



**Department of Energy**  
Germantown, MD 20874-1290

OCT 15 2001

Enclosed please find two copies of the U.S. Department of Energy's 2001 Status Report on Reimbursements to Licensees of Active Uranium and Thorium Processing Sites under Title X of the Energy Policy Act of 1992. The report summarizes key activities performed by the Department under the Title X Reimbursement Program during fiscal years 1999 through 2001.

If you should have any questions on the report, please contact me at (301) 903-7222, or Gil Maldonado of the Department's Albuquerque Operations Office at (505) 845-4035.

Sincerely,

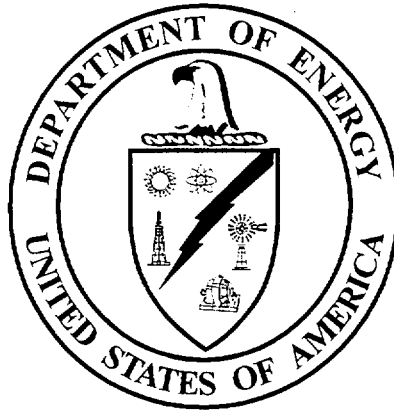
David E. Mathes, Leader  
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Small Sites Closure Office  
Office of Site Closure

Enclosure

NMSS21  
NM-39



# **United States Department of Energy**



## **2001 STATUS REPORT**

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### **REIMBURSEMENTS TO LICENSEES OF ACTIVE URANIUM AND THORIUM PROCESSING SITES**

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**TITLE X OF THE ENERGY POLICY ACT OF 1992**

**SEPTEMBER 2001**

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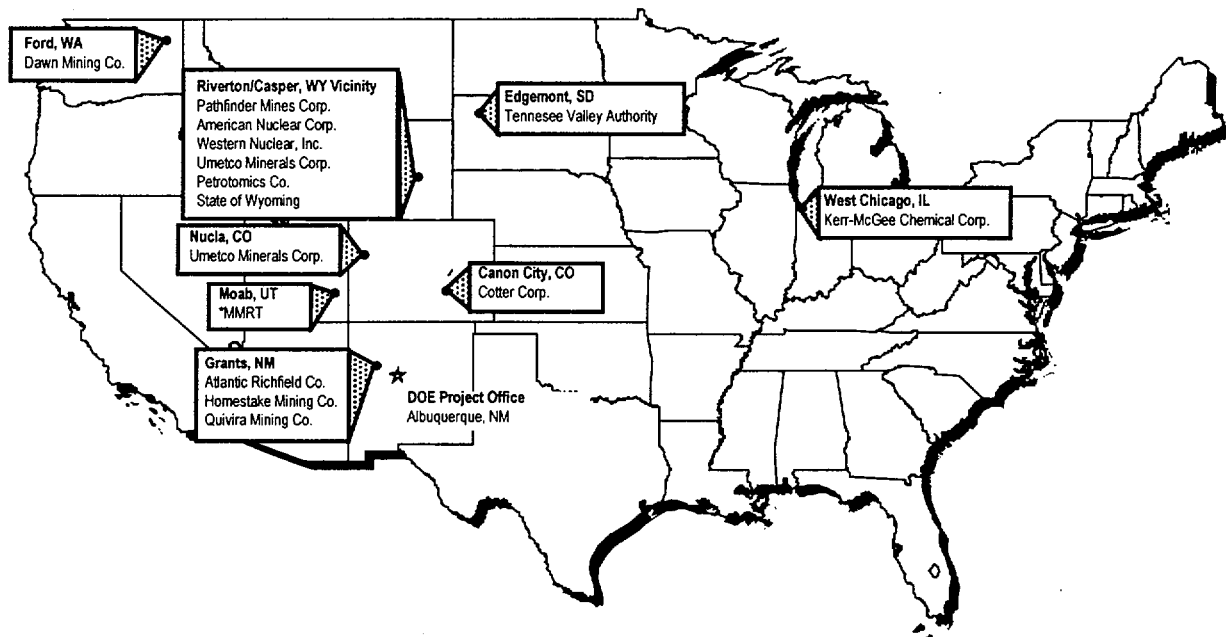
# 1. PREFACE

This U.S. Department of Energy (DOE) status report summarizes DOE activities for Fiscal Years (FY) 1999 through 2001 on reimbursements to licensees of active uranium and thorium processing sites under Title X of the Energy Policy Act of 1992 (Title X). Congress authorized DOE to reimburse certain licensees (**Exhibit 1**) for costs of decontamination, decommissioning, reclamation, and other remedial action incurred to clean up mill tailings and other byproduct material generated as an incident of uranium or thorium sales to the Federal Government.

This report presents an overview of key activities performed by DOE under Title X during FY 1999 through 2001. **Appendix A** of this report provides historical background on the Title X program.

## Exhibit 1.

### Eligible Licensees and Site Locations



\* The U.S. Nuclear Regulatory Commission (NRC) notified DOE on February 17, 2000, that License No. SUA-917 for the Moab Mill Site was transferred from the Atlas Corporation to the Moab Mill Reclamation Trust (MMRT) with PricewaterhouseCoopers as the Trustee effective December 30, 1999. As the licensee, the Trust is eligible to receive reimbursements in accordance with 10 CFR Part 765 for costs of remedial action at the Moab site. A copy of NRC's written notification to DOE on the license transfer is included as **Appendix B**.

## **2. LEGISLATIVE UPDATE**

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Congress enacted two public laws during 1999 and 2000 relating to the Title X program:

1. Public Law 106-317, enacted on October 19, 2000, amended Title X as follows:
  - (i) the date for determining the availability of excess funds for reimbursement to uranium licensees was changed from July 31, 2005, to December 31, 2008.
  - (ii) the date after which work must be completed in accordance with an approved plan for subsequent remedial action to be eligible for reimbursement was changed from December 31, 2002, to December 31, 2007.
  - (iii) the requirement for DOE to place certain reimbursement funds in escrow for later stages of the reimbursement program was eliminated.
2. Public Law 106-398, enacted on October 30, 2000, designated the Moab Mill Site as a Title I Uranium Mill Tailings Radiation Control Act of 1978 site and authorizes DOE to take title to the site and conduct remedial actions. The law requires NRC to terminate the Trust's license to the site by October 30, 2001. Following license termination and transfer of the site to DOE, work at the site will no longer be eligible for reimbursement.

An overview of the Title X legislation and DOE's implementing regulations, 10 CFR Part 765, is included as **Appendix A**. A copy of Title X as amended by Public Laws 104-259, 105-388, and 106-317 is provided as **Appendix C**.

## 3. MAJOR ACTIVITIES

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This section presents the major activities of the Title X program for FY 1999 through FY 2001. Claim submissions, review results, payments, and annual adjustments of the reimbursement ceilings are discussed for each fiscal year. Tables summarizing the licensees' individual approved claim amounts and payments for FY 1994 through FY 2001 are included as **Appendix D**. Additional background on DOE's process for administering the Title X program is discussed in **Appendix A**.

DOE continued to implement the claim review and payment schedule established in 1998 as discussed in the Department's February 4, 1998, Federal Register Notice (63 FR 5791). Under this schedule, claims are to be received each year no later than the first working day in May with the review to be completed within one year as required by 10 CFR Part 765. Payments are to be made by the end of April of the following year. For example, the FY 1999 payments were made in April 1999 and based on the review results of the claims submitted in May 1998 plus any unpaid approved claim balances from prior years.

### 3.1 FY 1999 Activities

DOE conducted the following activities during FY 1999:

- completed the final review of FY 1998 claims and the preliminary review of FY 1999 claims
- accepted FY 1999 claim submissions totaling approximately \$100.7 million before review and application of the Federal reimbursement ratios
- made FY 1999 prorated reimbursements totaling \$29.9 million on approved FY 1998 claim amounts and prior years unpaid claim balances
- adjusted the reimbursement ceilings for inflation and amounts paid, and increased the reimbursement ceiling for the thorium licensee by \$75 million as authorized by Public Law 105-388

These activities are discussed below except for the reimbursement ceiling adjustments, which are described in Section 3.4.

#### FY 1998 Claim Review Results

DOE and the Defense Contract Audit Agency (DCAA) reviewed the FY 1998 claims during May 1998 to March 1999. Of the total costs claimed by licensees before application of the federal reimbursement ratios (\$77,327,077.55), DOE approved \$76,010,544.96 and disallowed about \$1.3 million because the costs did not meet the reimbursement criteria in 10 CFR Part 765. After application of the Federal reimbursement ratios, the total approved claims for FY 1998 were \$35,244,051.75. Cotter and the Tennessee Valley Authority had total approved claims that exceeded their per dry short ton limit and, as such, only a portion of their approved amount was included in the payment calculations. Individual FY 1998 approved claim amounts are presented in

**Appendix D, Exhibit D-3.** One licensee appealed DOE's determination on its FY 1998 claim. The Department's Office of Hearings and Appeals denied that appeal on September 5, 2001 (case number VEA-0014).

### **FY 1999 Claim Submissions**

DOE issued a Federal Register Notice on January 19, 1999, (64 FR 2887) establishing May 3, 1999, as the closing date for the acceptance of FY 1999 claims. Twelve licensees submitted claims totaling approximately \$100.7 million before application of the Federal reimbursement ratios, with individual claims ranging from \$19 thousand to \$64 million. ARCO and Cotter did not submit a claim. DOE and DCAA reviewed the FY 1999 claims during May 1999 to March 2000, and the final review results are discussed in Section 3.2.

### **FY 1999 Payments**

Congress appropriated \$30 million to carry out the Title X reimbursement program in FY 1999. Of this amount, DOE allocated \$100,000 to the DCAA for audit support costs and the remaining \$29,900,000 was allocated for FY 1999 reimbursements. The DOE Oak Ridge Operations Office issued the reimbursements in April 1999 from the Uranium Enrichment Decontamination and Decommissioning Fund using the Automated Clearing House Payment System. DOE applied the reimbursements to FY 1998 approved claim amounts and prior years unpaid claim balances, totaling \$88,533,198.46 after application of the Federal reimbursement ratios. Because the approved claim amounts exceeded available reimbursement funds, DOE prorated each licensee's payment using the following calculation:

FY 1999 Prorated Payment = (A/B) x C; where

A = Individual Licensee's FY 1998 Approved Claim Amount and  
Prior Years Unpaid Approved Claim Balance

B = Sum of All Licensees' FY 1998 Approved Claim Amounts and  
Prior Years Unpaid Approved Claim Balances (\$88,533,198.46)

C = Available FY 1999 Funds (\$29,900,000)

A summary of each licensee's FY 1999 reimbursement status is included in **Appendix D, Exhibit D-3**.

## **3.2. FY 2000 Activities**

DOE conducted the following activities during FY 2000:

- completed the final review of FY 1999 claims and the preliminary review of FY 2000 claims
- accepted FY 2000 claims totaling approximately \$100 million before review and application of the Federal reimbursement ratios
- made two sets of FY 2000 prorated reimbursements totaling \$71.9 million on FY 1999 and prior years approved unpaid claim balances

- adjusted the reimbursement ceilings for inflation and amounts paid

These activities are discussed below except for the reimbursement ceiling adjustments, which are presented in Section 3.4.

### **FY 1999 Claim Review Results**

DOE and DCAA reviewed FY 1999 claims during May 1999 to March 2000. Of the total costs claimed by licensees before application of the Federal reimbursement ratios (\$100,650,696.83), DOE approved \$98,944,093.31 and disallowed about \$0.3 million. In addition, one licensee retracted approximately \$1.4 million from their initial claim. After application of the Federal reimbursement ratios, the total approved claims for FY 1999 were \$49,400,985.21. Cotter, the Tennessee Valley Authority, and Umetco-Uravan had total approved claims that exceeded their per dry short ton reimbursement limit and, as such, only a portion of their approved claim amounts was included in their payment calculations. Individual FY 1999 approved claim amounts are presented in **Appendix D, Exhibit D-2B**.

### **FY 2000 Claim Submissions**

DOE issued a Federal Register Notice on January 13, 2000, (65 FR 2143) establishing May 1, 2000, as the closing date for the acceptance of FY 2000 claims. Twelve licensees submitted claims totaling about \$100 million before application of the Federal reimbursement ratios with individual claims ranging from \$37 thousand to \$69.4 million. The State of Wyoming, ARCO, and the Tennessee Valley Authority did not submit a claim. DOE and DCAA reviewed the FY 2000 claims during May 2000 to March 2001, and the final review results are discussed in Section 3.3.

