W) (5281)

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- RIN:** 2060-AP26 (201610)
- Stage of Rulemaking:** Final Rule Stage
- Title:** National Emission Standards for Hazardous Air Pollutants (NESHAP) Subpart W: Standards for Radon Emissions From Operating Uranium Mill Tailings: Review

A green notification box with a checkmark icon states: "EO Review Package was successfully submitted at 07/28/2016 15:08:05 PM." Below this, the text "EO Review Package 2060-AP26" is displayed in a large, bold font. At the bottom left, there is a link for "Unfunded Mandates".

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**To:** [Thornton, Marisa](#)  
**Subject:** Fw: APPROVED for OMB - NESHAP for Operating Uranium Mill Tailings - Amendments (Subpart W) (5281)  
**Date:** Wednesday, October 05, 2016 9:08:13 AM

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**Cc:** Werner, Jacqueline <[Werner.Jacqueline@epa.gov](mailto:Werner.Jacqueline@epa.gov)>; Peake, Tom <[Peake.Tom@epa.gov](mailto:Peake.Tom@epa.gov)>  
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**From:** Muellerleile, Caryn  
**Sent:** Thursday, July 28, 2016 3:16 PM  
**To:** Nickerson, William <[Nickerson.William@epa.gov](mailto:Nickerson.William@epa.gov)>; Corrales, Mark <[Corrales.Mark@epa.gov](mailto:Corrales.Mark@epa.gov)>; Boyle, Kathryn <[Boyle.Kathryn@epa.gov](mailto:Boyle.Kathryn@epa.gov)>; Owens, Nicole <[Owens.Nicole@epa.gov](mailto:Owens.Nicole@epa.gov)>; Pritchard, Eileen <[Pritchard.Eileen@epa.gov](mailto:Pritchard.Eileen@epa.gov)>; Kime, Robin <[Kime.Robin@epa.gov](mailto:Kime.Robin@epa.gov)>; Johnson, Ann <[Johnson.Ann@epa.gov](mailto:Johnson.Ann@epa.gov)>  
**Cc:** Schultheisz, Daniel <[Schultheisz.Daniel@epa.gov](mailto:Schultheisz.Daniel@epa.gov)>; Lee, Raymond <[Lee.Raymond@epa.gov](mailto:Lee.Raymond@epa.gov)>; Mcquilkkin, Wendy <[Mcquilkkin.Wendy@epa.gov](mailto:Mcquilkkin.Wendy@epa.gov)>; Morgan, Ruthw <[morgan.ruthw@epa.gov](mailto:morgan.ruthw@epa.gov)>; Morris, Joseph <[Morris.Joseph@epa.gov](mailto:Morris.Joseph@epa.gov)>; Knapp, Kristien <[Knapp.Kristien@epa.gov](mailto:Knapp.Kristien@epa.gov)>; Clark, Spencer <[Clark.Spencer@epa.gov](mailto:Clark.Spencer@epa.gov)>  
**Subject:** APPROVED for OMB - NESHAP for Operating Uranium Mill Tailings - Amendments (Subpart W) (5281)

Today, OP approved OAR's **NESHAP for Operating Uranium Mill Tailings - Amendments (Subpart W)** (5281) for transmission to OMB for interagency review. This tier 3 final rule has been submitted to OMB via the ROCIS database.

The screenshot shows the ROCIS.GOV website interface. At the top, there is a navigation bar with 'HOME', 'AGENDA/REGS', and 'ADMINISTRATION'. Below this is a secondary navigation bar with icons for 'INBOX', 'RULES', 'AGENDA', 'SEARCH', 'AGENCY EO REVIEW', and 'REPORTS'. The main content area shows a breadcrumb trail: 'Home > Agenda/Regs > Agency EO Review > EO Package'. Below the breadcrumb, there is a summary of the rulemaking process: 'RIN: 2060-AP26 (201610)', 'Stage of Rulemaking: Final Rule Stage', and 'Title: National Emission Standards for Hazardous Air Pollutants (NESHAP) Subpart W: Standards for Radon Emissions From Operating Uranium Mill Tailings: Review'. A green checkmark icon and a message state: 'EO Review Package was successfully submitted at 07/28/2016 15:08:05 PM.' At the bottom right of the screenshot, the text 'EO Review Package 2060-AP26' is displayed in red. At the bottom left, there is a section titled 'Unfunded Mandates'.

Caryn Muellerleile  
Regulatory Management Division  
Office of Policy  
US Environmental Protection Agency  
1200 Pennsylvania Ave NW (1803A)  
Washington, DC 20460  
(202) 564-2855  
[muellerleile.caryn@epa.gov](mailto:muellerleile.caryn@epa.gov)

**From:** [Thornton, Marisa](#) on behalf of [Collections.SubW](#)  
**To:** [Thornton, Marisa](#)  
**Subject:** Fw: Introductory Briefing and EO 12866 Invitee List: NESHAP for Uranium Mill Tailings  
**Date:** Wednesday, October 05, 2016 9:08:23 AM

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**From:** Schultheisz, Daniel  
**Sent:** Friday, July 29, 2016 12:05 PM  
**To:** Collections.SubW  
**Subject:** FW: Introductory Briefing and EO 12866 Invitee List: NESHAP for Uranium Mill Tailings

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**From:** Szabo, Aaron [mailto:[Aaron\\_L\\_Szabo@omb.eop.gov](mailto:Aaron_L_Szabo@omb.eop.gov)]  
**Sent:** Thursday, July 28, 2016 5:15 PM  
**To:** [rosnick.reid@epa.gov](mailto:rosnick.reid@epa.gov); Schultheisz, Daniel <[Schultheisz.Daniel@epa.gov](mailto:Schultheisz.Daniel@epa.gov)>  
**Cc:** Szabo, Aaron <[Aaron\\_L\\_Szabo@omb.eop.gov](mailto:Aaron_L_Szabo@omb.eop.gov)>  
**Subject:** Introductory Briefing and EO 12866 Invitee List: NESHAP for Uranium Mill Tailings

Reid and Dan,

I am the lead for the EPA NPRM entitled, "National Emission Standards for Hazardous Air Pollutants (NESHAP) Subpart W: Standards for Radon Emissions From Operating Uranium Mill Tailings: Review" (RIN 2060-AP26). Can you please provide some times and dates that EPA can provide an initial interagency briefing on this rule next week (preferably after Tuesday)? Also, please provide a list of EPA staff with their emails that should be invited to external stakeholder meetings under our EO 12866 procedures.

Thank you very much and please let me know if you have any questions.

Aaron L. Szabo  
Policy Analyst  
Office of Information and Regulatory Affairs  
Office of Management and Budget  
202-395-3621  
[Aaron\\_L\\_Szabo@omb.eop.gov](mailto:Aaron_L_Szabo@omb.eop.gov)

**From:** [Thornton, Marisa](#) on behalf of [Collections.SubW](#)  
**To:** [Thornton, Marisa](#)  
**Subject:** Fw: APPROVED for OMB - NESHAP for Operating Uranium Mill Tailings - Amendments (Subpart W) (5281)  
**Date:** Wednesday, October 05, 2016 9:08:31 AM

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**From:** Schultheisz, Daniel  
**Sent:** Friday, July 29, 2016 12:05 PM  
**To:** Collections.SubW  
**Subject:** FW: APPROVED for OMB - NESHAP for Operating Uranium Mill Tailings - Amendments (Subpart W) (5281)

---

**From:** Seidman, Emily  
**Sent:** Thursday, July 28, 2016 4:47 PM  
**To:** Schultheisz, Daniel <[Schultheisz.Daniel@epa.gov](mailto:Schultheisz.Daniel@epa.gov)>  
**Subject:** RE: APPROVED for OMB - NESHAP for Operating Uranium Mill Tailings - Amendments (Subpart W) (5281)

Great news!

---

**From:** Schultheisz, Daniel  
**Sent:** Thursday, July 28, 2016 4:45 PM  
**To:** Seidman, Emily <[seidman.emily@epa.gov](mailto:seidman.emily@epa.gov)>  
**Subject:** FW: APPROVED for OMB - NESHAP for Operating Uranium Mill Tailings - Amendments (Subpart W) (5281)

FYI

---

**From:** Schultheisz, Daniel  
**Sent:** Thursday, July 28, 2016 4:43 PM  
**To:** Edwards, Jonathan <[Edwards.Jonathan@epa.gov](mailto:Edwards.Jonathan@epa.gov)>  
**Cc:** Perrin, Alan <[Perrin.Alan@epa.gov](mailto:Perrin.Alan@epa.gov)>; Werner, Jacqueline <[Werner.Jacqueline@epa.gov](mailto:Werner.Jacqueline@epa.gov)>; Peake, Tom <[Peake.Tom@epa.gov](mailto:Peake.Tom@epa.gov)>  
**Subject:** FW: APPROVED for OMB - NESHAP for Operating Uranium Mill Tailings - Amendments (Subpart W) (5281)

Subpart W has been submitted to OMB. Huzzah.

---

**From:** Muellerleile, Caryn  
**Sent:** Thursday, July 28, 2016 3:16 PM  
**To:** Nickerson, William <[Nickerson.William@epa.gov](mailto:Nickerson.William@epa.gov)>; Corrales, Mark <[Corrales.Mark@epa.gov](mailto:Corrales.Mark@epa.gov)>; Boyle, Kathryn <[Boyle.Kathryn@epa.gov](mailto:Boyle.Kathryn@epa.gov)>; Owens, Nicole <[Owens.Nicole@epa.gov](mailto:Owens.Nicole@epa.gov)>; Pritchard, Eileen <[Pritchard.Eileen@epa.gov](mailto:Pritchard.Eileen@epa.gov)>; Kime, Robin <[Kime.Robin@epa.gov](mailto:Kime.Robin@epa.gov)>; Johnson, Ann <[Johnson.Ann@epa.gov](mailto:Johnson.Ann@epa.gov)>  
**Cc:** Schultheisz, Daniel <[Schultheisz.Daniel@epa.gov](mailto:Schultheisz.Daniel@epa.gov)>; Lee, Raymond <[Lee.Raymond@epa.gov](mailto:Lee.Raymond@epa.gov)>; Mcquilkkin, Wendy <[Mcquilkkin.Wendy@epa.gov](mailto:Mcquilkkin.Wendy@epa.gov)>; Morgan, Ruthw <[morgan.ruthw@epa.gov](mailto:morgan.ruthw@epa.gov)>; Morris, Joseph <[Morris.Joseph@epa.gov](mailto:Morris.Joseph@epa.gov)>; Knapp, Kristien <[Knapp.Kristien@epa.gov](mailto:Knapp.Kristien@epa.gov)>; Clark, Spencer <[Clark.Spencer@epa.gov](mailto:Clark.Spencer@epa.gov)>  
**Subject:** APPROVED for OMB - NESHAP for Operating Uranium Mill Tailings - Amendments (Subpart W) (5281)

Today, OP approved OAR's **NESHAP for Operating Uranium Mill Tailings - Amendments (Subpart W)** (5281) for transmission to OMB for interagency review. This tier 3 final rule has been submitted to OMB via the ROCIS database.

The screenshot shows the ROCIS.GOV website interface. At the top, there is a navigation bar with tabs for HOME, AGENDA/REGS, and ADMINISTRATION. Below this is a secondary navigation bar with icons for INBOX, RULES, AGENDA, SEARCH, AGENCY EO REVIEW, and REPORTS. The main content area displays a breadcrumb trail: Home > Agenda/Regs > Agency EO Review > EO Package. Below the breadcrumb, the following information is shown:

RH#: 2060-AP26 (201610)  
Stage of Rulemaking: Final Rule Stage  
Title: National Emission Standards for Hazardous Air Pollutants (NESHAP) Subpart W: Standards for Radon Emissions From Operating Uranium Mill Tailings: Review

A green notification box with a checkmark icon states: "EO Review Package was successfully submitted at 07/28/2016 15:08:05 PM."

At the bottom right of the notification area, the text "EO Review Package 2060-AP26" is displayed in a larger font.

At the bottom left, the text "Unfunded Mandates" is visible.

Caryn Muellerleile  
Regulatory Management Division  
Office of Policy  
US Environmental Protection Agency  
1200 Pennsylvania Ave NW (1803A)  
Washington, DC 20460  
(202) 564-2855  
[muellerleile.caryn@epa.gov](mailto:muellerleile.caryn@epa.gov)

**From:** [Thornton, Marisa](#) on behalf of [Collections SubW](#)  
**To:** [Thornton, Marisa](#)  
**Subject:** Fw: APPROVED for OMB - NESHAP for Operating Uranium Mill Tailings - Amendments (Subpart W) (5281)  
**Date:** Wednesday, October 05, 2016 9:08:42 AM

---

**From:** Schultheisz, Daniel  
**Sent:** Friday, July 29, 2016 12:05 PM  
**To:** Collections.SubW  
**Subject:** FW: APPROVED for OMB - NESHAP for Operating Uranium Mill Tailings - Amendments (Subpart W) (5281)

---

**From:** Schultheisz, Daniel  
**Sent:** Thursday, July 28, 2016 4:45 PM  
**To:** Seidman, Emily <[seidman.emily@epa.gov](mailto:seidman.emily@epa.gov)>  
**Subject:** FW: APPROVED for OMB - NESHAP for Operating Uranium Mill Tailings - Amendments (Subpart W) (5281)

---

FYI

---

**From:** Schultheisz, Daniel  
**Sent:** Thursday, July 28, 2016 4:43 PM  
**To:** Edwards, Jonathan <[Edwards.Jonathan@epa.gov](mailto:Edwards.Jonathan@epa.gov)>  
**Cc:** Perrin, Alan <[Perrin.Alan@epa.gov](mailto:Perrin.Alan@epa.gov)>; Werner, Jacqueline <[Werner.Jacqueline@epa.gov](mailto:Werner.Jacqueline@epa.gov)>; Peake, Tom <[Peake.Tom@epa.gov](mailto:Peake.Tom@epa.gov)>  
**Subject:** FW: APPROVED for OMB - NESHAP for Operating Uranium Mill Tailings - Amendments (Subpart W) (5281)

---

Subpart W has been submitted to OMB. Huzzah.

---

**From:** Muellerleile, Caryn  
**Sent:** Thursday, July 28, 2016 3:16 PM  
**To:** Nickerson, William <[Nickerson.William@epa.gov](mailto:Nickerson.William@epa.gov)>; Corrales, Mark <[Corrales.Mark@epa.gov](mailto:Corrales.Mark@epa.gov)>; Boyle, Kathryn <[Boyle.Kathryn@epa.gov](mailto:Boyle.Kathryn@epa.gov)>; Owens, Nicole <[Owens.Nicole@epa.gov](mailto:Owens.Nicole@epa.gov)>; Pritchard, Eileen <[Pritchard.Eileen@epa.gov](mailto:Pritchard.Eileen@epa.gov)>; Kime, Robin <[Kime.Robin@epa.gov](mailto:Kime.Robin@epa.gov)>; Johnson, Ann <[Johnson.Ann@epa.gov](mailto:Johnson.Ann@epa.gov)>  
**Cc:** Schultheisz, Daniel <[Schultheisz.Daniel@epa.gov](mailto:Schultheisz.Daniel@epa.gov)>; Lee, Raymond <[Lee.Raymond@epa.gov](mailto:Lee.Raymond@epa.gov)>; Mcquilkin, Wendy <[Mcquilkin.Wendy@epa.gov](mailto:Mcquilkin.Wendy@epa.gov)>; Morgan, Ruthw <[morgan.ruthw@epa.gov](mailto:morgan.ruthw@epa.gov)>; Morris, Joseph <[Morris.Joseph@epa.gov](mailto:Morris.Joseph@epa.gov)>; Knapp, Kristien <[Knapp.Kristien@epa.gov](mailto:Knapp.Kristien@epa.gov)>; Clark, Spencer <[Clark.Spencer@epa.gov](mailto:Clark.Spencer@epa.gov)>  
**Subject:** APPROVED for OMB - NESHAP for Operating Uranium Mill Tailings - Amendments (Subpart W) (5281)

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RIN: 2060-AP26 (201610)  
Stage of Rulemaking: Final Rule Stage  
Title: National Emission Standards for Hazardous Air Pollutants (NESHAP) Subpart W: Standards for Radon Emissions From Operating Uranium Mill Tailings: Review

A green success message is displayed: 'EO Review Package was successfully submitted at 07/28/2016 15:08:05 PM.'

At the bottom right of the screenshot, the text 'EO Review Package 2060-AP26' is visible.

At the bottom left of the screenshot, the text 'Unfunded Mandates' is visible.

Caryn Muellerleile  
Regulatory Management Division  
Office of Policy  
US Environmental Protection Agency  
1200 Pennsylvania Ave NW (1803A)  
Washington, DC 20460  
(202) 564-2855  
[muellerleile.caryn@epa.gov](mailto:muellerleile.caryn@epa.gov)

**From:** [Thornton, Marisa](#) on behalf of [Collections.SubW](#)  
**To:** [Thornton, Marisa](#)  
**Subject:** Fw: APPROVED for OMB - NESHAP for Operating Uranium Mill Tailings - Amendments (Subpart W) (5281)  
**Date:** Wednesday, October 05, 2016 9:08:51 AM

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**From:** Schultheisz, Daniel  
**Sent:** Friday, July 29, 2016 12:05 PM  
**To:** Collections.SubW  
**Subject:** FW: APPROVED for OMB - NESHAP for Operating Uranium Mill Tailings - Amendments (Subpart W) (5281)

---

**From:** Schultheisz, Daniel  
**Sent:** Thursday, July 28, 2016 4:43 PM  
**To:** Edwards, Jonathan <[Edwards.Jonathan@epa.gov](mailto:Edwards.Jonathan@epa.gov)>  
**Cc:** Perrin, Alan <[Perrin.Alan@epa.gov](mailto:Perrin.Alan@epa.gov)>; Werner, Jacqueline <[Werner.Jacqueline@epa.gov](mailto:Werner.Jacqueline@epa.gov)>; Peake, Tom <[Peake.Tom@epa.gov](mailto:Peake.Tom@epa.gov)>  
**Subject:** FW: APPROVED for OMB - NESHAP for Operating Uranium Mill Tailings - Amendments (Subpart W) (5281)

Subpart W has been submitted to OMB. Huzzah.

**From:** Muellerleile, Caryn  
**Sent:** Thursday, July 28, 2016 3:16 PM  
**To:** Nickerson, William <[Nickerson.William@epa.gov](mailto:Nickerson.William@epa.gov)>; Corrales, Mark <[Corrales.Mark@epa.gov](mailto:Corrales.Mark@epa.gov)>; Boyle, Kathryn <[Boyle.Kathryn@epa.gov](mailto:Boyle.Kathryn@epa.gov)>; Owens, Nicole <[Owens.Nicole@epa.gov](mailto:Owens.Nicole@epa.gov)>; Pritchard, Eileen <[Pritchard.Eileen@epa.gov](mailto:Pritchard.Eileen@epa.gov)>; Kime, Robin <[Kime.Robin@epa.gov](mailto:Kime.Robin@epa.gov)>; Johnson, Ann <[Johnson.Ann@epa.gov](mailto:Johnson.Ann@epa.gov)>  
**Cc:** Schultheisz, Daniel <[Schultheisz.Daniel@epa.gov](mailto:Schultheisz.Daniel@epa.gov)>; Lee, Raymond <[Lee.Raymond@epa.gov](mailto:Lee.Raymond@epa.gov)>; Mcquilkkin, Wendy <[Mcquilkkin.Wendy@epa.gov](mailto:Mcquilkkin.Wendy@epa.gov)>; Morgan, Ruthw <[morgan.ruthw@epa.gov](mailto:morgan.ruthw@epa.gov)>; Morris, Joseph <[Morris.Joseph@epa.gov](mailto:Morris.Joseph@epa.gov)>; Knapp, Kristien <[Knapp.Kristien@epa.gov](mailto:Knapp.Kristien@epa.gov)>; Clark, Spencer <[Clark.Spencer@epa.gov](mailto:Clark.Spencer@epa.gov)>  
**Subject:** APPROVED for OMB - NESHAP for Operating Uranium Mill Tailings - Amendments (Subpart W) (5281)

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Caryn Muellerleile  
Regulatory Management Division  
Office of Policy  
US Environmental Protection Agency  
1200 Pennsylvania Ave NW (1803A)  
Washington, DC 20460  
(202) 564-2855  
[muellerleile.caryn@epa.gov](mailto:muellerleile.caryn@epa.gov)

**From:** [Thornton, Marisa](#) on behalf of [Collections.SubW](#)  
**To:** [Thornton, Marisa](#)  
**Subject:** Fw: Meeting with Energy Fuels  
**Date:** Wednesday, October 05, 2016 9:09:00 AM

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**From:** Schultheisz, Daniel  
**Sent:** Friday, July 29, 2016 12:01 PM  
**To:** Collections.SubW  
**Subject:** FW: Meeting with Energy Fuels

---

**From:** Schultheisz, Daniel  
**Sent:** Tuesday, July 26, 2016 11:59 AM  
**To:** 'Chris Pugsley' <[cpugsley@athompsonlaw.com](mailto:cpugsley@athompsonlaw.com)>  
**Cc:** Peake, Tom <[Peake.Tom@epa.gov](mailto:Peake.Tom@epa.gov)>  
**Subject:** RE: Meeting with Energy Fuels

Chris:

I believe you have been to the EPA before, but I don't think you have been to our building. We are in the EPA West building. The entrance is on Constitution Avenue, at the 14<sup>th</sup> Street end. Metro is Federal Triangle. Parking is available at the Reagan Building or on the street. More information is at <https://www.epa.gov/aboutepa/visiting-epa-headquarters>. When you arrive (or getting close), you can call me at (202) 343-9349 or Tom Peake at (202) 343-9765. See you tomorrow. Thanks.

Dan

---

**From:** Chris Pugsley [<mailto:cpugsley@athompsonlaw.com>]  
**Sent:** Monday, July 11, 2016 9:07 AM  
**To:** Schultheisz, Daniel <[Schultheisz.Daniel@epa.gov](mailto:Schultheisz.Daniel@epa.gov)>  
**Subject:** Re: Meeting with Energy Fuels

That actually works better. We have meetings with the NRC commissioners up to noon and it takes around 35-40 minutes to get back downtown in non-rush metro time. 3pm will definitely work.

Christopher S. Pugsley, Esq.  
Partner  
Thompson & Pugsley, PLLC  
1225 19th Street, NW

Suite 300  
Washington, DC 20036  
o: (202) 496-0780  
f: (202) 496-0783  
m: (202) 870-3387  
[cpugsley@athompsonlaw.com](mailto:cpugsley@athompsonlaw.com)

*This message may contain information and/or attachments that are subject to attorney-client privilege or other protection. If you receive this message in error, please destroy all copies of this message and its attachments and contact Chris Pugsley at (202) 496-0780.*

---

**From:** Schultheisz, Daniel <[Schultheisz.Daniel@epa.gov](mailto:Schultheisz.Daniel@epa.gov)>  
**Sent:** Monday, July 11, 2016 8:28 AM  
**To:** Chris Pugsley  
**Subject:** FW: Meeting with Energy Fuels

Chris:

Looks like we will need to push the meeting back to 3 pm. Does that still work for you? Thanks.

Dan

---

**From:** Schultheisz, Daniel  
**Sent:** Tuesday, June 28, 2016 8:21 AM  
**To:** 'Chris Pugsley' <[cpugsley@athompsonlaw.com](mailto:cpugsley@athompsonlaw.com)>  
**Subject:** RE: Meeting with Energy Fuels

Good. Details to follow.

---

**From:** Chris Pugsley [<mailto:cpugsley@athompsonlaw.com>]  
**Sent:** Tuesday, June 28, 2016 8:18 AM  
**To:** Schultheisz, Daniel <[Schultheisz.Daniel@epa.gov](mailto:Schultheisz.Daniel@epa.gov)>  
**Subject:** Re: Meeting with Energy Fuels

Perfect

*Sent from my Verizon Wireless 4G LTE DROID*

"Schultheisz, Daniel" <[Schultheisz.Daniel@epa.gov](mailto:Schultheisz.Daniel@epa.gov)> wrote:  
How is 2 pm on the 27<sup>th</sup>?

---



**From:** Chris Pugsley [<mailto:cpugsley@athompsonlaw.com>]  
**Sent:** Monday, June 27, 2016 12:03 PM  
**To:** Schultheisz, Daniel <[Schultheisz.Daniel@epa.gov](mailto:Schultheisz.Daniel@epa.gov)>  
**Subject:** Re: Meeting with Energy Fuels

NRC confirmed for the 27th at 9 am.

*Sent from my Verizon Wireless 4G LTE DROID*

"Schultheisz, Daniel" <[Schultheisz.Daniel@epa.gov](mailto:Schultheisz.Daniel@epa.gov)> wrote:  
Chris:

Sorry I did not get back to you last week. It looks like we will have some availability on those dates, particularly in the afternoon. What times would work best for you? If you would like a specific level of management participation, let me know and I will try to line it up. Thanks.

Dan Schultheisz  
U.S. Environmental Protection Agency  
Office of Radiation and Indoor Air  
Radiation Protection Division  
(202) 343-9349

---

**From:** Chris Pugsley [<mailto:cpugsley@athompsonlaw.com>]  
**Sent:** Monday, June 27, 2016 10:35 AM  
**To:** Schultheisz, Daniel <[Schultheisz.Daniel@epa.gov](mailto:Schultheisz.Daniel@epa.gov)>  
**Subject:** Meeting with Energy Fuels

Hello Dan:

I was following up on my phone call to you last week regarding a meeting with Energy Fuels Resources and EPA on Subpart W. I had spoken to Doug Mandeville and Bill von Till at NRC and they indicated they were willing to meet the week of the 25th of July. They offered the 25th or 27th as dates. Any chance we could schedule something with you sometime on the 25th-27th? Any time you could give us would be greatly appreciated. Thank you!

Sincerely,

Christopher S. Pugsley, Esq.  
Partner  
Thompson & Pugsley, PLLC  
1225 19th Street, NW

Suite 300  
Washington, DC 20036  
o: (202) 496-0780  
f: (202) 496-0783  
m: (202) 870-3387  
[cpugsley@athompsonlaw.com](mailto:cpugsley@athompsonlaw.com)

*This message may contain information and/or attachments that are subject to attorney-client privilege or other protection. If you receive this message in error, please destroy all copies of this message and its attachments and contact Chris Pugsley at (202) 496-0780.*

**From:** [Thornton, Marisa](#) on behalf of [Collections.SubW](#)  
**To:** [Thornton, Marisa](#)  
**Subject:** Fw: Quick call on Monday  
**Date:** Wednesday, October 05, 2016 9:09:09 AM

---

---

**From:** Schultheisz, Daniel  
**Sent:** Friday, July 29, 2016 12:00 PM  
**To:** Collections.SubW  
**Subject:** FW: Quick call on Monday

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**From:** Schultheisz, Daniel  
**Sent:** Friday, July 22, 2016 4:51 PM  
**To:** Johnson, Ann <[Johnson.Ann@epa.gov](mailto:Johnson.Ann@epa.gov)>  
**Subject:** RE: Quick call on Monday

I have a meeting at 10, but am otherwise available.

---

**From:** Johnson, Ann  
**Sent:** Friday, July 22, 2016 4:05 PM  
**To:** Schultheisz, Daniel <[Schultheisz.Daniel@epa.gov](mailto:Schultheisz.Daniel@epa.gov)>  
**Subject:** Quick call on Monday

Hi Dan,

I have a question about Subpart W. I'll try to get in touch with you on Monday. I'll be calling from 703-533-1256.

Thanks.  
Ann

**From:** [Thornton, Marisa](#) on behalf of [Collections.SubW](#)  
**To:** [Thornton, Marisa](#)  
**Subject:** Fw: Quick call on Monday  
**Date:** Wednesday, October 05, 2016 9:09:20 AM

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**From:** Schultheisz, Daniel  
**Sent:** Friday, July 29, 2016 12:00 PM  
**To:** Collections.SubW  
**Subject:** FW: Quick call on Monday

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**From:** Johnson, Ann  
**Sent:** Friday, July 22, 2016 4:05 PM  
**To:** Schultheisz, Daniel <[Schultheisz.Daniel@epa.gov](mailto:Schultheisz.Daniel@epa.gov)>  
**Subject:** Quick call on Monday

Hi Dan,

I have a question about Subpart W. I'll try to get in touch with you on Monday. I'll be calling from 703-533-1256.

Thanks.  
Ann

**From:** [Thornton, Marisa](#) on behalf of [Collections.SubW](#)  
**To:** [Thornton, Marisa](#)  
**Subject:** Fw: RECEIVED in OP for Approval for OMB - "NESHAP for Operating Uranium Mill Tailings - Amendments (Subpart W)" (5281)  
**Date:** Wednesday, October 05, 2016 9:09:34 AM

---

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**From:** Schultheisz, Daniel  
**Sent:** Friday, July 29, 2016 12:00 PM  
**To:** Collections.SubW  
**Subject:** FW: RECEIVED in OP for Approval for OMB - 'NESHAP for Operating Uranium Mill Tailings - Amendments (Subpart W)' (5281)

---

**From:** Muellerleile, Caryn  
**Sent:** Wednesday, July 20, 2016 1:26 PM  
**To:** Schultheisz, Daniel <[Schultheisz.Daniel@epa.gov](mailto:Schultheisz.Daniel@epa.gov)>  
**Subject:** RE: RECEIVED in OP for Approval for OMB - 'NESHAP for Operating Uranium Mill Tailings - Amendments (Subpart W)' (5281)

As soon as OP management has the opportunity to approve it. I can't guarantee precisely when that will be.

Thanks,  
Caryn

---

**From:** Schultheisz, Daniel  
**Sent:** Tuesday, July 19, 2016 3:55 PM  
**To:** Muellerleile, Caryn <[Muellerleile.Caryn@epa.gov](mailto:Muellerleile.Caryn@epa.gov)>  
**Subject:** RE: RECEIVED in OP for Approval for OMB - 'NESHAP for Operating Uranium Mill Tailings - Amendments (Subpart W)' (5281)

Caryn:

Thanks for the clarification. Does this mean that the Subpart W rule will be going to OMB this week?  
Thanks.

Dan Schultheisz  
U.S. Environmental Protection Agency  
Office of Radiation and Indoor Air  
Radiation Protection Division  
(202) 343-9349

---

**From:** Muellerleile, Caryn  
**Sent:** Tuesday, July 19, 2016 2:27 PM  
**To:** Schultheisz, Daniel <[Schultheisz.Daniel@epa.gov](mailto:Schultheisz.Daniel@epa.gov)>; Perrin, Alan <[Perrin.Alan@epa.gov](mailto:Perrin.Alan@epa.gov)>; Peake, Tom <[Peake.Tom@epa.gov](mailto:Peake.Tom@epa.gov)>  
**Cc:** Edwards, Jonathan <[Edwards.Jonathan@epa.gov](mailto:Edwards.Jonathan@epa.gov)>; Werner, Jacqueline <[Werner.Jacqueline@epa.gov](mailto:Werner.Jacqueline@epa.gov)>; Egidi, Philip <[Egidi.Philip@epa.gov](mailto:Egidi.Philip@epa.gov)>; Nesky, Anthony <[Nesky.Tony@epa.gov](mailto:Nesky.Tony@epa.gov)>; Lee, Raymond <[Lee.Raymond@epa.gov](mailto:Lee.Raymond@epa.gov)>; Johnson, Ann <[Johnson.Ann@epa.gov](mailto:Johnson.Ann@epa.gov)>  
**Subject:** RE: RECEIVED in OP for Approval for OMB - 'NESHAP for Operating Uranium Mill Tailings - Amendments (Subpart W)' (5281)

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For Subpart W, Aaron Szabo will be the OIRA reviewer and he does not need an advance briefing.

