



## COLORADO

Department of Public  
Health & Environment

Dedicated to protecting and improving the health and environment of the people of Colorado

March 7, 2018

Colorado Legacy Land, LLC (CLL)  
4601 DTC Blvd, Suite 130,  
Denver, Colorado 80237  
And  
Cotter Corporation  
1700 Fremont County Road 143,  
Cañon City, Colorado 81212

Attention: Paul Newman, CLL Managing Director, and Steve Cohen, Cotter Mill Manager

Re: License Amendment - Colorado Radioactive Materials License Number CO 369-06

Enclosed are Radioactive Materials License Number CO 369-06, Amendment No. 06, effective on March 9, 2018. The license has been amended as requested for license transfer from Cotter Corporation to Colorado Legacy Land, LLC, in correspondences from Stephen J. Cohen dated September 14, 2017. Please review the license thoroughly.

In addition, the Department has reviewed the language in the draft surety bond form of the decommissioning warranty, provided by Paul Newman on December 29, 2017. The language in the draft surety bond form is acceptable. The final surety bond shall be provided to the Department within 30 days of issuance of the License.

If you have any questions regarding this letter or your license, please contact Shiya Wang at (303) 692-3447 or [shiya.wang@state.co.us](mailto:shiya.wang@state.co.us), or me at (303) 692-3403.

Jennifer T. Opila, MPA  
Radiation Program Manager  
Hazardous Materials and Waste Management Division

Enclosure: CO 369-06, Amendment No. 06

CC: Ginny Brannon, Colorado Division of Reclamation, Mining and Safety





Pursuant to the *Colorado Radiation Control Act*, Title 25, Article 11, *Colorado Revised Statutes*, and the *State of Colorado Rules and Regulations Pertaining to Radiation Control* (the Regulations) and in reliance on statements and representations heretofore made by the licensee designated below; a license is hereby issued authorizing such licensee to transfer, receive, possess and use the radioactive material(s) designated below; and to use such radioactive material(s) for the purpose(s) and at the place(s) designated below. This license is subject to all applicable rules, regulations, and orders now or hereafter in effect of the Colorado Department of Public Health and Environment and to any conditions specified below.

1. Licensee: Colorado Legacy Land, LLC
2. Mailing Address: 4601 DTC Blvd, Suite 130, Denver, CO 80237
3. License Number: CO 369-06, Amendment Number: 06
4. Expiration date: July 31, 2020
5. Authorized Storage/Use Location: 8300 Glenco Valley Road, Golden CO 80402; NW 1/4 of the SE 1/4 of Section 25, T2S, R71W; at 39° 50' 46" latitude North and 105° 16' 50" longitude West.
6. Designated Radiation Safety Officer(s): Christopher J. Pedersen
7. Radiation Safety Officer Contact Number: 719-275-7413 ext. 212
8. Fee Category: 2.C
9. Reference Number: 369-03

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### CONDITIONS

#### 10. Authorized Radioactive Material and Uses:

- A. The licensee is authorized to possess, use, and store not more than 2 Curies (74 GBq) of natural Uranium bound to water treatment absorptive media.
- B. Natural uranium and radioactive decay products of uranium (uranium-238, uranium-235, uranium-234, thorium-230, radium-226, radon-222, and radioactive progeny) contained in natural ores and ore concentrates, mine dewatering solution, water treatment plant concentrates, residues and sludges, facilities and equipment, debris and soils, and other residues resulting from the decontamination, decommissioning and reclamation of the licensed facilities described in License Condition 5 and any such materials offsite resulting from the site activities.

## 11. Authorized Radioactive Material Users:

- A. Radioactive material authorized in Item 10.A of this license shall be used only by individuals who have completed the training course as described in the application and attachments dated March 6th, 2017, and have been designated by the Radiation Safety Officer as a “water treatment system specialist”.
- B. Any individual other than the Radiation Safety Officer who is permitted access to the restricted area of the water treatment facility which houses the radionuclide removal treatment system or where radioactive materials are stored shall be trained, at a minimum; in general radiation safety as described in section 5.0 of the Radiation Safety Manual for Ion Exchange Treatment System dated March, 2017.
- C. The Radiation Safety Officer shall maintain written records indicating the date and basis of approval of designated users.

## 12. General Requirements:

- A. The licensee shall comply with the provisions of the State of Colorado *Rules and Regulations Pertaining to Radiation Control*: Part 1, “General Provisions”; Part 3, “Licensing of Radioactive Material”; Part 4, “Standards for Protection Against Radiation”; Part 10, “Notices, Instructions and Reports to Workers; Inspections”; and Part 17, “Transportation of Radioactive Material”.
- B. The licensee shall not transfer possession and/or control of radioactive materials or items contaminated with radioactive material except: by transfer of waste to an authorized recipient; by transfer to a specifically licensed recipient; or, as provided otherwise by specific condition of this license pursuant to the requirements of Part 3, Section 3.22 of the Regulations.
- C. Radioactive material authorized by Condition 10 of this license shall be stored in a manner that will preclude use by unauthorized personnel.
- D. The licensee shall ensure that information listed in this license is correct and accurate. The licensee shall notify the Department in writing within ten (10) days whenever the information contained in Items 1 through 7 above is no longer current or determined to be incorrect.
- E. The licensee may transport radioactive material or deliver radioactive material to a carrier for transport in accordance with the provisions of Part 17 of the Regulations and the requirements of U.S. Department of Transportation (49 CFR).
- F. The licensee shall not make any false statement, representation, or certification in any application, record, report, plan, or other document regarding radiation levels, tests performed or radiation safety conditions or practices.

### **13. Occupational Dose Monitoring:**

- A. The licensee shall monitor the occupational doses for each of its employees who is likely to receive an occupational dose exceeding 10% of any applicable limit specified in Part 4 of the State of Colorado Rules and Regulations Pertaining to Radiation Control.

### **14. Special License Requirements:**

- A. Radioactive Materials authorized in Item 10.A of this license are residual materials accumulated as a result of water radionuclide removal treatment and as a result shall only be contained within the water treatment facility building in ion exchange vessels or U.S. Department of Transportation approved containers.
- B. The Licensee shall ensure that the water treatment building is locked at all times when authorized personnel are not present.
- C. The Licensee shall ensure that the water treatment building is properly posted in accordance with Section 4.28 of the Regulations.
- D. The licensee shall maintain in effect a financial assurance warranty acceptable to the Department in the amount of \$471,575.00 in 2017 dollars in accordance with the requirements of Part 3, Section 3.9.5 of the Regulations.
- E. The licensee shall provide in writing to the Department, no later than June 30<sup>th</sup> of each calendar year, an annual report demonstrating proof of the value of existing financial warranties and any proposed changes to the financial assurance warranties, including updated decommissioning fund plans.

## 15. Licensee Commitments and Reference Documents:

The State of Colorado *Rules and Regulations Pertaining to Radiation Control* shall govern unless the licensee's statements, representations, and procedures contained in the application and correspondence are more restrictive than the Regulations. Except as specifically provided otherwise by this license, the licensee shall possess and use radioactive material described in Condition 10 of this license in accordance with the statements, representations, and procedures contained in:

- A. the application and attachments dated June 30, 2015 and September 14, 2017; and
- B. the license correspondence and attachments dated November 28, 2016; March 6, 2017; March 13, 2017; April 10, 2017; May 30, 2017; June 09, 2017; June 12, 2017; October 24, 2017; and October 25, 2017.

**FOR THE COLORADO DEPARTMENT OF PUBLIC HEALTH AND ENVIRONMENT**

Date: March 9, 2018 By: Jennifer T. Opila