### **FY 2000 Payments**

Congress provided two appropriations in FY 2000 to carry out the Title X reimbursement program: an initial appropriation of \$30 million and a supplemental appropriation of \$42 million for a total of \$72 million. Consequently, DOE issued two sets of payments in FY 2000 totaling \$71.9 million. DOE made the first payments to all licensees in April 2000 using \$29.9 million of the initial \$30 million congressional appropriation with the remaining \$100,000 allocated to the DCAA for audit support. DOE issued the second payments in September 2000 disbursing the entire \$42 million supplemental appropriation. Both sets of payments were applied to FY 1999 approved claim amounts and prior years unpaid approved claim balances. Because the approved claim amounts exceeded the available appropriations, DOE prorated each licensee's payment using the calculation below. The DOE Oak Ridge Operations Office issued the reimbursements from the Uranium Enrichment Decontamination and Decommissioning Fund using the Automated Clearing House Payment System. A summary of each licensee's FY 2000 reimbursement status is included in **Appendix D, Exhibits D-2A and D-2B**.



FY 2000 Prorated Payment = (A/B) x C; where

A = Individual Licensee's FY 1999 Unpaid Approved Claim Amount and Prior Years Unpaid Approved Claim Balance

B = Sum of All Licensees' FY 1999 Unpaid Approved Claim Amounts and Prior Years Approved Unpaid Claim Balances (\$103,577,893.87 for the first set of payments and \$73,677,893.87 for the second set of payments)

C = FY 2000 Funds Allocation (\$29,900,000 for the first set of payments and \$42,000,000 for the second set of payments)

### **3.3. FY 2001 Activities**

DOE conducted the following activities during FY 2001:

- made two sets of reimbursements totaling approximately \$50.5 million on FY 2000 and prior years unpaid approved claim balances
- completed the review of FY 2000 claims
- accepted and initiated the review of FY 2001 claims
- issued a reimbursement of approximately \$1.2 million to the Moab Mill Reclamation Trust on its approved FY 2001 claim amount
- adjusted the reimbursement ceilings for inflation and amounts paid

These activities are discussed below except for the reimbursement ceiling adjustments, which are presented in Section 3.4.

#### **FY 2000 Claim Review Results**

DOE and DCAA reviewed FY 2000 claims during May 2000 to March 2001. Of the total costs claimed by licensees before application of the Federal reimbursement ratios (\$100,003,702.33), DOE approved \$98,949,049.33 (includes positive adjustment totaling \$35,052.00 for two licensees' claims) and disallowed about \$1 million. After application of the Federal reimbursement ratios, the total approved claim amount for FY 2000 was \$49,054,132.39. Cotter, the Tennessee Valley Authority, and Umetco-Uravan had total approved claims that exceeded their per dry short ton reimbursement limit and, as such, only a portion of their approved claim amounts was included in their payment calculations. Individual FY 2000 approved claim amounts are presented in **Appendix D, Exhibit D-1A**.

#### **FY 2001 Claim Submissions**

DOE issued a Federal Register Notice on January 9, 2001, (66 FR 1650) establishing May 1, 2001, as the closing date for the acceptance of FY 2001 claims. Ten licensees submitted claims totaling \$26.8 million before application of the Federal reimbursement ratios with individual claims ranging from \$7 thousand to \$4.5 million. Cotter, ARCO, and the Tennessee Valley Authority did not submit a claim, and DOE returned the Kerr-McGee claim because the reimbursement authority to

the thorium licensee was exhausted with the FY 2001 payments. DOE and the DCAA expect to complete the review of FY 2001 claims by April 2002, and the results will be presented in the next DOE status report. DOE completed an accelerated review and payment of the Moab Mill Reclamation Trust's FY 2001 claim as discussed below.

### **FY 2001 Payments**

Congress appropriated \$72 million in FY 2001 to carry out the Title X reimbursement program. DOE issued two sets of payments in FY 2001 totaling \$51,712,291.63 (amount includes the accelerated payment of the Moab Mill Reclamation Trust's FY 2001 claim). DOE issued the first set of FY 2001 payments to all licensees in December 2000 totaling \$29,923,028.98 on all unpaid approved claim balances through FY 1999. None of the payments were prorated since the FY 2001 appropriation exceeded the unpaid approved claim amounts through FY 1999. These payments eliminated the backlog of unpaid approved claim amounts that had accumulated since 1994. DOE issued the second set of FY 2001 payments totaling \$21,789,262.65 to licensees in April 2001 (amount includes the accelerated payment of \$1,183,954.92 made to the Moab Mill Reclamation Trust in May and June 2001 on its approved FY 2001 claim). None of the second FY 2001 payments were prorated since the approved claim amounts did not exceed available FY 2001 reimbursement funds.

During May and June 2001, DOE completed its review and payment (\$1,183,954.92) of the Moab Mill Reclamation Trust's FY 2001 claim for work completed by the Trust during March 2000 through March 2001. The payment to the Trust was made from available FY 2001 funds remaining after the April 2001 payments were issued to licensees on their approved FY 2000 claim amounts. DOE determined that a review and payment in advance of the normal one-year period was necessary because of the special circumstances governing the cleanup of the Moab Mill site. Specifically, Public Law 106-398 requires the NRC to terminate the Trust's license by October 30, 2001; after which DOE is to assume cleanup responsibility for the site. Therefore, the accelerated payment provided the funds owed to the Trust before it is dissolved and recognized the site transition schedule of Public Law 106-398. The claim submitted by the Trust was for only a portion of their total costs over the previous year, and the reimbursement was used to perform interim stabilization of the site prior to the transition to DOE. It is anticipated there will be no further Title X liability for the Moab site. The accelerated payment to the Trust will have no adverse impact on the FY 2002 reimbursements to the other licensees since the remaining FY 2001 funds (\$21.3 million) are greater than the unreviewed Federal-share of claims submitted by licensees in FY 2001 (approximately \$10 million).

A summary of each licensee's FY 2001 reimbursement status is included in **Appendix D, Exhibits D-1A and D-1B**.

## **3.4 Adjustment of Reimbursement Ceilings**

As shown in **Exhibit 2**, DOE annually adjusts the per dry short ton limit on reimbursement to individual uranium licensees and the aggregate reimbursement ceilings for uranium and thorium licensees for inflation, amounts paid, and any statutory increases. The adjusted per dry short ton

limit for individual uranium licensees and the adjusted remaining reimbursement ceilings for all uranium and thorium licensees as of September 2001 were as follows:

- Individual Uranium Per Dry Short Ton Limit = \$7.59
- All Uranium = \$193,106,793.70
- Thorium = \$0 (DOE has paid the thorium licensee the total reimbursement authorized under Title X)

Some values in **Exhibit 2** have been adjusted a few cents from those presented in the previous (1998) status report to reflect a consistent approach to rounding. Additional background on the inflation adjustment procedures is included in **Appendix A**.

In FY 2001, DOE revised the methodology for determining the remaining reimbursement limit for individual uranium licensees to ensure reimbursements do not exceed the inflated per dry short ton limit established by Title X. The revised methodology is explained below.

### **Adjustment of Individual Uranium Remaining Reimbursement Limit**

From FY 1994 through FY 2000, DOE calculated a reimbursement ceiling for each uranium licensee that was based on allocating the total remaining authorized dollar ceiling for uranium licensees to each of the licensees. This was done initially because the original amount authorized by Congress (\$270 million) would not have been sufficient to reimburse all uranium licensees if their reimbursement costs had been equal to or exceeded the dry short ton limit of \$5.50. Thus, a preliminary dry short ton limit less than \$5.50 was calculated. Public Law 104-259 subsequently increased the total authorized amount by \$80 million and increased the dry short ton limit to \$6.25. As a result, the preliminary dry short ton limit was no longer necessary, and DOE recalculated the individual uranium licensee ceilings in FY 1998 on the basis of the increased statutory ceilings. Further, in FY 2001, DOE determined that allocating the total dollar ceiling to uranium licensees was no longer necessary.

As shown below and beginning in FY 2001, DOE will now calculate for each uranium licensee an individual remaining reimbursement limit by multiplying a licensee's amount of Federal-related dry short tons of tailings by the inflation-adjusted statutory per dry short ton limit (about \$7.34 at the beginning of FY 2001) and subtracting the total reimbursements to date for that licensee.

$$\text{Individual Uranium Remaining Reimbursement Limit} = (\text{Individual Federal Related Dry Short Tons of Tailings} \times \text{Inflation Adjusted Statutory Per Dry Short Ton Limit}) - \text{Cumulative Amount of Reimbursements Paid to Individual Uranium Licensee}$$

As previously stated, this approach assures that the total amount reimbursed to each uranium licensee does not exceed the inflated statutory per dry short ton limit amount authorized by Congress. The first and second FY 2001 payment tables included as **Appendix D, Exhibits D-1A and D-1B** reflect the above methodology for determining reimbursement limits for individual uranium licensees. To avoid confusion with the method used during FY 1994 through FY 2000, the

term "Individual Reimbursement Limit" is used in the FY 2001 tables and future year tables instead of "Maximum Reimbursement Ceiling" which was used in the prior year tables, as shown in **Appendix D, Exhibits D-1 through D-8.**

**Exhibit 2. Total Annual Reimbursements and Adjustment of Reimbursement Ceilings**

	CPI-U	Uranium Licensees	Thorium Licensee	Totals	<sup>1</sup> Preliminary Dry Short Ton Limit	Statutory Dry Short Ton Limit
Original Ceiling		\$270,000,000.00	\$40,000,000.00	\$310,000,000.00	\$4.78	\$5.50
1994 Inflation Adjustments	1.03	\$278,100,000.00	\$41,200,000.00	\$319,300,000.00	\$4.92	\$5.67
FY 1994 Payments		(\$33,368,448.46)	(\$7,000,351.53)	(\$40,368,799.99)		
Ceiling after FY 1994 Payments		\$244,731,551.54	\$34,199,648.47	\$278,931,200.01		
1995 Inflation Adjustments	1.027	\$251,339,303.41	\$35,123,038.98	\$286,462,342.39	\$5.05	\$5.82
FY 1995 Payments		(\$30,213,035.89)	(\$11,478,964.10)	(\$41,691,999.99)		
Ceiling after FY 1995 Payments		\$221,126,267.52	\$23,644,074.88	\$244,770,342.40		
1996 Inflation Adjustments	1.028	\$227,317,803.01	\$24,306,108.98	\$251,623,911.99	\$5.19	\$5.98
FY 1996 Payments		(\$32,282,901.63)	(\$9,567,098.37)	(\$41,850,000.00)		
Ceiling after FY 1996 Payments		\$195,034,901.38	\$14,739,010.61	\$209,773,911.99		
1997 Inflation Adjustments	1.03	\$200,885,948.42	\$15,181,180.93	\$216,067,129.35	\$5.35	\$6.16
P.L. 104-259 Ceiling Increase		\$80,000,000.00	\$25,000,000.00	\$105,000,000.00	\$0.75	\$0.75 <sup>2</sup>
FY 1997 Payments		(\$22,058,321.76)	(\$11,886,678.24)	(\$33,945,000.00)		
Ceiling after FY 1997 Payments		\$258,827,626.66	\$28,294,502.69	\$287,122,129.35	\$6.10	\$6.91
1998 Inflation Adjustments	1.023	\$264,780,662.05	\$28,945,276.25	\$293,725,938.30	\$6.24	\$7.07
FY 1998 Payments		(\$25,756,993.96)	(\$14,143,006.04)	(\$39,900,000.00)		
Ceiling after FY 1998 Payments		\$239,023,668.09	\$14,802,270.21	\$253,825,938.30		
1999 Inflation Adjustments	1.016	\$242,848,046.79	\$15,039,106.53	\$257,887,153.32		\$7.18
P.L. 105-388 Ceiling Increase		\$0	\$75,000,000.00	\$75,000,000.00		
FY 1999 Payments		(\$14,482,267.59)	(15,417,732.41)	(\$29,900,000.00)		
Ceiling after FY 1999 Payments		\$228,365,779.20	\$74,621,374.12	\$302,987,153.32		
2000 Inflation Adjustments	1.022	\$233,389,826.36	\$76,263,044.35	\$309,652,870.71		\$7.34
FY 2000 Payments		(\$26,242,375.50)	(\$45,657,624.50)	(\$71,900,000.00)		

	CPI-U	Uranium Licensees	Thorium Licensee	Totals	<sup>1</sup> Preliminary Dry Short Ton Limit	Statutory Dry Short Ton Limit
<b>Ceiling after FY 2000 Payments</b>		\$207,147,450.86	\$30,605,419.85	\$237,752,870.71		
<b>1<sup>st</sup> FY 2001 Payments</b>		(\$9,807,070.94)	(\$20,115,958.04)	(\$29,923,028.98)		
<b>Ceiling after 1<sup>st</sup> FY 2000 Payments</b>		\$197,340,379.92	\$10,489,461.81	\$207,829,841.73		
<b>2001 Inflation Adjustments</b>	1.034	\$204,049,952.84	\$10,846,103.51	\$214,896,056.35		\$7.59
<b>2<sup>nd</sup> FY 2001 Payments<sup>3</sup></b>		(\$10,943,159.14)	(\$10,846,103.51)	(\$21,789,262.65)		
<b>Ceiling after 2<sup>nd</sup> FY 2001 Payments</b>		\$193,106,793.70	\$0	\$193,106,793.70		
<b>Total Inflation Adjustments through September 2001</b>		\$48,261,368.57	\$6,113,516.74	\$54,374,885.31		
<b>Total Payments through September 2001</b>		\$205,154,574.87	\$146,113,516.74	\$351,268,091.61		
<b>Total Statutory Reimbursement Ceilings (excluding inflation adjustments)</b>		\$350,000,000.00	\$140,000,000.00	\$490,000,000.00		

<sup>1</sup>DOE discontinued the application of the preliminary per dry short ton limit in 1998 because of the increased reimbursement amounts authorized by Public Law 104-259.