I will work with whomever it is appropriate on the Part 192 rule when the timing is appropriate.

Thanks all!  
Caryn

Caryn Muellerleile  
Regulatory Management Division  
Office of Policy  
US Environmental Protection Agency  
1200 Pennsylvania Ave NW (1803A)  
Washington, DC 20460  
(202) 564-2855  
[muellerleile.caryn@epa.gov](mailto:muellerleile.caryn@epa.gov)

---

**From:** Muellerleile, Caryn  
**Sent:** Monday, July 18, 2016 1:53 PM  
**To:** Schultheisz, Daniel <[Schultheisz.Daniel@epa.gov](mailto:Schultheisz.Daniel@epa.gov)>; Perrin, Alan <[Perrin.Alan@epa.gov](mailto:Perrin.Alan@epa.gov)>; Peake, Tom <[Peake.Tom@epa.gov](mailto:Peake.Tom@epa.gov)>  
**Cc:** Edwards, Jonathan <[Edwards.Jonathan@epa.gov](mailto:Edwards.Jonathan@epa.gov)>; Werner, Jacqueline <[Werner.Jacqueline@epa.gov](mailto:Werner.Jacqueline@epa.gov)>; Egidi, Philip <[Egidi.Philip@epa.gov](mailto:Egidi.Philip@epa.gov)>; Nesky, Anthony <[Nesky.Tony@epa.gov](mailto:Nesky.Tony@epa.gov)>; Lee, Raymond <[Lee.Raymond@epa.gov](mailto:Lee.Raymond@epa.gov)>; Johnson, Ann <[Johnson.Ann@epa.gov](mailto:Johnson.Ann@epa.gov)>  
**Subject:** FW: RECEIVED in OP for Approval for OMB - 'NESHAP for Operating Uranium Mill Tailings - Amendments (Subpart W)' (5281)

Greetings all:

Vlad Dorjets, from OMB's Office of Information & Regulatory Affairs, has recently been assigned review of ORIA activity from EPA. He has requested a background briefing on the subject rule before we transmit the final formally into interagency review under Executive Order 12866.

I plan to review your calendars and set up a 45-60 minute teleconference with Vlad (and any counterparts he requests) for this week or next. I spoke to Dan and I do not believe you need to do a great deal of preparation for this briefing, but mostly be prepared to describe the statutory and regulatory background, as well as some informational basics about the rule proposal that published in May 2014.

Please let me know if you have any questions or concerns. Otherwise, stay tuned for a calendar invitation.

Caryn Muellerleile  
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1200 Pennsylvania Ave NW (1803A)  
Washington, DC 20460  
(202) 564-2855  
[muellerleile.caryn@epa.gov](mailto:muellerleile.caryn@epa.gov)

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**From:** Muellerleile, Caryn  
**Sent:** Tuesday, July 12, 2016 9:41 AM  
**To:**  
**Subject:** RECEIVED in OP for Approval for OMB - 'NESHAP for Operating Uranium Mill Tailings - Amendments (Subpart W)' (5281)

Today, OP received OAR's **NESHAP for Operating Uranium Mill Tailings - Amendments (Subpart W)** (5281). This tier 3 Final is in OP for approval to transmit to OMB for interagency review. This is a Standard review. ADP Tracker has been updated.

Caryn Muellerleile  
Regulatory Management Division  
Office of Policy  
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1200 Pennsylvania Ave NW (1803A)  
Washington, DC 20460  
(202) 564-2855  
[muellerleile.caryn@epa.gov](mailto:muellerleile.caryn@epa.gov)

**From:** [Thornton, Marisa](#) on behalf of [Collections.SubW](#)  
**To:** [Thornton, Marisa](#)  
**Subject:** Fw: REMINDER: Items for the RPD Weekly are due by COB today, thanks  
**Date:** Wednesday, October 05, 2016 9:09:46 AM

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**From:** Schultheisz, Daniel  
**Sent:** Friday, July 29, 2016 12:00 PM  
**To:** Collections.SubW  
**Subject:** FW: REMINDER: Items for the RPD Weekly are due by COB today, thanks

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**From:** Schultheisz, Daniel  
**Sent:** Wednesday, July 20, 2016 9:27 AM  
**To:** Sanders, Roberta <[Sanders.Roberta@epa.gov](mailto:Sanders.Roberta@epa.gov)>  
**Cc:** White, Rick <[White.Rick@epa.gov](mailto:White.Rick@epa.gov)>; Peake, Tom <[Peake.Tom@epa.gov](mailto:Peake.Tom@epa.gov)>  
**Subject:** RE: REMINDER: Items for the RPD Weekly are due by COB today, thanks

#### Meeting with Uranium Industry on NESHAPs Subpart W Rulemaking

ORIA management and staff will meet with representatives from the uranium industry on July 27 to discuss the revisions to the NESHAP for radon emissions from operating mill tailings (Subpart W). Attendees are expected from the National Mining Association, the law firm of Thompson & Pugsley, and Energy Fuels. Subpart W is a pre-1990 NESHAP being reviewed under Section 112(q)(1) of the Clean Air Act Amendments of 1990. The final rule is expected to be issued in calendar year 2016.

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**From:** Sanders, Roberta  
**Sent:** Wednesday, July 20, 2016 8:51 AM  
**To:** OAR-ORIA-RPD <[OARORIARPD@epa.gov](mailto:OARORIARPD@epa.gov)>  
**Cc:** White, Rick <[White.Rick@epa.gov](mailto:White.Rick@epa.gov)>  
**Subject:** REMINDER: Items for the RPD Weekly are due by COB today, thanks



**From:** [Thornton, Marisa](#) on behalf of [Collections.SubW](#)  
**To:** [Thornton, Marisa](#)  
**Subject:** Fw: RECEIVED in OP for Approval for OMB - "NESHAP for Operating Uranium Mill Tailings - Amendments (Subpart W)" (5281)  
**Date:** Wednesday, October 05, 2016 9:09:55 AM

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**From:** Schultheisz, Daniel  
**Sent:** Friday, July 29, 2016 11:59 AM  
**To:** Collections.SubW  
**Subject:** FW: RECEIVED in OP for Approval for OMB - 'NESHAP for Operating Uranium Mill Tailings - Amendments (Subpart W)' (5281)

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**From:** Schultheisz, Daniel  
**Sent:** Tuesday, July 19, 2016 3:55 PM  
**To:** Muellerleile, Caryn <[Muellerleile.Caryn@epa.gov](mailto:Muellerleile.Caryn@epa.gov)>  
**Subject:** RE: RECEIVED in OP for Approval for OMB - 'NESHAP for Operating Uranium Mill Tailings - Amendments (Subpart W)' (5281)

Caryn:

Thanks for the clarification. Does this mean that the Subpart W rule will be going to OMB this week?  
Thanks.

Dan Schultheisz  
U.S. Environmental Protection Agency  
Office of Radiation and Indoor Air  
Radiation Protection Division  
(202) 343-9349

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**From:** Muellerleile, Caryn  
**Sent:** Tuesday, July 19, 2016 2:27 PM  
**To:** Schultheisz, Daniel <[Schultheisz.Daniel@epa.gov](mailto:Schultheisz.Daniel@epa.gov)>; Perrin, Alan <[Perrin.Alan@epa.gov](mailto:Perrin.Alan@epa.gov)>; Peake, Tom <[Peake.Tom@epa.gov](mailto:Peake.Tom@epa.gov)>  
**Cc:** Edwards, Jonathan <[Edwards.Jonathan@epa.gov](mailto:Edwards.Jonathan@epa.gov)>; Werner, Jacqueline <[Werner.Jacqueline@epa.gov](mailto:Werner.Jacqueline@epa.gov)>; Egidi, Philip <[Egidi.Philip@epa.gov](mailto:Egidi.Philip@epa.gov)>; Nesky, Anthony <[Nesky.Tony@epa.gov](mailto:Nesky.Tony@epa.gov)>; Lee, Raymond <[Lee.Raymond@epa.gov](mailto:Lee.Raymond@epa.gov)>; Johnson, Ann <[Johnson.Ann@epa.gov](mailto:Johnson.Ann@epa.gov)>  
**Subject:** RE: RECEIVED in OP for Approval for OMB - 'NESHAP for Operating Uranium Mill Tailings - Amendments (Subpart W)' (5281)

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For Subpart W, Aaron Szabo will be the OIRA reviewer and he does not need an advance briefing.

I will work with whomever it is appropriate on the Part 192 rule when the timing is appropriate.

Thanks all!

Caryn

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[muellerleile.caryn@epa.gov](mailto:muellerleile.caryn@epa.gov)

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**From:** Muellerleile, Caryn

**Sent:** Monday, July 18, 2016 1:53 PM

**To:** Schultheisz, Daniel <[Schultheisz.Daniel@epa.gov](mailto:Schultheisz.Daniel@epa.gov)>; Perrin, Alan <[Perrin.Alan@epa.gov](mailto:Perrin.Alan@epa.gov)>; Peake, Tom <[Peake.Tom@epa.gov](mailto:Peake.Tom@epa.gov)>

**Cc:** Edwards, Jonathan <[Edwards.Jonathan@epa.gov](mailto:Edwards.Jonathan@epa.gov)>; Werner, Jacqueline <[Werner.Jacqueline@epa.gov](mailto:Werner.Jacqueline@epa.gov)>; Egidi, Philip <[Egidi.Philip@epa.gov](mailto:Egidi.Philip@epa.gov)>; Nesky, Anthony <[Nesky.Tony@epa.gov](mailto:Nesky.Tony@epa.gov)>; Lee, Raymond <[Lee.Raymond@epa.gov](mailto:Lee.Raymond@epa.gov)>; Johnson, Ann <[Johnson.Ann@epa.gov](mailto:Johnson.Ann@epa.gov)>

**Subject:** FW: RECEIVED in OP for Approval for OMB - 'NESHAP for Operating Uranium Mill Tailings - Amendments (Subpart W)' (5281)

Greetings all:

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Please let me know if you have any questions or concerns. Otherwise, stay tuned for a calendar invitation.

Caryn Muellerleile  
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Washington, DC 20460  
(202) 564-2855  
[muellerleile.caryn@epa.gov](mailto:muellerleile.caryn@epa.gov)

---

**From:** Muellerleile, Caryn  
**Sent:** Tuesday, July 12, 2016 9:41 AM  
**To:**  
**Subject:** RECEIVED in OP for Approval for OMB - 'NESHAP for Operating Uranium Mill Tailings - Amendments (Subpart W)' (5281)

Today, OP received OAR's **NESHAP for Operating Uranium Mill Tailings - Amendments (Subpart W)** (5281). This tier 3 Final is in OP for approval to transmit to OMB for interagency review. This is a Standard review. ADP Tracker has been updated.

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Washington, DC 20460  
(202) 564-2855  
[muellerleile.caryn@epa.gov](mailto:muellerleile.caryn@epa.gov)

**From:** [Thornton, Marisa](#) on behalf of [Collections.SubW](#)  
**To:** [Thornton, Marisa](#)  
**Subject:** Fw: RECEIVED in OP for Approval for OMB - "NESHAP for Operating Uranium Mill Tailings - Amendments (Subpart W)" (5281)  
**Date:** Wednesday, October 05, 2016 9:10:02 AM

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**From:** Schultheisz, Daniel  
**Sent:** Friday, July 29, 2016 11:59 AM  
**To:** Collections.SubW  
**Subject:** FW: RECEIVED in OP for Approval for OMB - 'NESHAP for Operating Uranium Mill Tailings - Amendments (Subpart W)' (5281)

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**From:** Perrin, Alan  
**Sent:** Tuesday, July 19, 2016 2:35 PM  
**To:** Muellerleile, Caryn <[Muellerleile.Caryn@epa.gov](mailto:Muellerleile.Caryn@epa.gov)>  
**Cc:** Schultheisz, Daniel <[Schultheisz.Daniel@epa.gov](mailto:Schultheisz.Daniel@epa.gov)>; Peake, Tom <[Peake.Tom@epa.gov](mailto:Peake.Tom@epa.gov)>; Edwards, Jonathan <[Edwards.Jonathan@epa.gov](mailto:Edwards.Jonathan@epa.gov)>; Werner, Jacqueline <[Werner.Jacqueline@epa.gov](mailto:Werner.Jacqueline@epa.gov)>; Egidi, Philip <[Egidi.Philip@epa.gov](mailto:Egidi.Philip@epa.gov)>; Nesky, Anthony <[Nesky.Tony@epa.gov](mailto:Nesky.Tony@epa.gov)>; Lee, Raymond <[Lee.Raymond@epa.gov](mailto:Lee.Raymond@epa.gov)>; Johnson, Ann <[Johnson.Ann@epa.gov](mailto:Johnson.Ann@epa.gov)>  
**Subject:** Re: RECEIVED in OP for Approval for OMB - 'NESHAP for Operating Uranium Mill Tailings - Amendments (Subpart W)' (5281)

