



OFFICE OF THE
GENERAL COUNSEL

UNITED STATES
NUCLEAR REGULATORY COMMISSION
WASHINGTON, D.C. 20555-0001

August 15, 2000

Charles Bechhoefer, Presiding Officer
Administrative Judge
Atomic Safety and Licensing Board Panel
U.S. Nuclear Regulatory Commission

Richard F. Cole, Special Assistant
Administrative Judge
Atomic Safety and Licensing Board Panel
U.S. Nuclear Regulatory Commission

In the Matter of
MOLYCORP, INC.
(Site Decommissioning Plan)
Docket No. 40-8778-MLA-2

Dear Administrative Judges:

As you will recall, on April 11, 2000, the Presiding Officer deferred consideration of Canton Township's pending request for hearing in the above-captioned site decommissioning plan (SDP) proceeding. See LBP-00-10, 51 NRC 163, 177 (2000). The NRC Staff had not yet completed its final safety evaluation report (SER) and environmental assessment (EA) concerning Molycorp's SDP for its Washington, Pennsylvania facility. See "NRC Staff's Response to Canton Township's Request for Hearing," dated January 24, 2000, at 7. The Staff has now completed its SER and EA; the attached letter to Molycorp and its enclosures -- which include the SER and EA evaluating Molycorp's SDP -- were issued by the Staff on August 8, 2000.

Consistent with the Presiding Officer's previous discussion regarding Canton's standing in this SDP proceeding (see LBP-00-10, *supra*, 51 NRC at 171), the Staff believes that the Presiding Officer should now proceed to determine whether there is sufficient information to rule on whether Canton has established its standing to contest Part 1 of Molycorp's decommissioning plan.

Note that the SER and EA pertain only to Part 1 of Molycorp's decommissioning plan, and that Part 2 of Molycorp's decommissioning plan will be the subject of separate evaluations. See SER and EA, respectively, at 1. The Staff received Part 2 of Molycorp's decommissioning plan on July 14, 2000, and is now completing its initial acceptance review. The Staff's technical review of Part 2 has not yet begun.

C. Bechhoefer
R. Cole

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Regarding the separate "Temporary Storage of York Waste" proceeding (in which the Staff is not a party), Molycorp, by letter dated August 1, 2000, has formally notified the Staff that it is withdrawing its license amendment request to transfer York waste to its Washington site. It is not clear whether a copy of this letter had been sent to the Presiding Officer. In any event, to update the Hearing File in the York Waste proceeding, copies of Molycorp's August 1 letter and the Staff's response letter dated August 3, 2000, are attached.

Sincerely,



John T. Hull /RA/
Counsel for NRC Staff

Enclosures: As stated

cc w/ encl: Samuel P. Kamin, Esq.
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