<sup>2</sup>Public Law 104-259 increased the statutory per dry short ton limit from \$5.50 to \$6.25, as adjusted annually for inflation.

<sup>3</sup>Includes an accelerated payment of \$1,183,954.92 to the Moab Mill Reclamation Trust on its approved FY 2001 claim.

## 4. REIMBURSEMENT SUMMARY

Through FY 2001, claims totaling \$926,292,578.17 have been submitted to DOE for reimbursement as shown in **Exhibit 3**. For FY 1994 through FY 2000 claims, DOE made a net negative adjustment of \$801,299.87 because of accounting errors identified upon submission; disallowed \$40,620,362.31 because the costs did not meet the 10 CFR Part 765 reimbursement criteria; and approved \$858,075,787.87 of which the Federal share was \$398,032,975.87 after application of the Federal reimbursement ratios. Through FY 2001, uranium and thorium licensees have been reimbursed a total of \$351,268,091.61. **Exhibit 4** shows the total reimbursements issued to individual licensees through FY 2001.

**Exhibit 3. Summary of Annual Claims and Approved Amounts**

	Total Amount Claimed	Total Adjustments	Total Disallowed Costs	Total Approved Claim Amounts	Federal Share Of Total Approved Claim Amounts	Payments Issued
FY 1994	\$311,601,045.21	\$355,343.70	(\$26,893,563.99)	\$285,062,824.92	\$124,943,773.57	\$40,368,799.99
FY 1995	\$134,673,942.68	(\$172.57)	(\$5,061,580.19)	\$129,612,189.92	\$54,788,386.70	\$41,691,999.99
FY 1996	\$80,810,538.68	\$242,189.00	(\$2,985,967.10)	\$78,066,760.58	\$36,662,672.15	\$41,850,000.00
FY 1997	\$94,430,446.77	\$1,951.00	(\$3,002,072.92)	\$91,430,324.85	\$47,938,974.10	\$33,945,000.00
FY 1998	\$77,327,077.55	\$192.00	(\$1,316,724.59)	\$76,010,544.96	\$35,244,051.75	\$39,900,000.00
FY 1999	\$100,650,696.83	(\$1,435,855.00)	(\$270,748.52)	\$98,944,093.31	\$49,400,985.21	\$29,900,000.00
FY 2000	\$100,003,702.33	\$35,052.00	(\$1,089,705.00)	\$98,949,049.33	\$49,054,132.39	\$71,900,000.00
FY 2001	\$26,795,128.12	*TBD	TBD	TBD	TBD	**\$51,712,291.63
Total	\$926,292,578.17	(\$801,299.87)	(\$40,620,362.31)	\$858,075,787.87	\$398,032,975.87	\$351,268,091.61

\*To Be Determined pending the completion of DOE's review of FY 2001 claims.

\*\*Includes an accelerated payment of \$1,183,954.92 to the Moab Mill Reclamation Trust on its approved FY 2001 claim.

**Exhibit 4. Total Reimbursements to Individual Licensees Through FY 2001**

<b>Licensee</b>	<b>Total Payments FY 1994 through FY 2001</b>
<b>American Nuclear Corporation/State of WY</b>	\$807,177.97 (ANC)
Gas Hills Mill Site	\$1,218,473.03 (WY)
Gas Hills Station, WY	
<b>Atlantic Richfield Company</b>	\$32,305,902.36
Bluewater Mill Site	
Grants, NM	
<b>Moab Mill Reclamation Trust (formerly Atlas)</b>	\$2,994,444.74 (MMRT)
Moab Mill Site	\$5,908,653.53 (Atlas)
Moab, UT	
<b>Cotter Corporation</b>	\$2,390,821.72
Canon City Mill Site	
Canon City, CO	
<b>Dawn Mining Company</b>	\$3,124,317.41
Ford Mill Site	
Ford, WA	
<b>Homestake Mining Company</b>	\$35,540,292.62
Grants Mill Site	
Grants, NM	
<b>Pathfinder Mines Corporation</b>	\$7,531,813.26
Lucky McMine Mill Site	
Riverton, WY	
<b>Petrotomics Company</b>	\$2,391,535.15
Shirley Basin Mill Site	
Shirley Basin, WY	
<b>Quivira Mining Company</b>	\$14,248,833.20
Ambrosia Lake Mill Site	
Grants, NM	
<b>Tennessee Valley Authority</b>	\$12,333,604.13
Edgemont Mill Site	
Edgemont, SD	
<b>Umetco Minerals Corporation</b>	\$43,270,078.24
Uravan Mill Site	
Nucla, CO	
<b>Umetco Minerals Corporation</b>	\$13,567,613
East Gas Hills Mill Site	
Gas Hills Station, WY	
<b>Western Nuclear, Incorporated</b>	\$27,521,014.51
Split Rock Mill Site	
Jeffrey City, WY	
<b>Kerr-McGee Chemical Corporation</b>	\$146,113,516.74
West Chicago Mill Site	
Chicago, IL	
<b>Total</b>	<b>\$351,268,091.61</b>



## **5. PLANNED FY 2002 ACTIVITIES**

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Activities that the Department plans to conduct in FY 2002 include:

- complete the review of FY 2001 claims
- make payments on approved FY 2001 approved claim amounts using remaining FY 2001 funds and FY 2002 funds appropriated by Congress
- accept and process FY 2002 claims for reimbursement
- adjust the per dry short ton limit for inflation and total remaining reimbursement limits for inflation using the consumer price index for all urban consumers for the calendar year 2001
- issue correcting amendment to the Title X procedural regulations (10 CFR Part 765) to reflect legislative amendments and make other technical clarifications

### **For Further Information Contact:**

Gilbert Maldonado, Title X Manager  
Clinton Smythe, Environmental Restoration Division Team Leader

U.S. Department of Energy  
Albuquerque Operations Office  
Environmental Restoration Division  
P.O. Box 5400  
Albuquerque, New Mexico 87185-5400

Telephone: (505) 845-4035/5659

Facsimile: (505) 845-4329

Internet: [gmaldona@doeal.gov](mailto:gmaldona@doeal.gov)

## **APPENDIX A.**

### **STATUTORY AND REGULATORY OVERVIEW**

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This appendix outlines the historical basis, legislation, and regulations for reimbursing licensees of active uranium and thorium processing sites for cleanup costs associated with byproduct material generated as an incident of uranium and thorium sales to the Federal Government. Key milestones are listed in **Exhibit A-1**.

#### **A.1 HISTORICAL BACKGROUND**

From 1942 through 1970, the U.S. Army Manhattan Engineer District and the Atomic Energy Commission entered into several contracts with commercially operated mills to purchase uranium concentrate in support of U.S. defense programs. Because of the limited knowledge of the radiological hazards created by the resulting mill process wastes, such as tailings (a mildly radioactive sand-like material generated by the crushing, grinding, and milling of uranium ore-bearing rock), these contracts lacked provisions for managing and remediating these wastes.

By the early 1970's, studies of the environmental impacts of uranium mill tailings revealed that there were potentially significant health risks associated with continued exposure to radon and other decay products of uranium. As a result, Congress enacted the Uranium Mill Tailings Radiation Control Act (UMTRCA) in 1978 to establish standards for the management and reclamation of mill tailings and other process wastes. Title I of UMTRCA authorizes the Department of Energy (DOE) to remediate "inactive" processing sites. Inactive processing sites are those that were no longer licensed under the Atomic Energy Act as of January 1, 1978. The Federal Government paid 90 percent of the cleanup costs at these sites and the affected States paid 10 percent. Title II of UMTRCA established a program authorizing the Nuclear Regulatory Commission to regulate byproduct material at "active" processing sites (i.e., those with active licenses under the Atomic Energy Act on or after January 1, 1978) to ensure sound management of tailings throughout the production, reclamation, and disposal phases.

UMTRCA did not provide for Federal assistance to licensees of active uranium processing sites, including those that sold material under contract to the Atomic Energy Commission and its predecessor agencies. In 1979, the General Accounting Office reported to Congress that Federal assistance should be provided to these active licensees to defray a portion of the cost of remediating Federal-related byproduct material at their sites.

## **Exhibit A-1**

### **Key Milestones**

November 8, 1978	Uranium Mill Tailings Radiation Control Act is enacted
October 24, 1992	Energy Policy Act is enacted
August 9, 1993	Proposed Title X rule is issued (58 FR 42450)
May 23, 1994	Final Title X rule is promulgated under 10 CFR Part 765 (59 FR 26714)
October 9, 1996	Public Law 104-259 is enacted
November 13, 1998	Public Law 105-388 is enacted
October 19, 2000	Public Law 106-317 is enacted

## **A.2 SUMMARY OF LEGISLATIVE AND REGULATORY REQUIREMENTS**

### **A.2.1 Legislative**

Title X, as amended by Public Laws 104-259, 105-388, and 106-317, directed DOE to do the following:

- Issue regulations governing the reimbursement process.
- Reimburse, at least annually, licensees of active uranium and thorium processing sites for costs incurred to remediate Federal-related byproduct material. Under the original Act, reimbursements to individual uranium licensees were limited to an amount not to exceed \$5.50 multiplied by the dry short tons of Federal-related byproduct material; total reimbursement to all active uranium licensees was limited to \$270 million; total reimbursement to the thorium licensee was limited to \$40 million; and total reimbursement to all licensees was limited to \$310 million. These ceilings were subsequently increased by Public Laws 104-259 and 105-388. The per dry short ton limit for uranium licensees was increased to \$6.25, and the total authorized reimbursement for uranium and thorium licensees was increased to \$350 million and \$140 million, respectively, for an aggregate amount of \$490 million. Funding for the Title X reimbursements is to be provided through the Uranium Enrichment Decontamination and Decommissioning Fund established under Title XI of the Energy Policy Act of 1992.
- Adjust the reimbursement ceilings annually for inflation.
- Reimburse licensees in accordance with a reclamation plan submitted by each licensee and approved by the Department for costs of remedial action incurred after December 31, 2007.
- Determine by December 31, 2008, if excess funding authority is available to reimburse individual uranium licensees whose costs exceeded the statutory per dry short ton ceiling and make a decision if that excess authority should be made available to those licensees.

## **A.2.2 Regulatory**

DOE issued the proposed rule for implementing Title X on August 9, 1993, (58 FR 42450). After conducting a public hearing on September 14, 1993, and considering public comments, the Department promulgated a final rule on May 23, 1994, under 10 CFR Part 765 (59 FR 26714). In conjunction with the final rule, DOE issued supplementary guidance titled "*Guidance for the Preparation of Reimbursement Claims under Title X of the Energy Policy Act of 1992*." This guidance addresses regulatory and accounting requirements, standards, and concepts that apply to the processes of documenting and filing claims for reimbursement. Major elements of 10 CFR Part 765 are highlighted below.

### ***Establishment of Eligible Licensees and Tailings Quantities***

Thirteen active uranium licensees and one active thorium licensee (located in seven states: Colorado, Illinois, New Mexico, South Dakota, Utah, Washington, and Wyoming) were identified by DOE as having generated Federal-related byproduct material and, therefore, qualifying for reimbursement under Title X (**Exhibit A-2**). A study conducted by DOE in 1982, titled "*Commingled Uranium Tailings Study, Volume II: Technical Report*," served as the basis for determining the Federal-related tailings quantities at these sites. Total tailings quantities were obtained from the Department's "*Integrated Data Base for 1992: U.S. Spent Fuel and Radioactive Waste Inventories, Projections, and Characteristics*." These tailings quantities were updated by DOE for some sites based on more recent or previously unavailable records. The Department's final determination on the tailings quantities at eligible sites on the date Title X was enacted is presented in **Exhibit A-2**. These quantities serve as the basis for determining the Federal reimbursement ratio at all sites and the per dry short ton limit for individual uranium sites.