Thanks for the clarification, Caryn. Ingrid Rosencrantz is our reg lead for 192. -Alan

~~~~~

Alan Perrin  
dsk 202-343-9775  
mbl 202-279-0376

On Jul 19, 2016, at 2:27 PM, Muellerleile, Caryn <[Muellerleile.Caryn@epa.gov](mailto:Muellerleile.Caryn@epa.gov)> wrote:

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**Sent:** Monday, July 18, 2016 1:53 PM  
**To:** Schultheisz, Daniel <[Schultheisz.Daniel@epa.gov](mailto:Schultheisz.Daniel@epa.gov)>; Perrin, Alan <[Perrin.Alan@epa.gov](mailto:Perrin.Alan@epa.gov)>; Peake, Tom <[Peake.Tom@epa.gov](mailto:Peake.Tom@epa.gov)>  
**Cc:** Edwards, Jonathan <[Edwards.Jonathan@epa.gov](mailto:Edwards.Jonathan@epa.gov)>; Werner, Jacqueline <[Werner.Jacqueline@epa.gov](mailto:Werner.Jacqueline@epa.gov)>; Egidi, Philip <[Egidi.Philip@epa.gov](mailto:Egidi.Philip@epa.gov)>; Nesky, Anthony <[Nesky.Tony@epa.gov](mailto:Nesky.Tony@epa.gov)>; Lee, Raymond <[Lee.Raymond@epa.gov](mailto:Lee.Raymond@epa.gov)>; Johnson, Ann <[Johnson.Ann@epa.gov](mailto:Johnson.Ann@epa.gov)>  
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Regulatory Management Division

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Washington, DC 20460  
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[muellerleile.caryn@epa.gov](mailto:muellerleile.caryn@epa.gov)

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**Sent:** Tuesday, July 12, 2016 9:41 AM  
**To:**  
**Subject:** RECEIVED in OP for Approval for OMB - 'NESHAP for Operating Uranium Mill Tailings - Amendments (Subpart W)' (5281)

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Washington, DC 20460  
(202) 564-2855  
[muellerleile.caryn@epa.gov](mailto:muellerleile.caryn@epa.gov)

**From:** [Thornton, Marisa](#) on behalf of [Collections.SubW](#)  
**To:** [Thornton, Marisa](#)  
**Subject:** Fw: July 7 Subpart W Call  
**Date:** Wednesday, October 05, 2016 9:10:13 AM

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**From:** Schultheisz, Daniel  
**Sent:** Friday, July 29, 2016 11:59 AM  
**To:** Collections.SubW  
**Subject:** FW: July 7 Subpart W Call

---

**From:** [sarah@uraniumwatch.org](mailto:sarah@uraniumwatch.org) [<mailto:sarah@uraniumwatch.org>]  
**Sent:** Thursday, July 14, 2016 8:44 AM  
**To:** Schultheisz, Daniel <[Schultheisz.Daniel@epa.gov](mailto:Schultheisz.Daniel@epa.gov)>  
**Cc:** Nesky, Anthony <[Nesky.Tony@epa.gov](mailto:Nesky.Tony@epa.gov)>  
**Subject:** RE: July 7 Subpart W Call

Thank you.

----- Original Message -----  
Subject: RE: July 7 Subpart W Call  
From: "Schultheisz, Daniel" <[Schultheisz.Daniel@epa.gov](mailto:Schultheisz.Daniel@epa.gov)>  
Date: Thu, July 14, 2016 6:20 am  
To: "[sarah@uraniumwatch.org](mailto:sarah@uraniumwatch.org)" <[sarah@uraniumwatch.org](mailto:sarah@uraniumwatch.org)>  
Cc: "Nesky, Anthony" <[Nesky.Tony@epa.gov](mailto:Nesky.Tony@epa.gov)>  
Ms. Fields:

I did not send a reminder about the conference call. I did not think about whether that was Reid's usual practice and apologize if it contributed to people not making the call. We will definitely send a reminder ahead of the next call, which will take place on October 6.

As you will see from the summary of the call, which will be posted shortly, the rule has cleared the Agency workgroup and is undergoing administrative review prior to submission to OMB. We submitted the rulemaking package to the Office of Air and Radiation and received some comments from our Assistant Administrator. We addressed those comments and the package was approved for transmittal to the Office of Policy on Monday (July 11). OP will submit the package to OMB when it has completed its review. We anticipate it could be to OMB within the next week or so.

Please let me know if you have further questions. Thanks.

Dan Schultheisz  
U.S. Environmental Protection Agency

Office of Radiation and Indoor Air  
Radiation Protection Division  
(202) 343-9349

---

**From:** [sarah@uraniumwatch.org](mailto:sarah@uraniumwatch.org) [<mailto:sarah@uraniumwatch.org>]

**Sent:** Wednesday, July 13, 2016 12:06 PM

**To:** Schultheisz, Daniel <[Schultheisz.Daniel@epa.gov](mailto:Schultheisz.Daniel@epa.gov)>

**Cc:** Nesky, Anthony <[Nesky.Tony@epa.gov](mailto:Nesky.Tony@epa.gov)>

**Subject:** July 7 Subpart W Call

Dear Mr. Schultheisz,

It does not appear that the EPA sent out a reminder of the July 7 Quarterly Subpart W conference call, and several interested parties, including myself, missed it.

Was there any significant announcement or other discussion during the call?

Thank you,

Sarah Fields  
Uranium Watch  
PO Box 344  
Moab, Utah 84532  
435-260-8384



**From:** [Thornton, Marisa](#) on behalf of [Collections.SubW](#)  
**To:** [Thornton, Marisa](#)  
**Subject:** Fw: July 7 Subpart W Call  
**Date:** Wednesday, October 05, 2016 9:10:21 AM

---

---

**From:** Schultheisz, Daniel  
**Sent:** Friday, July 29, 2016 11:59 AM  
**To:** Collections.SubW  
**Subject:** FW: July 7 Subpart W Call

---

**From:** Schultheisz, Daniel  
**Sent:** Thursday, July 14, 2016 8:20 AM  
**To:** 'sarah@uraniumwatch.org' <sarah@uraniumwatch.org>  
**Cc:** Nesky, Anthony <Nesky.Tony@epa.gov>  
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U.S. Environmental Protection Agency  
Office of Radiation and Indoor Air  
Radiation Protection Division  
(202) 343-9349

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**Sent:** Wednesday, July 13, 2016 12:06 PM  
**To:** Schultheisz, Daniel <[Schultheisz.Daniel@epa.gov](mailto:Schultheisz.Daniel@epa.gov)>

**Cc:** Nesky, Anthony <[Nesky.Tony@epa.gov](mailto:Nesky.Tony@epa.gov)>

**Subject:** July 7 Subpart W Call

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PO Box 344  
Moab, Utah 84532  
435-260-8384

**From:** [Thornton, Marisa](#) on behalf of [Collections.SubW](#)  
**To:** [Thornton, Marisa](#)  
**Subject:** Fw: July 7 Subpart W Call  
**Date:** Wednesday, October 05, 2016 9:10:34 AM

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**From:** Schultheisz, Daniel  
**Sent:** Friday, July 29, 2016 11:59 AM  
**To:** Collections.SubW  
**Subject:** FW: July 7 Subpart W Call

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**From:** sarah@uraniumwatch.org [mailto:sarah@uraniumwatch.org]  
**Sent:** Wednesday, July 13, 2016 12:06 PM  
**To:** Schultheisz, Daniel <Schultheisz.Daniel@epa.gov>  
**Cc:** Nesky, Anthony <Nesky.Tony@epa.gov>  
**Subject:** July 7 Subpart W Call

Dear Mr. Schultheisz,

It does not appear that the EPA sent out a reminder of the July 7 Quarterly Subpart W conference call, and several interested parties, including myself, missed it.

Was there any significant announcement or other discussion during the call?

Thank you,

Sarah Fields  
Uranium Watch  
PO Box 344  
Moab, Utah 84532  
435-260-8384

**From:** [Thornton, Marisa](#) on behalf of [Collections.SubW](#)  
**To:** [Thornton, Marisa](#)  
**Subject:** Fw: SAN 5281 - Revisions to National Emission Standards for Radon Emissions from Operating Uranium Mill Tailings (AA)(OMB)  
**Date:** Wednesday, October 05, 2016 9:10:47 AM  
**Attachments:** [image001.png](#)

---

**From:** Schultheisz, Daniel  
**Sent:** Friday, July 29, 2016 11:58 AM  
**To:** Collections.SubW  
**Subject:** FW: SAN 5281 - Revisions to National Emission Standards for Radon Emissions from Operating Uranium Mill Tailings (AA)(OMB)

**From:** Schultheisz, Daniel  
**Sent:** Monday, July 11, 2016 4:30 PM  
**To:** Johnson, Ann <[Johnson.Ann@epa.gov](mailto:Johnson.Ann@epa.gov)>  
**Subject:** FW: SAN 5281 - Revisions to National Emission Standards for Radon Emissions from Operating Uranium Mill Tailings (AA)(OMB)

FYI. I took out the attachments.

**From:** Mcquilk, Wendy  
**Sent:** Monday, July 11, 2016 4:05 PM  
**To:** Muellerleile, Caryn <[Muellerleile.Caryn@epa.gov](mailto:Muellerleile.Caryn@epa.gov)>  
**Cc:** Shaw, Betsy <[Shaw.Betsy@epa.gov](mailto:Shaw.Betsy@epa.gov)>; Eagles, Tom <[Eagles.Tom@epa.gov](mailto:Eagles.Tom@epa.gov)>; Goffman, Joseph <[Goffman.Joseph@epa.gov](mailto:Goffman.Joseph@epa.gov)>; Banister, Beverly <[Banister.Beverly@epa.gov](mailto:Banister.Beverly@epa.gov)>; Saltman, Tamara <[Saltman.Tamara@epa.gov](mailto:Saltman.Tamara@epa.gov)>; Stewart, Lori <[Stewart.Lori@epa.gov](mailto:Stewart.Lori@epa.gov)>; Knapp, Kristien <[Knapp.Kristien@epa.gov](mailto:Knapp.Kristien@epa.gov)>; Millett, John <[Millett.John@epa.gov](mailto:Millett.John@epa.gov)>; Drinkard, Andrea <[Drinkard.Andrea@epa.gov](mailto:Drinkard.Andrea@epa.gov)>; Canino, Richard <[Canino.Richard@epa.gov](mailto:Canino.Richard@epa.gov)>; Owens, Nicole <[Owens.Nicole@epa.gov](mailto:Owens.Nicole@epa.gov)>; Pritchard, Eileen <[Pritchard.Eileen@epa.gov](mailto:Pritchard.Eileen@epa.gov)>; Adams, Darryl <[Adams.Darryl@epa.gov](mailto:Adams.Darryl@epa.gov)>; Brown, Stephanie N. <[Brown.StephanieN@epa.gov](mailto:Brown.StephanieN@epa.gov)>; Jutras, Nathaniel <[Jutras.Nathaniel@epa.gov](mailto:Jutras.Nathaniel@epa.gov)>; Morris, Stephanie <[Morris.Stephanie@epa.gov](mailto:Morris.Stephanie@epa.gov)>; Brooks, Patricia <[Brooks.Patricia@epa.gov](mailto:Brooks.Patricia@epa.gov)>; Hamilton, Sabrina <[Hamilton.Sabrina@epa.gov](mailto:Hamilton.Sabrina@epa.gov)>; Faulkner, Martha <[Faulkner.Martha@epa.gov](mailto:Faulkner.Martha@epa.gov)>; Matthews, Barbara <[Matthews.Barbara@epa.gov](mailto:Matthews.Barbara@epa.gov)>; Lee, Raymond <[Lee.Raymond@epa.gov](mailto:Lee.Raymond@epa.gov)>; Schultheisz, Daniel <[Schultheisz.Daniel@epa.gov](mailto:Schultheisz.Daniel@epa.gov)>; Perrin, Alan <[Perrin.Alan@epa.gov](mailto:Perrin.Alan@epa.gov)>; Eddinger, Jim <[Eddinger.Jim@epa.gov](mailto:Eddinger.Jim@epa.gov)>; Cyran, Carissa <[Cyran.Carissa@epa.gov](mailto:Cyran.Carissa@epa.gov)>; Morgan, Ruthw <[morgan.ruthw@epa.gov](mailto:morgan.ruthw@epa.gov)>  
**Subject:** SAN 5281 - Revisions to National Emission Standards for Radon Emissions from Operating Uranium Mill Tailings (AA)(OMB)

**TO: OP/CARYN MUELLERLEILE FOR REVIEW AND CONCURRENCE ON OMB CLEARANCE PACKAGE.**

07/11/2016	SAN#: 5281	CMS Control #:
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**NESHAP Subpart W: Standards for Radon Emissions  
From Operating Uranium Mill Tailings: Review**

	<b>Tier: 2</b>	<b>RIN#:2060-AP26</b>	<b>ORIA</b>
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OP/Caryn Muellerleile, OAR Correspondence Unit, OAR Reg Processing Team, ORIA File

Direct Final is ready for OMB

**Comments:**

**ORIA Reg Contact:** Dan Schultheisz, 202 343-9349

**ORIA Mgmt. Level Reviewer:** Raymond Lee, 202 343-9463

**Communications Contact:**

Thanks,

Wendy Mcquilkin

564-1348, 6538 AR North

**From:** [Thornton, Marisa](#) on behalf of [Collections.SubW](#)  
**To:** [Thornton, Marisa](#)  
**Subject:** Fw: July 11 Revision to Subpart W Final Rule  
**Date:** Wednesday, October 05, 2016 9:11:42 AM

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**From:** Schultheisz, Daniel  
**Sent:** Friday, July 29, 2016 11:56 AM  
**To:** Collections.SubW  
**Subject:** FW: July 11 Revision to Subpart W Final Rule

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**From:** Johnson, Ann  
**Sent:** Monday, July 11, 2016 12:06 PM  
**To:** Schultheisz, Daniel <[Schultheisz.Daniel@epa.gov](mailto:Schultheisz.Daniel@epa.gov)>  
**Subject:** RE: July 11 Revision to Subpart W Final Rule

Thank you.

---

**From:** Schultheisz, Daniel  
**Sent:** Monday, July 11, 2016 11:35 AM  
**To:** Seidman, Emily <[seidman.emily@epa.gov](mailto:seidman.emily@epa.gov)>; Johnson, Ann <[Johnson.Ann@epa.gov](mailto:Johnson.Ann@epa.gov)>  
**Subject:** FW: July 11 Revision to Subpart W Final Rule

FYI, Janet had some very minor comments on the version sent last week and we expect it to move to OP this week.

---

**From:** Cyran, Carissa  
**Sent:** Monday, July 11, 2016 11:32 AM  
**To:** Schultheisz, Daniel <[Schultheisz.Daniel@epa.gov](mailto:Schultheisz.Daniel@epa.gov)>  
**Cc:** Edwards, Jonathan <[Edwards.Jonathan@epa.gov](mailto:Edwards.Jonathan@epa.gov)>; Perrin, Alan <[Perrin.Alan@epa.gov](mailto:Perrin.Alan@epa.gov)>; Peake, Tom <[Peake.Tom@epa.gov](mailto:Peake.Tom@epa.gov)>  
**Subject:** RE: July 11 Revision to Subpart W Final Rule

Good morning, Dan,

No, I will send this version electronically to Janet since we don't need hard copies, and have her sign the transmittal memo hopefully tonight.

Thank you!

Carissa

---

**From:** Schultheisz, Daniel

**Sent:** Monday, July 11, 2016 11:27 AM

**To:** Cyran, Carissa <[Cyran.Carissa@epa.gov](mailto:Cyran.Carissa@epa.gov)>

**Cc:** Edwards, Jonathan <[Edwards.Jonathan@epa.gov](mailto:Edwards.Jonathan@epa.gov)>; Perrin, Alan <[Perrin.Alan@epa.gov](mailto:Perrin.Alan@epa.gov)>; Peake, Tom <[Peake.Tom@epa.gov](mailto:Peake.Tom@epa.gov)>

**Subject:** July 11 Revision to Subpart W Final Rule

Carissa:

Attached is a revised version of the rule/preamble incorporating Janet's comments over the weekend. Thanks for sending it on to her, and I appreciate her getting to it so quickly. In her note to Jon Edwards, she said "this should be ready to move to the next step." Is there anything else you need from me to make that happen? Thanks.

Dan

**From:** [Thornton, Marisa](#) on behalf of [Collections.SubW](#)  
**To:** [Thornton, Marisa](#)  
**Subject:** Fw: July 11 Revision to Subpart W Final Rule  
**Date:** Wednesday, October 05, 2016 9:12:44 AM

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**From:** Schultheisz, Daniel  
**Sent:** Friday, July 29, 2016 11:55 AM  
**To:** Collections.SubW  
**Subject:** FW: July 11 Revision to Subpart W Final Rule

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**From:** Cyran, Carissa  
**Sent:** Monday, July 11, 2016 11:32 AM  
**To:** Schultheisz, Daniel <[Schultheisz.Daniel@epa.gov](mailto:Schultheisz.Daniel@epa.gov)>  
**Cc:** Edwards, Jonathan <[Edwards.Jonathan@epa.gov](mailto:Edwards.Jonathan@epa.gov)>; Perrin, Alan <[Perrin.Alan@epa.gov](mailto:Perrin.Alan@epa.gov)>; Peake, Tom <[Peake.Tom@epa.gov](mailto:Peake.Tom@epa.gov)>  
**Subject:** RE: July 11 Revision to Subpart W Final Rule

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No, I will send this version electronically to Janet since we don't need hard copies, and have her sign the transmittal memo hopefully tonight.

Thank you!

Carissa

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**Sent:** Monday, July 11, 2016 11:27 AM  
**To:** Cyran, Carissa <[Cyran.Carissa@epa.gov](mailto:Cyran.Carissa@epa.gov)>  
**Cc:** Edwards, Jonathan <[Edwards.Jonathan@epa.gov](mailto:Edwards.Jonathan@epa.gov)>; Perrin, Alan <[Perrin.Alan@epa.gov](mailto:Perrin.Alan@epa.gov)>; Peake, Tom <[Peake.Tom@epa.gov](mailto:Peake.Tom@epa.gov)>  
**Subject:** July 11 Revision to Subpart W Final Rule

Carissa:

Attached is a revised version of the rule/preamble incorporating Janet's comments over the weekend. Thanks for sending it on to her, and I appreciate her getting to it so quickly. In her note to Jon Edwards, she said "this should be ready to move to the next step." Is there anything else you need from me to make that happen? Thanks.



Dan

**From:** [Thornton, Marisa](#) on behalf of [Collections.SubW](#)  
**To:** [Thornton, Marisa](#)  
**Subject:** Fw: Revisions to Subpart W  
**Date:** Wednesday, October 05, 2016 9:12:56 AM

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**From:** Schultheisz, Daniel  
**Sent:** Friday, July 29, 2016 11:55 AM  
**To:** Collections.SubW  
**Subject:** FW: Revisions to Subpart W

---

**From:** Seidman, Emily  
**Sent:** Monday, July 11, 2016 10:42 AM  
**To:** Schultheisz, Daniel <[Schultheisz.Daniel@epa.gov](mailto:Schultheisz.Daniel@epa.gov)>  
**Subject:** RE: Revisions to Subpart W

Ignore my comment. I must have read over the word "below." Please leave it as you had it.

Sounds good! I'm ok with you sending the new version to OAR.

Emily Seidman | US EPA | Office of General Counsel | Air and Radiation Law Office | Mail Code 2344A | WJCN 7409F | phone: (202) 564-0906

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---

**From:** Schultheisz, Daniel  
**Sent:** Monday, July 11, 2016 10:40 AM  
**To:** Seidman, Emily <[seidman.emily@epa.gov](mailto:seidman.emily@epa.gov)>  
**Subject:** RE: Revisions to Subpart W

Just to be clear: you prefer "at which" rather than "below which"? You did not strikeout "below," but I assume you meant to.

Janet's other comments are pretty benign. One or two word selections and a couple of typos from the new material.

If you are okay, I will send a new version to OAR. Thanks.

---

**From:** Seidman, Emily  
**Sent:** Monday, July 11, 2016 10:13 AM  
**To:** Schultheisz, Daniel <[Schultheisz.Daniel@epa.gov](mailto:Schultheisz.Daniel@epa.gov)>  
**Subject:** RE: Revisions to Subpart W

Dan-

Looks good to me. One small typographical edit on p. 94.

Emily Seidman | US EPA | Office of General Counsel | Air and Radiation Law Office | Mail Code 2344A | WJCN 7409F | phone: (202) 564-0906

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---

**From:** Schultheisz, Daniel  
**Sent:** Friday, July 08, 2016 4:37 PM  
**To:** Seidman, Emily <[seidman.emily@epa.gov](mailto:seidman.emily@epa.gov)>; Johnson, Ann <[Johnson.Ann@epa.gov](mailto:Johnson.Ann@epa.gov)>  
**Subject:** FW: Revisions to Subpart W

Emily and Ann:

For your reading pleasure. Thanks.

Dan

---

**From:** Schultheisz, Daniel  
**Sent:** Friday, July 08, 2016 4:26 PM  
**To:** Cyran, Carissa <[Cyran.Carissa@epa.gov](mailto:Cyran.Carissa@epa.gov)>  
**Subject:** Revisions to Subpart W

Carissa:

Attached are three documents responding to Janet's comments on the Subpart W final rule. They are 1) a redline-strikeout version of the rule and preamble; 2) a clean version (dated July 8); and 3) a table showing how we considered each comment, with annotations providing additional detail. I will have to look through this again to see if any formatting issues came up when creating the clean version, and may have a few minor changes, but nothing significant.

I guess this may be too late to get to Janet today, as I understood she would be leaving around 2:45. Please let me know if you need anything else. Thanks.

Dan Schultheisz  
U.S. Environmental Protection Agency  
Office of Radiation and Indoor Air  
Radiation Protection Division  
(202) 343-9349

**From:** [Thornton, Marisa](#) on behalf of [Collections.SubW](#)  
**To:** [Thornton, Marisa](#)  
**Subject:** Fw: Revisions to Subpart W  
**Date:** Wednesday, October 05, 2016 9:13:16 AM

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---

**From:** Schultheisz, Daniel  
**Sent:** Friday, July 29, 2016 11:55 AM  
**To:** Collections.SubW  
**Subject:** FW: Revisions to Subpart W

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**From:** Schultheisz, Daniel  
**Sent:** Monday, July 11, 2016 10:43 AM  
**To:** Seidman, Emily <[seidman.emily@epa.gov](mailto:seidman.emily@epa.gov)>  
**Subject:** RE: Revisions to Subpart W

Thanks.

---

**From:** Seidman, Emily  
**Sent:** Monday, July 11, 2016 10:42 AM  
**To:** Schultheisz, Daniel <[Schultheisz.Daniel@epa.gov](mailto:Schultheisz.Daniel@epa.gov)>  
**Subject:** RE: Revisions to Subpart W

Ignore my comment. I must have read over the word "below." Please leave it as you had it.

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**From:** Seidman, Emily  
**Sent:** Monday, July 11, 2016 10:13 AM  
**To:** Schultheisz, Daniel <[Schultheisz.Daniel@epa.gov](mailto:Schultheisz.Daniel@epa.gov)>  
**Subject:** RE: Revisions to Subpart W

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Emily Seidman | US EPA | Office of General Counsel | Air and Radiation Law Office | Mail Code 2344A | WJCN 7409F | phone: (202) 564-0906

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**Sent:** Friday, July 08, 2016 4:37 PM  
**To:** Seidman, Emily <[seidman.emily@epa.gov](mailto:seidman.emily@epa.gov)>; Johnson, Ann <[Johnson.Ann@epa.gov](mailto:Johnson.Ann@epa.gov)>  
**Subject:** FW: Revisions to Subpart W

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For your reading pleasure. Thanks.

Dan

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**From:** Schultheisz, Daniel  
**Sent:** Friday, July 08, 2016 4:26 PM  
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**Subject:** Revisions to Subpart W

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are 1) a redline-strikeout version of the rule and preamble; 2) a clean version (dated July 8); and 3) a table showing how we considered each comment, with annotations providing additional detail. I will have to look through this again to see if any formatting issues came up when creating the clean version, and may have a few minor changes, but nothing significant.

I guess this may be too late to get to Janet today, as I understood she would be leaving around 2:45. Please let me know if you need anything else. Thanks.

Dan Schultheisz  
U.S. Environmental Protection Agency  
Office of Radiation and Indoor Air  
Radiation Protection Division  
(202) 343-9349

**From:** [Thornton, Marisa](#) on behalf of [Collections.SubW](#)  
**To:** [Thornton, Marisa](#)  
**Subject:** Fw: Meeting with Energy Fuels  
**Date:** Wednesday, October 05, 2016 9:13:27 AM

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---

**From:** Schultheisz, Daniel  
**Sent:** Friday, July 29, 2016 11:55 AM  
**To:** Collections.SubW  
**Subject:** FW: Meeting with Energy Fuels

---

**From:** Schultheisz, Daniel  
**Sent:** Monday, July 11, 2016 9:09 AM  
**To:** 'Chris Pugsley' <[cpugsley@athompsonlaw.com](mailto:cpugsley@athompsonlaw.com)>  
**Subject:** RE: Meeting with Energy Fuels

Good. Thanks.

---

**From:** Chris Pugsley [<mailto:cpugsley@athompsonlaw.com>]  
**Sent:** Monday, July 11, 2016 9:07 AM  
**To:** Schultheisz, Daniel <[Schultheisz.Daniel@epa.gov](mailto:Schultheisz.Daniel@epa.gov)>  
**Subject:** Re: Meeting with Energy Fuels

That actually works better. We have meetings with the NRC commissioners up to noon and it takes around 35-40 minutes to get back downtown in non-rush metro time. 3pm will definitely work.

Christopher S. Pugsley, Esq.  
Partner  
Thompson & Pugsley, PLLC  
1225 19th Street, NW  
Suite 300  
Washington, DC 20036  
o: (202) 496-0780  
f: (202) 496-0783  
m: (202) 870-3387  
[cpugsley@athompsonlaw.com](mailto:cpugsley@athompsonlaw.com)

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*you receive this message in error, please destroy all copies of this message and its attachments and contact Chris Pugsley at (202) 496-0780.*

---

**From:** Schultheisz, Daniel <[Schultheisz.Daniel@epa.gov](mailto:Schultheisz.Daniel@epa.gov)>  
**Sent:** Monday, July 11, 2016 8:28 AM  
**To:** Chris Pugsley  
**Subject:** FW: Meeting with Energy Fuels

Chris:

Looks like we will need to push the meeting back to 3 pm. Does that still work for you? Thanks.

Dan

---

**From:** Schultheisz, Daniel  
**Sent:** Tuesday, June 28, 2016 8:21 AM  
**To:** 'Chris Pugsley' <[cpugsley@athompsonlaw.com](mailto:cpugsley@athompsonlaw.com)>  
**Subject:** RE: Meeting with Energy Fuels

Good. Details to follow.

---

**From:** Chris Pugsley [<mailto:cpugsley@athompsonlaw.com>]  
**Sent:** Tuesday, June 28, 2016 8:18 AM  
**To:** Schultheisz, Daniel <[Schultheisz.Daniel@epa.gov](mailto:Schultheisz.Daniel@epa.gov)>  
**Subject:** Re: Meeting with Energy Fuels

Perfect

*Sent from my Verizon Wireless 4G LTE DROID*

"Schultheisz, Daniel" <[Schultheisz.Daniel@epa.gov](mailto:Schultheisz.Daniel@epa.gov)> wrote:  
How is 2 pm on the 27<sup>th</sup>?

---

**From:** Chris Pugsley [<mailto:cpugsley@athompsonlaw.com>]  
**Sent:** Monday, June 27, 2016 12:03 PM  
**To:** Schultheisz, Daniel <[Schultheisz.Daniel@epa.gov](mailto:Schultheisz.Daniel@epa.gov)>  
**Subject:** Re: Meeting with Energy Fuels

NRC confirmed for the 27th at 9 am.

*Sent from my Verizon Wireless 4G LTE DROID*

"Schultheisz, Daniel" <[Schultheisz.Daniel@epa.gov](mailto:Schultheisz.Daniel@epa.gov)> wrote:  
Chris:

Sorry I did not get back to you last week. It looks like we will have some availability on those dates, particularly in the afternoon. What times would work best for you? If you would like a specific level of management participation, let me know and I will try to line it up. Thanks.

Dan Schultheisz  
U.S. Environmental Protection Agency  
Office of Radiation and Indoor Air  
Radiation Protection Division  
(202) 343-9349

---

**From:** Chris Pugsley [<mailto:cpugsley@athompsonlaw.com>]  
**Sent:** Monday, June 27, 2016 10:35 AM  
**To:** Schultheisz, Daniel <[Schultheisz.Daniel@epa.gov](mailto:Schultheisz.Daniel@epa.gov)>  
**Subject:** Meeting with Energy Fuels

Hello Dan:

I was following up on my phone call to you last week regarding a meeting with Energy Fuels Resources and EPA on Subpart W. I had spoken to Doug Mandeville and Bill von Till at NRC and they indicated they were willing to meet the week of the 25th of July. They offered the 25th or 27th as dates. Any chance we could schedule something with you sometime on the 25th-27th? Any time you could give us would be greatly appreciated. Thank you!

Sincerely,

Christopher S. Pugsley, Esq.  
Partner  
Thompson & Pugsley, PLLC  
1225 19th Street, NW  
Suite 300  
Washington, DC 20036  
o: (202) 496-0780  
f: (202) 496-0783  
m: (202) 870-3387  
[cpugsley@athompsonlaw.com](mailto:cpugsley@athompsonlaw.com)

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(202) 496-0780.

**From:** [Thornton, Marisa](#) on behalf of [Collections.SubW](#)  
**To:** [Thornton, Marisa](#)  
**Subject:** Fw: Meeting with Energy Fuels  
**Date:** Wednesday, October 05, 2016 9:13:34 AM

---

---

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**Sent:** Friday, July 29, 2016 11:55 AM  
**To:** Collections.SubW  
**Subject:** FW: Meeting with Energy Fuels

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**From:** Chris Pugsley [mailto:[cpugsley@athompsonlaw.com](mailto:cpugsley@athompsonlaw.com)]  
**Sent:** Monday, July 11, 2016 9:07 AM  
**To:** Schultheisz, Daniel <[Schultheisz.Daniel@epa.gov](mailto:Schultheisz.Daniel@epa.gov)>  
**Subject:** Re: Meeting with Energy Fuels

That actually works better. We have meetings with the NRC commissioners up to noon and it takes around 35-40 minutes to get back downtown in non-rush metro time. 3pm will definitely work.

Christopher S. Pugsley, Esq.  
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m: (202) 870-3387  
[cpugsley@athompsonlaw.com](mailto:cpugsley@athompsonlaw.com)

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*Sent from my Verizon Wireless 4G LTE DROID*

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**From:** Chris Pugsley [<mailto:cpugsley@athompsonlaw.com>]  
**Sent:** Monday, June 27, 2016 12:03 PM  
**To:** Schultheisz, Daniel <[Schultheisz.Daniel@epa.gov](mailto:Schultheisz.Daniel@epa.gov)>  
**Subject:** Re: Meeting with Energy Fuels

NRC confirmed for the 27th at 9 am.

*Sent from my Verizon Wireless 4G LTE DROID*

"Schultheisz, Daniel" <[Schultheisz.Daniel@epa.gov](mailto:Schultheisz.Daniel@epa.gov)> wrote:  
Chris:

Sorry I did not get back to you last week. It looks like we will have some availability on those dates, particularly in the afternoon. What times would work best for you? If you would like a specific level

of management participation, let me know and I will try to line it up. Thanks.

Dan Schultheisz  
U.S. Environmental Protection Agency  
Office of Radiation and Indoor Air  
Radiation Protection Division  
(202) 343-9349

---

**From:** Chris Pugsley [<mailto:cpugsley@athompsonlaw.com>]  
**Sent:** Monday, June 27, 2016 10:35 AM  
**To:** Schultheisz, Daniel <[Schultheisz.Daniel@epa.gov](mailto:Schultheisz.Daniel@epa.gov)>  
**Subject:** Meeting with Energy Fuels

Hello Dan:

I was following up on my phone call to you last week regarding a meeting with Energy Fuels Resources and EPA on Subpart W. I had spoken to Doug Mandeville and Bill von Till at NRC and they indicated they were willing to meet the week of the 25th of July. They offered the 25th or 27th as dates. Any chance we could schedule something with you sometime on the 25th-27th? Any time you could give us would be greatly appreciated. Thank you!

Sincerely,

Christopher S. Pugsley, Esq.  
Partner  
Thompson & Pugsley, PLLC  
1225 19th Street, NW  
Suite 300  
Washington, DC 20036  
o: (202) 496-0780  
f: (202) 496-0783  
m: (202) 870-3387  
[cpugsley@athompsonlaw.com](mailto:cpugsley@athompsonlaw.com)

*This message may contain information and/or attachments that are subject to attorney-client privilege or other protection. If you receive this message in error, please destroy all copies of this message and its attachments and contact Chris Pugsley at (202) 496-0780.*

**From:** [Thornton, Marisa](#) on behalf of [Collections.SubW](#)  
**To:** [Thornton, Marisa](#)  
**Subject:** Fw: Meeting with Energy Fuels  
**Date:** Wednesday, October 05, 2016 9:13:42 AM

---

---

**From:** Schultheisz, Daniel  
**Sent:** Friday, July 29, 2016 11:54 AM  
**To:** Collections.SubW  
**Subject:** FW: Meeting with Energy Fuels

---

**From:** Schultheisz, Daniel  
**Sent:** Monday, July 11, 2016 8:28 AM  
**To:** 'Chris Pugsley' <[cpugsley@athompsonlaw.com](mailto:cpugsley@athompsonlaw.com)>  
**Subject:** FW: Meeting with Energy Fuels

Chris:

Looks like we will need to push the meeting back to 3 pm. Does that still work for you? Thanks.

Dan

---

**From:** Schultheisz, Daniel  
**Sent:** Tuesday, June 28, 2016 8:21 AM  
**To:** 'Chris Pugsley' <[cpugsley@athompsonlaw.com](mailto:cpugsley@athompsonlaw.com)>  
**Subject:** RE: Meeting with Energy Fuels

Good. Details to follow.

---

**From:** Chris Pugsley [<mailto:cpugsley@athompsonlaw.com>]  
**Sent:** Tuesday, June 28, 2016 8:18 AM  
**To:** Schultheisz, Daniel <[Schultheisz.Daniel@epa.gov](mailto:Schultheisz.Daniel@epa.gov)>  
**Subject:** Re: Meeting with Energy Fuels

Perfect

*Sent from my Verizon Wireless 4G LTE DROID*

"Schultheisz, Daniel" <[Schultheisz.Daniel@epa.gov](mailto:Schultheisz.Daniel@epa.gov)> wrote:  
How is 2 pm on the 27<sup>th</sup>?

---

**From:** Chris Pugsley [<mailto:cpugsley@athompsonlaw.com>]  
**Sent:** Monday, June 27, 2016 12:03 PM  
**To:** Schultheisz, Daniel <[Schultheisz.Daniel@epa.gov](mailto:Schultheisz.Daniel@epa.gov)>  
**Subject:** Re: Meeting with Energy Fuels

NRC confirmed for the 27th at 9 am.

*Sent from my Verizon Wireless 4G LTE DROID*

"Schultheisz, Daniel" <[Schultheisz.Daniel@epa.gov](mailto:Schultheisz.Daniel@epa.gov)> wrote:

Chris:

Sorry I did not get back to you last week. It looks like we will have some availability on those dates, particularly in the afternoon. What times would work best for you? If you would like a specific level of management participation, let me know and I will try to line it up. Thanks.

Dan Schultheisz  
U.S. Environmental Protection Agency  
Office of Radiation and Indoor Air  
Radiation Protection Division  
(202) 343-9349

---

**From:** Chris Pugsley [<mailto:cpugsley@athompsonlaw.com>]  
**Sent:** Monday, June 27, 2016 10:35 AM  
**To:** Schultheisz, Daniel <[Schultheisz.Daniel@epa.gov](mailto:Schultheisz.Daniel@epa.gov)>  
**Subject:** Meeting with Energy Fuels

Hello Dan:

I was following up on my phone call to you last week regarding a meeting with Energy Fuels Resources and EPA on Subpart W. I had spoken to Doug Mandeville and Bill von Till at NRC and they indicated they were willing to meet the week of the 25th of July. They offered the 25th or 27th as dates. Any chance we could schedule something with you sometime on the 25th-27th? Any time you could give us would be greatly appreciated. Thank you!

Sincerely,

Christopher S. Pugsley, Esq.  
Partner  
Thompson & Pugsley, PLLC  
1225 19th Street, NW  
Suite 300



Washington, DC 20036

o: (202) 496-0780

f: (202) 496-0783

m: (202) 870-3387

[cpugsley@athompsonlaw.com](mailto:cpugsley@athompsonlaw.com)

*This message may contain information and/or attachments that are subject to attorney-client privilege or other protection. If you receive this message in error, please destroy all copies of this message and its attachments and contact Chris Pugsley at (202) 496-0780.*

**From:** [Thornton, Marisa](#) on behalf of [Collections.SubW](#)  
**To:** [Thornton, Marisa](#)  
**Subject:** Fw: Subpart W  
**Date:** Wednesday, October 05, 2016 9:13:51 AM  
**Attachments:** [Subpart W.msg](#)

---

---

**From:** Schultheisz, Daniel  
**Sent:** Friday, July 29, 2016 11:54 AM  
**To:** Collections.SubW  
**Subject:** FW: Subpart W

**From:** [Holden, Patricia](#) on behalf of [Edwards, Jonathan](#)  
**To:** [Schultheisz, Daniel](#); [Werner, Jacqueline](#); [Perrin, Alan](#); [Peake, Tom](#); [Seidman, Emily](#); [Cherepy, Andrea](#); [Stahle, Susan](#); [Rodman, Sonja](#)  
**Subject:** Subpart W

---

Purpose: Meeting with National Mining Association/Energy Fuels.

Technical POC: Dan Schultheisz

Scheduler:  
Patricia Holden  
202-343-9458

**From:** [Thornton, Marisa](#) on behalf of [Collections.SubW](#)  
**To:** [Thornton, Marisa](#)  
**Subject:** Fw: Revisions to Subpart W  
**Date:** Wednesday, October 05, 2016 9:14:02 AM

---

---

**From:** Schultheisz, Daniel  
**Sent:** Friday, July 29, 2016 11:54 AM  
**To:** Collections.SubW  
**Subject:** FW: Revisions to Subpart W

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**From:** Perrin, Alan  
**Sent:** Friday, July 08, 2016 5:59 PM  
**To:** Schultheisz, Daniel <[Schultheisz.Daniel@epa.gov](mailto:Schultheisz.Daniel@epa.gov)>  
**Subject:** RE: Revisions to Subpart W

Is someone in OAR taking care of anything that might be required in CMS?

~~~~~  
**Alan Perrin, Deputy Director**  
Radiation Protection Division, USEPA  
ofc (202) 343-9775 | mbl (202) 279-0376

---

**From:** Schultheisz, Daniel  
**Sent:** Friday, July 08, 2016 4:48 PM  
**To:** Edwards, Jonathan <[Edwards.Jonathan@epa.gov](mailto:Edwards.Jonathan@epa.gov)>  
**Cc:** Perrin, Alan <[Perrin.Alan@epa.gov](mailto:Perrin.Alan@epa.gov)>; Cherepy, Andrea <[Cherepy.Andrea@epa.gov](mailto:Cherepy.Andrea@epa.gov)>; Peake, Tom <[Peake.Tom@epa.gov](mailto:Peake.Tom@epa.gov)>; Lee, Raymond <[Lee.Raymond@epa.gov](mailto:Lee.Raymond@epa.gov)>  
**Subject:** FW: Revisions to Subpart W

FYI.

---

**From:** Schultheisz, Daniel  
**Sent:** Friday, July 08, 2016 4:26 PM  
**To:** Cyran, Carissa <[Carissa.Cyran@epa.gov](mailto:Carissa.Cyran@epa.gov)>  
**Subject:** Revisions to Subpart W

Carissa:

Attached are three documents responding to Janet's comments on the Subpart W final rule. They

are 1) a redline-strikeout version of the rule and preamble; 2) a clean version (dated July 8); and 3) a table showing how we considered each comment, with annotations providing additional detail. I will have to look through this again to see if any formatting issues came up when creating the clean version, and may have a few minor changes, but nothing significant.

I guess this may be too late to get to Janet today, as I understood she would be leaving around 2:45. Please let me know if you need anything else. Thanks.

Dan Schultheisz  
U.S. Environmental Protection Agency  
Office of Radiation and Indoor Air  
Radiation Protection Division  
(202) 343-9349

**From:** [Thornton, Marisa](#) on behalf of [Collections.SubW](#)  
**To:** [Thornton, Marisa](#)  
**Subject:** Fw: Revisions to Subpart W  
**Date:** Wednesday, October 05, 2016 9:14:11 AM

---

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**From:** Schultheisz, Daniel  
**Sent:** Friday, July 29, 2016 11:54 AM  
**To:** Collections.SubW  
**Subject:** FW: Revisions to Subpart W

---

**From:** Cyran, Carissa  
**Sent:** Friday, July 08, 2016 5:13 PM  
**To:** Schultheisz, Daniel <[Schultheisz.Daniel@epa.gov](mailto:Schultheisz.Daniel@epa.gov)>  
**Subject:** RE: Revisions to Subpart W

Thank you Daniel. I am sending the files forward electronically. If she doesn't have the opportunity to review I will have a hard copy of the RLSO for her on Monday.

---

**From:** Schultheisz, Daniel  
**Sent:** Friday, July 08, 2016 4:26 PM  
**To:** Cyran, Carissa <[Cyran.Carissa@epa.gov](mailto:Cyran.Carissa@epa.gov)>  
**Subject:** Revisions to Subpart W

Carissa:

Attached are three documents responding to Janet's comments on the Subpart W final rule. They are 1) a redline-strikeout version of the rule and preamble; 2) a clean version (dated July 8); and 3) a table showing how we considered each comment, with annotations providing additional detail. I will have to look through this again to see if any formatting issues came up when creating the clean version, and may have a few minor changes, but nothing significant.

I guess this may be too late to get to Janet today, as I understood she would be leaving around 2:45. Please let me know if you need anything else. Thanks.

Dan Schultheisz  
U.S. Environmental Protection Agency  
Office of Radiation and Indoor Air  
Radiation Protection Division  
(202) 343-9349

**From:** [Thornton, Marisa](#) on behalf of [Collections.SubW](#)  
**To:** [Thornton, Marisa](#)  
**Subject:** Fw: Just sent Subpart W back to OAR  
**Date:** Wednesday, October 05, 2016 9:14:20 AM

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---

**From:** Schultheisz, Daniel  
**Sent:** Friday, July 29, 2016 11:53 AM  
**To:** Collections.SubW  
**Subject:** FW: Just sent Subpart W back to OAR

---

**From:** Schultheisz, Daniel  
**Sent:** Friday, July 08, 2016 4:28 PM  
**To:** Perrin, Alan <Perrin.Alan@epa.gov>; Cherepy, Andrea <Cherepy.Andrea@epa.gov>; Peake, Tom <Peake.Tom@epa.gov>; Lee, Raymond <Lee.Raymond@epa.gov>  
**Subject:** Just sent Subpart W back to OAR

Redline-strikeout and clean versions, and annotated table of comments and responses.

**From:** [Thornton, Marisa](#) on behalf of [Collections.SubW](#)  
**To:** [Thornton, Marisa](#)  
**Subject:** Fw: Subpart W  
**Date:** Wednesday, October 05, 2016 9:14:30 AM

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---

**From:** Schultheisz, Daniel  
**Sent:** Friday, July 29, 2016 11:52 AM  
**To:** Collections.SubW  
**Subject:** FW: Subpart W

---

**From:** Seidman, Emily  
**Sent:** Tuesday, July 05, 2016 4:00 PM  
**To:** Schultheisz, Daniel <[Schultheisz.Daniel@epa.gov](mailto:Schultheisz.Daniel@epa.gov)>  
**Subject:** RE: Subpart W

I mistakenly left in a comment back-and-forth on p. 69. FYI- Sonja is good with the revised text.  
Thanks!

---

**From:** Seidman, Emily  
**Sent:** Tuesday, July 05, 2016 3:31 PM  
**To:** Schultheisz, Daniel <[Schultheisz.Daniel@epa.gov](mailto:Schultheisz.Daniel@epa.gov)>  
**Subject:** Subpart W

Dan,

The attached includes revisions from me and Sonja in response to comments from Janet directed to OGC, and some of her broader comments as well. I'm available most of this week to discuss, but will be out Thursday afternoon and Friday. However, if needed, I can jump on a call those days. I hope you enjoyed the long weekend.

Emily Seidman | US EPA | Office of General Counsel | Air and Radiation Law Office | Mail Code 2344A | WJCN 7409F | phone: (202) 564-0906

CONFIDENTIAL communication for internal deliberations only; may contain deliberative, attorney-client, attorney work product, or otherwise privileged material; do not distribute outside EPA or DOJ.



**From:** [Thornton, Marisa](#) on behalf of [Collections.SubW](#)  
**To:** [Thornton, Marisa](#)  
**Subject:** Fw: RECEIVED in OP for Approval for OMB - "NESHAP for Operating Uranium Mill Tailings - Amendments (Subpart W)" (5281)  
**Date:** Wednesday, October 05, 2016 9:14:40 AM

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**From:** Lee, Raymond  
**Sent:** Tuesday, July 26, 2016 3:20 PM  
**To:** Collections.SubW  
**Subject:** FW: RECEIVED in OP for Approval for OMB - 'NESHAP for Operating Uranium Mill Tailings - Amendments (Subpart W)' (5281)

---

**From:** Muellerleile, Caryn  
**Sent:** Tuesday, July 19, 2016 2:27 PM  
**To:** Schultheisz, Daniel <[Schultheisz.Daniel@epa.gov](mailto:Schultheisz.Daniel@epa.gov)>; Perrin, Alan <[Perrin.Alan@epa.gov](mailto:Perrin.Alan@epa.gov)>; Peake, Tom <[Peake.Tom@epa.gov](mailto:Peake.Tom@epa.gov)>  
**Cc:** Edwards, Jonathan <[Edwards.Jonathan@epa.gov](mailto:Edwards.Jonathan@epa.gov)>; Werner, Jacqueline <[Werner.Jacqueline@epa.gov](mailto:Werner.Jacqueline@epa.gov)>; Egidi, Philip <[Egidi.Philip@epa.gov](mailto:Egidi.Philip@epa.gov)>; Nesky, Anthony <[Nesky.Tony@epa.gov](mailto:Nesky.Tony@epa.gov)>; Lee, Raymond <[Lee.Raymond@epa.gov](mailto:Lee.Raymond@epa.gov)>; Johnson, Ann <[Johnson.Ann@epa.gov](mailto:Johnson.Ann@epa.gov)>  
**Subject:** RE: RECEIVED in OP for Approval for OMB - 'NESHAP for Operating Uranium Mill Tailings - Amendments (Subpart W)' (5281)

So there was some confusion on OIRA's part on which rule is currently in play: Vlad will not be reviewing Subpart W, but instead the Part 192 rule, which I understand will come this way in a month or so. Vlad will still want the briefing on that rule (in advance of interagency review).

For Subpart W, Aaron Szabo will be the OIRA reviewer and he does not need an advance briefing.

I will work with whomever it is appropriate on the Part 192 rule when the timing is appropriate.

Thanks all!  
Caryn

Caryn Muellerleile  
Regulatory Management Division  
Office of Policy  
US Environmental Protection Agency  
1200 Pennsylvania Ave NW (1803A)  
Washington, DC 20460

(202) 564-2855

[muellerleile.caryn@epa.gov](mailto:muellerleile.caryn@epa.gov)

---

**From:** Muellerleile, Caryn

**Sent:** Monday, July 18, 2016 1:53 PM

**To:** Schultheisz, Daniel <[Schultheisz.Daniel@epa.gov](mailto:Schultheisz.Daniel@epa.gov)>; Perrin, Alan <[Perrin.Alan@epa.gov](mailto:Perrin.Alan@epa.gov)>; Peake, Tom <[Peake.Tom@epa.gov](mailto:Peake.Tom@epa.gov)>

**Cc:** Edwards, Jonathan <[Edwards.Jonathan@epa.gov](mailto:Edwards.Jonathan@epa.gov)>; Werner, Jacqueline <[Werner.Jacqueline@epa.gov](mailto:Werner.Jacqueline@epa.gov)>; Egidi, Philip <[Egidi.Philip@epa.gov](mailto:Egidi.Philip@epa.gov)>; Nesky, Anthony <[Nesky.Tony@epa.gov](mailto:Nesky.Tony@epa.gov)>; Lee, Raymond <[Lee.Raymond@epa.gov](mailto:Lee.Raymond@epa.gov)>; Johnson, Ann <[Johnson.Ann@epa.gov](mailto:Johnson.Ann@epa.gov)>

**Subject:** FW: RECEIVED in OP for Approval for OMB - 'NESHAP for Operating Uranium Mill Tailings - Amendments (Subpart W)' (5281)

Greetings all:

Vlad Dorjets, from OMB's Office of Information & Regulatory Affairs, has recently been assigned review of ORIA activity from EPA. He has requested a background briefing on the subject rule before we transmit the final formally into interagency review under Executive Order 12866.

