

UNITED STATES OF AMERICA
* NUCLEAR REGULATORY COMMISSION

ATOMIC SAFETY AND LICENSING BOARD PANEL

Before Administrative Judges:

Charles Bechhoefer, Presiding Officer
Dr. Richard F. Cole, Special Assistant

In the matter of:

MOLYCORP, INC.
Washington, Pennsylvania

Temporary Storage of Decommissioning Waste

Docket Nos. 40-8794-MLA
40-8778-MLA

ASLBP No. 99-769-08-MLA

**STIPULATION FOR WITHDRAWAL OF HEARING REQUESTS
AND TERMINATION OF PROCEEDING**

Molycorp Inc., Canton Township and the City of Washington, through their respective counsel, submit the following stipulation for the dismissal of the requests for hearing filed by Canton Township and the City of Washington pursuant to a Notice of Receipt of an Amendment Request for the Temporary Storage of Decommissioning Waste from the Molycorp York, Pennsylvania Facility, and for the termination of this proceeding. In support hereof, the parties state as follows:

1. In January of 1998, Molycorp requested an amendment to its License No. SMB-1393, seeking approval for the interim storage of decommissioning materials from Molycorp's York, Pennsylvania facility at Molycorp's Washington, Pennsylvania facility.
2. On or about June 9, 1999, a Notice of Receipt of an Amendment Request for the Temporary Storage of Decommissioning Waste from the Molycorp York, Pennsylvania Facility was published in the Federal Register relative to this proposed license amendment.
3. Thereafter, both Canton Township and the City of Washington filed requests for a hearing under Subpart L of 10 CFR Part 2.

4. By order dated April 11, 2000, this court granted Canton Township's and the City of Washington's requests for a hearing regarding Molycorp's proposed license amendment for the temporary storage of York decommissioning materials (hereinafter referred to as the "Temporary Storage Proceeding").

5. Thereafter, Molycorp elected to dispose of the York decommissioning materials at the Waste Control Specialist ("WCS") facility in Andrews, Texas.

6. Counsel for Molycorp notified respective counsel for Canton Township and the City of Washington of Molycorp's election to dispose of the York decommissioning materials at WCS, and of Molycorp's intention to withdraw its proposed license amendment pertaining to temporary storage of the York decommissioning materials once Molycorp received NRC approval for disposal at WCS.

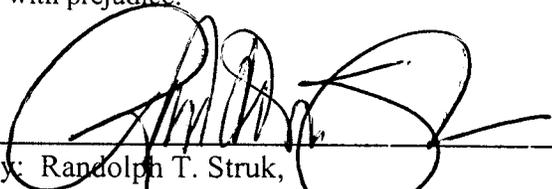
7. Counsel for Canton Township and the City of Washington thereafter agreed that once Molycorp withdrew its proposed license amendment pertaining to temporary storage of the York decommissioning materials, both Canton Township and the City of Washington would withdraw their requests for hearing in the Temporary Storage Proceeding and would agree to a termination of this proceeding.

8. By letter dated July 31, 2000, the NRC notified Molycorp of the NRC's approval of disposal of the York decommissioning materials at WCS.

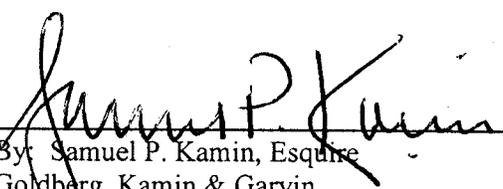
9. By letter dated August 1, 2000, Molycorp withdrew its request for an amendment to its License No. SMB-1393, seeking approval for the temporary storage of decommissioning materials from Molycorp's York, Pennsylvania facility at Molycorp's Washington, Pennsylvania facility. A copy of this letter is attached as Exhibit A.

10. Pursuant to Molycorp's withdrawal of the above-referenced requested license amendment, and in accordance with the agreement of counsel, the parties hereby stipulate and agree that the requests for a hearing under Subpart L of 10 CFR Part 2 submitted by Canton Township and

the City of Washington in the Temporary Storage Proceeding are hereby withdrawn, and the
Temporary Storage Proceeding shall be terminated with prejudice.



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