### ***Establishment of Preliminary Per Dry Short Ton Limit on Reimbursement***

From 1994 through 1997, DOE established a preliminary per dry short ton limit of \$4.78, as adjusted for inflation, for reimbursement to licensees of eligible uranium processing sites. This was necessary because the original \$270 million statutory ceiling would not support the original maximum allowable reimbursement of \$5.50 per dry short ton, as established by Title X, if remedial action costs at all of the eligible uranium processing sites reach or approach this per dry short ton limit (i.e., \$270 million divided by the total amount of Federal-related tailings at all eligible uranium processing sites, 56.521 million dry short tons, equals \$4.78). As stated in the January 19, 1999, Federal Register Notice (64 FR 2887), DOE discontinued the application of the preliminary per dry short ton limit on reimbursement in 1998 based on the ceiling increases authorized by Public Law 105-388.

### ***Determination of Reimbursable Costs and the Federal Reimbursement Ratio***

Consistent with Title X, "reimbursable" costs are limited to those costs that were necessary to comply with UMTRCA or, where appropriate, Agreement State requirements. **Exhibit A-3** provides examples of reimbursable and non-reimbursable costs. Additional examples and more in-depth discussion on reimbursable costs can be found in the May 23, 1994, final rule and the *Guidance for Preparation of Reimbursement Claims under Title X of the Energy Policy Act*,

*Revision I.* Because Federal-related and commercial tailings are commingled at most processing sites, it is virtually impossible to associate specific costs to specific tailings. Therefore, DOE adopted a percentage approach (known as the Federal reimbursement ratio) in which the Federal cost share is determined by multiplying the total cost of remedial action by the percentage of Federal-related tailings to total tailings located at each site on October 24, 1992. A licensee requesting an alternative approach must have demonstrated to DOE's satisfaction that the alternative approach was "more accurate" than the percentage approach based on the amount of tailings quantities. No alternative demonstrations were approved and all the Federal reimbursement ratios are based on the percentage of tailings quantities. As shown in **Exhibit A-2**, Federal reimbursement ratios range from 0.115 to 0.813.

### ***Claim Submission and Processing Procedures***

Following each annual appropriation of reimbursement funds by Congress, DOE issues a Federal Register Notice announcing the acceptance of claims for that fiscal year. To be eligible for reimbursement, licensees must submit their claims in writing to DOE by the announced closing date. In preparing their claims, licensees must abide by generally accepted accounting principles. Each claim must include a summary of the costs of remedial action being claimed and the technical and financial documentation available to support the claim. Licensees must cross-reference each claimed activity to the type of supporting documentation (e.g., invoice) and to the appropriate section of their reclamation plan or other regulatory authorization which demonstrates that the activity was necessary to comply with UMTRCA or Agreement State requirements. Copies of invoices, payroll records, receipts, and/or other financial records supporting the claim must be made available by the licensee for subsequent DOE auditing.

Upon receipt of a claim package from a licensee, DOE performs a preliminary review of the documentation submitted. This primarily involves determining whether the claim contains all the appropriate information as discussed above. To the extent possible, the preliminary review also assesses whether the claimed costs were necessary to comply with UMTRCA or Agreement State requirements. After the preliminary review is completed, DOE and the Defense Contract Audit Agency conduct formal financial and technical reviews of the licensee's claim to verify its accuracy and legitimacy. DOE also may rely, in part, on findings from prior years' reviews and audits for further assurance regarding a licensee's claim. The audits usually are performed at the licensee's site and are based on generally accepted government auditing standards.

After completion of the review process, DOE provides the licensee with a decision as to claim amounts approved or disallowed. If a licensee disagrees with a decision and the difference cannot be resolved at the program office level, the licensee has the option to file an appeal with the Department's Office of Hearings and Appeals.

All reimbursements approved by DOE in a given year are processed at the same time to ensure an equitable distribution of available appropriations (i.e., payments are not made on a first-come-first-serve basis). Reimbursements are limited to the total approved claim amount multiplied by the licensee's Federal reimbursement ratio and must not exceed the reimbursement limits authorized by Title X. When funds are insufficient to reimburse all claims in full, reimbursements are made on a prorated basis. Remaining unpaid approved claim amounts are

then carried over to subsequent fiscal years until paid in full. Claim submission and processing procedures are outlined in **Exhibit A-4**.

### ***Inflation Adjustment Procedures***

DOE makes the inflation adjustments to the aggregate amounts authorized to uranium licensees, the thorium licensee, and all uranium and thorium licensees by multiplying the ceilings for the preceding calendar year, less amounts paid during that year, by the Consumer Price Index for all urban consumers for the preceding calendar year. **Exhibit 2** illustrates this calculation. For example, the maximum reimbursement limit for all uranium licensees at the beginning of 1993 was \$270,000,000. The CPI-U for the calendar year 1993 was 1.030, and DOE did not issue any reimbursements in calendar year 1993. Therefore, the inflation-adjusted value of the reimbursement limit at the beginning of 1994 was \$278,100,000 [i.e.,  $(\$270,000,000 - \$0) \times 1.03 = \$278,100,000$ ]. In December 1994, DOE issued reimbursements totaling \$33,368,448 to uranium licensees. Therefore, the remaining reimbursement limit at the end of 1994 was \$244,731,552 [i.e.,  $\$278,100,000 - \$33,368,448 = \$244,731,552$ ]. The remaining reimbursement limit at the end of each year has been adjusted for inflation in each subsequent year using the same methodology.

Similarly, the statutory per dry short ton limit on reimbursements to individual uranium licensees is adjusted for inflation each year by multiplying the per dry short ton value for the preceding year by the CPI-U for the preceding calendar year. For example, the statutory per dry short ton limit of \$5.980858 in FY 1996 (prior to increase authorized by Public law 104-259) was derived by multiplying the statutory per dry short ton limit for 1995, \$5.817955, by the CPI-U of 1.028 for the calendar year 1995.

**Exhibit A-2****Tailings Quantities and Federal Reimbursement Ratios**

	<b>Federal Related Tailings (millions dry short tons)</b>	<b>Total Tailings (millions dry short tons)</b>	<b>Federal Reimbursement Ratio</b>
<b>American Nuclear Corporation/State of WY</b> Gas Hills Mill Site Gas Hills Station, WY	2.202	6.0	.367
<b>Atlantic Richfield Company</b> Bluewater Mill Site Grants, NM	8.837	23.9	.370
<b>Moab Mill Reclamation Trust (formerly Atlas)</b> Moab Mill Site Moab, UT	5.946	10.6	.561
<b>Cotter Corporation</b> Canon City Mill Site Canon City, CO	0.315	2.2	.143
<b>Dawn Mining Company</b> Ford Mill Site Ford, WA	1.171	3.1	.378
<b>Homestake Mining Company</b> Grants Mill Site Grants, NM	11.411	22.3	.512
<b>Pathfinder Mines Corporation</b> Lucky McMine Mill Site Riverton, WY	2.842	11.7	.243
<b>Petrochemicals Company</b> Shirley Basin Mill Site Shirley Basin, WY	0.725	6.3	.115
<b>Quivira Mining Company</b> Ambrosia Lake Mill Site Grants, NM	10.017	33.2	.302
<b>Tennessee Valley Authority</b> Edgemont Mill Site Edgemont, SD	1.625	2.0	.813
<b>Umetco Minerals Corporation</b> Uravan Mill Site Nucla, CO	5.701	10.5	.543
<b>Umetco Minerals Corporation</b> East Gas Hills Mill Site Gas Hills Station, WY	2.103	8.0	.263
<b>Western Nuclear, Incorporated</b> Split Rock Mill Site Jeffrey City, WY	3.626	8.2	.442
<b>Kerr-McGee Chemical Corporation</b> West Chicago Mill Site Chicago, IL	0.032	0.058	.552

## **Exhibit A-3**

### **Examples of Reimbursable and Non-Reimbursable Costs**

#### **Reimbursable**

- Ground water remediation
- Disposal of process wastes
- Removal actions
- Mill equipment decommissioning
- Monitoring
- Administrative expenses for remediation
- Treatment of contaminated soils
- Air pollution studies
- Long-term surveillance and maintenance fees

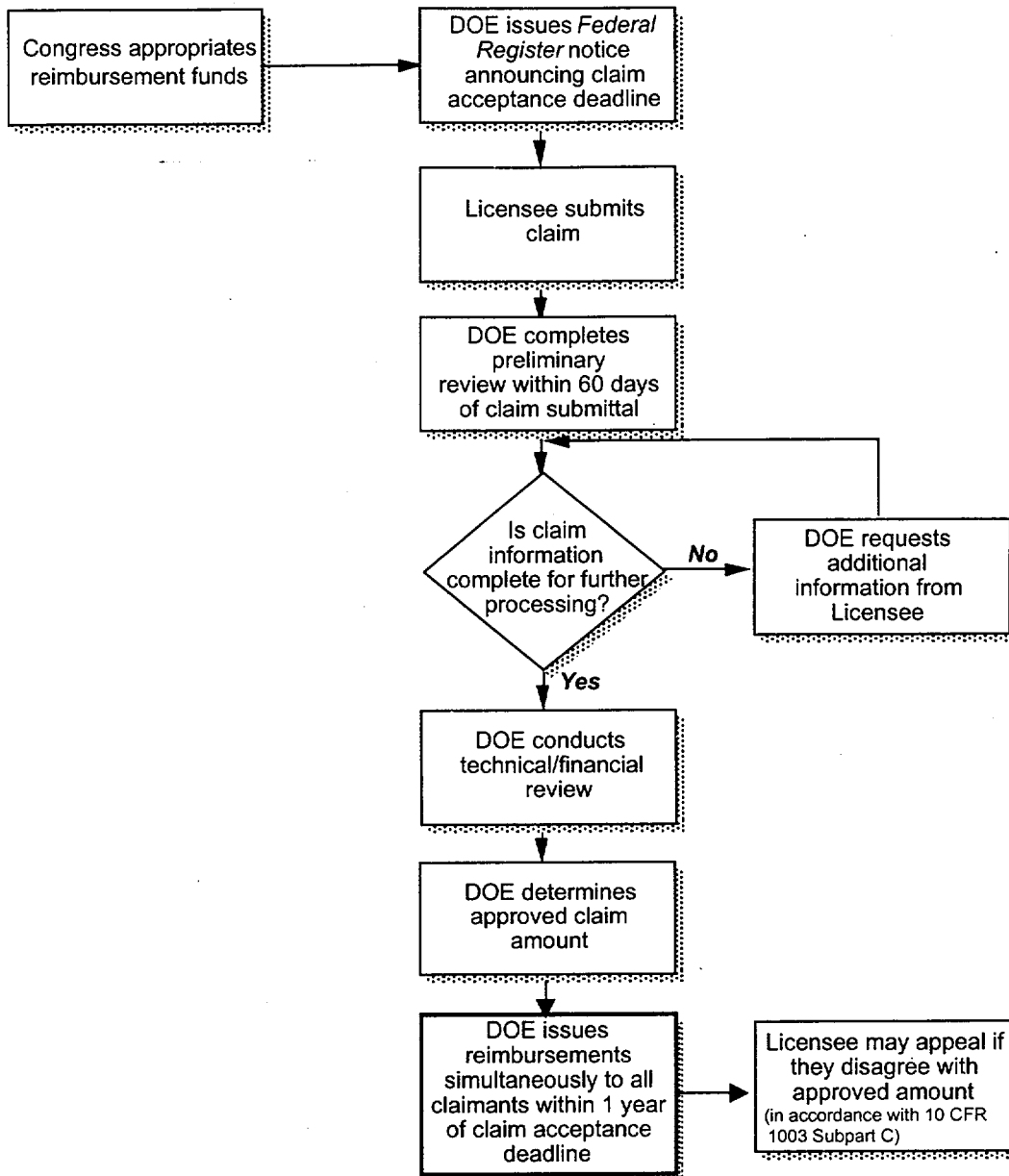
#### **Non-Reimbursable**

- Charges for fully depreciated equipment
- Costs of commuting between residence and work site
- Lunch allowances
- Entertainment expenses
- Employee bonuses
- Costs of operating equipment for non-reclamation purposes
- Environmental fines
- Legal fees not directly related to reclamation of Title X site
- Lobbying-related costs