I plan to review your calendars and set up a 45-60 minute teleconference with Vlad (and any counterparts he requests) for this week or next. I spoke to Dan and I do not believe you need to do a great deal of preparation for this briefing, but mostly be prepared to describe the statutory and regulatory background, as well as some informational basics about the rule proposal that published in May 2014.

Please let me know if you have any questions or concerns. Otherwise, stay tuned for a calendar invitation.

Caryn Muellerleile  
Regulatory Management Division  
Office of Policy  
US Environmental Protection Agency  
1200 Pennsylvania Ave NW (1803A)  
Washington, DC 20460  
(202) 564-2855  
[muellerleile.caryn@epa.gov](mailto:muellerleile.caryn@epa.gov)

---

**From:** Muellerleile, Caryn

**Sent:** Tuesday, July 12, 2016 9:41 AM

**To:**

**Subject:** RECEIVED in OP for Approval for OMB - 'NESHAP for Operating Uranium Mill Tailings - Amendments (Subpart W)' (5281)

Today, OP received OAR's **NESHAP for Operating Uranium Mill Tailings - Amendments (Subpart W)** (5281). This tier 3 Final is in OP for approval to transmit to OMB for interagency review. This is a Standard review. ADP Tracker has been updated.

Caryn Muellerleile  
Regulatory Management Division  
Office of Policy  
US Environmental Protection Agency  
1200 Pennsylvania Ave NW (1803A)  
Washington, DC 20460  
(202) 564-2855  
[muellerleile.caryn@epa.gov](mailto:muellerleile.caryn@epa.gov)

**From:** [Thornton, Marisa](#) on behalf of [Collections.SubW](#)  
**To:** [Thornton, Marisa](#)  
**Subject:** Fw: Revisions to Subpart W  
**Date:** Thursday, October 06, 2016 8:26:54 AM

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**From:** Schultheisz, Daniel  
**Sent:** Wednesday, October 5, 2016 1:24 PM  
**To:** Collections.SubW  
**Subject:** FW: Revisions to Subpart W

---

**From:** Schultheisz, Daniel  
**Sent:** Monday, July 11, 2016 10:40 AM  
**To:** Seidman, Emily <[seidman.emily@epa.gov](mailto:seidman.emily@epa.gov)>  
**Subject:** RE: Revisions to Subpart W

Just to be clear: you prefer “at which” rather than “below which”? You did not strikeout “below,” but I assume you meant to.

Janet’s other comments are pretty benign. One or two word selections and a couple of typos from the new material.

If you are okay, I will send a new version to OAR. Thanks.

---

**From:** Seidman, Emily  
**Sent:** Monday, July 11, 2016 10:13 AM  
**To:** Schultheisz, Daniel <[Schultheisz.Daniel@epa.gov](mailto:Schultheisz.Daniel@epa.gov)>  
**Subject:** RE: Revisions to Subpart W

Dan-

Looks good to me. One small typographical edit on p. 94.

Emily Seidman | US EPA | Office of General Counsel | Air and Radiation Law Office | Mail Code 2344A | WJCN 7409F | phone: (202) 564-0906

CONFIDENTIAL communication for internal deliberations only; may contain deliberative, attorney-client, attorney work product, or otherwise privileged material; do not distribute outside EPA or DOJ.

---

**From:** Schultheisz, Daniel  
**Sent:** Friday, July 08, 2016 4:37 PM  
**To:** Seidman, Emily <[seidman.emily@epa.gov](mailto:seidman.emily@epa.gov)>; Johnson, Ann <[Johnson.Ann@epa.gov](mailto:Johnson.Ann@epa.gov)>  
**Subject:** FW: Revisions to Subpart W

Emily and Ann:

For your reading pleasure. Thanks.

Dan

---

**From:** Schultheisz, Daniel  
**Sent:** Friday, July 08, 2016 4:26 PM  
**To:** Cyran, Carissa <[Cyran.Carissa@epa.gov](mailto:Cyran.Carissa@epa.gov)>  
**Subject:** Revisions to Subpart W

Carissa:

Attached are three documents responding to Janet's comments on the Subpart W final rule. They are 1) a redline-strikeout version of the rule and preamble; 2) a clean version (dated July 8); and 3) a table showing how we considered each comment, with annotations providing additional detail. I will have to look through this again to see if any formatting issues came up when creating the clean version, and may have a few minor changes, but nothing significant.

I guess this may be too late to get to Janet today, as I understood she would be leaving around 2:45. Please let me know if you need anything else. Thanks.

Dan Schultheisz  
U.S. Environmental Protection Agency  
Office of Radiation and Indoor Air  
Radiation Protection Division  
(202) 343-9349

**From:** [Thornton, Marisa](#) on behalf of [Collections.SubW](#)  
**To:** [Thornton, Marisa](#)  
**Subject:** Fw: EPA Content Needs Approval: Radiation Protection > Subpart W Rulemaking Activity--Published  
**Date:** Wednesday, October 05, 2016 10:45:44 AM

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---

**From:** Nesky, Anthony  
**Sent:** Thursday, September 29, 2016 7:56 PM  
**To:** Collections.SubW  
**Subject:** FW: EPA Content Needs Approval: Radiation Protection > Subpart W Rulemaking Activity--Published

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

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

From: Nesky, Anthony  
Sent: Friday, August 12, 2016 5:03 PM  
To: Shogren, Angela <[Shogren.Angela@epa.gov](mailto:Shogren.Angela@epa.gov)>; Thornton, Marisa <[Thornton.Marisa@epa.gov](mailto:Thornton.Marisa@epa.gov)>  
Subject: FW: EPA Content Needs Approval: Radiation Protection > Subpart W Rulemaking Activity--Published

It's published! Thanks!

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

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

From: [drupal\\_admin@epa.gov](mailto:drupal_admin@epa.gov) [[mailto:drupal\\_admin@epa.gov](mailto:drupal_admin@epa.gov)]  
Sent: Friday, August 12, 2016 7:00 AM  
To: Nesky, Anthony <[Nesky.Tony@epa.gov](mailto:Nesky.Tony@epa.gov)>  
Subject: EPA Content Needs Approval: Radiation Protection > Subpart W Rulemaking Activity

The following EPA page has been submitted for review and approval:

Radiation Protection > Subpart W Rulemaking Activity <https://wcms.epa.gov/user/login?destination=node/78045/revisions/408899/view>

Comments: Changed "Spring 2016" to "Fall 2016."

**From:** [Thornton, Marisa](#) on behalf of [Collections.SubW](#)  
**To:** [Thornton, Marisa](#)  
**Subject:** Fw: Quick Update to Subpart W  
**Date:** Wednesday, October 05, 2016 10:45:54 AM

---

---

**From:** Nesky, Anthony  
**Sent:** Thursday, September 29, 2016 7:55 PM  
**To:** Collections.SubW  
**Subject:** FW: Quick Update to Subpart W

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

---

**From:** Nesky, Anthony  
**Sent:** Thursday, August 11, 2016 4:23 PM  
**To:** Thornton, Marisa <[Thornton.Marisa@epa.gov](mailto:Thornton.Marisa@epa.gov)>  
**Subject:** Quick Update to Subpart W

Dear Marisa:

On:  
<https://www.epa.gov/radiation/subpart-w-rulemaking-activity>

In the second paragraph, please change "Spring 2016" to "Fall 2016." I'll publish when you are finished. Thanks.

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

**From:** [Thornton, Marisa](#) on behalf of [Collections.SubW](#)  
**To:** [Thornton, Marisa](#)  
**Subject:** Fw: Subpart W  
**Date:** Wednesday, October 05, 2016 10:46:04 AM

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---

**From:** Shogren, Angela  
**Sent:** Tuesday, September 27, 2016 9:46 AM  
**To:** Collections.SubW  
**Subject:** FW: Subpart W

**Angela Shogren** | Public Affairs Specialist | U.S. Environmental Protection Agency | Tel 202 343 9761 | [shogren.angela@epa.gov](mailto:shogren.angela@epa.gov)

---

**From:** Mitchell, Greg  
**Sent:** Tuesday, September 27, 2016 7:25 AM  
**To:** Shogren, Angela <[Shogren.Angela@epa.gov](mailto:Shogren.Angela@epa.gov)>  
**Subject:** RE: Subpart W

Yes. I get a lunch break at ~12:35. This is a very technical rapid-paced Azure cloud class, and the instructor bounces all over the place and yesterday I didn't complete the labs until nearly 6:30pm, so I'll call you when I get a moment and can get into EPA mode. ☺ Would I call your work or home number?

---

**From:** Shogren, Angela  
**Sent:** Tuesday, September 27, 2016 7:09 AM  
**To:** Mitchell, Greg <[Mitchell.Greg@epa.gov](mailto:Mitchell.Greg@epa.gov)>  
**Subject:** Re: Subpart W

Thanks. I feel like we still have some stuff to iron out though. Do you have time today to talk? I also want to talk about the mirror server.

**Angela Shogren**  
Public Affairs Specialist  
Radiation Protection Division  
U.S. Environmental Protection Agency Tel (202) 343-9761  
[Shogren.Angela@epa.gov](mailto:Shogren.Angela@epa.gov)

On Sep 27, 2016, at 6:37 AM, Mitchell, Greg <[Mitchell.Greg@epa.gov](mailto:Mitchell.Greg@epa.gov)> wrote:

Sorry this got away from me. You have my IGCE. I think the ROM went directly back to



Bijan and I'll have it later today.

My recommendation is to prepare for the PR obligation (info, below). Also, call Mike Hart 202-566-1696 then possibly follow up with Bijan.

I'll keep an eye out for the ROM and forward to you as soon as possible. Once we establish the actual amount between IGCE & ROM and you have finalized the PR, I'll make sure the SOW gets started.

Sincerely,

Greg

919-917-4667 (cell)

CDX Task Order Contract #: GS00Q09BGD0022 Task Order #: EP-G11H-00154  
TDD# 11.02 (also refer to Subpart W)

POC (Primary)Greg Mitchell 919-541-4823;

COR: Bijan Mashayekhi 202-566-2973 or Mike Hart (202) 566-1696.

Buyer: HPOD/IRMPSC; CO: Marisol Ventura and Kevin Thunell

**From:** [Thornton, Marisa](#) on behalf of [Collections.SubW](#)  
**To:** [Thornton, Marisa](#)  
**Subject:** Fw: Subpart W  
**Date:** Wednesday, October 05, 2016 10:46:10 AM

---

---

**From:** Shogren, Angela  
**Sent:** Tuesday, September 27, 2016 9:46 AM  
**To:** Collections.SubW  
**Subject:** FW: Subpart W

**Angela Shogren** | Public Affairs Specialist | U.S. Environmental Protection Agency | Tel 202 343 9761 | [shogren.angela@epa.gov](mailto:shogren.angela@epa.gov)

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**From:** Mitchell, Greg  
**Sent:** Tuesday, September 27, 2016 6:38 AM  
**To:** Shogren, Angela <[Shogren.Angela@epa.gov](mailto:Shogren.Angela@epa.gov)>  
**Subject:** Subpart W

Sorry this got away from me. You have my IGCE. I think the ROM went directly back to Bijan and I'll have it later today.

My recommendation is to prepare for the PR obligation (info, below). Also, call Mike Hart 202-566-1696 then possibly follow up with Bijan.

I'll keep an eye out for the ROM and forward to you as soon as possible. Once we establish the actual amount between IGCE & ROM and you have finalized the PR, I'll make sure the SOW gets started.

Sincerely,  
Greg  
919-917-4667 (cell)

CDX Task Order Contract #: GS00Q09BGD0022 Task Order #: EP-G11H-00154 TDD# 11.02  
(also refer to Subpart W)

POC (Primary)Greg Mitchell 919-541-4823;  
COR: Bijan Mashayekhi 202-566-2973 or Mike Hart (202) 566-1696.  
Buyer: HPOD/IRMPSC; CO: Marisol Ventura and Kevin Thunell

**From:** [Thornton, Marisa](#) on behalf of [Collections.SubW](#)  
**To:** [Thornton, Marisa](#)  
**Subject:** Fw: screenshot future  
**Date:** Wednesday, October 05, 2016 10:46:23 AM  
**Attachments:** [More-Custom-CEDRI.JPG](#)

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**From:** Shogren, Angela  
**Sent:** Tuesday, September 27, 2016 9:44 AM  
**To:** Collections.SubW  
**Subject:** FW: screenshot future

**Angela Shogren** | Public Affairs Specialist | U.S. Environmental Protection Agency | Tel 202 343 9761 | [shogren.angela@epa.gov](mailto:shogren.angela@epa.gov)

---

**From:** Mitchell, Greg  
**Sent:** Monday, August 15, 2016 2:20 PM  
**To:** Shogren, Angela <Shogren.Angela@epa.gov>  
**Subject:** screenshot future

page.

**EPA** United States Environmental Protection Agency

Logged in as **ESHITA SHAHEED**  
Return to CDX | Logout

MyCEDRI | CEDRI History | User Management | CEDRI Help

MyCEDRI

What would you like to do?

- Create a Report
- View/Certify Reports
- Create a Bulk Upload Report
- Respond to an ICR
- Manage Facilities/Subfacilities
- Manage My Profile

Notifications  
Notifications are TBD

**My Profile** [Manage My Profile](#)

Name: Eshta Shaheed  
CDX Username: eshta.shaheed  
Email Address: eshta.shaheed@cgfederal.com  
Phone: (703) 227-6000  
Organizations: CGI FEDERAL ( ), CVS Caremark  
Program Service: CEDRI  
Role: Certifier

**My Regulations** [Manage Regulations](#)

| 40 CFR Part | Subpart                            |
|-------------|------------------------------------|
| Part 60     | Subpart DDDDD- Major Source Boiler |
| Part 63     | Subpart LLL- Portland Cement       |
| Part 63     | Subpart CC- Petroleum Refineries   |

**My Facility(s)/Subfacility(s)** [Manage Facility\(s\)/Subfacility\(s\)](#)

| EPA Registry ID | Facility Name      |
|-----------------|--------------------|
| 110046407964    | CVS PHARMACY #1417 |
| 110046408552    | CVS PHARMACY #2013 |
| 110063085593    | CVS PHARMACY #5467 |

Subfacility data will be added to the My Facility table once available

EPA Home | Privacy and Security Notice | Accessibility | About CDX | Frequently Asked Questions | Terms and Conditions | Contact Us

New UI -> Old UI:  
My CEDRI -> Submission Home  
CEDRI History -> CEDRI History  
User Management -> User Management  
CEDRI Help -> CEDRI Help

Create a Report -> New Submission Package (createNew)  
View/Certify Report(s) -> Nothing in Existing UI. Need My Reports Page to be developed  
Create a New Bulk Upload -> Nothing in Existing UI  
Respond to a new ICR -> Nothing in Existing UI  
Manage Facilities/Subfacilities -> Manage Facilities  
Manage User Profile -> My Profile

Display existing facilities registered to the user.

Pop-up that appears for Certifiers when accessing MyCEDRI and reports are pending certification. 'Access My Reports' takes the user to an anchor at the top of the 'Reports Pending Signature' table.

✓ You have 5 Reports Pending Signature.

[Access My Reports](#)

Nothing in existing UI. For initial rollout, this does not need to be included.

Pop-up that appears for Preparers when accessing MyCEDRI and reports are under development. 'Access My Reports' takes the user to an anchor at the top of the 'Reports Under Development' table.

✓ You have 10 Reports Under Development.

[Access My Reports](#)

Displays in the 'My Facility' box when facilities have not yet been set.

**My Facility(s)/Subfacility(s)**

You have not added a facility. You must add a facility before selecting and submitting a report in CEDRI.

[Manage Facility\(s\)](#)

Pop-up that appears when user deletes a report.

⚠ Are you sure you would like to remove selected report(s)?

[Remove Selected Reports](#) [Cancel](#)

Displays in the 'My Regulations' box when Regulations have not been set.

**My Regulations**

You have not set your default regulations.

[Manage Regulations](#)

**From:** [Thornton, Marisa](#) on behalf of [Collections.SubW](#)  
**To:** [Thornton, Marisa](#)  
**Subject:** Fw: Subpart W Briefing  
**Date:** Wednesday, October 05, 2016 10:46:31 AM

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**From:** Schultheisz, Daniel  
**Sent:** Friday, September 23, 2016 11:10 AM  
**To:** Collections.SubW  
**Subject:** FW: Subpart W Briefing

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**From:** Ayres, Sara  
**Sent:** Wednesday, August 31, 2016 4:05 PM  
**To:** Schultheisz, Daniel <[Schultheisz.Daniel@epa.gov](mailto:Schultheisz.Daniel@epa.gov)>  
**Subject:** RE: Subpart W Briefing

Any update on the status of this rule? Thanks.

Sara Ayres  
Air Branch  
USEPA / OECA / OC / MAMPD  
[ayres.sara@epa.gov](mailto:ayres.sara@epa.gov)  
(312) 353-6266

---

**From:** Schultheisz, Daniel  
**Sent:** Tuesday, May 31, 2016 3:04 PM  
**To:** Johnson, Ann <[Johnson.Ann@epa.gov](mailto:Johnson.Ann@epa.gov)>; Ayres, Sara <[Ayres.Sara@epa.gov](mailto:Ayres.Sara@epa.gov)>; Hooper, Charles A. <[Hooper.CharlesA@epa.gov](mailto:Hooper.CharlesA@epa.gov)>; Zhen, Davis <[Zhen.Davis@epa.gov](mailto:Zhen.Davis@epa.gov)>; Eagles, Tom <[Eagles.Tom@epa.gov](mailto:Eagles.Tom@epa.gov)>; Egidi, Philip <[Egidi.Philip@epa.gov](mailto:Egidi.Philip@epa.gov)>; Fairchild, Susan <[Fairchild.Susan@epa.gov](mailto:Fairchild.Susan@epa.gov)>; Brozowski, George <[brozowski.george@epa.gov](mailto:brozowski.george@epa.gov)>; Law, Donald <[Law.Donald@epa.gov](mailto:Law.Donald@epa.gov)>; Ginsberg, Marilyn <[Ginsberg.Marilyn@epa.gov](mailto:Ginsberg.Marilyn@epa.gov)>; Peake, Tom <[Peake.Tom@epa.gov](mailto:Peake.Tom@epa.gov)>; Rosencrantz, Ingrid <[Rosencrantz.Ingrid@epa.gov](mailto:Rosencrantz.Ingrid@epa.gov)>; Seidman, Emily <[seidman.emily@epa.gov](mailto:seidman.emily@epa.gov)>; Walker, Stuart <[Walker.Stuart@epa.gov](mailto:Walker.Stuart@epa.gov)>; Stahle, Susan <[Stahle.Susan@epa.gov](mailto:Stahle.Susan@epa.gov)>; Benner, Tim <[Benner.Tim@epa.gov](mailto:Benner.Tim@epa.gov)>; Mills, Jason <[Mills.Jason@epa.gov](mailto:Mills.Jason@epa.gov)>; Rodman, Sonja <[Rodman.Sonja@epa.gov](mailto:Rodman.Sonja@epa.gov)>  
**Subject:** Subpart W Briefing

Subpart W Workgroup Members:

Attached is a briefing prepared for the ORIA Acting OD in advance of the package moving to OAR at

the end of the week. Janet McCabe has also requested a briefing on Thursday. It will be only 30 minutes but will probably look similar.

Please feel free to use this briefing for your management as needed. Also please let me know as soon as possible if you have any concerns with the package moving forward. Thanks.

Dan

**From:** [Thornton, Marisa](#) on behalf of [Collections.SubW](#)  
**To:** [Thornton, Marisa](#)  
**Subject:** Fw: Subpart W Briefing  
**Date:** Wednesday, October 05, 2016 10:46:41 AM

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**From:** Schultheisz, Daniel  
**Sent:** Friday, September 23, 2016 11:10 AM  
**To:** Collections.SubW  
**Subject:** FW: Subpart W Briefing

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**From:** Ayres, Sara  
**Sent:** Wednesday, August 31, 2016 4:05 PM  
**To:** Schultheisz, Daniel <[Schultheisz.Daniel@epa.gov](mailto:Schultheisz.Daniel@epa.gov)>  
**Subject:** RE: Subpart W Briefing

Any update on the status of this rule? Thanks.

Sara Ayres  
Air Branch  
USEPA / OECA / OC / MAMPD  
[ayres.sara@epa.gov](mailto:ayres.sara@epa.gov)  
(312) 353-6266

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**From:** Schultheisz, Daniel  
**Sent:** Tuesday, May 31, 2016 3:04 PM  
**To:** Johnson, Ann <[Johnson.Ann@epa.gov](mailto:Johnson.Ann@epa.gov)>; Ayres, Sara <[Ayres.Sara@epa.gov](mailto:Ayres.Sara@epa.gov)>; Hooper, Charles A. <[Hooper.CharlesA@epa.gov](mailto:Hooper.CharlesA@epa.gov)>; Zhen, Davis <[Zhen.Davis@epa.gov](mailto:Zhen.Davis@epa.gov)>; Eagles, Tom <[Eagles.Tom@epa.gov](mailto:Eagles.Tom@epa.gov)>; Egidi, Philip <[Egidi.Philip@epa.gov](mailto:Egidi.Philip@epa.gov)>; Fairchild, Susan <[Fairchild.Susan@epa.gov](mailto:Fairchild.Susan@epa.gov)>; Brozowski, George <[brozowski.george@epa.gov](mailto:brozowski.george@epa.gov)>; Law, Donald <[Law.Donald@epa.gov](mailto:Law.Donald@epa.gov)>; Ginsberg, Marilyn <[Ginsberg.Marilyn@epa.gov](mailto:Ginsberg.Marilyn@epa.gov)>; Peake, Tom <[Peake.Tom@epa.gov](mailto:Peake.Tom@epa.gov)>; Rosencrantz, Ingrid <[Rosencrantz.Ingrid@epa.gov](mailto:Rosencrantz.Ingrid@epa.gov)>; Seidman, Emily <[seidman.emily@epa.gov](mailto:seidman.emily@epa.gov)>; Walker, Stuart <[Walker.Stuart@epa.gov](mailto:Walker.Stuart@epa.gov)>; Stahle, Susan <[Stahle.Susan@epa.gov](mailto:Stahle.Susan@epa.gov)>; Benner, Tim <[Benner.Tim@epa.gov](mailto:Benner.Tim@epa.gov)>; Mills, Jason <[Mills.Jason@epa.gov](mailto:Mills.Jason@epa.gov)>; Rodman, Sonja <[Rodman.Sonja@epa.gov](mailto:Rodman.Sonja@epa.gov)>  
**Subject:** Subpart W Briefing

Subpart W Workgroup Members:

Attached is a briefing prepared for the ORIA Acting OD in advance of the package moving to OAR at

the end of the week. Janet McCabe has also requested a briefing on Thursday. It will be only 30 minutes but will probably look similar.

Please feel free to use this briefing for your management as needed. Also please let me know as soon as possible if you have any concerns with the package moving forward. Thanks.

Dan



**From:** [Thornton, Marisa](#) on behalf of [Collections.SubW](#)  
**To:** [Thornton, Marisa](#)  
**Subject:** Fw: Review Subpart W webpages  
**Date:** Wednesday, October 05, 2016 10:46:55 AM

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**From:** Schultheisz, Daniel  
**Sent:** Friday, September 23, 2016 11:09 AM  
**To:** Collections.SubW  
**Subject:** FW: Review Subpart W webpages

-----Original Appointment-----

**From:** Schultheisz, Daniel  
**Sent:** Wednesday, August 31, 2016 8:14 AM  
**To:** Shogren, Angela  
**Subject:** Accepted: Review Subpart W webpages  
**When:** Wednesday, August 31, 2016 9:30 AM-10:00 AM (UTC-05:00) Eastern Time (US & Canada).  
**Where:** Dan's office

**From:** [Thornton, Marisa](#) on behalf of [Collections.SubW](#)  
**To:** [Thornton, Marisa](#)  
**Subject:** Fw: E.O. 12866 Meeting on National Emission Standards for Hazardous Air Pollutants (NESHAP) Subpart W: Standards for Radon Emissions From Operating Uranium Mill Tailings: Review  
**Date:** Wednesday, October 05, 2016 10:47:03 AM

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**From:** Schultheisz, Daniel  
**Sent:** Friday, September 23, 2016 11:09 AM  
**To:** Collections.SubW  
**Subject:** FW: E.O. 12866 Meeting on National Emission Standards for Hazardous Air Pollutants (NESHAP) Subpart W: Standards for Radon Emissions From Operating Uranium Mill Tailings: Review

-----Original Appointment-----

**From:** Schultheisz, Daniel  
**Sent:** Tuesday, August 30, 2016 10:28 AM  
**To:** Echols, Mabel  
**Subject:** Accepted: E.O. 12866 Meeting on National Emission Standards for Hazardous Air Pollutants (NESHAP) Subpart W: Standards for Radon Emissions From Operating Uranium Mill Tailings: Review  
**When:** Tuesday, September 06, 2016 2:00 PM-2:30 PM (UTC-05:00) Eastern Time (US & Canada).  
**Where:** 1800 G Street, NW, 9th floor - conference room 2

**From:** [Thornton, Marisa](#) on behalf of [Collections.SubW](#)  
**To:** [Thornton, Marisa](#)  
**Subject:** Fw: Subpart W  
**Date:** Wednesday, October 05, 2016 10:47:15 AM

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**From:** Schultheisz, Daniel  
**Sent:** Friday, September 23, 2016 11:09 AM  
**To:** Collections.SubW  
**Subject:** FW: Subpart W

---

**From:** Johnson, Ann  
**Sent:** Saturday, August 27, 2016 4:06 PM  
**To:** Schultheisz, Daniel <Schultheisz.Daniel@epa.gov>  
**Cc:** Corrales, Mark <Corrales.Mark@epa.gov>; Boyle, Kathryn <Boyle.Kathryn@epa.gov>  
**Subject:** Subpart W

Hi Dan,

I am out most of next week. If anything comes up on Subpart W – comments in, responses out, meetings, etc – please let Mark Corrales and/or Kathryn Boyle know.

Thanks so much.

Ann

**From:** [Thornton, Marisa](#) on behalf of [Collections.SubW](#)  
**To:** [Thornton, Marisa](#)  
**Subject:** Fw: Status  
**Date:** Wednesday, October 05, 2016 10:47:25 AM

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**From:** Schultheisz, Daniel  
**Sent:** Friday, September 23, 2016 11:08 AM  
**To:** Collections.SubW  
**Subject:** FW: Status

---

**From:** Johnson, Ann  
**Sent:** Tuesday, August 23, 2016 2:14 PM  
**To:** Schultheisz, Daniel <[Schultheisz.Daniel@epa.gov](mailto:Schultheisz.Daniel@epa.gov)>  
**Subject:** RE: Status

Thanks. That is what I had in my notes.

---

**From:** Schultheisz, Daniel  
**Sent:** Tuesday, August 23, 2016 2:13 PM  
**To:** Johnson, Ann <[Johnson.Ann@epa.gov](mailto:Johnson.Ann@epa.gov)>  
**Subject:** RE: Status

No, I have not heard anything. Comments were requested from reviewing agencies by last Thursday. I really didn't anticipate hearing until later this week, at the earliest. I will let you know. Thanks.

---

**From:** Johnson, Ann  
**Sent:** Tuesday, August 23, 2016 2:12 PM  
**To:** Schultheisz, Daniel <[Schultheisz.Daniel@epa.gov](mailto:Schultheisz.Daniel@epa.gov)>  
**Subject:** Status

Hi Dan,

Has there been any communication with OMB? Comments from them or transmittal of responses to them? I know there was an internal deadline.

Thanks.  
Ann

**From:** [Thornton, Marisa](#) on behalf of [Collections.SubW](#)  
**To:** [Thornton, Marisa](#)  
**Subject:** Fw: Status  
**Date:** Wednesday, October 05, 2016 10:47:38 AM

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---

**From:** Schultheisz, Daniel  
**Sent:** Friday, September 23, 2016 11:08 AM  
**To:** Collections.SubW  
**Subject:** FW: Status

---

**From:** Schultheisz, Daniel  
**Sent:** Tuesday, August 23, 2016 2:13 PM  
**To:** Johnson, Ann <[Johnson.Ann@epa.gov](mailto:Johnson.Ann@epa.gov)>  
**Subject:** RE: Status

No, I have not heard anything. Comments were requested from reviewing agencies by last Thursday. I really didn't anticipate hearing until later this week, at the earliest. I will let you know. Thanks.

---

**From:** Johnson, Ann  
**Sent:** Tuesday, August 23, 2016 2:12 PM  
**To:** Schultheisz, Daniel <[Schultheisz.Daniel@epa.gov](mailto:Schultheisz.Daniel@epa.gov)>  
**Subject:** Status

Hi Dan,

Has there been any communication with OMB? Comments from them or transmittal of responses to them? I know there was an internal deadline.

Thanks.  
Ann

**From:** [Thornton, Marisa](#) on behalf of [Collections.SubW](#)  
**To:** [Thornton, Marisa](#)  
**Subject:** Fw: Status  
**Date:** Wednesday, October 05, 2016 10:47:48 AM

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**From:** Schultheisz, Daniel  
**Sent:** Friday, September 23, 2016 11:08 AM  
**To:** Collections.SubW  
**Subject:** FW: Status

---

**From:** Johnson, Ann  
**Sent:** Tuesday, August 23, 2016 2:12 PM  
**To:** Schultheisz, Daniel <[Schultheisz.Daniel@epa.gov](mailto:Schultheisz.Daniel@epa.gov)>  
**Subject:** Status

Hi Dan,

Has there been any communication with OMB? Comments from them or transmittal of responses to them? I know there was an internal deadline.

Thanks.  
Ann

**From:** [Thornton, Marisa](#) on behalf of [Collections.SubW](#)  
**To:** [Thornton, Marisa](#)  
**Subject:** Fw: Review Subpart W webpages  
**Date:** Wednesday, October 05, 2016 10:47:56 AM  
**Attachments:** [Review Subpart W webpages.msg](#)

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---

**From:** Schultheisz, Daniel  
**Sent:** Friday, September 23, 2016 11:08 AM  
**To:** Collections.SubW  
**Subject:** FW: Review Subpart W webpages

**From:** [Shogren, Angela](#)  
**To:** [Schultheisz, Daniel](#)  
**Subject:** Review Subpart W webpages

---

Hi Dan,

It's time to review the following pages and you are listed as the Content Owner.

<https://www.epa.gov/radiation/subpart-w-rulemaking-activity-applications> (this page only houses links to documents – this should be a very minor review)

<https://www.epa.gov/radiation/subpart-w-national-emission-standards-radon-emissions-operating-mill-tailings> (this will be more substantial review).

Can we meet to talk about any changes necessary to these pages?

(If possible, print and mark-up any changes you'd like before we meet so we can spend the full half hour discussing the proposed changes/additions/edits.)

