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January 29, 2001

Administrative Judge Charles Bechhoefer
Presiding Officer
Atomic Safety and Licensing Board Panel
Mail Stop T-3 F23
U.S. Nuclear Regulatory Commission
Washington, DC 20555-0001

In Re: Licensee: Molycorp, Inc.
License No. SMB-1393
Docket Nos. 040-08794 and 040-08778
ASLBP No. 00-775-03-MLA

Dear Judge Bechhoefer:

In the past several weeks, a number of events have transpired concerning the above-entitled matter which is now before you. I am enclosing a copy of an article which appeared in the *Pittsburgh Post-Gazette* on January 5, 2001, which is self-explanatory, concerning Molycorp's intention to change its plans to construct an underground cell to bury 125,000 cubic yards of thorium-contaminated waste at its Washington County, Pennsylvania facility. Instead, Molycorp's new plan is to dispose of these materials at another location. According to my information, Molycorp sent a withdrawal letter to the NRC notifying them of its change in plans. A new plan for decommissioning the site will be submitted to the NRC within the next sixty days.

On January 3, 2001, Molycorp withdrew its license amendment request. As a result of that action, Molycorp will decommission the site in accordance with the unrestricted release criteria in the Part I Decommissioning Plan approved on August 8, 2000.

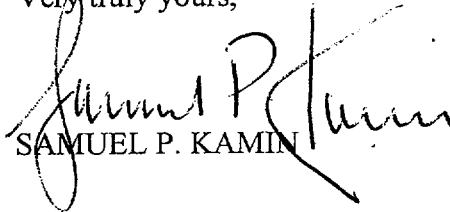
Reviewing my records, I note that you may not have formally been notified of this change of circumstance. I know that you have a crowded court schedule. Therefore, I am giving you as much notice as possible, in advance of Mr. Struk filing a Stipulation to Discontinue, that any dates which you may have reserved for this proceeding may not be needed.

Administrative Judge Charles Bechhoefer
January 29, 2001

Page Two.

On behalf of my clients, I want to thank you for the courtesies extended to them in the handling of this matter.

Very truly yours,


SAMUEL P. KAMIN

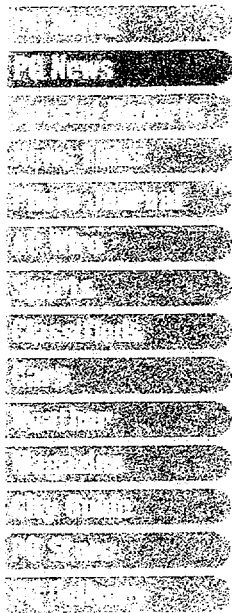
SPK:smm
Enclosure

cc: Dr. Richard F. Cole, NRC
Executive Director for Operations, NRC
Office of the Secretary, NRC
Office of Commission Appellate Adjudication, NRC
John T. Hull, Esquire, Counsel to NRC Staff
Molycorp, Inc.
Randolph T. Struk, Esquire
Jeffrey A. Watson, Esquire
Canton Township Board of Supervisors



Neighborhoods
Magazine

Business & Technology
Local 100 Award



Washington County firm drops plan to bury radioactive waste

Friday, January 05, 2001

By Janice Crompton, Post-Gazette Staff Writer

Putting an abrupt halt to a bitter four-year battle, Molycorp Inc. yesterday announced it is scrapping plans to permanently bury low-level radioactive waste at its Canton facility in Washington County.

As part of a Nuclear Regulatory Commission-ordered cleanup of its site, the company in 1995 announced plans to construct an underground cell to bury about 125,000 cubic yards of thorium-contaminated waste, generated as a byproduct of a steel-strengthening process the company used in the 1970s.

Almost immediately, the township, along with hundreds of residents, vocally opposed the plan, citing health and safety concerns. Several public hearings were held and a citizens group formed to combat the proposal.

The group secured petitions, lobbied the NRC and, along with the township, convinced two organizations, including the Agency for Toxic Substances and Disease Registry -- a sister agency of the Centers for Disease Control and Prevention -- to conduct health studies of the area around the site.

Last year, the company gave up part of its plan that called for the shipment and storage of 5,000 cubic yards of similar waste from its now-closed York facility to Canton, and in November, Molycorp began moving another 11,000 cubic yards of the waste, stored in 190 roll-off boxes and a mound at the Canton site, to a disposal facility in Utah. That removal project should be completed by the end of the month.

Although they maintain the material is safe and does not pose a safety threat, company officials said public outcry convinced them to seek other options.

"Throughout the decommissioning process, Molycorp has been committed to developing viable alternatives for the handling and disposal of the material at its Canton Township facility," said Molycorp Project

Manager George Dawes. "We are aware of community concerns about the cell's location, and in response to those concerns, we have decided to remove the soil and slag from the property."

The remaining contaminated material was used for fill in constructing buildings on the site. Seven buildings on the property will be razed so the material can be excavated, which should take about two years, Dawes said. The project will be overseen by the NRC and the state Department of Environmental Protection, although the company has yet to determine where the waste will be shipped.

Dawes said the company sent a withdrawal letter to the NRC yesterday, notifying it of the change in plans. Molycorp has 60 days to submit a schedule to the agency. Dawes estimated the new plan will take about three to four years to complete and cost \$25 million to \$30 million. On-site disposal would have cost about \$25 million, he said.

Canton Supervisor Chad Smith, one of the founding members of the citizens group and an opponent of the plan, said yesterday it was a "relief" to have the matter settled.

"The board of supervisors stands ready to help Molycorp expedite their plans to move this stuff off-site," he said. "This is the end we were fighting for."

State Rep. Leo J. Trich Jr., D-North Franklin, said the decision is a victory for the entire area.

"We have seen a number of positive steps by Molycorp over the last year," he said. "Molycorp was once a major employer in Washington. They were good community neighbors then and have proven so again today."

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