## Exhibit A-4

## Annual Reimbursement Process

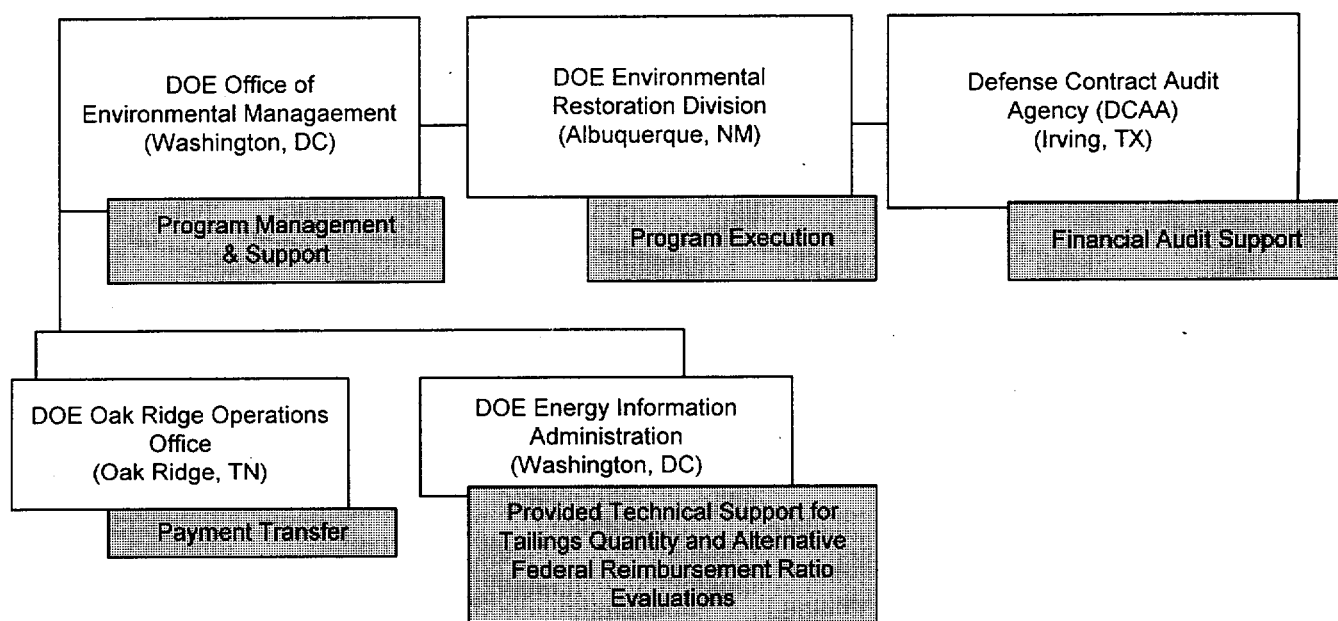


### A.3 ADMINISTRATIVE FRAMEWORK

DOE assembled the administrative framework for implementing Title X in 1994. As shown in **Exhibit A-5**, the DOE Albuquerque Operations Office, Environmental Restoration Division, in Albuquerque, New Mexico, is carrying out the program with assistance from the Office of Environmental Management in Washington, D.C.; the Oak Ridge Operations Office in Oak Ridge, Tennessee; and, the Defense Contract Audit Agency (DCAA).

#### Exhibit A-5

#### Administrative Framework



**APPENDIX B.**  
**TRANSFER OF MOAB MILL SITE LICENSE**

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

February 17, 2000

Mr. David Mathes  
EM-45  
U.S. Department of Energy  
19901 Germantown Road  
Cloverleaf Building  
Germantown, MD 20874-1290

SUBJECT: TRANSFER OF ATLAS LICENSE TO TRUST

Dear Mr. Mathes:

This is to notify you that the U.S. Nuclear Regulatory Commission (NRC) transferred license number SUA-917 from the Atlas Corporation to the Moab Mill Reclamation Trust (Trust), effective December 30, 1999. The trustee is William Abington, in his capacity as a partner of PricewaterhouseCoopers, LLP (PWC). The license is for the former uranium milling facility and mill tailings pile near Moab, Utah. On September 22, 1998, Atlas filed a petition for relief under Chapter 11 of the U.S. Bankruptcy Code. Discussions among Atlas, NRC, and the State of Utah led to the development and signing of the Moab Uranium Mill Transfer Agreement, which provides for the transfer of the mill site and NRC license to a trust, the trustee of which would maintain the site and carry out remediation pursuant to NRC regulations and the terms and conditions of NRC license SUA-917. The agreement was submitted to the bankruptcy court for approval on April 29, 1999. On December 1, 1999, the court issued an order confirming the reorganization of the Atlas Corporation, which includes the agreement on the Moab mill site.

As the NRC licensee for the Moab site, the Trust should receive all future payments by the U.S. Department of Energy pursuant to Title X of the Energy Policy Act of 1992, including amounts owed for past claims with the exception of payment of the disputed claim for dismantling performed by American Reclamation and Dismantling Inc. The settlement agreement calls for Atlas Corporation to continue pursuing that claim and sharing fifty percent of the net recovery with the Trust.

The trustee can be contacted through Keith E. Eastin of PWC, who can be reached at (713) 356-4000. If you have any questions, please contact me or Myron Fliegel, the NRC project manager for this site. I can be reached at (301) 415-7238 and Dr. Fliegel at (301) 415-6629.

Sincerely,

Thomas H. Essig, Chief  
Uranium Recovery and  
Low-Level Waste Branch  
Division of Waste Management  
Office of Nuclear Material Safety  
and Safeguards

# **APPENDIX C.**

## **TITLE X OF THE ENERGY POLICY ACT OF 1992 AS AMENDED**

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### **Title X— Remedial Action and Uranium Revitalization**

#### **Subtitle A— Remedial Action at Active Processing Sites**

#### **SEC. 1001. Remedial Action Program**

(a) **IN GENERAL.**—Except as provided in subsection (b), the costs of decontamination, decommissioning, reclamation, and other remedial action at an active uranium or thorium processing site shall be borne by persons licensed under section 62 or 81 of the Atomic Energy Act of 1954 (42 U.S.C. 2091, 2111) for any activity at such site which results or has resulted in the production of byproduct material.

(b) **REIMBURSEMENT.**—

(1) **IN GENERAL.**—The Secretary of Energy shall, subject to paragraph (2), reimburse at least annually a licensee described in subsection (a) for such portion of the costs described in such subsection as are—

(A) determined by the Secretary to be attributable to byproduct material generated as an incident of sales to the United States; and

(B) either—

(i) incurred by such licensee not later than December 31, 2007; or

(ii) incurred by a licensee after December 31, 2007, in accordance with a plan for subsequent decontamination, decommissioning, reclamation and other remedial action approved by the Secretary

(2) **Amount.**—

(A) **TO INDIVIDUAL ACTIVE SITE URANIUM LICENSEES.**—The amount of reimbursement paid to any licensee under paragraph (1) shall be determined by the Secretary in accordance with regulations issued pursuant to section 1002 and, for uranium mill tailings only, shall not exceed an amount equal to \$6.25 multiplied by the dry short tons of byproduct material located on the date of the enactment of this Act at the site of the activities of such licensee described in subsection (a), and generated as an incident of sales to the United States.

(B) **TO ALL ACTIVE SITE URANIUM LICENSEES.**—Payments made under paragraph (1) to active site uranium licensees shall not in the aggregate exceed \$350,000,000.

(C) TO THORIUM LICENSEES.— Payments made under paragraph (1) to the licensee of the active thorium site shall not exceed \$140,000,000, and may only be made for off-site disposal.

(D) INFLATION ESCALATION INDEX.— The amounts in subparagraphs (A), (B), and (C) of this paragraph shall be increased annually based upon an inflation index. The Secretary shall determine the appropriate index to apply.

(E) ADDITIONAL REIMBURSEMENT.—

(i) DETERMINATION OF EXCESS.— The Secretary shall determine as of December 31, 2008, whether the amount authorized to be appropriated pursuant to section 1003, when considered with the \$6.25 per dry short ton limit on reimbursement, exceeds the amount reimbursable to the licensees under subsection (b)(2).

(ii) IN THE EVENT OF EXCESS.— If the Secretary determines under clause (i) that there is an excess, the Secretary may allow reimbursement in excess of \$6.25 per dry short ton on a prorated basis at such sites where the costs reimbursable under subsection (b)(1) exceed the \$6.25 per dry short ton limitation described in paragraph (2) of such subsection.

(3) BYPRODUCT LOCATION.— Notwithstanding the requirement of paragraph (2)(A) that byproduct material be located at the site on the date of the enactment of this Act, byproduct material moved from the site of the Edgemont Mill to a disposal site as the result of the decontamination, decommissioning, reclamation, and other remedial action of such mill shall be eligible for reimbursement to the extent eligible under paragraph (1).

## **SEC. 1002. Regulations.**

Within 180 days of the date of the enactment of this Act, the Secretary shall issue regulations governing reimbursement under section 1001. An active uranium or thorium processing site owner shall apply for reimbursement hereunder by submitting a request for the amount of reimbursement, together with reasonable documentation in support thereof, to the Secretary. Any such request for reimbursement, supported by reasonable documentation, shall be approved by the Secretary and reimbursement therefore shall be made in a timely manner subject only to the limitations of section 1001.

## **SEC. 1003. Authorization of Appropriations.**

(a) In General.— There is authorized to be appropriated \$490,000,000 to carry out this subtitle. The aggregate amount authorized in the preceding sentence shall be increased annually as provided in section 1001, based upon an inflation index to be determined by the Secretary.

(b) Source.— Funds described in subsection (a) shall be provided from the Fund established under section 1801 of the Atomic Energy Act of 1954.

## **SEC. 1004. Definitions.**

For purposes of this subtitle:

(1) The term “active uranium or thorium processing site” means—

(A) Any uranium or thorium processing site, including the mill, containing byproduct material for which a license (issued by the Nuclear Regulatory Commission or its predecessor agency under the Atomic Energy Act of 1954, or by a State as permitted under section 274 of such Act (42 U.S.C. 2021) for the production at such site of any uranium or thorium derived from ore—

- (i) was in effect on January 1, 1978;
- (ii) was issued or renewed after January 1, 1978; or
- (iii) for which an application for renewal or issuance was pending on, or after January 1, 1978; and

(B) any other real property or improvement on such real property that is determined by the Secretary or by a State as permitted under section 274 of the Atomic Energy Act of 1954 (42 U.S.C. 2021) to be—

- (i) in the vicinity of such site; and
- (ii) contaminated with residual byproduct material;

(2) The term “byproduct material” has the meaning given such term in section 11e.(2) of the Atomic Energy Act of 1954, (42 U.S.C. 2014(e)(2)); and

(3) The term “decontamination, decommissioning, reclamation, and other remedial action” means work performed prior to or subsequent to the date of the enactment of this Act which is necessary to comply with all applicable requirements of the Uranium Mill Tailings Radiation Control Act of 1978 (42 U.S.C. 7901 et. seq.), or where appropriate, with requirements established by a State that is a party to a discontinuance agreement under section 274 of the Atomic Energy Act of 1954 (42 U.S.C. 2021).

**APPENDIX D.**  
**INDIVIDUAL APPROVED CLAIM AMOUNTS**  
**AND PAYMENTS: FY 1994 – FY 2001**

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**Exhibit D-1A. Second FY 2001 Individual Approved Claim Amounts and Payments (April 2001)**

Licensee	FY 01 Individual Reimbursement Limit after 1 <sup>st</sup> FY 01 Payments and Inflation Adjustments	Final FY 00 Approved Claim Amounts <sup>1</sup>	Final FY 00 Approved Claim Plus Unpaid Claim Balance after 1 <sup>st</sup> FY 01 Payments <sup>1</sup>	Total Unpaid Claims Within Limit <sup>1</sup>	2 <sup>nd</sup> FY 01 Payments <sup>1</sup>	Unpaid Claim Balance After 2 <sup>nd</sup> FY 01 Payments	Individual Reimbursement Limit After 2 <sup>nd</sup> FY 01 Payments	Unpaid Claim Balance in Excess of Limit After 2 <sup>nd</sup> FY 01 Payments
<b>Uranium</b>								
American Nuclear Corp. Site	14,700,850.05						14,687,331.33	0.00
<i>American Nuclear Corporation</i>		13,518.72	13,518.72	13,518.72	13,518.72	0.00		
<i>State of Wyoming</i>		0.00	0.00	0.00	0.00	0.00		
Atlantic Richfield Company	34,766,134.37	0.00	0.00	0.00	0.00	0.00	34,766,134.37	0.00
Moab Mill Reclamation Trust	37,871,037.70	1,644,529.72	1,644,529.72	1,644,529.72	1,644,529.72	0.00	36,266,507.98	0.00
Cotter Corporation	78,615.02	162,327.26	932,307.13	78,615.02	78,615.02	853,692.11	0.00	853,692.11
Dawn Mining Company	5,958,075.98	194,608.51	194,608.51	194,608.51	194,608.51	0.00	5,763,467.47	0.00
Homestake Mining Company	53,636,441.69	2,568,268.63	2,568,268.63	2,568,268.63	2,568,268.63	0.00	51,068,173.06	0.00
Pathfinder Mines Corporation	15,461,823.52	1,423,111.90	1,423,111.90	1,423,111.90	1,423,111.90	0.00	14,038,711.62	0.00
Petrotomics Company	3,275,389.64	164,239.87	164,239.87	164,239.87	164,239.87	0.00	3,111,149.77	0.00
Quivira Mining Company	62,481,886.72	702,589.11	702,589.11	702,589.11	702,589.11	0.00	61,779,297.61	0.00
Tennessee Valley Authority	405,553.71	0.00	13,201,963.30	405,553.71	405,553.71	12,796,409.59	0.00	12,796,409.59
Umetco Minerals Corporation-CO	1,422,807.21	2,961,852.69	7,703,278.44	1,422,807.21	1,422,807.21	6,280,471.23	0.00	6,280,471.23
Umetco Minerals Corporation-WY	3,814,338.64	1,420,370.42	1,420,370.42	1,420,370.42	1,420,370.42	0.00	2,393,968.22	0.00
Western Nuclear, Incorporated	904,946.32	749,675.85	1,536,321.45	904,946.32	904,946.32	631,375.13	0.00	631,375.13
<b>Total Uranium</b>		\$12,005,092.68	\$31,505,107.20	\$10,943,159.14	\$10,943,159.14	\$20,561,948.06		\$20,561,948.06
<b>Thorium</b>								
Kerr-McGee Chemical Corp.	10,846,103.51	38,232,994.63	38,232,994.63	10,846,103.51	10,846,103.51	0.00 <sup>2</sup>	0.00	0.00
<b>Total Thorium</b>	\$10,846,103.51	\$38,232,994.63	\$38,232,994.63	\$10,846,103.51	\$10,846,103.51	\$0.00	\$0.00	\$0.00
<b>Total Uranium and Thorium</b>		\$50,238,087.31	\$69,738,101.83	\$21,789,262.65	\$21,789,262.65	\$20,561,948.06		\$20,561,948.06

<sup>1</sup>Amount includes \$1,183,954.92 for the Moab Mill Reclamation Trust on its approved FY 2001 claim, as discussed in Section 3.3 of this status report.<sup>2</sup>The total amount authorized under Title X for the thorium licensee (Kerr-McGee) was exhausted with the 2<sup>nd</sup> FY 2001 payment.