Thanks – Angela



**From:** [Thornton, Marisa](#) on behalf of [Collections.SubW](#)  
**To:** [Thornton, Marisa](#)  
**Subject:** Fw: Further Submissions -- Docket ID NO. EPA-HQ-OAR-2008-0218 -- Subpart W Rulemaking  
**Date:** Wednesday, October 05, 2016 10:48:07 AM  
**Attachments:** [image001.png](#)  
[Lr to Jon Edwards EPA 8.18.16.pdf](#)

---

**From:** Schultheisz, Daniel  
**Sent:** Friday, September 23, 2016 11:07 AM  
**To:** Collections.SubW  
**Subject:** FW: Further Submissions -- Docket ID NO. EPA-HQ-OAR-2008-0218 -- Subpart W Rulemaking

**From:** Edwards, Jonathan  
**Sent:** Sunday, August 21, 2016 8:34 PM  
**To:** Werner, Jacqueline <[Werner.Jacqueline@epa.gov](mailto:Werner.Jacqueline@epa.gov)>; Perrin, Alan <[Perrin.Alan@epa.gov](mailto:Perrin.Alan@epa.gov)>; Peake, Tom <[Peake.Tom@epa.gov](mailto:Peake.Tom@epa.gov)>; Schultheisz, Daniel <[Schultheisz.Daniel@epa.gov](mailto:Schultheisz.Daniel@epa.gov)>  
**Subject:** FW: Further Submissions -- Docket ID NO. EPA-HQ-OAR-2008-0218 -- Subpart W Rulemaking

FYI--- Please make sure this letter gets in the docket. Thanks--Jon

**From:** David Frydenlund [<mailto:DFrydenlund@energyfuels.com>]  
**Sent:** Thursday, August 18, 2016 7:07 PM  
**To:** Edwards, Jonathan <[Edwards.Jonathan@epa.gov](mailto:Edwards.Jonathan@epa.gov)>  
**Subject:** Further Submissions -- Docket ID NO. EPA-HQ-OAR-2008-0218 -- Subpart W Rulemaking

Mr. Edwards,

Attached is Energy Fuels response to submissions made by the Ute Mountain Ute Tribe regarding radon emissions from evaporation ponds at the White Mesa uranium mill.

Please let me know if you have any questions or require any further information.

---

David Frydenlund

*Sr. V.P. Gen. Counsel / Corp Sec.*

t: 303.389.4130 | c: 303.808.6648 | f: 303.389.4125  
225 Union Blvd., Suite 600  
Lakewood, CO 80228

<http://www.energyfuels.com>

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August 18, 2016

Mr. Jon Edwards  
Director, Radiation Protection Division  
Environmental Protection Agency  
1200 Pennsylvania Ave. NW  
Room 507, 1310 L St., MC – 6608J  
Washington, DC 20460

**Re: Docket ID NO. EPA-HQ-OAR-2008-0218**

- **Further Comments on Proposed Revisions to 40 CFR Part 61-Subpart W, National Emission Standards for Radon Emissions From Operating Uranium Mill Tailings.**
- **Response to Calculation Brief: Radon Emissions from Evaporative Ponds White Mesa Uranium Mill Dated July 07, 2014 and Supplement to Calculation Brief dated February 10, 2015, prepared by the Ute Mountain Ute Tribe**

Dear Mr. Edwards,

This letter summarizes Energy Fuels Resources (USA) Inc.'s ("EFRI's") response to the following submissions made by the Ute Mountain Ute Tribe (the "Tribe") to the United States Environmental Protection Agency ("EPA") in connection with the proposed revisions to 40 CFR Part 61-Subpart W, National Emission Standards for Radon Emissions From Operating Uranium Mill Tailings:

- *Calculation Brief, Radon Emissions from Evaporative Ponds White Mesa Uranium Mill* dated July 07, 2014, prepared by Mike King, and submitted to EPA on July 9, 2014 (the "Initial Calculation Brief"); and
- *Supplement to Calculation Brief (July 7, 2014)*, dated February 10, 2015, prepared by the Tribe (the "Supplement" and together with the Initial Calculation Brief, the "Calculation Brief").

**1) Introduction and Summary**

In its Calculation Brief, the Tribe attempted to estimate radon emissions from evaporation ponds at EFRI's White Mesa uranium mill (the "Mill"). The Tribe based its analysis on a mis-application of a model prepared by S. Cohen & Associates ("SCA") in 2010<sup>1</sup> for the EPA (the "SCA Model"), which purports to estimate radon emissions from evaporation ponds, based on the radium 226 concentration in the solutions and average wind speed over the surface of the evaporation pond.

The SCA Model appears to have been developed based primarily on the characteristics of fluid retention ponds at In Situ Recovery ("ISR") facilities. As discussed below, without making any determination as to whether the SCA Model may or may not be appropriate for estimating radon emissions from fluid

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<sup>1</sup> *Risk Assessment Revision for 40 CFR Part 61 Subpart W – Radon Emissions from Operating Mill Tailings; Task 5 – Radon Emission from Evaporation Ponds*, Prepared by: S. Cohen & Associates, dated November 9, 2010.

retention impoundments at ISR facilities, we believe it likely is not applicable for estimating radon emissions from conventional uranium mill evaporation ponds. This is because the specific gravity and viscosity of the solutions at conventional uranium mills are different from water and we believe are different from the specific gravity and viscosity of solutions in the fluid retention impoundments at ISR facilities.

However, even assuming the SCA Model is appropriate for conventional mill evaporation ponds it has been mis-applied by the Tribe and others.

## **2) Application of the SCA Model Based on Historic and Industry Estimates of Radium 226 Concentrations in Mill Evaporation Ponds**

The SCA Model is as follows:

$$J = (1.48 \times 10^{-4} / e^{-0.351V}) C_w$$

Where            J = Radon flux in pCi/m<sup>2</sup> - sec  
                      C<sub>w</sub> = Concentration of radium in water in pCi/l  
                      V = Wind speed in m/sec

SCA has applied this model to the evaporation ponds at the Mill, assuming an average wind speed based on data from the Mill's meteorological station, and has concluded that for each 1 pCi/l of radium 226 in the evaporation pond solutions at the Mill, the radon flux would be 0.0070 pCi/m<sup>2</sup> - sec.

The Mill is not required to monitor for radium 226 in its evaporation pond solutions. Therefore, radium 226 data for the Mill was not available to SCA in 2010 to be input into the SCA Model at that time.

However, the radium 226 concentration in tailings solutions at the Mill was estimated by Dames & Moore in 1978 to be 230 pCi/l, based on bench scale analysis. This data was reflected in the 1979 Final Environmental Statement (the "FES") for the Mill, prepared by the US Nuclear Regulatory Commission ("NRC"). This is consistent with the estimate of radium 226 concentrations for the model uranium mill, as set out in NRC's September 1980 Final Generic Environmental Impact Statement on uranium milling (the "GEIS") of 250 pCi/l.

Applying the estimated radium 226 concentration of 230 pCi/l in the FES into the SCA Model would result in an estimated radon flux of 1.61 pCi/m<sup>2</sup> - sec. This low estimated radon flux is consistent with EPA's conclusion that radon emissions from saturated tailings are only approximately 2% of emissions from dry tailings, and adding one meter of water would result in a negligible reduction (Fed. Reg. Vol. 79, No. 85, Friday, May 2, 2014, page 25398). In its October 1984 "*Final Rule for Radon-222 Emissions from Licensed Uranium Mill Tailings: Response to Comments*" EPA concluded:

"Recent technical assessments of radon emission rates from tailings indicate that radon emissions from tailings covered with less than one meter of water, or merely saturated with water, are about 2% of emissions from dry tailings. Tailings covered with more than one meter of water are estimated to have a zero emissions rate. The Agency believes this calculated difference between 0% and 2% is negligible. The Agency used an emission rate of zero for all tailings covered with water or saturated with water in estimating radon emissions."

As discussed below, we believe that even this very low radon flux rate of  $1.61 \text{ pCi/m}^2 - \text{sec}$  is likely to be an overestimation of the radon flux, due to the likely inapplicability of the SCA Model to conventional uranium mill evaporation ponds.

### 3) Mis-Application of SCA Model by the Tribe

The Tribe and others have mis-applied the SCA Model to the Mill's evaporation ponds. In the absence of radium 226 data for inclusion into the model, the Tribe and others have inappropriately substituted gross alpha data measured under EPA Method 900.1 as if it were equivalent to radium 226 data. That is not the case, for two reasons. First, that method does not purport to measure radium 226 only. Rather, it is a method utilized to measure all radium isotopes, not just radium 226, for screening purposes. Secondly, and more importantly, the method utilizes barium sulfate precipitation, which under low pH conditions, such as those found in the Mill's evaporation ponds, also includes interference from (that is, includes in the reported result) alpha from primarily thorium 230 as well as other radionuclides, and in fact is dominated by alpha from thorium 230, which does not decay to radon.

The MARLAP (Multi-Agency Radiological Laboratory Analytical Protocols) Manual Page 14-87 states: "Precipitation of thorium with barium sulfate is possible from strongly acidic solutions containing high concentrations of alkali metal sulfates; however this co-precipitation is nonspecific. Other actinides, lead, strontium, rare earths, bismuth, scandium (Sc), and yttrium will also carry."

Thorium 230 is a daughter of natural uranium and is prevalent in the Mill's tailings solutions. Radium 226 is also a daughter of natural uranium and is found at the same activity level in uranium ores. However, due to the high concentrations of sulfates in the solutions in the Mill's evaporation ponds, radium 226 tends to precipitate into a solid form and to fall out of the solutions, with the result that the alpha activity in the Mill's tailings solutions is dominated by alpha from thorium 230.

The Tribe notes that the gross alpha activity in the Mill's evaporation ponds, as measured under EPA Method 900.1, has increased recently, citing 331,000 pCi/L in Cell 1 in 2014. Inserting that gross alpha measurement into the SCA Model, as if it represented radium 226, would result in an estimated radon flux from Cell 1 of  $2,317 \text{ pCi/m}^2 - \text{sec}$ , based on SCA's assumptions<sup>2</sup>. This radon flux, if accurate, would be over two orders of magnitude higher than the standard of  $20 \text{ pCi/m}^2 - \text{sec}$ , averaged over the entire impoundment area. This nonsensical result would also be almost two orders of magnitude higher than the radon flux from the exposed tailings sands portions of the Mill's tailings impoundments, which typically range from 50 to 90  $\text{pCi/m}^2 - \text{sec}$ , and represent the highest radon flux area from the Mill's tailings impoundments.

The fact is that, for the reasons discussed above, almost all of the 331,000 pCi/l of gross alpha from Cell 1 was from thorium 230, which does not decay to radon, and not from radium 226.

### 4) Actual Measured Radium 226 Concentrations

To verify that the gross alpha measured using EPA Method 900.1 is dominated by alpha from thorium 230, and to measure the actual radium 226 concentrations in the Mill's tailings solutions, the Mill performed the following:

#### (a) Resampling of the 2014 Cell 1 Sample for Radium 226

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<sup>2</sup> In the Supplement, the Tribe calculates this number to be  $1,257.4 \text{ pCi/m}^2 - \text{sec}$ , based, apparently, on different wind-speed assumptions than those used by SCA.

The Mill's independent lab performed an alpha spec analysis on the 2014 sample that generated the 331,000 pCi/l of gross alpha from Cell 1. Although the sample left over was 2 days out of hold (182 days vs the required hold time of 180 days), the Company considers it to be representative.

The results from the foregoing sampling were:

| Radionuclide    | Concentration (pCi/l) |
|-----------------|-----------------------|
| Thorium-228     | 1.00                  |
| Thorium-230     | 606,000               |
| Thorium-232     | 1,170                 |
| Uranium-233/234 | 62,800                |
| Uranium-235/236 | 2,580                 |
| Uranium-238     | 63,200                |
| Radium-226      | 422                   |

It can be seen that the vast majority of the alpha activity in the sample comes from thorium 230, which interfered with the gross alpha results measured under EPA Method 900.1.

*(b) Sampling of all Solutions on May 28, 2015 and August 4, 2015*

The Mill also voluntarily sampled the solutions in cells 1, 3, 4A and 4B, the solutions in the slimes drain in cell 2 and the solutions in the leak detection systems in cells 4A and 4B during two different sampling events on May 28, 2015 and August 4, 2015. The results from that sampling are set out in Appendix A hereto. The full results of the sampling, including the laboratory reports, are included in the Company's 2015 Annual Tailings System Wastewater Monitoring Report, Groundwater Quality Discharge Permit UGW370004 White Mesa Uranium Mill, which was filed with the State of Utah Division of Waste Management and Radiation Control on November 24, 2015. Please let me know if you would like a copy of that Report.

As can be seen from Appendix A, the radium 226 content of the samples estimated by the lab ranged between non-detect and 1,110 pCi/l for all samples, with an average of 361.41 pCi/l. This measured concentration is consistent with the resample of the 2014 measurement for cell 1 of 422 pCi/l and the estimates from the bench scale analysis in the FES and the estimates in the GEIS of 230 and 250 pCi/l, respectively. It can also be seen that the vast majority of the alpha activity in the samples comes from thorium 230, which interfered with the gross alpha results measured under EPA Method 900.1.

This concentration of radium 226 of 361.41 pCi/l, when input into the SCA Model would result in an estimated radon flux of approximately 2.53 pCi/m<sup>2</sup> – sec, using SCA's assumptions. However, as discussed below, we believe that even this low estimate of radon flux from Cell 1 overstates the actual radon flux from the cell by a considerable margin.

**5) In-appropriateness of SCA Model for Mill Evaporation Ponds**

Due to the process chemistry used at the Mill, which utilizes a sulfuric acid leach and which leaches into solution virtually all metals in the ore, and other chemicals, the viscosity and specific gravity of conventional mill tailings solutions are higher than water. We believe they are also higher than solutions typically found in fluid retention ponds at ISR facilities, which utilize different chemistry to leach uranium from underground ore deposits. For example, for sulfate solutions which are as concentrated as

Cell 1 tailings, the specific gravity may be as much as 1.2 times the specific gravity of water or ISR pond solutions (or higher depending on the levels of metal and other dissolved ionic solutes (metals and anions as are present in Cell 1)). The viscosity of Cell 1 solutions may be as much as 5 times greater than the viscosity of water or ISR pond solutions (5 centipoise or more as compared to 1 centipoise for water) or even greater depending on the levels of metal and other dissolved ionic solutes (metals and anions as are present in Cell 1 solutions).

In order to test this assumption, we had Mill personnel photograph the evaporation ponds during each daily tailings inspection in February 2015. As expected, the surfaces of the evaporation ponds rarely exhibited any rippling, and in fact were mirror-like in most cases. Although we have not performed any more detailed analysis than inspection of those photographs, we attribute this lack of wind impact on the solutions in the evaporation ponds to one or both of the following causes: a) the wind data, which was taken at the Mill's meteorological station, some distance from and at a different elevation than the surface of the Mill's evaporation ponds (which are somewhat below grade), is not representative of the wind over the surface of the evaporation ponds; and/or b) the viscosity and specific gravity of the tailings solutions are such that, for any given wind speed at the surface of the solutions, the solutions exhibit less of a rippling effect than assumed by SCA when they developed and applied the SCA Model. To the extent the wind speed at the surface of the Mill's evaporation ponds is less than would be indicated by the data from the Mill's meteorological station, EPA's estimate of  $0.0070 \text{ pCi/m}^2 - \text{sec}$  for each  $1 \text{ pCi/l}$  of radium 226 in the solutions, would be overstated. To the extent b) is applicable, we do not believe that the SCA Model is appropriate for estimating radon flux from conventional mill evaporation ponds. A new model would have to be developed that is based on the specific gravity and viscosity of Mill evaporative solutions, rather than ISR evaporative solutions.

## 6) Conclusions

In the Calculation Brief, the Tribe mis-applies the SCA Model, by using gross alpha data as a proxy for radium 226 data. However, due to the nature of the tailings solutions and the use of EPA Method 900.1, the gross alpha data are dominated by alpha from thorium 230, not radium 226, and are therefore not a proxy for radium 226. Actual measurements of radium 226 from the ponds are much, much lower and are consistent with the estimates of radium 226 concentrations in tailings solutions contained in the FES and GEIS.

Applying the actual measured radium 226 concentrations into the SCA model, yields very low radon flux estimates. However, the SCA Model itself appears to have been developed based primarily on evaporative solutions from ISR facilities, which likely have different specific gravity and viscosity characteristics than Mill evaporative solutions. This would tend to overstate radon flux from Mill solutions. Further, the lack of wind data at the surface of the Mill's evaporation ponds likely further results in the Tribe's and SCA's application of the SCA Model overstating radon flux at the Mill's evaporation ponds.

The foregoing analysis supports EPA's 1984 conclusion that radon flux from solutions in Mill evaporation ponds are negligible, and that the expected flux from such ponds is much lower than the regulatory standard of  $20 \text{ pCi/m}^2 - \text{sec}$  applicable to operating tailings impoundments and to tailings impoundments that have been finally closed<sup>3</sup>. Mill evaporation ponds are therefore safe, and do not pose a risk to health that would require regulation under Subpart W<sup>4</sup>.

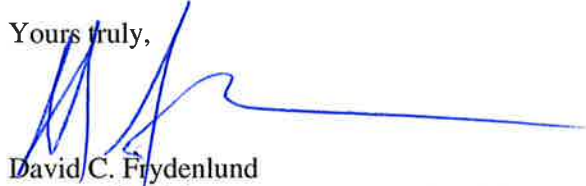
---

<sup>3</sup> See also the laboratory research funded by the National Mining Association, *Experimental Determination of Radon Fluxes over Water* (<http://www.nrc.gov/materials/uranium-recovery/public-meetings/ur-workshops/paulson->

Letter to Mr. Jon Edwards  
August 18, 2016  
Page 6

Please let me know if you have any questions or require any further information.

Yours truly,



David C. Frydenlund  
Sr. Vice President, General Counsel and Corporate Secretary  
Energy Fuels Resources (USA) Inc.

cc: John Tappert, US Nuclear Regulatory Commission  
Andrea Kock, US Nuclear Regulatory Commission  
William von Till, US Nuclear Regulatory Commission  
Jay Morris, Utah Division of Air Quality  
Phil Goble, Utah Division of Waste Management and Radiation Control  
Harold R. Roberts, Energy Fuels Resources (USA) Inc.  
Katie Sweeney, National Mining Association  
Scott Clow, Ute Mountain Ute Tribe

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[presentation.pdf](#)), which concludes that radon 222 fluxes from water surfaces even in the case of high radium 226 activities are minimal and are within the range and variability of natural background.

<sup>4</sup> See *Natural Resources Defense Council, Inc. v. U.S. EPA*, 824 F.2d 1146.



**Appendix A  
2015 Additional Analyses  
Cell Radiological Characteristics**

| Location                     | Cell 1<br>8/4/2015 | Cell 1<br>5/28/15 | Cell 2<br>8/4/2015 | Cell 3<br>8/4/2015 | Cell 3<br>5/28/2015 | Cell 4A<br>8/4/2015 | Cell 4A<br>5/28/2015 | Cell 4A<br>LDS<br>8/4/2015 | Cell 4A<br>LDS<br>5/28/2015 | Cell 4B<br>8/4/2015 | Cell 4B<br>5/28/2015 | Cell 4B<br>LDS<br>8/4/2015 | Cell 4B<br>LDS<br>5/28/2015 | Cell 65<br>(Duplicate<br>of 4B LDS<br>8/4/2015) | Cell 65<br>(Duplicate<br>of 4A<br>5/28/2015) |
|------------------------------|--------------------|-------------------|--------------------|--------------------|---------------------|---------------------|----------------------|----------------------------|-----------------------------|---------------------|----------------------|----------------------------|-----------------------------|-------------------------------------------------|----------------------------------------------|
| <b>Radiologies (pCi/L)</b>   |                    |                   |                    |                    |                     |                     |                      |                            |                             |                     |                      |                            |                             |                                                 |                                              |
| Thorium-228                  | 1310               | 204               | ND                 | ND                 | 798                 | ND                  | 327                  | ND                         | ND                          | ND                  | 122                  | ND                         | 334                         | ND                                              | 265                                          |
| Thorium-230                  | 991000             | 782000            | 6680               | 123000             | 131000              | 374000              | 405000               | 25300                      | 25300                       | 410000              | 346000               | 452000                     | 487000                      | 436000                                          | 315000                                       |
| Thorium-232                  | 6150               | 6730              | ND                 | 1640               | 1290                | 3490                | 3440                 | ND                         | ND                          | 2210                | 3790                 | 3660                       | 5430                        | 4000                                            | 3790                                         |
| Radium-226                   | 1110               | 829               | 36.6               | 448                | 202                 | 663                 | ND                   | 19.3                       | 19.3                        | 611                 | 544                  | 161                        | 55.2                        | 125                                             | 772                                          |
| Uranium-233/234              | 141000             | 96700             | 11300              | 184000             | 557000              | 57500               | 61200                | 9380                       | 9380                        | 63500               | 65000                | 62600                      | 63500                       | 62600                                           | 58600                                        |
| Uranium-235/236              | 8920               | 5980              | 858                | 10300              | 37900               | 3720                | 4030                 | 504                        | 504                         | 3710                | 3870                 | 3890                       | 3900                        | 2680                                            | 3020                                         |
| Uranium-238                  | 140000             | 100000            | 10500              | 191000             | 591000              | 64400               | 62700                | 10800                      | 10800                       | 67000               | 66100                | 60900                      | 65500                       | 61300                                           | 58300                                        |
| <b>Physical Properties</b>   |                    |                   |                    |                    |                     |                     |                      |                            |                             |                     |                      |                            |                             |                                                 |                                              |
| Kinematic Viscosity<br>(cst) | <10                | <10               | <10                | <10                | <10                 | <10                 | <10                  | <10                        | NS                          | <10                 | <10                  | <10                        | NS                          | <10                                             | NS                                           |
| Specific Gravity             | 1.21               | 1.13              | 1.09               | 1.21               | 1.29                | 1.11                | 1.07                 | 1.07                       | NS                          | 1.12                | 1.08                 | 1.12                       | NS                          | 1.12                                            | NS                                           |

**From:** [Thornton, Marisa](#) on behalf of [Collections.SubW](#)  
**To:** [Thornton, Marisa](#)  
**Subject:** Fw: E.O. 12866 Meeting on National Emission Standards for Hazardous Air Pollutants (NESHAP) Subpart W: Standards for Radon Emissions From Operating Uranium Mill Tailings: Review  
**Date:** Wednesday, October 05, 2016 10:48:25 AM

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**From:** Schultheisz, Daniel  
**Sent:** Friday, September 23, 2016 11:07 AM  
**To:** Collections.SubW  
**Subject:** FW: E.O. 12866 Meeting on National Emission Standards for Hazardous Air Pollutants (NESHAP) Subpart W: Standards for Radon Emissions From Operating Uranium Mill Tailings: Review

-----Original Appointment-----

**From:** Schultheisz, Daniel  
**Sent:** Wednesday, August 17, 2016 4:36 PM  
**To:** Echols, Mabel  
**Subject:** Accepted: E.O. 12866 Meeting on National Emission Standards for Hazardous Air Pollutants (NESHAP) Subpart W: Standards for Radon Emissions From Operating Uranium Mill Tailings: Review  
**When:** Tuesday, September 06, 2016 2:00 PM-2:30 PM (UTC-05:00) Eastern Time (US & Canada).  
**Where:** 1800 G Street, NW, 9th Floor - Conference Room 1

**From:** [Thornton, Marisa](#) on behalf of [Collections.SubW](#)  
**To:** [Thornton, Marisa](#)  
**Subject:** Fw: E.O. 12866 Meeting on National Emission Standards for Hazardous Air Pollutants (NESHAP) Subpart W: Standards for Radon Emissions From Operating Uranium Mill Tailings: Review  
**Date:** Wednesday, October 05, 2016 10:48:34 AM

---

---

**From:** Schultheisz, Daniel  
**Sent:** Friday, September 23, 2016 11:07 AM  
**To:** Collections.SubW  
**Subject:** FW: E.O. 12866 Meeting on National Emission Standards for Hazardous Air Pollutants (NESHAP) Subpart W: Standards for Radon Emissions From Operating Uranium Mill Tailings: Review

---

**From:** Echols, Mabel [[mailto:Mabel\\_E.\\_Echols@omb.eop.gov](mailto:Mabel_E._Echols@omb.eop.gov)]  
**Sent:** Wednesday, August 17, 2016 4:30 PM  
**To:** Schultheisz, Daniel <[Schultheisz.Daniel@epa.gov](mailto:Schultheisz.Daniel@epa.gov)>  
**Subject:** RE: E.O. 12866 Meeting on National Emission Standards for Hazardous Air Pollutants (NESHAP) Subpart W: Standards for Radon Emissions From Operating Uranium Mill Tailings: Review

Daniel,

I've added both names to the invite.

---

**From:** Schultheisz, Daniel [<mailto:Schultheisz.Daniel@epa.gov>]  
**Sent:** Wednesday, August 17, 2016 9:48 AM  
**To:** Echols, Mabel <[Mabel\\_E.\\_Echols@omb.eop.gov](mailto:Mabel_E._Echols@omb.eop.gov)>  
**Subject:** RE: E.O. 12866 Meeting on National Emission Standards for Hazardous Air Pollutants (NESHAP) Subpart W: Standards for Radon Emissions From Operating Uranium Mill Tailings: Review

Good morning:

I am the EPA point of contact for this rulemaking, but somehow my name was not included on the distribution for this meeting. I provided other names to Aaron Szabo, but it did not occur to me that I needed to request inclusion for myself. I subsequently requested that Ann Johnson from EPA's Office of Policy ([johnson.ann@epa.gov](mailto:johnson.ann@epa.gov)) be included, but it seems she did not make the list either. Please forward this invitation to us and include us on future invitations.

Please let me know if you need any additional information. Thanks.

Dan Schultheisz  
U.S. Environmental Protection Agency

Office of Radiation and Indoor Air  
Radiation Protection Division  
(202) 343-9349

-----Original Appointment-----

**From:** Echols, Mabel [[mailto:Mabel\\_E.\\_Echols@omb.eop.gov](mailto:Mabel_E._Echols@omb.eop.gov)]

**Sent:** Monday, August 15, 2016 10:58 AM

**To:** Mancini, Dominic; Laity, Jim; Szabo, Aaron; Thomas, Amanda; Burgess, Scott; Mulligan, James; Hickey, Mike; Giljohann, Catherine; Ceronsky, Megan; Vahlsing, Candace; Hansel, Peter; Duke, Rick; McConville, Drew; Mallory, Brenda; [Bruce\\_D\\_Rodan@ostp.eop.gov](mailto:Bruce_D_Rodan@ostp.eop.gov); Carney, Matt; Jain, Varun; Ekechi, Chinyere; Laciak, Arthur (Intern); Olmstead, Sheila; Weber, Paige; Edwards, Jonathan; Werner, Jacqueline; Perrin, Alan; Peake, Tom; Seidman, Emily

**Subject:** E.O. 12866 Meeting on National Emission Standards for Hazardous Air Pollutants (NESHAP) Subpart W: Standards for Radon Emissions From Operating Uranium Mill Tailings: Review

**When:** Tuesday, September 06, 2016 2:00 PM-2:30 PM (UTC-05:00) Eastern Time (US & Canada).

**Where:** 1800 G Street, NW, 9th Floor - Conference Room 1

This meeting was requested by Aaron Mintzes, Earthworks.

Call-in: 202-395-6392; code 3862485.

**From:** [Thornton, Marisa](#) on behalf of [Collections.SubW](#)  
**To:** [Thornton, Marisa](#)  
**Subject:** Fw: E.O. 12866 Meeting on National Emission Standards for Hazardous Air Pollutants (NESHAP) Subpart W: Standards for Radon Emissions From Operating Uranium Mill Tailings: Review  
**Date:** Wednesday, October 05, 2016 10:48:42 AM

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---

**From:** Schultheisz, Daniel  
**Sent:** Friday, September 23, 2016 11:06 AM  
**To:** Collections.SubW  
**Subject:** FW: E.O. 12866 Meeting on National Emission Standards for Hazardous Air Pollutants (NESHAP) Subpart W: Standards for Radon Emissions From Operating Uranium Mill Tailings: Review

---

**From:** Schultheisz, Daniel  
**Sent:** Wednesday, August 17, 2016 9:48 AM  
**To:** 'Echols, Mabel' <[Mabel\\_E.\\_Echols@omb.eop.gov](mailto:Mabel_E._Echols@omb.eop.gov)>  
**Subject:** RE: E.O. 12866 Meeting on National Emission Standards for Hazardous Air Pollutants (NESHAP) Subpart W: Standards for Radon Emissions From Operating Uranium Mill Tailings: Review

Good morning:

I am the EPA point of contact for this rulemaking, but somehow my name was not included on the distribution for this meeting. I provided other names to Aaron Szabo, but it did not occur to me that I needed to request inclusion for myself. I subsequently requested that Ann Johnson from EPA's Office of Policy ([johnson.ann@epa.gov](mailto:johnson.ann@epa.gov)) be included, but it seems she did not make the list either. Please forward this invitation to us and include us on future invitations.

Please let me know if you need any additional information. Thanks.

Dan Schultheisz  
U.S. Environmental Protection Agency  
Office of Radiation and Indoor Air  
Radiation Protection Division  
(202) 343-9349

-----Original Appointment-----

**From:** Echols, Mabel [[mailto:Mabel\\_E.\\_Echols@omb.eop.gov](mailto:Mabel_E._Echols@omb.eop.gov)]  
**Sent:** Monday, August 15, 2016 10:58 AM  
**To:** Mancini, Dominic; Laity, Jim; Szabo, Aaron; Thomas, Amanda; Burgess, Scott; Mulligan, James;

Hickey, Mike; Giljohann, Catherine; Ceronsky, Megan; Vahlsing, Candace; Hansel, Peter; Duke, Rick; McConville, Drew; Mallory, Brenda; [Bruce\\_D\\_Rodan@ostp.eop.gov](mailto:Bruce_D_Rodan@ostp.eop.gov); Carney, Matt; Jain, Varun; Ekechi, Chinyere; Laciak, Arthur (Intern); Olmstead, Sheila; Weber, Paige; Edwards, Jonathan; Werner, Jacqueline; Perrin, Alan; Peake, Tom; Seidman, Emily

**Subject:** E.O. 12866 Meeting on National Emission Standards for Hazardous Air Pollutants (NESHAP) Subpart W: Standards for Radon Emissions From Operating Uranium Mill Tailings: Review

**When:** Tuesday, September 06, 2016 2:00 PM-2:30 PM (UTC-05:00) Eastern Time (US & Canada).

**Where:** 1800 G Street, NW, 9th Floor - Conference Room 1

This meeting was requested by Aaron Mintzes, Earthworks.

Call-in: 202-395-6392; code 3862485.

**From:** [Thornton, Marisa](#) on behalf of [Collections.SubW](#)  
**To:** [Thornton, Marisa](#)  
**Subject:** Fw: Radon Flux question follow-up  
**Date:** Wednesday, October 05, 2016 10:48:51 AM  
**Attachments:** [removed.txt](#)

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**From:** Schultheisz, Daniel  
**Sent:** Friday, September 23, 2016 11:06 AM  
**To:** Collections.SubW  
**Subject:** FW: Radon Flux question follow-up

---

**From:** Sheryl Garling [<mailto:sagarling@rdeinc.biz>]  
**Sent:** Tuesday, August 16, 2016 11:23 AM  
**To:** Egidi, Philip <[Egidi.Philip@epa.gov](mailto:Egidi.Philip@epa.gov)>  
**Cc:** Schultheisz, Daniel <[Schultheisz.Daniel@epa.gov](mailto:Schultheisz.Daniel@epa.gov)>; [ragarling@rdeinc.biz](mailto:ragarling@rdeinc.biz)  
**Subject:** RE: Radon Flux question follow-up

Thank you for the follow up.

