

May 3, 2000

Randolph T. Struk, Esq.
Thorp Reed & Armstrong, LLP
One Riverfront Center
20 Stanwix Street
Pittsburgh, PA 15222-4895

Samuel P. Kamin, Esq.
Goldberg, Kamin & Garvin
1806 Frick Building
437 Grant Street
Pittsburgh, PA 15219-6101

Jeffrey A. Watson, Esq.
Smider & Watson
138 North Franklin Street
Washington, PA 15301

John T. Olshock, Esq.
John T. Olshock & Associates
96 N. Main Street
Washington, PA 15301-4515

In the Matter of
MOLYCORP, INC.
(Temporary Storage of York Waste)
Docket No. 40-8778-MLA

Gentlemen:

As you know, pursuant to Judge Bechhoefer's April 11 Order (as amended April 19), the NRC Staff is required to submit a hearing file by May 19, 2000 in the above-captioned proceeding. Such a file is to contain (1) Molycorp's application to amend its Washington license to allow temporary storage there of material from its York facility; (2) any amendments to this application; (3) any NRC environmental assessment (EA) relating to this application; (4) any other NRC reports relating to this application; and (5) any correspondence between Molycorp and the NRC that is relevant to this application. See 10 CFR § 2.1231(b).

From letters on the docket, it appears that all of you may already have copies of most, if not all, of the documents which will make up the hearing file in this proceeding. At page two of his letter to Judge Bechhoefer dated November 11, 1999, Randolph Struk states that Molycorp has maintained a public document room at its Washington site; that on November 12 he would be delivering to Canton's counsel copies of documents previously requested; and that he had offered these documents to Washington's counsel as well. Additionally, John Olshock previously received from the Staff a list of documents (available for copying at the NRC's Public Document Room in Aliquippa, Pennsylvania) pertaining to Molycorp's York and Washington facilities. Letter from Staff (L. Person) to Mr. Olshock dated August 20, 1998.

To facilitate the accurate identification of a hearing file for this proceeding, I am enclosing a list of qualifying documents located at NRC's headquarters. I am requesting all of you to compare this list with documents in your possession, and to notify me by next Thursday, May 11, of any additional documents which should be part of the hearing file pursuant to 10 CFR § 2.1231(b), and let me know of any documents listed on the enclosure which you do not have. I may be reached at 301 415 1573, or by e-mail at jth@nrc.gov. By May 19, I will forward copies of any

R. Struk
S. Kamin
J. Watson
J. Olshock

-2-

documents listed on the enclosed which you do not already have. Please note that the hearing file will not be complete until the Staff issues its final EA and Safety Evaluation Report regarding the proposed temporary storage of York material at MolyCorp's Washington facility. At that time, the Staff would update the hearing file pursuant to 10 CFR § 2.1231(c).

On another matter, you will recall that at page 26 of Judge Bechhoefer's April 11 Order, he consolidated Canton and Washington into one party. I am requesting Intervenor's counsel to identify who will be their lead attorney. Copies of any hearing file documents not already in the possession of Intervenor's counsel will be sent to the individual identified as the lead attorney.

Sincerely,

John T. Hull */RA/*
Counsel for NRC Staff

Enclosure: As stated

cc w/encl: Charles Bechhoefer, Presiding Officer

R. Struk
S. Kamin
J. Watson
J. Olshock

-2-

documents listed on the enclosed which you do not already have. Please note that the hearing file will not be complete until the Staff issues its final EA and Safety Evaluation Report regarding the proposed temporary storage of York material at MolyCorp's Washington facility. At that time, the Staff would update the hearing file pursuant to 10 CFR § 2.1231(c).

On another matter, you will recall that at page 26 of Judge Bechhoefer's April 11 Order, he consolidated Canton and Washington into one party. I am requesting Intervenor's counsel to identify who will be their lead attorney. Copies of any hearing file documents not already in the possession of Intervenor's counsel will be sent to the individual identified as the lead attorney.