**Exhibit D-1B. First FY 2001 Individual Approved Claim Amounts and Payments (December 2000)<sup>1</sup>**

Licensee	FY 01 Individual Reimbursement Limit <sup>2</sup>	Unpaid Claim Balance After 2 <sup>nd</sup> FY 00 Payments	Total Unpaid Claim Balance Within Limit	1 <sup>st</sup> FY 01 Payments	Unpaid Claim Balance After 1 <sup>st</sup> FY 01 Payments	Individual Reimbursement Limit After 1 <sup>st</sup> FY 01 Payments	Unpaid Claim Balance in Excess of Limit After 1 <sup>st</sup> FY 01 Payments
<b>Uranium</b>							
American Nuclear Corp. Site	14,346,036.94					14,151,293.58	0.00
<i>American Nuclear Corporation</i>		32,840.67	32,840.67	32,840.67	0.00		
<i>State of Wyoming</i>		161,902.69	161,902.69	161,902.69	0.00		
Atlantic Richfield Company	33,418,043.57	857,372.69	857,372.69	857,372.69	0.00	32,560,670.88	0.00
Moab Mill Reclamation Trust	36,799,938.66	412,853.20	412,853.20	412,853.20	0.00	36,387,085.46	0.00
Cotter Corporation	77,808.19	847,788.06	77,808.19	77,808.19	769,979.87	0.00	769,979.87
Dawn Mining Company	5,944,076.23	278,248.49	278,248.49	278,248.49	0.00	5,665,827.74	0.00
Homestake Mining Company	52,397,803.66	1,609,222.55	1,609,222.55	1,609,222.55	0.00	50,788,581.11	0.00
Pathfinder Mines Corporation	15,412,693.64	660,152.37	660,152.37	660,152.37	0.00	14,752,541.27	0.00
Petrotomics Company	3,276,376.58	181,926.29	181,926.29	181,926.29	0.00	3,094,450.29	0.00
Quivira Mining Company	60,773,398.40	791,469.56	791,469.56	791,469.56	0.00	59,981,928.84	0.00
Tennessee Valley Authority	445,110.73	13,647,074.03	445,110.73	445,110.73	13,201,963.30	0.00	13,201,963.30
Umetco Minerals Corporation-CO	1,749,457.76	6,490,883.51	1,749,457.76	1,749,457.76	4,741,425.75	0.00	4,741,425.75
Umetco Minerals Corporation-WY	4,316,393.70	1,026,903.96	1,026,903.96	1,026,903.96	0.00	3,289,489.74	0.00
Western Nuclear, Incorporated	1,521,801.79	2,308,447.39	1,521,801.79	1,521,801.79	786,645.60	0.00	786,645.60
<b>Total Uranium</b>		\$29,307,085.46	\$9,807,070.94	\$9,807,070.94	\$19,500,014.52		\$19,500,014.52
<b>Thorium</b>							
Kerr-McGee Chemical Corp.	30,605,419.85	20,115,958.04	20,115,958.04	20,115,958.04	0.00	10,489,461.81	0.00
<b>Total Thorium</b>	\$30,605,419.85	\$20,115,958.04	\$20,115,958.04	\$20,115,958.04	\$0.00	\$10,489,461.81	\$0.00
<b>Total Uranium and Thorium</b>		\$49,423,043.50	\$29,923,028.98	\$29,923,028.98	\$19,500,014.52		\$19,500,014.52

<sup>1</sup>DOE made two payments in FY 2001: The first payments, which were issued in December 2000, eliminated the backlog of unpaid approved claim balances that had accumulated through the FY 1999 claims. The second payments were issued in April 2001 and fully reimbursed licensees' approved FY 2000 claim amounts.

<sup>2</sup>Beginning in FY 2001, DOE adjusted the method for determining the individual per dry short ton limit to uranium licensees where: Individual Uranium Reimbursement Limit = (Individual Federal Related Dry Short Tons of Tailings x Inflation Adjusted Statutory Per Dry Short Ton Limit) - Cumulative Amount of Reimbursements Paid to Individual Uranium Licensee. This method is discussed in Section 3.4 of this status report.

**Exhibit D-2A. \*Second FY 2000 Individual Approved Claim Amounts and Payments (September 2000)**

<b>Licensee</b>	<b>Maximum Reimbursement Ceiling After 1<sup>st</sup> FY 00 Payments</b>	<b>Unpaid Claims After 1<sup>st</sup> FY 00 Payments</b>	<b>Total Unpaid Claims Within Ceiling</b>	<b>2<sup>nd</sup> FY 00 Payments</b>	<b>Unpaid Claim Balance After 2<sup>nd</sup> FY 00 Payments</b>	<b>Maximum Reimbursement Ceiling After 2<sup>nd</sup> FY 00 Payments</b>	<b>Unpaid Claim Balance in Excess of Ceiling 2<sup>nd</sup> FY 00 Payments</b>
<b>Uranium</b>							
American Nuclear Corp. Site	16,075,167.73					15,816,968.08	0.00
<i>American Nuclear Corporation</i>		76,382.33	76,382.33	43,541.66	32,840.67		
<i>State of Wyoming</i>		376,560.68	376,560.68	214,657.99	161,902.69		
Atlantic Richfield Company	37,773,902.05	1,994,116.60	1,994,116.60	1,136,743.91	857,372.69	36,637,158.14	0.00
Moab Mill Reclamation Trust	41,040,508.71	960,232.84	960,232.84	547,379.64	412,853.20	40,493,129.07	0.00
Cotter Corporation	308,849.34	1,023,847.28	308,849.34	176,059.22	847,788.06	132,790.12	714,997.94
Dawn Mining Company	7,014,888.58	647,163.07	647,163.07	368,914.58	278,248.49	6,645,974.00	0.00
Homestake Mining Company	60,085,897.85	3,742,803.37	3,742,803.37	2,133,580.82	1,609,222.55	57,952,317.03	0.00
Pathfinder Mines Corporation	17,918,785.15	1,535,412.56	1,535,412.56	875,260.19	660,152.37	17,043,524.96	0.00
Petrotomics Company	3,875,869.53	423,132.48	423,132.48	241,206.19	181,926.29	3,634,663.34	0.00
Quivira Mining Company	67,913,529.58	1,840,836.08	1,840,836.08	1,049,366.52	791,469.56	66,864,163.06	0.00
Tennessee Valley Authority	1,499,061.46	14,501,612.32	1,499,061.46	854,538.29	13,647,074.03	644,523.17	13,002,550.86
Umetco Minerals Corporation-CO	5,729,215.48	9,756,816.31	5,729,215.48	3,265,932.80	6,490,883.51	2,463,282.68	4,027,600.83
Umetco Minerals Corporation-WY	6,372,040.74	2,388,420.18	2,388,420.18	1,361,516.22	1,026,903.96	5,010,524.52	0.00
Western Nuclear, Incorporated	5,489,089.85	5,369,092.49	5,369,092.49	3,060,645.10	2,308,447.39	2,428,444.75	0.00
<b>Total Uranium</b>		\$44,636,428.59	\$26,891,278.96	\$15,329,343.13	\$29,307,085.46		\$17,745,149.63
<b>Thorium</b>							
Kerr-McGee Chemical Corp.	57,276,076.72	46,786,614.91	46,786,614.91	26,670,656.87	20,115,958.04	30,605,419.85	0.00
<b>Total Thorium</b>	\$57,276,076.72	\$46,786,614.91	\$46,786,614.91	\$26,670,656.87	\$20,115,958.04	\$30,605,419.85	\$0.00
<b>Total Uranium and Thorium</b>		\$91,423,043.50	\$73,677,893.87	\$42,000,000.00	\$49,423,043.50		\$17,745,149.63

\*Congress provided two appropriations in FY 2000 to carry out the Title X reimbursement program: an initial appropriation of \$30 million and a supplemental appropriation of \$42 million for a total of \$72 million. Consequently, DOE issued two sets of payments in FY 2000. DOE allocated \$100,000 of the initial appropriations to DCAA for audit support costs.

**Exhibit D-2B. \*First FY 2000 Individual Approved Claim Amounts and Payments (April 2000)**

Licensee	FY 00 Maximum Reimbursement Ceiling	Final FY 99 Approved Claim Amounts	Final FY 99 Approved Claim Plus Prior Years Unpaid Claim Balance	Total Unpaid Claims Within Ceiling	1 <sup>st</sup> FY 00 Payments	Unpaid Claim Balance After 1 <sup>st</sup> FY 00 Payments	Maximum Reimbursement Ceiling After 1 <sup>st</sup> FY 00 Payments	Unpaid Claim Balance in Excess of Ceiling After 1 <sup>st</sup> FY 00 Payments
<b>Uranium</b>								
American Nuclear Corp. Site	16,258,981.31						16,075,167.73	0.00
<i>American Nuclear Corporation</i>		17,820.78	107,379.86	107,379.86	30,997.53	76,382.33		
<i>State of Wyoming</i>		7,097.68	529,376.73	529,376.73	152,816.05	376,560.68		
Atlantic Richfield Company	38,583,155.45	0.00	2,803,370.00	2,803,370.00	809,253.40	1,994,116.60	37,773,902.05	0.00
Moab Mill Reclamation Trust	41,430,190.89	267,004.58	1,349,915.02	1,349,915.02	389,682.18	960,232.84	41,040,508.71	0.00
Cotter Corporation	434,186.73	0.00	1,149,184.67	434,186.73	125,337.39	1,023,847.28	308,849.34	714,997.94
Dawn Mining Company	7,277,520.62	177,184.58	909,795.11	909,795.11	262,632.04	647,163.07	7,014,888.58	0.00
Homestake Mining Company	61,604,804.20	1,092,967.96	5,261,709.72	5,261,709.72	1,518,906.35	3,742,803.37	60,085,897.85	0.00
Pathfinder Mines Corporation	18,541,887.05	1,413,964.84	2,158,514.46	2,158,514.46	623,101.90	1,535,412.56	17,918,785.15	0.00
Petrotomics Company	4,047,585.36	228,416.78	594,848.31	594,848.31	171,715.83	423,132.48	3,875,869.53	0.00
Quivira Mining Company	68,660,578.60	675,453.20	2,587,885.10	2,587,885.10	747,049.02	1,840,836.08	67,913,529.58	0.00
Tennessee Valley Authority	2,107,411.33	483,400.48	15,109,962.19	2,107,411.33	608,349.87	14,501,612.32	1,499,061.46	13,002,550.86
Umetco Minerals Corporation-CO	8,054,248.59	6,115,477.77	12,081,849.42	8,054,248.59	2,325,033.11	9,756,816.31	5,729,215.48	4,027,600.83
Umetco Minerals Corporation-WY	7,341,310.62	1,202,087.53	3,357,690.06	3,357,690.06	969,269.88	2,388,420.18	6,372,040.74	0.00
Western Nuclear, Incorporated	7,667,977.67	2,180,338.00	7,547,980.31	7,547,980.31	2,178,887.82	5,369,092.49	5,489,089.85	0.00
<b>Total Uranium</b>		\$13,861,214.18	\$55,549,460.96	\$37,804,311.33	\$10,913,032.37	\$44,636,428.59		\$17,745,149.63
<b>Thorium</b>								
Kerr-McGee Chemical Corp.	76,263,044.35	35,539,771.03	65,773,582.54	65,773,582.54	18,986,967.63	46,786,614.91	57,276,076.72	0.00
<b>Total Thorium</b>	\$76,263,044.35	\$35,539,771.03	\$65,773,582.54	\$65,773,582.54	\$18,986,967.63	\$46,786,614.91	\$57,276,076.72	\$0.00
<b>Total Uranium and Thorium</b>		\$49,400,985.21	\$121,323,043.50	\$103,577,893.87	\$29,900,000.00	\$91,423,043.50		\$17,745,149.63

\*Congress provided two appropriations in FY 2000 to carry out the Title X reimbursement program: an initial appropriation of \$30 million and a supplemental appropriation of \$42 million for a total of \$72 million. Consequently, DOE issued two sets of payments in FY 2000. DOE allocated \$100,000 of the initial appropriations to DCAA for audit support costs.