Sheryl

Sheryl and Roger Garling  
R and D Enterprises, Inc.  
[www.rdeinc.biz](http://www.rdeinc.biz)

---

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Technical Solutions

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[ragarling@rdeinc.biz](mailto:ragarling@rdeinc.biz)



---

**From:** Egidi, Philip [<mailto:Egidi.Philip@epa.gov>]  
**Sent:** Tuesday, August 16, 2016 6:39 AM  
**To:** Sheryl Garling  
**Cc:** Schultheisz, Daniel  
**Subject:** RE: Radon Flux question follow-up

Good morning,

The final rule package is now at OMB for inter-agency review. It has already gone through EPA Office of Policy review.

I cannot discuss what is in the rule of course with respect to flux monitoring or work practices.

We are hoping OMB will be timely with their review, but have no control over that.

We would then respond to any comments or changes they call for and then go for final publication in the federal register. Our goal is to have the rule final this summer/fall.

PVE

Philip Egidi  
Environmental Scientist  
U.S. Environmental Protection Agency  
Radiation Protection Division  
Washington, DC  
(202) 343-9186 (work)  
(970) 209-2885 (Cell)

“The health of the people is the highest law.”  
Cicero (106 - 43 BC)

---

**From:** Sheryl Garling [<mailto:sagarling@rdeinc.biz>]  
**Sent:** Monday, August 15, 2016 6:19 PM  
**To:** Egidi, Philip <[Egidi.Philip@epa.gov](mailto:Egidi.Philip@epa.gov)>  
**Cc:** 'Roger Garling' <[ragarling@rdeinc.biz](mailto:ragarling@rdeinc.biz)>  
**Subject:** RE: Radon Flux question follow-up  
**Importance:** High

Phil,

I located the following...



I was reading the proposed rule making for NESHAPS, <https://www.federalregister.gov/articles/2014/05/02/2014-09728/revisions-to-national-emission-standards-for-radon-emissions-from-operating-mill-tailings#h-31> , Subpart W, and discovered the following:

*As discussed earlier, we no longer believe that a distinction needs to be made for conventional impoundments based on the date when they were designed and/or constructed. We believe that the existing conventional impoundments at both the **Shootaring Canyon** and Sweetwater facilities can meet the work practice standards in the current Subpart W regulation. The conventional impoundments at both these facilities are less than 40 acres in area and are synthetically lined as per the requirements in [40 CFR 192.32\(a\)\(1\)](#). The existing cell 3 at the White Mesa mill will undergo closure in 2014 and will be replaced with the impoundments currently under construction that meet the phased disposal work practice standard. Therefore, there is no reason not to subject these older impoundments to the work practice standards required for impoundments designed or constructed after December 15, 1989. By incorporating these impoundments under the work practices provision of Subpart W, **it is no longer necessary to require radon flux monitoring, and we are proposing to eliminate that requirement.***

*The proposed elimination of the monitoring requirement in [40 CFR 61.253](#) applies only to those facilities currently subject to the radon flux standard in [40 CFR 61.252\(a\)](#), which applies to only the three conventional impoundments in existence prior to the original promulgation of Subpart W on December 15, 1989. While we are proposing to eliminate the radon monitoring requirement for these three impoundments under Subpart W, this action does not relieve the owner or operator of the uranium recovery facility of the monitoring and maintenance requirements of their operating license issued by the NRC or its Agreement States. These requirements are found at [10 CFR Part 40](#), Appendix A, Criterion 8 and 8A. Additionally, NRC, through its Regulatory Guide 4.14, may also recommend incorporation of radionuclide air monitoring at operating facility boundaries.*

It appears that EPA is removing the 3 conventional operations, Shootaring,

Sweetwater and White Mesa cell 3, from performing annual radon flux measurements.

When you return to the office, would you be able to provide a location as to the status of the proposed rule? I could not locate information, to confirm what I heard, that the proposed rule was submitted to the OMB(? Budget??) and the EPA group (?) that approves the proposed rules.

Thank you,  
Sheryl

Sheryl and Roger Garling  
R and D Enterprises, Inc.  
[www.rdeinc.biz](http://www.rdeinc.biz)  
PO Box 3321  
Casper, WY 82602  
Cell 307.277.3861  
Land 307.237.4188  
[sagarling@rdeinc.biz](mailto:sagarling@rdeinc.biz)  
[ragarling@rdeinc.biz](mailto:ragarling@rdeinc.biz)



---

**From:** Egidi, Philip [<mailto:Egidi.Philip@epa.gov>]  
**Sent:** Monday, August 15, 2016 11:04 AM  
**To:** Sheryl Garling  
**Cc:** 'Roger Garling'  
**Subject:** Re: Radon Flux question

I am working from home today, so I don't have all my notes with me, but no, I don't believe I heard back from them.

I can't speak to what the final Subpart W NESHAP will be, but the rule is at OMB and hopefully will in the Fed Reg soon.

<https://www.epa.gov/radiation/subpart-w-rulemaking-activity>

[Subpart W Rulemaking Activity | Radiation Protection | US EPA](https://www.epa.gov/radiation/subpart-w-rulemaking-activity)

[www.epa.gov](http://www.epa.gov)

Background and supporting materials related to Subpart W rulemaking activity, including non-privileged records, conference call minutes, presentations and other ...

I will be back in the office tomorrow and can check my notes.

PVE

---

**From:** Sheryl Garling <[sagarling@rdeinc.biz](mailto:sagarling@rdeinc.biz)>

**Sent:** Monday, August 15, 2016 12:58:34 PM

**To:** Egidi, Philip

**Cc:** 'Roger Garling'

**Subject:** Radon Flux question

Phil,

Did you receive any feedback from the new owners of the Shootaring Canyon Project, Anfield Resources? I forwarded the email on and I did not receive a cc or response.

Were you able to obtain information regarding the rad NESHAPS that you were looking for?

I heard that the current revision of the NESHAPS may eliminate the radon flux rule. I looked on line and briefly reviewed the list of revisions, which seem to be related to the GHG issues for O&G industry, and I was unable to locate any information relating to the radon flux regulation.

Can you provide elaboration on this matter?

Thank you,

Sheryl

Anfield Resources-Contract Radiation Safety Officer

Sheryl and Roger Garling

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[sagarling@rdeinc.biz](mailto:sagarling@rdeinc.biz)

[ragarling@rdeinc.biz](mailto:ragarling@rdeinc.biz)



---

**From:** Egidi, Philip [<mailto:Egidi.Philip@epa.gov>]

**Sent:** Wednesday, July 13, 2016 2:04 PM

**To:** Scott Schierman (USA - Casper)

**Subject:** quick question

Scott,

I hope this finds you well.

We are trying to do some resource evaluations here at EPA HQ.

Part of that is getting a quick snapshot on how many mines may be venting with respect to Subpart B of the rad NESHAPS.

Rusty sent us a printout showing the Ticaboo Stockpile removal as an active site. I don't have a POC with the new owners.

Do you know if there is an associated mine that is currently venting?

Any other mines in Region 8 that might be venting? Already talked with DRMS in Colorado and am aware of the Daneros mine in Utah, but that is currently the only one. I have a call into George Glasier to see if he is venting any of the properties he got from Energy Fuels...

Thanx

PVE

**Philip Egidì**  
Environmental Scientist  
U.S. Environmental Protection Agency  
Radiation Protection Division  
Washington, DC  
(202) 343-9186 (work)  
(970) 209-2885 (Cell)

“The health of the people is the highest law.”

Cicero (106 - 43 BC)

\*\*\*\*\* ATTACHMENT REMOVED \*\*\*\*\*

This message contained an attachment which the administrator has caused to be removed.

\*\*\*\*\* ATTACHMENT REMOVED \*\*\*\*\*

Attachment name: [image001.jpg]  
Attachment type: [image/jpeg]

**From:** [Thornton, Marisa](#) on behalf of [Collections.SubW](#)  
**To:** [Thornton, Marisa](#)  
**Subject:** Fw: Radon Flux question follow-up  
**Date:** Wednesday, October 05, 2016 10:48:58 AM

---

---

**From:** Schultheisz, Daniel  
**Sent:** Friday, September 23, 2016 11:06 AM  
**To:** Collections.SubW  
**Subject:** FW: Radon Flux question follow-up

---

**From:** Egidi, Philip  
**Sent:** Tuesday, August 16, 2016 8:39 AM  
**To:** Sheryl Garling <[sagarling@rdeinc.biz](mailto:sagarling@rdeinc.biz)>  
**Cc:** Schultheisz, Daniel <[Schultheisz.Daniel@epa.gov](mailto:Schultheisz.Daniel@epa.gov)>  
**Subject:** RE: Radon Flux question follow-up

Good morning,

The final rule package is now at OMB for inter-agency review. It has already gone through EPA Office of Policy review.

I cannot discuss what is in the rule of course with respect to flux monitoring or work practices.

We are hoping OMB will be timely with their review, but have no control over that.

We would then respond to any comments or changes they call for and then go for final publication in the federal register. Our goal is to have the rule final this summer/fall.

PVE

Philip Egidi  
Environmental Scientist  
U.S. Environmental Protection Agency  
Radiation Protection Division  
Washington, DC  
(202) 343-9186 (work)  
(970) 209-2885 (Cell)

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Cicero (106 - 43 BC)

---

**From:** Sheryl Garling [<mailto:sagarling@rdeinc.biz>]  
**Sent:** Monday, August 15, 2016 6:19 PM  
**To:** Egidi, Philip <[Egidi.Philip@epa.gov](mailto:Egidi.Philip@epa.gov)>  
**Cc:** 'Roger Garling' <[ragarling@rdeinc.biz](mailto:ragarling@rdeinc.biz)>

**Subject:** RE: Radon Flux question follow-up

**Importance:** High

Phil,

I located the following...

I was reading the proposed rule making for NESHAPS, <https://www.federalregister.gov/articles/2014/05/02/2014-09728/revisions-to-national-emission-standards-for-radon-emissions-from-operating-mill-tailings#h-31> , Subpart W, and discovered the following:

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*Agreement States. These requirements are found at [10 CFR Part 40](#), Appendix A, Criterion 8 and 8A. Additionally, NRC, through its Regulatory Guide 4.14, may also recommend incorporation of radionuclide air monitoring at operating facility boundaries.*

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---

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**To:** Sheryl Garling  
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**Subject:** Re: Radon Flux question

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<https://www.epa.gov/radiation/subpart-w-rulemaking-activity>

---



## [Subpart W Rulemaking Activity | Radiation Protection | US EPA](#)

[www.epa.gov](http://www.epa.gov)

Background and supporting materials related to Subpart W rulemaking activity, including non-privileged records, conference call minutes, presentations and other ...

I will be back in the office tomorrow and can check my notes.

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**Sent:** Monday, August 15, 2016 12:58:34 PM

**To:** Egidi, Philip

**Cc:** 'Roger Garling'

**Subject:** Radon Flux question

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**To:** Scott Schierman (USA - Casper)  
**Subject:** quick question

Scott,

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**From:** [Thornton, Marisa](#) on behalf of [Collections.SubW](#)  
**To:** [Thornton, Marisa](#)  
**Subject:** Fw: earthworks  
**Date:** Wednesday, October 05, 2016 10:49:07 AM

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**From:** Schultheisz, Daniel  
**Sent:** Friday, September 23, 2016 11:05 AM  
**To:** Collections.SubW  
**Subject:** FW: earthworks

---

**From:** Perrin, Alan  
**Sent:** Monday, August 15, 2016 12:45 PM  
**To:** Schultheisz, Daniel <[Schultheisz.Daniel@epa.gov](mailto:Schultheisz.Daniel@epa.gov)>  
**Subject:** RE: earthworks

So it was...

It is the invite I received today, 8/15...

Casts doubt on that whole better late than never thing, doesn't it?

~~~~~

**Alan Perrin, Deputy Director**  
**Radiation Protection Division, USEPA**  
ofc (202) 343-9775 | mbl (202) 279-0376

---

**From:** Schultheisz, Daniel  
**Sent:** Monday, August 15, 2016 12:27 PM  
**To:** Perrin, Alan <[Perrin.Alan@epa.gov](mailto:Perrin.Alan@epa.gov)>  
**Subject:** RE: earthworks

The meeting invitation you sent me (which I did not get) was for September 6. Is there another?

---

**From:** Perrin, Alan  
**Sent:** Monday, August 15, 2016 12:15 PM  
**To:** Schultheisz, Daniel <[Schultheisz.Daniel@epa.gov](mailto:Schultheisz.Daniel@epa.gov)>  
**Subject:** earthworks

Do you plan to call in to the meeting tomorrow?



**Alan Perrin, Deputy Director**  
**Radiation Protection Division, USEPA**  
**ofc (202) 343-9775 | mbl (202) 279-0376**

**From:** [Thornton, Marisa](#) on behalf of [Collections.SubW](#)  
**To:** [Thornton, Marisa](#)  
**Subject:** Fw: earthworks  
**Date:** Wednesday, October 05, 2016 10:49:14 AM

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**From:** Schultheisz, Daniel  
**Sent:** Friday, September 23, 2016 11:05 AM  
**To:** Collections.SubW  
**Subject:** FW: earthworks

---

**From:** Schultheisz, Daniel  
**Sent:** Monday, August 15, 2016 12:27 PM  
**To:** Perrin, Alan <[Perrin.Alan@epa.gov](mailto:Perrin.Alan@epa.gov)>  
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Radiation Protection Division, USEPA  
ofc (202) 343-9775 | mbl (202) 279-0376

**From:** [Thornton, Marisa](#) on behalf of [Collections.SubW](#)  
**To:** [Thornton, Marisa](#)  
**Subject:** Fw: E.O. 12866 Meeting on National Emission Standards for Hazardous Air Pollutants (NESHAP) Subpart W: Standards for Radon Emissions From Operating Uranium Mill Tailings: Review  
**Date:** Wednesday, October 05, 2016 10:49:25 AM  
**Attachments:** [E.O. 12866 Meeting on National Emission Standards for Hazardous Air Pollutants \(NESHAP\) Subpart W Standards for Radon Emissions From Operating Uranium Mill Tailings Review.msg](#)

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**From:** Schultheisz, Daniel  
**Sent:** Friday, September 23, 2016 11:05 AM  
**To:** Collections.SubW  
**Subject:** FW: E.O. 12866 Meeting on National Emission Standards for Hazardous Air Pollutants (NESHAP) Subpart W: Standards for Radon Emissions From Operating Uranium Mill Tailings: Review

---

**From:** Perrin, Alan  
**Sent:** Monday, August 15, 2016 12:14 PM  
**To:** Schultheisz, Daniel <[Schultheisz.Daniel@epa.gov](mailto:Schultheisz.Daniel@epa.gov)>  
**Subject:** FW: E.O. 12866 Meeting on National Emission Standards for Hazardous Air Pollutants (NESHAP) Subpart W: Standards for Radon Emissions From Operating Uranium Mill Tailings: Review

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**Alan Perrin, Deputy Director**  
**Radiation Protection Division, USEPA**  
**ofc (202) 343-9775 | mbl (202) 279-0376**

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**To:** [Thornton, Marisa](#)  
**Subject:** Fw: E.O. 12866 Meeting on National Emission Standards for Hazardous Air Pollutants (NESHAP) Subpart W: Standards for Radon Emissions From Operating Uranium Mill Tailings: Review  
**Date:** Wednesday, October 05, 2016 10:49:25 AM  
**Attachments:** [E.O. 12866 Meeting on National Emission Standards for Hazardous Air Pollutants \(NESHAP\) Subpart W Standards for Radon Emissions From Operating Uranium Mill Tailings Review.msg](#)

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**From:** Schultheisz, Daniel  
**Sent:** Friday, September 23, 2016 11:05 AM  
**To:** Collections.SubW  
**Subject:** FW: E.O. 12866 Meeting on National Emission Standards for Hazardous Air Pollutants (NESHAP) Subpart W: Standards for Radon Emissions From Operating Uranium Mill Tailings: Review

---

**From:** Perrin, Alan  
**Sent:** Monday, August 15, 2016 12:14 PM  
**To:** Schultheisz, Daniel <[Schultheisz.Daniel@epa.gov](mailto:Schultheisz.Daniel@epa.gov)>  
**Subject:** FW: E.O. 12866 Meeting on National Emission Standards for Hazardous Air Pollutants (NESHAP) Subpart W: Standards for Radon Emissions From Operating Uranium Mill Tailings: Review

~~~~~  
**Alan Perrin, Deputy Director**  
**Radiation Protection Division, USEPA**  
**ofc (202) 343-9775 | mbl (202) 279-0376**

**From:** [Thornton, Marisa](#) on behalf of [Collections.SubW](#)  
**To:** [Thornton, Marisa](#)  
**Subject:** Fw: RE: Adding Capability to CEDRI  
**Date:** Wednesday, October 05, 2016 10:49:32 AM

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**From:** Schultheisz, Daniel  
**Sent:** Friday, September 23, 2016 11:04 AM  
**To:** Collections.SubW  
**Subject:** FW: RE: Adding Capability to CEDRI

-----Original Appointment-----

**From:** Schultheisz, Daniel  
**Sent:** Monday, August 15, 2016 8:45 AM  
**To:** Patel, Ketan  
**Subject:** Accepted: RE: Adding Capability to CEDRI  
**When:** Monday, August 15, 2016 1:00 PM-2:00 PM (UTC-05:00) Eastern Time (US & Canada).  
**Where:** RTP-OAQPS-D231B/RTP-OAQPS-BLDG-D



**From:** [Thornton, Marisa](#) on behalf of [Collections.SubW](#)  
**To:** [Thornton, Marisa](#)  
**Subject:** Fw: CEDRI/Subpart W Compliance Tool Discussion  
**Date:** Wednesday, October 05, 2016 10:49:41 AM

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**From:** Schultheisz, Daniel  
**Sent:** Friday, September 23, 2016 11:04 AM  
**To:** Collections.SubW  
**Subject:** FW: CEDRI/Subpart W Compliance Tool Discussion

-----Original Appointment-----

**From:** Schultheisz, Daniel  
**Sent:** Thursday, August 11, 2016 9:46 AM  
**To:** Shogren, Angela  
**Subject:** Accepted: CEDRI/Subpart W Compliance Tool Discussion  
**When:** Wednesday, August 17, 2016 1:00 PM-2:00 PM (UTC-05:00) Eastern Time (US & Canada).  
**Where:** DCRoomWest1424/OPEI

**From:** [Thornton, Marisa](#) on behalf of [Collections.SubW](#)  
**To:** [Thornton, Marisa](#)  
**Subject:** Fw: resend 5-08  
**Date:** Wednesday, October 05, 2016 10:49:49 AM

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---

**From:** Schultheisz, Daniel  
**Sent:** Friday, September 23, 2016 11:01 AM  
**To:** Collections.SubW  
**Subject:** FW: resend 5-08

---

**From:** Egidi, Philip  
**Sent:** Thursday, August 04, 2016 10:52 AM  
**To:** Schultheisz, Daniel <[Schultheisz.Daniel@epa.gov](mailto:Schultheisz.Daniel@epa.gov)>  
**Subject:** resend 5-08

Dan,

Please send me the electronic version of the SOW for 5-08 so I can make the changes. The original is on my home laptop...

Thanx

PVE

Philip Egidi  
Environmental Scientist  
U.S. Environmental Protection Agency  
Radiation Protection Division  
Washington, DC  
(202) 343-9186 (work)  
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**From:** [Thornton, Marisa](#) on behalf of [Collections.SubW](#)  
**To:** [Thornton, Marisa](#)  
**Subject:** Fw: Introductory Briefing and EO 12866 Invitee List: NESHAP for Uranium Mill Tailings  
**Date:** Wednesday, October 05, 2016 10:49:58 AM

---

---

**From:** Schultheisz, Daniel  
**Sent:** Friday, September 23, 2016 11:01 AM  
**To:** Collections.SubW  
**Subject:** FW: Introductory Briefing and EO 12866 Invitee List: NESHAP for Uranium Mill Tailings

---

**From:** Rodman, Sonja  
**Sent:** Wednesday, August 03, 2016 3:43 PM  
**To:** Schultheisz, Daniel <[Schultheisz.Daniel@epa.gov](mailto:Schultheisz.Daniel@epa.gov)>  
**Cc:** Seidman, Emily <[seidman.emily@epa.gov](mailto:seidman.emily@epa.gov)>  
**Subject:** RE: Introductory Briefing and EO 12866 Invitee List: NESHAP for Uranium Mill Tailings

Dan & Emily, I'm sorry I got pulled into something and am just now back at my desk. I think I'll pass on the briefing instead of calling in late. If either of you would like me to join, please let me know.

Sonja L. Rodman, Assistant General Counsel for Air Toxics, Consumer Protection and Indoor Air / Office of General Counsel / U.S. Environmental Protection Agency / (202) 564-4079 / 202-768-2120 (cell)

*CONFIDENTIALITY NOTICE: This message may contain sensitive, privileged information covered by the deliberative process, attorney-client and/or attorney work product privileges. Do not release this message under FOIA without appropriate review. If you are not the intended recipient, or the employee or agent responsible to deliver it to the intended recipient, please contact the sender and delete all copies.*

---

**From:** Schultheisz, Daniel  
**Sent:** Wednesday, August 03, 2016 1:34 PM  
**To:** Szabo, Aaron <[Aaron\\_L\\_Szabo@omb.eop.gov](mailto:Aaron_L_Szabo@omb.eop.gov)>  
**Cc:** Johnson, Ann <[Johnson.Ann@epa.gov](mailto:Johnson.Ann@epa.gov)>; Werner, Jacqueline <[Werner.Jacqueline@epa.gov](mailto:Werner.Jacqueline@epa.gov)>; Perrin, Alan <[Perrin.Alan@epa.gov](mailto:Perrin.Alan@epa.gov)>; Peake, Tom <[Peake.Tom@epa.gov](mailto:Peake.Tom@epa.gov)>; Nesky, Anthony <[Nesky.Tony@epa.gov](mailto:Nesky.Tony@epa.gov)>; Egidi, Philip <[Egidi.Philip@epa.gov](mailto:Egidi.Philip@epa.gov)>; Seidman, Emily <[seidman.emily@epa.gov](mailto:seidman.emily@epa.gov)>; Stahle, Susan <[Stahle.Susan@epa.gov](mailto:Stahle.Susan@epa.gov)>; Rodman, Sonja <[Rodman.Sonja@epa.gov](mailto:Rodman.Sonja@epa.gov)>  
**Subject:** RE: Introductory Briefing and EO 12866 Invitee List: NESHAP for Uranium Mill Tailings

Aaron:

Attached is a PowerPoint for today's briefing. Please let me know if you have questions. Thanks.

Dan

---

**From:** Szabo, Aaron [[mailto:Aaron\\_L\\_Szabo@omb.eop.gov](mailto:Aaron_L_Szabo@omb.eop.gov)]  
**Sent:** Sunday, July 31, 2016 5:42 PM  
**To:** Schultheisz, Daniel <[Schultheisz.Daniel@epa.gov](mailto:Schultheisz.Daniel@epa.gov)>  
**Cc:** Johnson, Ann <[Johnson.Ann@epa.gov](mailto:Johnson.Ann@epa.gov)>  
**Subject:** RE: Introductory Briefing and EO 12866 Invitee List: NESHAP for Uranium Mill Tailings

Dan,

With respect to the briefing time, please ignore the previous email and please set a time for 1 hour at 3:30pm (to 4:30pm) on Wednesday, August 3<sup>rd</sup>. Thank you very much.

---

**From:** Szabo, Aaron  
**Sent:** Sunday, July 31, 2016 5:31 PM  
**To:** 'Schultheisz, Daniel' <[Schultheisz.Daniel@epa.gov](mailto:Schultheisz.Daniel@epa.gov)>  
**Cc:** Johnson, Ann <[Johnson.Ann@epa.gov](mailto:Johnson.Ann@epa.gov)>  
**Subject:** RE: Introductory Briefing and EO 12866 Invitee List: NESHAP for Uranium Mill Tailings

Daniel,

Thank you very much for the response. Let's do 2pm on Thursday for 1 hour. With respect to whether you want to come in, these are generally done over the phone (as the interagency members will not be coming in), but if you would like to do this in person I can try and get a room (I can at least get a smaller room that could support a couple of people from EPA). Either way, could you send me a scheduler with a teleconference line for 2-3pm on Thursday for the briefing and let me know whether you will be providing any briefing materials.

Thank you very much and let me know if you have any questions. I will be out of pocket Monday afternoon, but will have my work phone on me and will try and respond as soon as possible.

---

**From:** Schultheisz, Daniel [<mailto:Schultheisz.Daniel@epa.gov>]  
**Sent:** Friday, July 29, 2016 10:05 AM  
**To:** Szabo, Aaron <[Aaron\\_L\\_Szabo@omb.eop.gov](mailto:Aaron_L_Szabo@omb.eop.gov)>  
**Cc:** Johnson, Ann <[Johnson.Ann@epa.gov](mailto:Johnson.Ann@epa.gov)>  
**Subject:** FW: Introductory Briefing and EO 12866 Invitee List: NESHAP for Uranium Mill Tailings

Aaron:

Please add Ann Johnson, EPA Office of Policy ([Johnson.ann@epa.gov](mailto:Johnson.ann@epa.gov)) to the list of invitees for external stakeholder meetings. Thanks.

Dan

---

**From:** Schultheisz, Daniel  
**Sent:** Friday, July 29, 2016 8:12 AM  
**To:** 'Szabo, Aaron' <[Aaron\\_L\\_Szabo@omb.eop.gov](mailto:Aaron_L_Szabo@omb.eop.gov)>  
**Cc:** Peake, Tom <[Peake.Tom@epa.gov](mailto:Peake.Tom@epa.gov)>  
**Subject:** RE: Introductory Briefing and EO 12866 Invitee List: NESHAP for Uranium Mill Tailings

Aaron:

Thanks for getting in touch so quickly. It looks like Wednesday afternoon (after about 2:30) and Thursday afternoon will be best for a briefing to ensure that divisional management can attend (our Acting Office Director is on leave next week). Are you envisioning a teleconference, or would you like us to do an in-person briefing?

You should know that Reid Rosnick has retired, so I am the primary point of contact for the rule. For external stakeholder meetings, in addition to me, you should invite the following people:

Jonathan Edwards, Acting Director, ORIA ([edwards.jonathan@epa.gov](mailto:edwards.jonathan@epa.gov));  
Jacqueline Werner, Acting Director, Radiation Protection Division ([werner.jacqueline@epa.gov](mailto:werner.jacqueline@epa.gov));  
Alan Perrin, Deputy Director, RPD ([perrin.alan@epa.gov](mailto:perrin.alan@epa.gov));  
Tom Peake, Director, Center for Waste Management and Regulations ([peake.tom@epa.gov](mailto:peake.tom@epa.gov));  
Emily Seidman, Office of General Counsel ([seidman.emily@epa.gov](mailto:seidman.emily@epa.gov)).

Please let me know which times work best for you. Thanks.

Dan Schultheisz  
U.S. Environmental Protection Agency  
Office of Radiation and Indoor Air  
Radiation Protection Division  
(202) 343-9349

---

**From:** Szabo, Aaron [[mailto:Aaron\\_L\\_Szabo@omb.eop.gov](mailto:Aaron_L_Szabo@omb.eop.gov)]  
**Sent:** Thursday, July 28, 2016 5:15 PM  
**To:** [rosnick.reid@epa.gov](mailto:rosnick.reid@epa.gov); Schultheisz, Daniel <[Schultheisz.Daniel@epa.gov](mailto:Schultheisz.Daniel@epa.gov)>  
**Cc:** Szabo, Aaron <[Aaron\\_L\\_Szabo@omb.eop.gov](mailto:Aaron_L_Szabo@omb.eop.gov)>  
**Subject:** Introductory Briefing and EO 12866 Invitee List: NESHAP for Uranium Mill Tailings

Reid and Dan,

I am the lead for the EPA NPRM entitled, "National Emission Standards for Hazardous Air Pollutants (NESHAP) Subpart W: Standards for Radon Emissions From Operating Uranium Mill Tailings: Review" (RIN 2060-AP26). Can you please provide some times and dates that EPA can provide an initial interagency briefing on this rule next week (preferably after Tuesday)? Also, please provide a list of EPA staff with their emails that should be invited to external stakeholder meetings under our EO

12866 procedures.

Thank you very much and please let me know if you have any questions.

Aaron L. Szabo  
Policy Analyst  
Office of Information and Regulatory Affairs  
Office of Management and Budget  
202-395-3621  
[Aaron\\_L\\_Szabo@omb.eop.gov](mailto:Aaron_L_Szabo@omb.eop.gov)

**From:** [Thornton, Marisa](#) on behalf of [Collections.SubW](#)  
**To:** [Thornton, Marisa](#)  
**Subject:** Fw: Greenwire Article re Subpart W Rulemaking  
**Date:** Wednesday, October 05, 2016 10:50:07 AM

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**From:** Schultheisz, Daniel  
**Sent:** Friday, September 23, 2016 11:01 AM  
**To:** Collections.SubW  
**Subject:** FW: Greenwire Article re Subpart W Rulemaking

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**From:** sarah@uraniumwatch.org [mailto:sarah@uraniumwatch.org]  
**Sent:** Wednesday, August 03, 2016 1:50 PM  
**To:** Schultheisz, Daniel <Schultheisz.Daniel@epa.gov>  
**Subject:** Greenwire Article re Subpart W Rulemaking

Dear Mr. Schultheisz,

For your interest and to place on the Non-Privileged Documents, here is Greenwire article. They got the title wrong, confusing uranium mines with uranium mills.

Sarah Fields  
Uranium Watch  
PO Box. 344  
Moab, Utah 84532

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## AIR POLLUTION:

# Radon regs for uranium mines under White House review

[Sean Reilly](#), E&E reporter

Published: Friday, July 29, 2016

More than two years after unveiling its initial draft, U.S. EPA is close to wrapping up work on an overhaul of standards for radon releases from uranium processing facilities.

The final version of the rule was received yesterday by the White House Office of Management and Budget for interagency review, according to [Reginfo.gov](#). EPA hopes to publicly release it by next month.

The agency had published its proposal in May 2014, partly as an attempt to harmonize different radon emission standards for uranium processing facilities built before and after 1989 and the impoundments used to store the byproducts known as tailings ([Greenwire](#), May 2, 2014.). The pre-1989 impoundments are subject to numeric limits on radon emissions; those built after that point instead use "work practices," such as limiting the size of impoundments, to control release of radon, a potent cancer-causing gas.

Under the draft, the numeric limits would be scrapped and work practices -- based on "generally available control technology" -- would become the norm at all impoundments regardless of their age. The new regulations would apply to all uranium recovery and management facilities, including conventional mills and what are known as "leach extraction facilities." In its 2014 proposal, EPA counted three pre-1989 mill impoundments either in operation or on standby and just one operating mill with an impoundment built after 1989.

EPA launched the review in 2009 as part of an agreement with conservation groups. Various elements of its draft proposal have come under fire from both environmental and industry organizations, according to public comments posted on the website, [regulations.gov](#).

The National Mining Association, for example, blasted as "indefensible" a part of the plan that would regulate evaporation and storage ponds at uranium recovery facilities. While EPA asserted that its jurisdiction over such ponds was "nothing new," the agency had no legal or regulatory bases for making the claim, Katie Sweeney, the association's general counsel, wrote in late 2014.

But in comments filed a few months later, Uranium Watch, a Utah-based watchdog group, strongly objected to the elimination of numeric emissions limits for older facilities. If EPA wanted to substitute a work practice benchmark, it had to show that "it is not feasible to prescribe or enforce an emission standard," wrote Sarah Fields, the group's program director. "The proposed rules made no mention of such a provision and did not make such findings."