Sincerely,

John T. Hull */RA/*
Counsel for NRC Staff

Enclosure: As stated

cc w/encl: Charles Bechhoefer, Presiding Officer

DISTRIBUTION: RidsSecyRasMailCenter
RidsOcaaMailCenter
L. Person, NMSS

DOCUMENT NAME:G:\MLE\Hull\yorkltr.wpd

To receive a copy of this document, indicate in the box: "C" = Copy without enclosures "E" = Copy with enclosures "N" = No copy

OFFICE	OGC		OGC							
NAME	J. Hull		D. Dambly							
DATE	06/ /00		06/ /00		06/ /00					

OFFICIAL RECORD COPY

As of May 2000, the Hearing File regarding Molycorp's application to amend License No. SMB 1393, with respect to the proposed temporary storage at its Washington, Pa. site of material now located at its York site, consists of the following items, listed below in chronological order:

1. Letter to Molycorp (B. Dankmyer) from NRC Staff (L. Person) dated 10/3/95 (2 pages), with 10-page enclosure (NRC Information Notice 90-09).
2. Letter to NRC Staff (L. Person) from Molycorp (B. Dankmyer) dated 2/8/96 (1 page), with referenced Attachments A-C (23 pages).
3. Letter to Molycorp (B. Dankmyer) from NRC Staff (L. Person) dated 4/12/96 (1 page), with 2-page enclosure (2/23/96 meeting report).
4. "Hydrogeology in the Vicinity of the Proposed Interim Storage Area," dated 4/96 (from Foster Wheeler on behalf of Molycorp).
5. Letter to NRC Staff (L. Person) from Molycorp (J. Daniels) dated 5/14/96 (1 page), with referenced "Thirty Percent Conceptual Design Temporary Thorium Storage Structure," dated 5/13/96 (18 pages).
6. Letter to NRC Staff (L. Person) from ICF Kaiser (on behalf of Molycorp) dated 7/10/96 (1 page) (attachment referenced is included as Appendix F in item 8 listed below).
7. Letter to Molycorp (B. Dankmyer) from NRC Staff (L. Person) dated 10/29/96 (2 pages), with 1-page enclosure (Staff comments on amendment request).
8. Letter to NRC Staff (L. Person) from ICF Kaiser (on behalf of Molycorp) dated 10/29/96 (1 page), with referenced "Final Design Report Temporary Thorium Storage Structure," dated 10/29/96 (divided into 7 sections, and including Appendices A -H).
9. Letter to Molycorp (B. Dankmyer) from NRC Staff (L. Person) dated 12/5/96 (1 page), with 3-page enclosure (Staff comments on 10/96 design report) and 5-page enclosure (NRC Information Notice 96-18).
10. Letter to NRC Staff (L. Person) from ICF Kaiser (on behalf of Molycorp) dated 12/20/96 (1 page), with referenced "Draft Response to U.S. NRC Request For Additional Information Temporary Thorium Storage Structure Final Design Report Dated October 29, 1996," dated 12/19/96 (10 pages), plus 6 multi-page attachments.
11. Letter to NRC Staff (L. Person) from ICF Kaiser (on behalf of Molycorp) dated 1/15/97 (2 pages), with referenced "Draft Addendum Response to U.S. NRC Request For Additional Information Temporary Thorium Storage Structure Final Design Report Dated October 29, 1996," dated 1/15/97 (9 pages), plus 3 multi-page attachments.

12. Letter to Pennsylvania Department of Environmental Protection (cc to Molycorp's B. Dankmyer) from NRC Staff (J. Hickey) dated 12/4/97 (1 page), with 20-page enclosure (Staff's "Draft Environmental Assessment of Proposed Construction and Operation of Interim Storage Structure at Molycorp's Washington Facility for Storage of Molycorp York Decommissioning Waste").
13. Letter to NRC Staff (L. Person) from Molycorp (J. Daniels) dated 1/2/98 (1 page), providing comments on draft environmental assessment.
14. Letter to NRC Staff (L. Person) from Molycorp (J. Daniels) dated 1/20/98 (1 page), regarding air monitoring during temporary storage.
15. Letter to NRC Staff (L. Person) from Pennsylvania Department of Environmental Protection dated 2/13/98 (1 page), providing comments on draft environmental assessment.
16. Letter to NRC Staff (J. Hickey) from Molycorp (J. Daniels) dated 6/1/99 (2 pages), with attached "Agenda June 2, 1999 Meeting US NRC Rockville, Md" (3 pages).