**Exhibit D-3. FY 1999 Individual Approved Claim Amounts and Payments**

Licensee	*FY 99 Maximum Reimbursement Ceiling	Final FY 98 Approved Claim Amounts	Final FY 98 Approved Claim Plus Prior Years Unpaid Claim Balance	Total Unpaid Claims Within Ceiling	FY 99 Payments	Unpaid Claim Balance After FY 99 Payments	Maximum Reimbursement Ceiling After FY 99 Payments	Unpaid Claim Balance in Excess of Ceiling After FY 99 Payments
<b>Uranium</b>								
American Nuclear Corp. Site	16,220,990.53						15,908,983.67	
<i>American Nuclear Corporation</i>		14,167.87	135,229.74	135,229.74	45,670.66	89,559.08		0.00
<i>State of Wyoming</i>		550,703.59	788,615.25	788,615.25	266,336.20	522,279.05		0.00
Atlantic Richfield Company	39,182,176.85	327,336.41	4,232,948.56	4,232,948.56	1,429,578.56	2,803,370.00	37,752,598.29	0.00
Atlas Corporation	41,090,577.43	504,120.21	1,635,140.62	1,635,140.62	552,230.18	1,082,910.44	40,538,347.25	0.00
Cotter Corporation	641,487.52	62,428.60	1,365,831.95	641,487.52	216,647.28	1,149,184.67	424,840.24	724,344.43
Dawn Mining Company	7,494,456.41	428,336.53	1,106,205.28	1,106,205.28	373,594.75	732,610.53	7,120,861.66	0.00
Homestake Mining Company	62,404,523.28	1,558,362.93	6,294,591.65	6,294,591.65	2,125,849.89	4,168,741.76	60,278,673.39	0.00
Pathfinder Mines Corporation	18,522,429.70	508,712.05	1,124,232.70	1,124,232.70	379,683.08	744,549.62	18,142,746.62	0.00
Petrotomics Company	4,147,317.10	321,603.42	553,293.29	553,293.29	186,861.76	366,431.53	3,960,455.34	0.00
Quivira Mining Company	68,157,806.89	1,096,539.35	2,887,676.56	2,887,676.56	975,244.66	1,912,431.90	67,182,562.23	0.00
Tennessee Valley Authority	3,113,586.84	0.00	15,678,102.24	3,113,586.84	1,051,540.53	14,626,561.71	2,062,046.31	12,564,515.40
Umetco Minerals Corporation-CO	10,923,420.74	2,719,375.49	9,008,922.93	9,008,922.93	3,042,551.28	5,966,371.65	7,880,869.46	0.00
Umetco Minerals Corporation-WY	8,282,528.02	1,731,495.48	3,254,852.06	3,254,852.06	1,099,249.53	2,155,602.53	7,183,278.49	0.00
Western Nuclear, Incorporated	10,240,142.80	4,235,879.20	8,104,871.54	8,104,871.54	2,737,229.23	5,367,642.31	7,502,913.57	0.00
<b>Total Uranium</b>		\$14,059,061.13	\$56,170,514.37	\$42,881,654.54	\$14,482,267.59	\$41,688,246.78		\$13,288,859.83
<b>Thorium</b>								
Kerr-McGee Chemical Corp.	90,039,106.53	21,184,990.62	45,651,543.92	45,651,543.92	15,417,732.41	30,233,811.51	74,621,374.12	0.00
<b>Total Thorium</b>	\$90,039,106.53	\$21,184,990.62	\$45,651,543.92	\$45,651,543.92	\$15,417,732.41	\$30,233,811.51	\$74,621,374.12	\$0.00
<b>Total Uranium and Thorium</b>		\$35,244,051.75	\$101,822,058.29	\$88,533,198.46	\$29,900,000.00	\$71,922,058.29		\$13,288,859.83

\*Ceilings adjusted for Public Law 105-388 increases and the resultant shift for uranium licensees from preliminary to statutory per dry short ton limit.

**Exhibit D-4. FY 1998 Individual Approved Claim Amounts and Payments**

<b>Licensee</b>	<b>FY 98 Maximum Reimbursement Ceiling</b>	<b>Prior Year Unpaid Claim Balance: Basis for FY 98 Payments</b>	<b>*Total FY 98 Payments</b>	<b>Unpaid Claim Balance After FY 98 Payments</b>	<b>Maximum Reimbursement Ceiling After FY 98 Payments</b>	<b>Unpaid Claim Balance in Excess of Ceiling After FY 98 Payments</b>
<b>Uranium</b>						
American Nuclear Corp. Site	14,484,304.39				14,141,318.83	
<i>American Nuclear Corp. ation</i>		236,731.88	115,670.01	121,061.87		0.00
<i>State of Wyoming</i>		465,227.21	227,315.55	237,911.66		0.00
Atlantic Richfield Company	34,975,881.65	7,637,275.99	3,731,663.84	3,905,612.15	31,244,217.81	0.00
Atlas Corporation	36,598,229.43	2,211,667.39	1,080,646.98	1,131,020.41	35,517,582.45	0.00
Cotter Corporation	724,355.91	1,657,332.25	353,928.90	1,303,403.35	370,427.01	932,976.34
Dawn Mining Company	7,054,009.00	1,325,546.55	647,677.80	677,868.75	6,406,331.20	0.00
Homestake Mining Company	56,493,741.94	9,261,515.07	4,525,286.35	4,736,228.72	51,968,455.59	0.00
Pathfinder Mines Corporation	16,464,420.37	1,203,627.21	588,106.56	615,520.65	15,876,313.81	0.00
Petrotomics Company	3,702,757.49	453,060.73	221,370.86	231,689.87	3,481,386.63	0.00
Quivira Mining Company	60,497,343.97	3,502,500.67	1,711,363.46	1,791,137.21	58,785,980.51	0.00
Tennessee Valley Authority	3,360,149.19	17,319,911.08	1,641,808.84	15,678,102.24	1,718,340.35	13,959,761.89
Umetco Minerals Corporation-CO	11,788,437.26	12,049,518.01	5,759,970.57	6,289,547.44	6,028,466.69	261,080.75
Umetco Minerals Corporation-WY	7,865,396.22	2,978,865.83	1,455,509.25	1,523,356.58	6,409,886.97	0.00
Western Nuclear, Incorporated	10,771,635.30	7,565,667.33	3,696,674.99	3,868,992.34	7,074,960.31	0.00
<b>Total Uranium</b>	<b>\$264,780,662.12</b>	<b>\$67,868,447.20</b>	<b>\$25,756,993.96</b>	<b>\$42,111,453.24</b>	<b>\$239,023,668.16</b>	<b>\$15,153,818.98</b>
<b>Thorium</b>						
Kerr-McGee Chemical Corp.	28,945,276.25	38,609,559.34	14,143,006.04	24,466,553.30	14,802,270.21	9,664,283.09
<b>Total Thorium</b>	<b>\$28,945,276.25</b>	<b>\$38,609,559.34</b>	<b>\$14,143,006.04</b>	<b>\$24,466,553.30</b>	<b>\$14,802,270.21</b>	<b>\$9,664,283.09</b>
<b>Total Uranium and Thorium</b>	<b>\$293,725,938.37</b>	<b>\$106,478,006.54</b>	<b>\$39,900,000.00</b>	<b>\$66,578,006.54</b>	<b>\$253,825,938.37</b>	<b>\$24,818,102.07</b>

\* In FY 1998, DOE initiated a new Title X review and payment schedule. In FY 1998 the payments were made in two installments because the Administration had proposed that \$5 million of the \$40 million authorized for Title X be reallocated by Congress to other needs. Soon after the first payment was made, the \$5 million was released and was reimbursed to the licensees. Both FY 1998 payments were based on the prior year approved unpaid balances, and the FY 1998 approved claims were carried forward to FY 1999. This column includes the total of the two FY 1998 payments. Since the FY 1998 claims were not considered for reimbursement in FY 1998, they are not shown here. Both payments were based on the prior year unpaid balance or the maximum reimbursement ceiling, whichever was less for each licensee. In FY 1998 four licensees had a prior year unpaid claim that exceeded their maximum reimbursement ceiling, as shown in the column on the right side of the table.

**Exhibit D-5. FY 1997 Individual Approved Claim Amounts and Payments**

Licensee	FY 97 Maximum Reimbursement Ceiling Including P.L. 104-259 Increase	*Final FY 97 Approved Claim Amounts	Final FY 97 Approved Claim Plus Prior Years Unpaid Claim Balance	FY 97 Payments	Unpaid Claim Balance After FY 97 Payments	Maximum Reimbursement Ceiling After FY 97 Payments	Unpaid Claim Balance in Excess of Ceiling After FY 97 Payments
<b>Uranium</b>							
American Nuclear Corp. Site	14,452,728.01					14,158,655.32	
<i>American Nuclear Corporation</i>		32,474.25	335,360.02	98,628.14	236,731.88		0.00
<i>State of Wyoming</i>		472,285.92	660,671.76	195,444.55	465,227.21		0.00
Atlantic Richfield Company	37,397,984.83	375,410.14	10,845,738.19	3,208,462.20	7,637,275.99	34,189,522.63	0.00
Atlas Corporation	36,706,044.60	885,909.74	3,142,316.65	930,649.26	2,211,667.39	35,775,395.34	0.00
Cotter Corporation	1,005,534.57	147,434.04	1,954,796.53	297,464.28	1,657,332.25	708,070.29	949,261.96
Dawn Mining Company	7,452,283.96	1,718,838.11	1,882,416.04	556,869.49	1,325,546.55	6,895,414.47	0.00
Homestake Mining Company	59,114,413.25	1,863,271.97	13,152,329.16	3,890,814.09	9,261,515.07	55,223,599.16	0.00
Pathfinder Mines Corporation	16,594,172.27	490,228.97	1,703,546.92	499,919.71	1,203,627.21	16,094,252.56	0.00
Petrotomics Company	3,809,842.13	148,016.88	643,394.07	190,333.34	453,060.73	3,619,508.79	0.00
Quivira Mining Company	60,608,608.55	989,749.50	4,973,920.59	1,471,419.92	3,502,500.67	59,137,188.63	0.00
Tennessee Valley Authority	4,664,483.47	14,680,444.98	18,699,791.24	1,379,880.16	17,319,911.08	3,284,603.31	14,035,307.77
Umetco Minerals Corporation-CO	16,364,443.25	2,079,653.08	16,890,562.18	4,841,044.17	12,049,518.01	11,523,399.08	526,118.93
Umetco Minerals Corporation-WY	8,939,997.48	1,914,146.35	4,230,303.96	1,251,438.13	2,978,865.83	7,688,559.35	0.00
Western Nuclear, Incorporated	13,775,412.09	5,292,366.25	10,811,621.65	3,245,954.32	7,565,667.33	10,529,457.77	0.00
<b>Total Uranium</b>	<b>\$280,885,948.46</b>	<b>\$31,090,230.18</b>	<b>\$89,926,768.96</b>	<b>\$22,058,321.76</b>	<b>\$67,868,447.20</b>	<b>\$258,827,626.70</b>	<b>\$15,510,688.66</b>
<b>Thorium</b>							
Kerr-McGee Chemical Corp.	40,181,180.93	16,848,743.92	50,496,237.58	11,886,678.24	38,609,559.34	28,294,502.69	10,315,056.65
<b>Total Thorium</b>	<b>\$40,181,180.93</b>	<b>\$16,848,743.92</b>	<b>\$50,496,237.58</b>	<b>\$11,886,678.24</b>	<b>\$38,609,559.34</b>	<b>\$28,294,502.69</b>	<b>\$10,315,056.65</b>
<b>Total Uranium and Thorium</b>	<b>\$321,067,129.39</b>	<b>\$47,938,974.10</b>	<b>\$140,423,006.54</b>	<b>\$33,945,000.00</b>	<b>\$106,478,006.54</b>	<b>\$287,122,129.39</b>	<b>\$25,825,745.31</b>

\* The total final approved claim amounts are shown in this column. In FY 1997 licensees' prorata reimbursements were based on the total of their FY 1997 approved claims and their unpaid claim balance from FY 1996. However, if a licensee's total was greater than its maximum reimbursement ceiling, its prorata reimbursement was determined on the basis of its maximum reimbursement ceiling. In FY 1997 four licensees had approved claims and prior year unpaid claims that exceeded their maximum reimbursement ceiling, as shown in the column on the right side of the table.