**From:** [Thornton, Marisa](#) on behalf of [Collections.SubW](#)  
**To:** [Thornton, Marisa](#)  
**Subject:** Fw: Initial Briefing for OMB on Subpart W  
**Date:** Wednesday, October 05, 2016 10:50:15 AM

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**From:** Schultheisz, Daniel  
**Sent:** Friday, September 23, 2016 10:59 AM  
**To:** Collections.SubW  
**Subject:** FW: Initial Briefing for OMB on Subpart W

-----Original Appointment-----

**From:** Nesky, Anthony  
**Sent:** Monday, August 01, 2016 11:25 AM  
**To:** Schultheisz, Daniel  
**Subject:** Accepted: Initial Briefing for OMB on Subpart W  
**When:** Wednesday, August 03, 2016 3:30 PM-4:30 PM (UTC-05:00) Eastern Time (US & Canada).  
**Where:** DCRoomWest1424/OPEI; Conference Call 1-866-299-3188, Conference Code 2023439765#

**From:** [Thornton, Marisa](#) on behalf of [Collections.SubW](#)  
**To:** [Thornton, Marisa](#)  
**Subject:** Fw: Meeting Forward Notification: Initial Briefing for OMB on Subpart W  
**Date:** Wednesday, October 05, 2016 10:50:26 AM  
**Attachments:** [Meeting Forward Notification Initial Briefing for OMB on Subpart W.msg](#)

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**From:** Schultheisz, Daniel  
**Sent:** Friday, September 23, 2016 10:59 AM  
**To:** Collections.SubW  
**Subject:** FW: Meeting Forward Notification: Initial Briefing for OMB on Subpart W

**From:** [Microsoft Outlook](#) on behalf of [Johnson, Ann](#)  
**To:** [Schultheisz, Daniel](#)  
**Subject:** Meeting Forward Notification: Initial Briefing for OMB on Subpart W

---

Your meeting was forwarded

Johnson, Ann <<mailto:Johnson.Ann@epa.gov>> has forwarded your meeting request to additional recipients.

Meeting  
Initial Briefing for OMB on Subpart W

Meeting Time  
Wednesday, August 3, 2016 3:30 PM-4:30 PM.

Recipients  
OP ADP Calendar <[mailto:OP\\_ADP\\_Calendar@epa.gov](mailto:OP_ADP_Calendar@epa.gov)>

All times listed are in the following time zone: (UTC-05:00) Eastern Time (US & Canada)

\_\_\_\_\_  
Sent by Microsoft Exchange Server 2016

**From:** [Thornton, Marisa](#) on behalf of [Collections.SubW](#)  
**To:** [Thornton, Marisa](#)  
**Subject:** Fw: Initial Briefing for OMB on Subpart W  
**Date:** Wednesday, October 05, 2016 10:50:32 AM

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**From:** Schultheisz, Daniel  
**Sent:** Friday, September 23, 2016 10:59:16 AM  
**To:** Collections.SubW  
**Subject:** FW: Initial Briefing for OMB on Subpart W

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**From:** Rodman, Sonja  
**Sent:** Monday, August 01, 2016 10:18 AM  
**To:** Schultheisz, Daniel <[Schultheisz.Daniel@epa.gov](mailto:Schultheisz.Daniel@epa.gov)>  
**Cc:** Seidman, Emily <[seidman.emily@epa.gov](mailto:seidman.emily@epa.gov)>  
**Subject:** RE: Initial Briefing for OMB on Subpart W

Thanks Dan, I will join.

Sonja L. Rodman, Assistant General Counsel for Air Toxics, Consumer Protection and Indoor Air /  
Office of General Counsel / U.S. Environmental Protection Agency / (202) 564-4079 / 202-768-2120  
(cell)

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-----Original Appointment-----

**From:** Seidman, Emily **On Behalf Of** Schultheisz, Daniel  
**Sent:** Monday, August 01, 2016 9:59 AM  
**To:** Rodman, Sonja; Stahle, Susan  
**Subject:** FW: Initial Briefing for OMB on Subpart W  
**When:** Wednesday, August 03, 2016 3:30 PM-4:30 PM (UTC-05:00) Eastern Time (US & Canada).  
**Where:** DCRoomWest1424/OPEI; Conference Call 1-866-299-3188, Conference Code 2023439765#

FYI. The program is briefing OMB on Wednesday re Subpart W. I will attend. Passing this along in case you are interested in attending as well.

-----Original Appointment-----

**From:** Schultheisz, Daniel

**Sent:** Monday, August 01, 2016 9:44 AM

**To:** Schultheisz, Daniel; Seidman, Emily; Szabo, Aaron; Werner, Jacqueline; Perrin, Alan; Peake, Tom; Egidi, Philip; Nesky, Anthony; Johnson, Ann

**Subject:** FW: Initial Briefing for OMB on Subpart W

**When:** Wednesday, August 03, 2016 3:30 PM-4:30 PM (UTC-05:00) Eastern Time (US & Canada).

**Where:** DCRoomWest1424/OPEI; Conference Call 1-866-299-3188, Conference Code 2023439765#

-----Original Appointment-----

**From:** Schultheisz, Daniel

**Sent:** Monday, August 01, 2016 9:20 AM

**To:** Schultheisz, Daniel; Szabo, Aaron; Werner, Jacqueline; Perrin, Alan; Peake, Tom; Egidi, Philip; Nesky, Anthony; Johnson, Ann

**Subject:** Initial Briefing for OMB on Subpart W

**When:** Wednesday, August 03, 2016 3:30 PM-4:30 PM (UTC-05:00) Eastern Time (US & Canada).

**Where:** DCRoomWest1424/OPEI; Conference Call 1-866-299-3188, Conference Code 2023439765#

1-866-299-3188, passcode 2023439765#

**From:** [Thornton, Marisa](#) on behalf of [Collections.SubW](#)  
**To:** [Thornton, Marisa](#)  
**Subject:** Fw: FW: Initial Briefing for OMB on Subpart W  
**Date:** Wednesday, October 05, 2016 10:50:41 AM

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**From:** Schultheisz, Daniel  
**Sent:** Friday, September 23, 2016 10:59 AM  
**To:** Collections.SubW  
**Subject:** FW: FW: Initial Briefing for OMB on Subpart W

-----Original Appointment-----

**From:** Rodman, Sonja  
**Sent:** Monday, August 01, 2016 10:18 AM  
**To:** Schultheisz, Daniel  
**Subject:** Accepted: FW: Initial Briefing for OMB on Subpart W  
**When:** Wednesday, August 03, 2016 3:30 PM-4:30 PM (UTC-05:00) Eastern Time (US & Canada).  
**Where:** DCRoomWest1424/OPEI; Conference Call 1-866-299-3188, Conference Code 2023439765#

**From:** [Thornton, Marisa](#) on behalf of [Collections.SubW](#)  
**To:** [Thornton, Marisa](#)  
**Subject:** Fw: FW: Initial Briefing for OMB on Subpart W  
**Date:** Wednesday, October 05, 2016 10:50:51 AM

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**From:** Schultheisz, Daniel  
**Sent:** Friday, September 23, 2016 10:58 AM  
**To:** Collections.SubW  
**Subject:** FW: FW: Initial Briefing for OMB on Subpart W

-----Original Appointment-----

**From:** Stahle, Susan  
**Sent:** Monday, August 01, 2016 10:11 AM  
**To:** Schultheisz, Daniel  
**Cc:** Seidman, Emily; Rodman, Sonja  
**Subject:** Declined: FW: Initial Briefing for OMB on Subpart W  
**When:** Wednesday, August 03, 2016 3:30 PM-4:30 PM (UTC-05:00) Eastern Time (US & Canada).  
**Where:** DCRoomWest1424/OPEI; Conference Call 1-866-299-3188, Conference Code 2023439765#

Thanks Dan. I will be out of the office from August 3-10 so I will not be able to attend (not that you need me). Good luck!

**From:** [Thornton, Marisa](#) on behalf of [Collections.SubW](#)  
**To:** [Thornton, Marisa](#)  
**Subject:** Fw: FW: Initial Briefing for OMB on Subpart W  
**Date:** Wednesday, October 05, 2016 10:50:57 AM

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**From:** Schultheisz, Daniel  
**Sent:** Friday, September 23, 2016 10:58 AM  
**To:** Collections.SubW  
**Subject:** FW: FW: Initial Briefing for OMB on Subpart W

-----Original Appointment-----

**From:** Seidman, Emily  
**Sent:** Monday, August 01, 2016 10:00 AM  
**To:** Schultheisz, Daniel  
**Subject:** Accepted: FW: Initial Briefing for OMB on Subpart W  
**When:** Wednesday, August 03, 2016 3:30 PM-4:30 PM (UTC-05:00) Eastern Time (US & Canada).  
**Where:** DCRoomWest1424/OPEI; Conference Call 1-866-299-3188, Conference Code 2023439765#



**From:** [Thornton, Marisa](#) on behalf of [Collections.SubW](#)  
**To:** [Thornton, Marisa](#)  
**Subject:** Fw: Meeting Forward Notification: Initial Briefing for OMB on Subpart W  
**Date:** Wednesday, October 05, 2016 10:51:04 AM  
**Attachments:** [Meeting Forward Notification Initial Briefing for OMB on Subpart W.msg](#)

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**From:** Schultheisz, Daniel  
**Sent:** Friday, September 23, 2016 10:58 AM  
**To:** Collections.SubW  
**Subject:** FW: Meeting Forward Notification: Initial Briefing for OMB on Subpart W

**From:** [Thornton, Marisa](#) on behalf of [Collections.SubW](#)  
**To:** [Thornton, Marisa](#)  
**Subject:** Fw: Initial Briefing for OMB on Subpart W  
**Date:** Wednesday, October 05, 2016 10:51:15 AM  
**Attachments:** [FW Initial Briefing for OMB on Subpart W.msg](#)

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**From:** Schultheisz, Daniel  
**Sent:** Friday, September 23, 2016 10:57 AM  
**To:** Collections.SubW  
**Subject:** FW: Initial Briefing for OMB on Subpart W

**From:** [Schultheisz, Daniel](#)  
**To:** [Seidman, Emily](#); [Szabo, Aaron](#); [Werner, Jacqueline](#); [Perrin, Alan](#); [Peake, Tom](#); [Egidi, Philip](#); [Nesky, Anthony](#);  
[Johnson, Ann](#)  
**Subject:** FW: Initial Briefing for OMB on Subpart W

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-----Original Appointment-----

From: Schultheisz, Daniel

Sent: Monday, August 01, 2016 9:20 AM

To: Schultheisz, Daniel; Szabo, Aaron; Werner, Jacqueline; Perrin, Alan; Peake, Tom; Egidi, Philip; Nesky, Anthony; Johnson, Ann

Subject: Initial Briefing for OMB on Subpart W

When: Wednesday, August 03, 2016 3:30 PM-4:30 PM (UTC-05:00) Eastern Time (US & Canada).

Where: DCRoomWest1424/OPEI; Conference Call 1-866-299-3188, Conference Code 2023439765#

1-866-299-3188, passcode 2023439765#

**From:** [Thornton, Marisa](#) on behalf of [Collections.SubW](#)  
**To:** [Thornton, Marisa](#)  
**Subject:** Fw: Initial Briefing for OMB on Subpart W  
**Date:** Wednesday, October 05, 2016 10:51:22 AM

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**From:** Schultheisz, Daniel  
**Sent:** Friday, September 23, 2016 10:56 AM  
**To:** Collections.SubW  
**Subject:** FW: Initial Briefing for OMB on Subpart W

-----Original Appointment-----

**From:** Johnson, Ann  
**Sent:** Monday, August 01, 2016 9:20 AM  
**To:** Schultheisz, Daniel  
**Subject:** Accepted: Initial Briefing for OMB on Subpart W  
**When:** Wednesday, August 03, 2016 3:30 PM-4:30 PM (UTC-05:00) Eastern Time (US & Canada).  
**Where:** DCRoomWest1424/OPEI; Conference Call 1-866-299-3188, Conference Code 2023439765#

**From:** [Thornton, Marisa](#) on behalf of [Collections.SubW](#)  
**To:** [Thornton, Marisa](#)  
**Subject:** Fw: Initial Briefing for OMB on Subpart W  
**Date:** Wednesday, October 05, 2016 10:51:31 AM

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**From:** Schultheisz, Daniel  
**Sent:** Friday, September 23, 2016 10:55 AM  
**To:** Collections.SubW  
**Subject:** FW: Initial Briefing for OMB on Subpart W

-----Original Appointment-----

**From:** DCRoomWest1424/OPEI  
**Sent:** Monday, August 01, 2016 9:20 AM  
**To:** Schultheisz, Daniel  
**Subject:** Accepted: Initial Briefing for OMB on Subpart W  
**When:** Wednesday, August 03, 2016 3:30 PM-4:30 PM (UTC-05:00) Eastern Time (US & Canada).  
**Where:** DCRoomWest1424/OPEI; Conference Call 1-866-299-3188, Conference Code 2023439765#

**Your request was accepted.**

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Sent by Microsoft Exchange Server 2016

**From:** [Thornton, Marisa](#) on behalf of [Collections.SubW](#)  
**To:** [Thornton, Marisa](#)  
**Subject:** Fw: Initial Briefing for OMB on Subpart W  
**Date:** Wednesday, October 05, 2016 10:51:39 AM  
**Attachments:** [Initial Briefing for OMB on Subpart W.msg](#)

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**From:** Schultheisz, Daniel  
**Sent:** Friday, September 23, 2016 10:55 AM  
**To:** Collections.SubW  
**Subject:** FW: Initial Briefing for OMB on Subpart W

**From:** [Schultheisz, Daniel](#)  
**To:** [Szabo, Aaron](#); [Werner, Jacqueline](#); [Perrin, Alan](#); [Peake, Tom](#); [Egidi, Philip](#); [Nesky, Anthony](#); [Johnson, Ann](#)  
**Subject:** Initial Briefing for OMB on Subpart W

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1-866-299-3188, passcode 2023439765#

**From:** [Thornton, Marisa](#) on behalf of [Collections.SubW](#)  
**To:** [Thornton, Marisa](#)  
**Subject:** Fw: Introductory Briefing and EO 12866 Invitee List: NESHAP for Uranium Mill Tailings  
**Date:** Wednesday, October 05, 2016 10:51:49 AM

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**From:** Schultheisz, Daniel  
**Sent:** Friday, September 23, 2016 10:55 AM  
**To:** Collections.SubW  
**Subject:** FW: Introductory Briefing and EO 12866 Invitee List: NESHAP for Uranium Mill Tailings

---

**From:** Schultheisz, Daniel  
**Sent:** Monday, August 01, 2016 9:13 AM  
**To:** 'Szabo, Aaron' <[Aaron\\_L\\_Szabo@omb.eop.gov](mailto:Aaron_L_Szabo@omb.eop.gov)>  
**Subject:** RE: Introductory Briefing and EO 12866 Invitee List: NESHAP for Uranium Mill Tailings

I will send the invitation this morning. Teleconference is fine. We will provide a PowerPoint for the briefing. Are there specific areas you would like to have highlighted to help with your review of the rule? Thanks.

---

**From:** Szabo, Aaron [[mailto:Aaron\\_L\\_Szabo@omb.eop.gov](mailto:Aaron_L_Szabo@omb.eop.gov)]  
**Sent:** Sunday, July 31, 2016 5:42 PM  
**To:** Schultheisz, Daniel <[Schultheisz.Daniel@epa.gov](mailto:Schultheisz.Daniel@epa.gov)>  
**Cc:** Johnson, Ann <[Johnson.Ann@epa.gov](mailto:Johnson.Ann@epa.gov)>  
**Subject:** RE: Introductory Briefing and EO 12866 Invitee List: NESHAP for Uranium Mill Tailings

Dan,

With respect to the briefing time, please ignore the previous email and please set a time for 1 hour at 3:30pm (to 4:30pm) on Wednesday, August 3<sup>rd</sup>. Thank you very much.

---

**From:** Szabo, Aaron  
**Sent:** Sunday, July 31, 2016 5:31 PM  
**To:** 'Schultheisz, Daniel' <[Schultheisz.Daniel@epa.gov](mailto:Schultheisz.Daniel@epa.gov)>  
**Cc:** Johnson, Ann <[Johnson.Ann@epa.gov](mailto:Johnson.Ann@epa.gov)>  
**Subject:** RE: Introductory Briefing and EO 12866 Invitee List: NESHAP for Uranium Mill Tailings

Daniel,

Thank you very much for the response. Let's do 2pm on Thursday for 1 hour. With respect to



whether you want to come in, these are generally done over the phone (as the interagency members will not be coming in), but if you would like to do this in person I can try and get a room (I can at least get a smaller room that could support a couple of people from EPA). Either way, could you send me a scheduler with a teleconference line for 2-3pm on Thursday for the briefing and let me know whether you will be providing any briefing materials.

Thank you very much and let me know if you have any questions. I will be out of pocket Monday afternoon, but will have my work phone on me and will try and respond as soon as possible.

---

**From:** Schultheisz, Daniel [<mailto:Schultheisz.Daniel@epa.gov>]  
**Sent:** Friday, July 29, 2016 10:05 AM  
**To:** Szabo, Aaron <[Aaron\\_L\\_Szabo@omb.eop.gov](mailto:Aaron_L_Szabo@omb.eop.gov)>  
**Cc:** Johnson, Ann <[Johnson.Ann@epa.gov](mailto:Johnson.Ann@epa.gov)>  
**Subject:** FW: Introductory Briefing and EO 12866 Invitee List: NESHAP for Uranium Mill Tailings

Aaron:

Please add Ann Johnson, EPA Office of Policy ([Johnson.ann@epa.gov](mailto:Johnson.ann@epa.gov)) to the list of invitees for external stakeholder meetings. Thanks.

Dan

---

**From:** Schultheisz, Daniel  
**Sent:** Friday, July 29, 2016 8:12 AM  
**To:** 'Szabo, Aaron' <[Aaron\\_L\\_Szabo@omb.eop.gov](mailto:Aaron_L_Szabo@omb.eop.gov)>  
**Cc:** Peake, Tom <[Peake.Tom@epa.gov](mailto:Peake.Tom@epa.gov)>  
**Subject:** RE: Introductory Briefing and EO 12866 Invitee List: NESHAP for Uranium Mill Tailings

Aaron:

Thanks for getting in touch so quickly. It looks like Wednesday afternoon (after about 2:30) and Thursday afternoon will be best for a briefing to ensure that divisional management can attend (our Acting Office Director is on leave next week). Are you envisioning a teleconference, or would you like us to do an in-person briefing?

You should know that Reid Rosnick has retired, so I am the primary point of contact for the rule. For external stakeholder meetings, in addition to me, you should invite the following people:

Jonathan Edwards, Acting Director, ORIA ([edwards.jonathan@epa.gov](mailto:edwards.jonathan@epa.gov));  
Jacqueline Werner, Acting Director, Radiation Protection Division ([werner.jacqueline@epa.gov](mailto:werner.jacqueline@epa.gov));  
Alan Perrin, Deputy Director, RPD ([perrin.alan@epa.gov](mailto:perrin.alan@epa.gov));  
Tom Peake, Director, Center for Waste Management and Regulations ([peake.tom@epa.gov](mailto:peake.tom@epa.gov));  
Emily Seidman, Office of General Counsel ([seidman.emily@epa.gov](mailto:seidman.emily@epa.gov)).

Please let me know which times work best for you. Thanks.

Dan Schultheisz  
U.S. Environmental Protection Agency  
Office of Radiation and Indoor Air  
Radiation Protection Division  
(202) 343-9349

---

**From:** Szabo, Aaron [[mailto:Aaron\\_L\\_Szabo@omb.eop.gov](mailto:Aaron_L_Szabo@omb.eop.gov)]  
**Sent:** Thursday, July 28, 2016 5:15 PM  
**To:** [rosnick.reid@epa.gov](mailto:rosnick.reid@epa.gov); Schultheisz, Daniel <[Schultheisz.Daniel@epa.gov](mailto:Schultheisz.Daniel@epa.gov)>  
**Cc:** Szabo, Aaron <[Aaron\\_L\\_Szabo@omb.eop.gov](mailto:Aaron_L_Szabo@omb.eop.gov)>  
**Subject:** Introductory Briefing and EO 12866 Invitee List: NESHAP for Uranium Mill Tailings

Reid and Dan,

I am the lead for the EPA NPRM entitled, "National Emission Standards for Hazardous Air Pollutants (NESHAP) Subpart W: Standards for Radon Emissions From Operating Uranium Mill Tailings: Review" (RIN 2060-AP26). Can you please provide some times and dates that EPA can provide an initial interagency briefing on this rule next week (preferably after Tuesday)? Also, please provide a list of EPA staff with their emails that should be invited to external stakeholder meetings under our EO 12866 procedures.

Thank you very much and please let me know if you have any questions.

Aaron L. Szabo  
Policy Analyst  
Office of Information and Regulatory Affairs  
Office of Management and Budget  
202-395-3621  
[Aaron\\_L\\_Szabo@omb.eop.gov](mailto:Aaron_L_Szabo@omb.eop.gov)

**From:** [Thornton, Marisa](#) on behalf of [Collections.SubW](#)  
**To:** [Thornton, Marisa](#)  
**Subject:** Fw: Initial Briefing for OMB on Subpart W  
**Date:** Wednesday, October 05, 2016 10:53:03 AM

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**From:** Seidman, Emily  
**Sent:** Tuesday, September 13, 2016 12:27 PM  
**To:** Collections.SubW  
**Subject:** RE: Initial Briefing for OMB on Subpart W

-----Original Appointment-----

**From:** Seidman, Emily **On Behalf Of** Schultheisz, Daniel  
**Sent:** Monday, August 01, 2016 9:59 AM  
**To:** Rodman, Sonja; Stahle, Susan  
**Subject:** FW: Initial Briefing for OMB on Subpart W  
**When:** Wednesday, August 03, 2016 3:30 PM-4:30 PM (UTC-05:00) Eastern Time (US & Canada).  
**Where:** DCRoomWest1424/OPEI; Conference Call 1-866-299-3188, Conference Code 2023439765#

FYI. The program is briefing OMB on Wednesday re Subpart W. I will attend. Passing this along in case you are interested in attending as well.

-----Original Appointment-----

**From:** Schultheisz, Daniel  
**Sent:** Monday, August 01, 2016 9:44 AM  
**To:** Schultheisz, Daniel; Seidman, Emily; Szabo, Aaron; Werner, Jacqueline; Perrin, Alan; Peake, Tom; Egidi, Philip; Nesky, Anthony; Johnson, Ann  
**Subject:** FW: Initial Briefing for OMB on Subpart W  
**When:** Wednesday, August 03, 2016 3:30 PM-4:30 PM (UTC-05:00) Eastern Time (US & Canada).  
**Where:** DCRoomWest1424/OPEI; Conference Call 1-866-299-3188, Conference Code 2023439765#

-----Original Appointment-----

**From:** Schultheisz, Daniel  
**Sent:** Monday, August 01, 2016 9:20 AM  
**To:** Schultheisz, Daniel; Szabo, Aaron; Werner, Jacqueline; Perrin, Alan; Peake, Tom; Egidi, Philip; Nesky, Anthony; Johnson, Ann  
**Subject:** Initial Briefing for OMB on Subpart W

**When:** Wednesday, August 03, 2016 3:30 PM-4:30 PM (UTC-05:00) Eastern Time (US & Canada).

**Where:** DCRoomWest1424/OPEI; Conference Call 1-866-299-3188, Conference Code 2023439765#

1-866-299-3188, passcode 2023439765#

**From:** [Thornton, Marisa](#) on behalf of [Collections.SubW](#)  
**To:** [Thornton, Marisa](#)  
**Subject:** Fw: E.O. 12866 Meeting on National Emission Standards for Hazardous Air Pollutants (NESHAP) Subpart W: Standards for Radon Emissions From Operating Uranium Mill Tailings: Review  
**Date:** Wednesday, October 05, 2016 10:53:10 AM

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**From:** Seidman, Emily  
**Sent:** Tuesday, September 13, 2016 12:26 PM  
**To:** Collections.SubW  
**Subject:** RE: E.O. 12866 Meeting on National Emission Standards for Hazardous Air Pollutants (NESHAP) Subpart W: Standards for Radon Emissions From Operating Uranium Mill Tailings: Review

-----Original Appointment-----

**From:** Echols, Mabel [[mailto:Mabel\\_E.\\_Echols@omb.eop.gov](mailto:Mabel_E._Echols@omb.eop.gov)]  
**Sent:** Monday, August 15, 2016 10:58 AM  
**To:** Mancini, Dominic; Laity, Jim; Szabo, Aaron; Thomas, Amanda; Burgess, Scott; Mulligan, James; Hickey, Mike; Giljohann, Catherine; Ceronsky, Megan; Vahlsing, Candace; Hansel, Peter; Duke, Rick; McConville, Drew; Mallory, Brenda; Bruce\_D\_Rodan@ostp.eop.gov; Carney, Matt; Jain, Varun; Ekechi, Chinyere; Laciak, Arthur (Intern); Olmstead, Sheila; Weber, Paige; Edwards, Jonathan; Werner, Jacqueline; Perrin, Alan; Peake, Tom; Seidman, Emily  
**Subject:** E.O. 12866 Meeting on National Emission Standards for Hazardous Air Pollutants (NESHAP) Subpart W: Standards for Radon Emissions From Operating Uranium Mill Tailings: Review  
**When:** Tuesday, September 06, 2016 2:00 PM-2:30 PM (UTC-05:00) Eastern Time (US & Canada).  
**Where:** 1800 G Street, NW, 9th Floor - Conference Room 1

This meeting was requested by Aaron Mintzes, Earthworks.

Call-in: 202-395-6392; code 3862485.

**From:** [Thornton, Marisa](#) on behalf of [Collections.SubW](#)  
**To:** [Thornton, Marisa](#)  
**Subject:** Fw: Introductory Briefing and EO 12866 Invitee List: NESHAP for Uranium Mill Tailings  
**Date:** Wednesday, October 05, 2016 10:53:19 AM

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**From:** Seidman, Emily  
**Sent:** Tuesday, September 13, 2016 12:25 PM  
**To:** Collections.SubW  
**Subject:** FW: Introductory Briefing and EO 12866 Invitee List: NESHAP for Uranium Mill Tailings

---

**From:** Rodman, Sonja  
**Sent:** Wednesday, August 03, 2016 3:43 PM  
**To:** Schultheisz, Daniel <[Schultheisz.Daniel@epa.gov](mailto:Schultheisz.Daniel@epa.gov)>  
**Cc:** Seidman, Emily <[seidman.emily@epa.gov](mailto:seidman.emily@epa.gov)>  
**Subject:** RE: Introductory Briefing and EO 12866 Invitee List: NESHAP for Uranium Mill Tailings

Dan & Emily, I'm sorry I got pulled into something and am just now back at my desk. I think I'll pass on the briefing instead of calling in late. If either of you would like me to join, please let me know.

Sonja L. Rodman, Assistant General Counsel for Air Toxics, Consumer Protection and Indoor Air /  
Office of General Counsel / U.S. Environmental Protection Agency / (202) 564-4079 / 202-768-2120  
(cell)

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---

**From:** Schultheisz, Daniel  
**Sent:** Wednesday, August 03, 2016 1:34 PM  
**To:** Szabo, Aaron <[Aaron\\_L\\_Szabo@omb.eop.gov](mailto:Aaron_L_Szabo@omb.eop.gov)>  
**Cc:** Johnson, Ann <[Johnson.Ann@epa.gov](mailto:Johnson.Ann@epa.gov)>; Werner, Jacqueline <[Werner.Jacqueline@epa.gov](mailto:Werner.Jacqueline@epa.gov)>; Perrin, Alan <[Perrin.Alan@epa.gov](mailto:Perrin.Alan@epa.gov)>; Peake, Tom <[Peake.Tom@epa.gov](mailto:Peake.Tom@epa.gov)>; Nesky, Anthony <[Nesky.Tony@epa.gov](mailto:Nesky.Tony@epa.gov)>; Egidi, Philip <[Egidi.Philip@epa.gov](mailto:Egidi.Philip@epa.gov)>; Seidman, Emily <[seidman.emily@epa.gov](mailto:seidman.emily@epa.gov)>; Stahle, Susan <[Stahle.Susan@epa.gov](mailto:Stahle.Susan@epa.gov)>; Rodman, Sonja <[Rodman.Sonja@epa.gov](mailto:Rodman.Sonja@epa.gov)>  
**Subject:** RE: Introductory Briefing and EO 12866 Invitee List: NESHAP for Uranium Mill Tailings

Aaron:

Attached is a PowerPoint for today's briefing. Please let me know if you have questions. Thanks.

Dan

---

**From:** Szabo, Aaron [[mailto:Aaron\\_L\\_Szabo@omb.eop.gov](mailto:Aaron_L_Szabo@omb.eop.gov)]  
**Sent:** Sunday, July 31, 2016 5:42 PM  
**To:** Schultheisz, Daniel <[Schultheisz.Daniel@epa.gov](mailto:Schultheisz.Daniel@epa.gov)>  
**Cc:** Johnson, Ann <[Johnson.Ann@epa.gov](mailto:Johnson.Ann@epa.gov)>  
**Subject:** RE: Introductory Briefing and EO 12866 Invitee List: NESHAP for Uranium Mill Tailings

Dan,

With respect to the briefing time, please ignore the previous email and please set a time for 1 hour at 3:30pm (to 4:30pm) on Wednesday, August 3<sup>rd</sup>. Thank you very much.

---

**From:** Szabo, Aaron  
**Sent:** Sunday, July 31, 2016 5:31 PM  
**To:** 'Schultheisz, Daniel' <[Schultheisz.Daniel@epa.gov](mailto:Schultheisz.Daniel@epa.gov)>  
**Cc:** Johnson, Ann <[Johnson.Ann@epa.gov](mailto:Johnson.Ann@epa.gov)>  
**Subject:** RE: Introductory Briefing and EO 12866 Invitee List: NESHAP for Uranium Mill Tailings

Daniel,

Thank you very much for the response. Let's do 2pm on Thursday for 1 hour. With respect to whether you want to come in, these are generally done over the phone (as the interagency members will not be coming in), but if you would like to do this in person I can try and get a room (I can at least get a smaller room that could support a couple of people from EPA). Either way, could you send me a scheduler with a teleconference line for 2-3pm on Thursday for the briefing and let me know whether you will be providing any briefing materials.

Thank you very much and let me know if you have any questions. I will be out of pocket Monday afternoon, but will have my work phone on me and will try and respond as soon as possible.

---

**From:** Schultheisz, Daniel [<mailto:Schultheisz.Daniel@epa.gov>]  
**Sent:** Friday, July 29, 2016 10:05 AM  
**To:** Szabo, Aaron <[Aaron\\_L\\_Szabo@omb.eop.gov](mailto:Aaron_L_Szabo@omb.eop.gov)>  
**Cc:** Johnson, Ann <[Johnson.Ann@epa.gov](mailto:Johnson.Ann@epa.gov)>  
**Subject:** FW: Introductory Briefing and EO 12866 Invitee List: NESHAP for Uranium Mill Tailings

Aaron:

Please add Ann Johnson, EPA Office of Policy ([Johnson.ann@epa.gov](mailto:Johnson.ann@epa.gov)) to the list of invitees for external stakeholder meetings. Thanks.

Dan

---

**From:** Schultheisz, Daniel  
**Sent:** Friday, July 29, 2016 8:12 AM  
**To:** 'Szabo, Aaron' <[Aaron\\_L\\_Szabo@omb.eop.gov](mailto:Aaron_L_Szabo@omb.eop.gov)>  
**Cc:** Peake, Tom <[Peake.Tom@epa.gov](mailto:Peake.Tom@epa.gov)>  
**Subject:** RE: Introductory Briefing and EO 12866 Invitee List: NESHAP for Uranium Mill Tailings

Aaron:

Thanks for getting in touch so quickly. It looks like Wednesday afternoon (after about 2:30) and Thursday afternoon will be best for a briefing to ensure that divisional management can attend (our Acting Office Director is on leave next week). Are you envisioning a teleconference, or would you like us to do an in-person briefing?

You should know that Reid Rosnick has retired, so I am the primary point of contact for the rule. For external stakeholder meetings, in addition to me, you should invite the following people:

Jonathan Edwards, Acting Director, ORIA ([edwards.jonathan@epa.gov](mailto:edwards.jonathan@epa.gov));  
Jacqueline Werner, Acting Director, Radiation Protection Division ([werner.jacqueline@epa.gov](mailto:werner.jacqueline@epa.gov));  
Alan Perrin, Deputy Director, RPD ([perrin.alan@epa.gov](mailto:perrin.alan@epa.gov));  
Tom Peake, Director, Center for Waste Management and Regulations ([peake.tom@epa.gov](mailto:peake.tom@epa.gov));  
Emily Seidman, Office of General Counsel ([seidman.emily@epa.gov](mailto:seidman.emily@epa.gov)).

Please let me know which times work best for you. Thanks.

Dan Schultheisz  
U.S. Environmental Protection Agency  
Office of Radiation and Indoor Air  
Radiation Protection Division  
(202) 343-9349

---

**From:** Szabo, Aaron [[mailto:Aaron\\_L\\_Szabo@omb.eop.gov](mailto:Aaron_L_Szabo@omb.eop.gov)]  
**Sent:** Thursday, July 28, 2016 5:15 PM  
**To:** [rosnick.reid@epa.gov](mailto:rosnick.reid@epa.gov); Schultheisz, Daniel <[Schultheisz.Daniel@epa.gov](mailto:Schultheisz.Daniel@epa.gov)>  
**Cc:** Szabo, Aaron <[Aaron\\_L\\_Szabo@omb.eop.gov](mailto:Aaron_L_Szabo@omb.eop.gov)>  
**Subject:** Introductory Briefing and EO 12866 Invitee List: NESHAP for Uranium Mill Tailings

Reid and Dan,

I am the lead for the EPA NPRM entitled, "National Emission Standards for Hazardous Air Pollutants (NESHAP) Subpart W: Standards for Radon Emissions From Operating Uranium Mill Tailings: Review" (RIN 2060-AP26). Can you please provide some times and dates that EPA can provide an initial interagency briefing on this rule next week (preferably after Tuesday)? Also, please provide a list of EPA staff with their emails that should be invited to external stakeholder meetings under our EO



12866 procedures.

Thank you very much and please let me know if you have any questions.

Aaron L. Szabo  
Policy Analyst  
Office of Information and Regulatory Affairs  
Office of Management and Budget  
202-395-3621  
[Aaron\\_L\\_Szabo@omb.eop.gov](mailto:Aaron_L_Szabo@omb.eop.gov)

**From:** [Thornton, Marisa](#) on behalf of [Collections.SubW](#)  
**To:** [Thornton, Marisa](#)  
**Subject:** Fw: Subpart W - are you planning to go over to the west building for the meeting?  
**Date:** Wednesday, October 05, 2016 10:53:24 AM

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---

**From:** Seidman, Emily  
**Sent:** Tuesday, September 13, 2016 12:25 PM  
**To:** Collections.SubW  
**Subject:** FW: Subpart W - are you planning to go over to the west building for the meeting?

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**From:** Seidman, Emily  
**Sent:** Wednesday, August 03, 2016 3:10 PM  
**To:** Rodman, Sonja <[Rodman.Sonja@epa.gov](mailto:Rodman.Sonja@epa.gov)>  
**Subject:** Subpart W - are you planning to go over to the west building for the meeting?

I'm planning to walk over around 3:20.

Emily Seidman | US EPA | Office of General Counsel | Air and Radiation Law Office | Mail Code 2344A | WJCN 7409F | phone: (202) 564-0906

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**From:** [Thornton, Marisa](#) on behalf of [Collections.SubW](#)  
**To:** [Thornton, Marisa](#)  
**Subject:** Fw: Initial Briefing for OMB on Subpart W  
**Date:** Wednesday, October 05, 2016 10:53:54 AM

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**From:** Seidman, Emily  
**Sent:** Tuesday, September 13, 2016 12:24 PM  
**To:** Collections.SubW  
**Subject:** FW: Initial Briefing for OMB on Subpart W

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**From:** Rodman, Sonja  
**Sent:** Monday, August 01, 2016 10:18 AM  
**To:** Schultheisz, Daniel <[Schultheisz.Daniel@epa.gov](mailto:Schultheisz.Daniel@epa.gov)>  
**Cc:** Seidman, Emily <[seidman.emily@epa.gov](mailto:seidman.emily@epa.gov)>  
**Subject:** RE: Initial Briefing for OMB on Subpart W

Thanks Dan, I will join.

Sonja L. Rodman, Assistant General Counsel for Air Toxics, Consumer Protection and Indoor Air /  
Office of General Counsel / U.S. Environmental Protection Agency / (202) 564-4079 / 202-768-2120  
(cell)

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-----Original Appointment-----

**From:** Seidman, Emily **On Behalf Of** Schultheisz, Daniel  
**Sent:** Monday, August 01, 2016 9:59 AM  
**To:** Rodman, Sonja; Stahle, Susan  
**Subject:** FW: Initial Briefing for OMB on Subpart W  
**When:** Wednesday, August 03, 2016 3:30 PM-4:30 PM (UTC-05:00) Eastern Time (US & Canada).  
**Where:** DCRoomWest1424/OPEI; Conference Call 1-866-299-3188, Conference Code 2023439765#

FYI. The program is briefing OMB on Wednesday re Subpart W. I will attend. Passing this along in

case you are interested in attending as well.

-----Original Appointment-----

**From:** Schultheisz, Daniel

**Sent:** Monday, August 01, 2016 9:44 AM

**To:** Schultheisz, Daniel; Seidman, Emily; Szabo, Aaron; Werner, Jacqueline; Perrin, Alan; Peake, Tom; Egidi, Philip; Nesky, Anthony; Johnson, Ann

**Subject:** FW: Initial Briefing for OMB on Subpart W

**When:** Wednesday, August 03, 2016 3:30 PM-4:30 PM (UTC-05:00) Eastern Time (US & Canada).

**Where:** DCRoomWest1424/OPEI; Conference Call 1-866-299-3188, Conference Code 2023439765#

-----Original Appointment-----

**From:** Schultheisz, Daniel

**Sent:** Monday, August 01, 2016 9:20 AM

**To:** Schultheisz, Daniel; Szabo, Aaron; Werner, Jacqueline; Perrin, Alan; Peake, Tom; Egidi, Philip; Nesky, Anthony; Johnson, Ann

**Subject:** Initial Briefing for OMB on Subpart W

**When:** Wednesday, August 03, 2016 3:30 PM-4:30 PM (UTC-05:00) Eastern Time (US & Canada).

**Where:** DCRoomWest1424/OPEI; Conference Call 1-866-299-3188, Conference Code 2023439765#

1-866-299-3188, passcode 2023439765#

**From:** [Thornton, Marisa](#) on behalf of [Collections.SubW](#)  
**To:** [Thornton, Marisa](#)  
**Subject:** Fw: FW: Initial Briefing for OMB on Subpart W  
**Date:** Wednesday, October 05, 2016 10:54:12 AM

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**From:** Seidman, Emily  
**Sent:** Tuesday, September 13, 2016 12:24 PM  
**To:** Collections.SubW  
**Subject:** FW: FW: Initial Briefing for OMB on Subpart W

-----Original Appointment-----

**From:** Stahle, Susan  
**Sent:** Monday, August 01, 2016 10:11 AM  
**To:** Schultheisz, Daniel  
**Cc:** Seidman, Emily; Rodman, Sonja  
**Subject:** Declined: FW: Initial Briefing for OMB on Subpart W  
**When:** Wednesday, August 03, 2016 3:30 PM-4:30 PM (UTC-05:00) Eastern Time (US & Canada).  
**Where:** DCRoomWest1424/OPEI; Conference Call 1-866-299-3188, Conference Code 2023439765#

Thanks Dan. I will be out of the office from August 3-10 so I will not be able to attend (not that you need me). Good luck!

**From:** [Thornton, Marisa](#) on behalf of [Collections.SubW](#)  
**To:** [Thornton, Marisa](#)  
**Subject:** Fw: FW: Initial Briefing for OMB on Subpart W  
**Date:** Wednesday, October 05, 2016 10:54:21 AM

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**From:** Seidman, Emily  
**Sent:** Tuesday, September 13, 2016 12:24 PM  
**To:** Collections.SubW  
**Subject:** FW: FW: Initial Briefing for OMB on Subpart W

-----Original Appointment-----

**From:** Seidman, Emily  
**Sent:** Monday, August 01, 2016 10:00 AM  
**To:** Schultheisz, Daniel  
**Subject:** Accepted: FW: Initial Briefing for OMB on Subpart W  
**When:** Wednesday, August 03, 2016 3:30 PM-4:30 PM (UTC-05:00) Eastern Time (US & Canada).  
**Where:** DCRoomWest1424/OPEI; Conference Call 1-866-299-3188, Conference Code 2023439765#

**From:** [Thornton, Marisa](#) on behalf of [Collections.SubW](#)  
**To:** [Thornton, Marisa](#)  
**Subject:** Fw: APPROVED for OMB - NESHAP for Operating Uranium Mill Tailings - Amendments (Subpart W) (5281)  
**Date:** Wednesday, October 05, 2016 10:54:39 AM

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**From:** Seidman, Emily  
**Sent:** Tuesday, September 13, 2016 12:23 PM  
**To:** Collections.SubW  
**Subject:** FW: APPROVED for OMB - NESHAP for Operating Uranium Mill Tailings - Amendments (Subpart W) (5281)

---

**From:** Rodman, Sonja  
**Sent:** Monday, August 01, 2016 9:42 AM  
**To:** Stahle, Susan <[Stahle.Susan@epa.gov](mailto:Stahle.Susan@epa.gov)>; Seidman, Emily <[seidman.emily@epa.gov](mailto:seidman.emily@epa.gov)>  
**Subject:** RE: APPROVED for OMB - NESHAP for Operating Uranium Mill Tailings - Amendments (Subpart W) (5281)

Indeed! Thx

Sonja L. Rodman, Assistant General Counsel for Air Toxics, Consumer Protection and Indoor Air / Office of General Counsel / U.S. Environmental Protection Agency / (202) 564-4079 / 202-768-2120 (cell)

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---

**From:** Stahle, Susan  
**Sent:** Friday, July 29, 2016 11:20 AM  
**To:** Seidman, Emily <[seidman.emily@epa.gov](mailto:seidman.emily@epa.gov)>; Rodman, Sonja <[Rodman.Sonja@epa.gov](mailto:Rodman.Sonja@epa.gov)>  
**Subject:** RE: APPROVED for OMB - NESHAP for Operating Uranium Mill Tailings - Amendments (Subpart W) (5281)

Wahoo!

Susan Stahle  
Attorney-Advisor  
Air and Radiation Law Office  
Office of General Counsel  
U.S. Environmental Protection Agency  
202-564-1272 (ph)  
202-564-5603 (fax)  
[stahle.susan@epa.gov](mailto:stahle.susan@epa.gov)

---

**From:** Seidman, Emily  
**Sent:** Thursday, July 28, 2016 4:46 PM  
**To:** Rodman, Sonja <[Rodman.Sonja@epa.gov](mailto:Rodman.Sonja@epa.gov)>; Stahle, Susan <[Stahle.Susan@epa.gov](mailto:Stahle.Susan@epa.gov)>  
**Subject:** FW: APPROVED for OMB - NESHAP for Operating Uranium Mill Tailings - Amendments (Subpart W) (5281)

FYI – Subpart W is at OMB.

---

**From:** Schultheisz, Daniel  
**Sent:** Thursday, July 28, 2016 4:45 PM  
**To:** Seidman, Emily <[seidman.emily@epa.gov](mailto:seidman.emily@epa.gov)>  
**Subject:** FW: APPROVED for OMB - NESHAP for Operating Uranium Mill Tailings - Amendments (Subpart W) (5281)

FYI

---

**From:** Schultheisz, Daniel  
**Sent:** Thursday, July 28, 2016 4:43 PM  
**To:** Edwards, Jonathan <[Edwards.Jonathan@epa.gov](mailto:Edwards.Jonathan@epa.gov)>  
**Cc:** Perrin, Alan <[Perrin.Alan@epa.gov](mailto:Perrin.Alan@epa.gov)>; Werner, Jacqueline <[Werner.Jacqueline@epa.gov](mailto:Werner.Jacqueline@epa.gov)>; Peake, Tom <[Peake.Tom@epa.gov](mailto:Peake.Tom@epa.gov)>  
**Subject:** FW: APPROVED for OMB - NESHAP for Operating Uranium Mill Tailings - Amendments (Subpart W) (5281)

Subpart W has been submitted to OMB. Huzzah.

---

**From:** Muellerleile, Caryn  
**Sent:** Thursday, July 28, 2016 3:16 PM  
**To:** Nickerson, William <[Nickerson.William@epa.gov](mailto:Nickerson.William@epa.gov)>; Corrales, Mark <[Corrales.Mark@epa.gov](mailto:Corrales.Mark@epa.gov)>; Boyle, Kathryn <[Boyle.Kathryn@epa.gov](mailto:Boyle.Kathryn@epa.gov)>; Owens, Nicole <[Owens.Nicole@epa.gov](mailto:Owens.Nicole@epa.gov)>; Pritchard, Eileen <[Pritchard.Eileen@epa.gov](mailto:Pritchard.Eileen@epa.gov)>; Kime, Robin <[Kime.Robin@epa.gov](mailto:Kime.Robin@epa.gov)>; Johnson, Ann <[Johnson.Ann@epa.gov](mailto:Johnson.Ann@epa.gov)>  
**Cc:** Schultheisz, Daniel <[Schultheisz.Daniel@epa.gov](mailto:Schultheisz.Daniel@epa.gov)>; Lee, Raymond <[Lee.Raymond@epa.gov](mailto:Lee.Raymond@epa.gov)>; Mcquilkiln, Wendy <[Mcquilkiln.Wendy@epa.gov](mailto:Mcquilkiln.Wendy@epa.gov)>; Morgan, Ruthw <[morgan.ruthw@epa.gov](mailto:morgan.ruthw@epa.gov)>; Morris, Joseph <[Morris.Joseph@epa.gov](mailto:Morris.Joseph@epa.gov)>; Knapp, Kristien <[Knapp.Kristien@epa.gov](mailto:Knapp.Kristien@epa.gov)>; Clark, Spencer <[Clark.Spencer@epa.gov](mailto:Clark.Spencer@epa.gov)>  
**Subject:** APPROVED for OMB - NESHAP for Operating Uranium Mill Tailings - Amendments (Subpart W) (5281)

Today, OP approved OAR's **NESHAP for Operating Uranium Mill Tailings - Amendments (Subpart W)** (5281) for transmission to OMB for interagency review. This tier 3 final rule has been submitted to OMB via the ROCIS database.

RIN: 2060-AP26 (201610)  
Stage of Rulemaking: Final Rule Stage  
Title: National Emission Standards for Hazardous Air Pollutants (NESHAP) Subpart W: Standards for Radon Emissions From Operating Uranium Mill Tailings: Review

 EO Review Package was successfully submitted at 07/28/2016 15:08:05 PM.

EO Review Package 2060-AP26

**Unfunded Mandates**

Caryn Muellerleile  
Regulatory Management Division  
Office of Policy  
US Environmental Protection Agency  
1200 Pennsylvania Ave NW (1803A)  
Washington, DC 20460  
(202) 564-2855  
[muellerleile.caryn@epa.gov](mailto:muellerleile.caryn@epa.gov)



**From:** [Thornton, Marisa](#) on behalf of [Collections.SubW](#)  
**To:** [Thornton, Marisa](#)  
**Subject:** Fw: APPROVED for OMB - NESHAP for Operating Uranium Mill Tailings - Amendments (Subpart W) (5281)  
**Date:** Thursday, October 06, 2016 8:21:37 AM

---

**From:** Rodman, Sonja  
**Sent:** Tuesday, October 4, 2016 12:09 PM  
**To:** Collections.SubW  
**Subject:** FW: APPROVED for OMB - NESHAP for Operating Uranium Mill Tailings - Amendments (Subpart W) (5281)

Sonja L. Rodman, Assistant General Counsel for Air Toxics, Consumer Protection and Indoor Air / Office of General Counsel / U.S. Environmental Protection Agency / (202) 564-4079 / 202-768-2120 (cell)

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---

**From:** Rodman, Sonja  
**Sent:** Monday, August 01, 2016 9:42 AM  
**To:** Stahle, Susan <[Stahle.Susan@epa.gov](mailto:Stahle.Susan@epa.gov)>; Seidman, Emily <[seidman.emily@epa.gov](mailto:seidman.emily@epa.gov)>  
**Subject:** RE: APPROVED for OMB - NESHAP for Operating Uranium Mill Tailings - Amendments (Subpart W) (5281)

Indeed! Thx

Sonja L. Rodman, Assistant General Counsel for Air Toxics, Consumer Protection and Indoor Air / Office of General Counsel / U.S. Environmental Protection Agency / (202) 564-4079 / 202-768-2120 (cell)

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---

**From:** Stahle, Susan  
**Sent:** Friday, July 29, 2016 11:20 AM  
**To:** Seidman, Emily <[seidman.emily@epa.gov](mailto:seidman.emily@epa.gov)>; Rodman, Sonja <[Rodman.Sonja@epa.gov](mailto:Rodman.Sonja@epa.gov)>  
**Subject:** RE: APPROVED for OMB - NESHAP for Operating Uranium Mill Tailings - Amendments (Subpart W) (5281)

Wahoo!

Susan Stahle  
Attorney-Advisor  
Air and Radiation Law Office  
Office of General Counsel  
U.S. Environmental Protection Agency  
202-564-1272 (ph)  
202-564-5603 (fax)  
[stahle.susan@epa.gov](mailto:stahle.susan@epa.gov)

---

**From:** Seidman, Emily  
**Sent:** Thursday, July 28, 2016 4:46 PM  
**To:** Rodman, Sonja <[Rodman.Sonja@epa.gov](mailto:Rodman.Sonja@epa.gov)>; Stahle, Susan <[Stahle.Susan@epa.gov](mailto:Stahle.Susan@epa.gov)>  
**Subject:** FW: APPROVED for OMB - NESHAP for Operating Uranium Mill Tailings - Amendments (Subpart W) (5281)

FYI – Subpart W is at OMB.

---

**From:** Schultheisz, Daniel  
**Sent:** Thursday, July 28, 2016 4:45 PM  
**To:** Seidman, Emily <[seidman.emily@epa.gov](mailto:seidman.emily@epa.gov)>  
**Subject:** FW: APPROVED for OMB - NESHAP for Operating Uranium Mill Tailings - Amendments (Subpart W) (5281)

FYI

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**From:** Schultheisz, Daniel  
**Sent:** Thursday, July 28, 2016 4:43 PM  
**To:** Edwards, Jonathan <[Edwards.Jonathan@epa.gov](mailto:Edwards.Jonathan@epa.gov)>  
**Cc:** Perrin, Alan <[Perrin.Alan@epa.gov](mailto:Perrin.Alan@epa.gov)>; Werner, Jacqueline <[Werner.Jacqueline@epa.gov](mailto:Werner.Jacqueline@epa.gov)>; Peake, Tom <[Peake.Tom@epa.gov](mailto:Peake.Tom@epa.gov)>  
**Subject:** FW: APPROVED for OMB - NESHAP for Operating Uranium Mill Tailings - Amendments (Subpart W) (5281)

Subpart W has been submitted to OMB. Huzzah.

---

**From:** Muellerleile, Caryn  
**Sent:** Thursday, July 28, 2016 3:16 PM  
**To:** Nickerson, William <[Nickerson.William@epa.gov](mailto:Nickerson.William@epa.gov)>; Corrales, Mark <[Corrales.Mark@epa.gov](mailto:Corrales.Mark@epa.gov)>; Boyle, Kathryn <[Boyle.Kathryn@epa.gov](mailto:Boyle.Kathryn@epa.gov)>; Owens, Nicole <[Owens.Nicole@epa.gov](mailto:Owens.Nicole@epa.gov)>; Pritchard, Eileen <[Pritchard.Eileen@epa.gov](mailto:Pritchard.Eileen@epa.gov)>; Kime, Robin <[Kime.Robin@epa.gov](mailto:Kime.Robin@epa.gov)>; Johnson, Ann <[Johnson.Ann@epa.gov](mailto:Johnson.Ann@epa.gov)>  
**Cc:** Schultheisz, Daniel <[Schultheisz.Daniel@epa.gov](mailto:Schultheisz.Daniel@epa.gov)>; Lee, Raymond <[Lee.Raymond@epa.gov](mailto:Lee.Raymond@epa.gov)>; Mcquilkkin, Wendy <[Mcquilkkin.Wendy@epa.gov](mailto:Mcquilkkin.Wendy@epa.gov)>; Morgan, Ruthw <[morgan.ruthw@epa.gov](mailto:morgan.ruthw@epa.gov)>; Morris, Joseph <[Morris.Joseph@epa.gov](mailto:Morris.Joseph@epa.gov)>; Knapp, Kristien <[Knapp.Kristien@epa.gov](mailto:Knapp.Kristien@epa.gov)>; Clark, Spencer <[Clark.Spencer@epa.gov](mailto:Clark.Spencer@epa.gov)>

**Subject:** APPROVED for OMB - NESHAP for Operating Uranium Mill Tailings - Amendments (Subpart W) (5281)

Today, OP approved OAR's **NESHAP for Operating Uranium Mill Tailings - Amendments (Subpart W)** (5281) for transmission to OMB for interagency review. This tier 3 final rule has been submitted to OMB via the ROCIS database.

The screenshot displays the ROCIS.GOV web application interface. At the top, the logo 'ROCIS.GOV' is visible. Below the logo, there are three main navigation tabs: 'HOME', 'AGENDA/REGS', and 'ADMINISTRATION'. Underneath these tabs, there are several icons representing different functions: 'INBOX', 'RULES', 'AGENDA', 'SEARCH', 'AGENCY EO REVIEW', and 'REPORTS'. A secondary navigation bar shows 'Home', 'Agenda/Regs', 'Agency EO Review', and 'EO Package'. The main content area displays the following information:

RIN: 2060-AP26 (201610)  
Stage of Rulemaking: Final Rule Stage  
Title: National Emission Standards for Hazardous Air Pollutants (NESHAP) Subpart W: Standards for Radon Emissions From Operating Uranium Mill Tailings: Review

A green notification bar with a checkmark icon states: "EO Review Package was successfully submitted at 07/28/2016 15:08:05 PM."

At the bottom right of the interface, the text "EO Review Package 2060-AP26" is displayed.

Below the notification bar, the text "Unfunded Mandates" is visible.

Caryn Muellerleile  
Regulatory Management Division  
Office of Policy  
US Environmental Protection Agency  
1200 Pennsylvania Ave NW (1803A)  
Washington, DC 20460  
(202) 564-2855  
[muellerleile.caryn@epa.gov](mailto:muellerleile.caryn@epa.gov)

**From:** [Thornton, Marisa](#) on behalf of [Collections.SubW](#)  
**To:** [Thornton, Marisa](#)  
**Subject:** Fw: FW: Initial Briefing for OMB on Subpart W  
**Date:** Thursday, October 06, 2016 8:21:54 AM

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**From:** Rodman, Sonja  
**Sent:** Tuesday, October 4, 2016 12:08 PM  
**To:** Collections.SubW  
**Subject:** FW: FW: Initial Briefing for OMB on Subpart W

Sonja L. Rodman, Assistant General Counsel for Air Toxics, Consumer Protection and Indoor Air /  
Office of General Counsel / U.S. Environmental Protection Agency / (202) 564-4079 / 202-768-2120  
(cell)

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-----Original Appointment-----

**From:** Stahle, Susan  
**Sent:** Monday, August 01, 2016 10:11 AM  
**To:** Schultheisz, Daniel  
**Cc:** Seidman, Emily; Rodman, Sonja  
**Subject:** Declined: FW: Initial Briefing for OMB on Subpart W  
**When:** Wednesday, August 03, 2016 3:30 PM-4:30 PM (UTC-05:00) Eastern Time (US & Canada).  
**Where:** DCRoomWest1424/OPEI; Conference Call 1-866-299-3188, Conference Code 2023439765#

Thanks Dan. I will be out of the office from August 3-10 so I will not be able to attend (not that you need me). Good luck!

**From:** [Thornton, Marisa](#) on behalf of [Collections.SubW](#)  
**To:** [Thornton, Marisa](#)  
**Subject:** Fw: FW: Initial Briefing for OMB on Subpart W  
**Date:** Thursday, October 06, 2016 8:22:02 AM

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**From:** Rodman, Sonja  
**Sent:** Tuesday, October 4, 2016 12:08 PM  
**To:** Collections.SubW  
**Subject:** FW: FW: Initial Briefing for OMB on Subpart W

Sonja L. Rodman, Assistant General Counsel for Air Toxics, Consumer Protection and Indoor Air /  
Office of General Counsel / U.S. Environmental Protection Agency / (202) 564-4079 / 202-768-2120  
(cell)

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-----Original Appointment-----

**From:** Rodman, Sonja  
**Sent:** Monday, August 01, 2016 10:18 AM  
**To:** Schultheisz, Daniel  
**Subject:** Accepted: FW: Initial Briefing for OMB on Subpart W  
**When:** Wednesday, August 03, 2016 3:30 PM-4:30 PM (UTC-05:00) Eastern Time (US & Canada).  
**Where:** DCRoomWest1424/OPEI; Conference Call 1-866-299-3188, Conference Code 2023439765#

**From:** [Thornton, Marisa](#) on behalf of [Collections.SubW](#)  
**To:** [Thornton, Marisa](#)  
**Subject:** Fw: Initial Briefing for OMB on Subpart W  
**Date:** Thursday, October 06, 2016 8:22:09 AM

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**From:** Rodman, Sonja  
**Sent:** Tuesday, October 4, 2016 12:08 PM  
**To:** Collections.SubW  
**Subject:** FW: Initial Briefing for OMB on Subpart W

Sonja L. Rodman, Assistant General Counsel for Air Toxics, Consumer Protection and Indoor Air /  
Office of General Counsel / U.S. Environmental Protection Agency / (202) 564-4079 / 202-768-2120  
(cell)

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---

**From:** Rodman, Sonja  
**Sent:** Monday, August 01, 2016 10:18 AM  
**To:** Schultheisz, Daniel <Schultheisz.Daniel@epa.gov>  
**Cc:** Seidman, Emily <seidman.emily@epa.gov>  
**Subject:** RE: Initial Briefing for OMB on Subpart W

Thanks Dan, I will join.

Sonja L. Rodman, Assistant General Counsel for Air Toxics, Consumer Protection and Indoor Air /  
Office of General Counsel / U.S. Environmental Protection Agency / (202) 564-4079 / 202-768-2120  
(cell)

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-----Original Appointment-----

**From:** Seidman, Emily **On Behalf Of** Schultheisz, Daniel

**Sent:** Monday, August 01, 2016 9:59 AM

**To:** Rodman, Sonja; Stahle, Susan

**Subject:** FW: Initial Briefing for OMB on Subpart W

**When:** Wednesday, August 03, 2016 3:30 PM-4:30 PM (UTC-05:00) Eastern Time (US & Canada).

**Where:** DCRoomWest1424/OPEI; Conference Call 1-866-299-3188, Conference Code 2023439765#

FYI. The program is briefing OMB on Wednesday re Subpart W. I will attend. Passing this along in case you are interested in attending as well.

-----Original Appointment-----

**From:** Schultheisz, Daniel

**Sent:** Monday, August 01, 2016 9:44 AM

**To:** Schultheisz, Daniel; Seidman, Emily; Szabo, Aaron; Werner, Jacqueline; Perrin, Alan; Peake, Tom; Egidi, Philip; Nesky, Anthony; Johnson, Ann

**Subject:** FW: Initial Briefing for OMB on Subpart W

**When:** Wednesday, August 03, 2016 3:30 PM-4:30 PM (UTC-05:00) Eastern Time (US & Canada).

**Where:** DCRoomWest1424/OPEI; Conference Call 1-866-299-3188, Conference Code 2023439765#

-----Original Appointment-----

**From:** Schultheisz, Daniel

**Sent:** Monday, August 01, 2016 9:20 AM

**To:** Schultheisz, Daniel; Szabo, Aaron; Werner, Jacqueline; Perrin, Alan; Peake, Tom; Egidi, Philip; Nesky, Anthony; Johnson, Ann

**Subject:** Initial Briefing for OMB on Subpart W

**When:** Wednesday, August 03, 2016 3:30 PM-4:30 PM (UTC-05:00) Eastern Time (US & Canada).

**Where:** DCRoomWest1424/OPEI; Conference Call 1-866-299-3188, Conference Code 2023439765#

1-866-299-3188, passcode 2023439765#

**From:** [Thornton, Marisa](#) on behalf of [Collections.SubW](#)  
**To:** [Thornton, Marisa](#)  
**Subject:** Fw: Subpart W - are you planning to go over to the west building for the meeting?  
**Date:** Thursday, October 06, 2016 8:22:29 AM

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**From:** Rodman, Sonja  
**Sent:** Tuesday, October 4, 2016 12:07 PM  
**To:** Collections.SubW  
**Subject:** FW: Subpart W - are you planning to go over to the west building for the meeting?

Sonja L. Rodman, Assistant General Counsel for Air Toxics, Consumer Protection and Indoor Air /  
Office of General Counsel / U.S. Environmental Protection Agency / (202) 564-4079 / 202-768-2120  
(cell)

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---

**From:** Seidman, Emily  
**Sent:** Wednesday, August 03, 2016 3:10 PM  
**To:** Rodman, Sonja <[Rodman.Sonja@epa.gov](mailto:Rodman.Sonja@epa.gov)>  
**Subject:** Subpart W - are you planning to go over to the west building for the meeting?

I'm planning to walk over around 3:20.

Emily Seidman | US EPA | Office of General Counsel | Air and Radiation Law Office | Mail Code 2344A |  
WJCN 7409F | phone: (202) 564-0906

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**From:** [Schultheisz, Daniel](#)  
**To:** [Schultheisz, Daniel](#); [Thornton, Marisa](#)  
**Subject:** Meeting Forward Notification: Initial Briefing for OMB on Subpart W  
**Start:** Wednesday, August 03, 2016 3:30:00 PM  
**End:** Wednesday, August 03, 2016 4:30:00 PM  
**Location:** DCRoomWest1424/OPEI; Conference Call 1-866-299-3188, Conference Code 2023439765#

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