**Exhibit D-6. FY 1996 Individual Approved Claim Amounts and Payments**

Licensee	FY 96 Maximum Reimbursement Ceiling	Final FY 96 Approved Claim Amounts <sup>1</sup>	Final FY 96 Approved Claim Plus Prior Years Unpaid Claim Balance	Total FY 96 Payments <sup>2</sup>	Unpaid Claim Balance After FY 96 Payments	Maximum Reimbursement Ceiling After FY 96 Payments	Unpaid Claim Balance in Excess of Ceiling After FY 96 Payments
<b>Uranium</b>							
American Nuclear Corp. Site	11,202,438.55					11,005,835.27	
<i>American Nuclear Corporation</i>		46,696.94	499,489.05	196,603.28	302,885.77		0.00
<i>State of Wyoming</i>		188,385.84	188,385.84	0.00	188,385.84		0.00
Atlantic Richfield Company	30,961,408.61	2,993,461.69	17,266,622.66	6,796,294.61	10,470,328.05	24,165,114.00	0.00
Atlas Corporation	28,933,051.61	1,617,778.98	3,723,383.16	1,466,976.25	2,256,406.91	27,466,075.36	0.00
Cotter Corporation	896,090.11	59,396.26	2,160,071.44	352,708.95	1,807,362.49	543,381.16	1,263,981.33
Dawn Mining Company	5,732,243.45	0.00	269,756.43	106,178.50	163,577.93	5,626,064.95	0.00
Homestake Mining Company	49,039,623.52	7,263,070.29	18,616,789.25	7,327,732.06	11,289,057.19	41,711,891.46	0.00
Pathfinder Mines Corporation	12,992,998.81	570,773.22	2,000,883.18	787,565.23	1,213,317.95	12,205,433.58	0.00
Petrotomics Company	3,024,146.51	89,005.69	816,926.75	321,549.56	495,377.19	2,702,596.95	0.00
Quivira Mining Company	47,664,297.38	1,606,888.24	6,570,298.13	2,586,127.04	3,984,171.09	45,078,170.34	0.00
Tennessee Valley Authority	3,785,651.61	0.00	5,509,412.05	1,490,065.79	4,019,346.26	2,295,585.82	1,723,760.44
Umetco Minerals Corporation-CO	13,281,230.65	3,310,417.42	20,038,518.35	5,227,609.25	14,810,909.10	8,053,621.40	6,757,287.70
Umetco Minerals Corporation-WY	7,293,132.24	644,344.48	3,819,576.54	1,503,418.93	2,316,157.61	5,789,713.31	0.00
Western Nuclear, Incorporated	12,511,490.00	3,900,548.52	9,639,327.58	4,120,072.18	5,519,255.40	8,391,417.82	0.00
<b>Total Uranium</b>	<b>\$227,317,803.05</b>	<b>\$22,290,767.57</b>	<b>\$91,119,440.41</b>	<b>\$32,282,901.63</b>	<b>\$58,836,538.78</b>	<b>\$195,034,901.42</b>	<b>\$9,745,029.47</b>
<b>Thorium</b>							
Kerr-McGee Chemical Corp.	24,306,108.98	14,371,904.58	43,214,592.03	9,567,098.37	33,647,493.66	14,739,010.61	18,908,483.05
<b>Total Thorium</b>	<b>\$24,306,108.98</b>	<b>\$14,371,904.58</b>	<b>\$43,214,592.03</b>	<b>\$9,567,098.37</b>	<b>\$33,647,493.66</b>	<b>\$14,739,010.61</b>	<b>\$18,908,483.05</b>
<b>Total Uranium and Thorium</b>	<b>\$251,623,912.03</b>	<b>\$36,662,672.15</b>	<b>\$134,334,032.44</b>	<b>\$41,850,000.00</b>	<b>\$92,484,032.44</b>	<b>\$209,773,912.03</b>	<b>\$28,653,512.52</b>

<sup>1</sup> The total final approved claim amounts are shown in this column. In FY 1996 the payments were made in two installments. The first payments totaled about 80% of the authorized funding and were based on the prior year unpaid balance or the maximum reimbursement ceiling, whichever was less for each licensee. The remaining 20% of authorized funding was disbursed on the basis of the final review of FY 1996 claims. In FY 1996 four licensees had approved claims and prior year unpaid claims that exceeded their maximum reimbursement ceiling, as shown in the column on the right side of the table.

<sup>2</sup> This column includes the total of the two FY 1996 payments. It includes \$262,634.79 that was directly allocated to a licensee because of an underpayment in FY 1995.



**Exhibit D-7. FY 1995 Individual Approved Claim Amounts and Payments**

Licensee	FY 95 Maximum Reimbursement Ceiling	*Final FY 95 Approved Claim Amounts	Final FY 95 Approved Claim Plus FY 94 Unpaid Claim Balance	FY 95 Payments	Unpaid Claim Balance After FY 95 Payments	Maximum Reimbursement Ceiling After FY 95 Payments	Unpaid Claim Balance in Excess of Ceiling After FY 95 Payments
<b>Uranium</b>							
American Nuclear Corp. Site	11,127,021.06					10,897,313.76	
<i>American Nuclear Corporation</i>		682,499.41	682,499.41	229,707.30	452,792.11		0.00
<i>State of Wyoming</i>							
Atlantic Richfield Company	37,047,580.00	6,314,712.30	21,202,639.21	6,929,478.24	14,273,160.97	30,118,101.76	0.00
Atlas Corporation	29,176,992.62	1,453,586.24	3,137,604.96	1,032,000.78	2,105,604.18	28,144,991.84	0.00
Cotter Corporation	1,294,876.44	1,947,024.00	2,523,868.63	423,193.45	2,100,675.18	871,682.99	1,228,992.19
Dawn Mining Company	5,707,076.38	0.00	400,720.50	130,964.07	269,756.43	5,576,112.31	0.00
Homestake Mining Company	53,216,032.00	7,271,875.95	16,865,837.03	5,512,118.07	11,353,718.96	47,703,913.93	0.00
Pathfinder Mines Corporation	13,333,408.11	127,606.10	2,124,414.17	694,304.21	1,430,109.96	12,639,103.90	0.00
Petrotomics Company	3,305,199.95	397,135.75	1,091,344.25	363,423.19	727,921.06	2,941,776.76	0.00
Quivira Mining Company	49,206,833.96	5,389,575.96	7,804,195.82	2,840,785.93	4,963,409.89	46,366,048.03	0.00
Tennessee Valley Authority	5,470,377.40	0.00	7,297,248.97	1,787,836.92	5,509,412.05	3,682,540.48	1,826,871.57
Umetco Minerals Corporation-CO	19,191,767.07	2,750,592.56	23,000,382.93	6,272,282.00	16,728,100.93	12,919,485.07	3,808,615.86
Umetco Minerals Corporation-WY	8,636,030.31	578,983.98	4,716,775.76	1,541,543.70	3,175,232.06	7,094,486.61	0.00
Western Nuclear, Incorporated	14,626,108.15	1,523,006.03	8,194,177.09	2,455,398.03	5,738,779.06	12,170,710.12	0.00
<b>Total Uranium</b>	<b>\$251,339,303.45</b>	<b>\$28,436,598.28</b>	<b>\$99,041,708.73</b>	<b>\$30,213,035.89</b>	<b>\$68,828,672.84</b>	<b>\$221,126,267.56</b>	<b>\$6,864,479.62</b>
<b>Thorium</b>							
Kerr-McGee Chemical Corp.	35,123,038.98	26,351,788.42	40,321,651.55	11,478,964.10	28,842,687.45	23,644,074.88	5,198,612.57
<b>Total Thorium</b>	<b>\$35,123,038.98</b>	<b>\$26,351,788.42</b>	<b>\$40,321,651.55</b>	<b>\$11,478,964.10</b>	<b>\$28,842,687.45</b>	<b>\$23,644,074.88</b>	<b>\$5,198,612.57</b>
<b>Total Uranium and Thorium</b>	<b>\$286,462,342.43</b>	<b>\$54,788,386.70</b>	<b>\$139,363,360.28</b>	<b>\$41,691,999.99</b>	<b>\$97,671,360.29</b>	<b>\$244,770,342.44</b>	<b>\$12,063,092.19</b>

\* The total final approved claim amounts are shown in this column. In FY 1995 licensees' prorata reimbursements were based on their FY 1995 preliminary approved claims and their unpaid claim balance from FY 1994. However, if a licensee's total was greater than its Maximum Reimbursement Ceiling, the prorata reimbursement was determined on the basis of the maximum reimbursement ceiling. In FY 1995 four licensees had approved claims that exceeded their maximum ceiling, as shown in the column on the right side of the table. In the February 1996 report, the preliminary approved claim amounts were presented in this column.

**Exhibit D-8. FY 1994 Individual Approved Claim Amounts and Payments**

<b>Licensee</b>	<b>FY 94 Maximum Reimbursement Ceiling</b>	<b>*FY 94 Approved Claim Amounts</b>	<b>FY 94 Payments</b>	<b>Unpaid Claim Balance After FY 94 Payments</b>	<b>Maximum Reimbursement Ceiling After FY 94 Payments</b>	<b>Unpaid Claim Balance in Excess of Ceiling After FY 94 Payments</b>
<b>Uranium</b>						
American Nuclear Corp. Site	10,834,489.84				10,834,489.84	
<i>American Nuclear Corporation</i>		0.00	0.00	0.00	0.00	0.00
<i>State of Wyoming</i>						
Atlantic Richfield Company	43,480,647.90	22,294,981.82	7,407,054.91	14,887,926.91	36,073,592.99	0.00
Atlas Corporation	29,256,074.73	2,530,168.80	846,150.08	1,684,018.72	28,409,924.65	0.00
Cotter Corporation	1,549,892.96	865,903.67	289,059.04	576,844.63	1,260,833.92	0.00
Dawn Mining Company	5,761,665.58	605,349.68	204,629.18	400,720.50	5,557,036.40	0.00
Homestake Mining Company	56,145,487.52	13,922,474.89	4,328,513.81	9,593,961.08	51,816,973.71	0.00
Pathfinder Mines Corporation	13,983,478.71	2,997,416.18	1,000,608.11	1,996,808.07	12,982,870.60	0.00
Petrotomics Company	3,567,213.96	1,043,116.76	348,908.26	694,208.50	3,218,305.70	0.00
Quivira Mining Company	49,286,596.13	3,788,037.84	1,373,417.98	2,414,619.86	47,913,178.15	0.00
Tennessee Valley Authority	7,995,479.56	9,966,168.26	2,668,919.29	7,297,248.97	5,326,560.27	1,970,688.70
Umetco Minerals Corporation-CO	28,050,602.43	29,613,180.46	9,363,390.09	20,249,790.37	18,687,212.34	1,562,578.03
Umetco Minerals Corporation-WY	10,347,380.62	6,076,184.76	1,938,392.98	4,137,791.78	8,408,987.64	0.00
Western Nuclear, Incorporated	17,840,990.08	10,270,575.79	3,599,404.73	6,671,171.06	14,241,585.35	0.00
<b>Total Uranium</b>	<b>\$278,100,000.02</b>	<b>\$103,973,558.91</b>	<b>\$33,368,448.46</b>	<b>\$70,605,110.45</b>	<b>\$244,731,551.56</b>	<b>\$3,533,266.73</b>
<b>Thorium</b>						
Kerr-McGee Chemical Corp.	41,200,000.00	20,970,214.66	7,000,351.53	13,969,863.13	34,199,648.47	0.00
<b>Total Thorium</b>	<b>\$41,200,000.00</b>	<b>\$20,970,214.66</b>	<b>\$7,000,351.53</b>	<b>\$13,969,863.13</b>	<b>\$34,199,648.47</b>	<b>\$0.00</b>
<b>Total Uranium and Thorium</b>	<b>\$319,300,000.02</b>	<b>\$124,943,773.57</b>	<b>\$40,368,799.99</b>	<b>\$84,574,973.58</b>	<b>\$278,931,200.03</b>	<b>\$3,533,266.73</b>

\* The total final approved claim amounts are shown in this column. Licensees' prorata reimbursements were determined on the basis of their final approved claim amount or their maximum reimbursement ceiling, whichever is less. In FY 1994, two licensees had approved claims that exceeded their maximum ceiling, as shown in the column on the right of the table.