

May 27, 2004

Mr. Lawrence J. Corte  
Western Nuclear, Inc.  
Union Plaza, Suite 300  
2801 Youngfield Street, Suite 340  
Golden, Colorado 80401

SUBJECT: MAY 17, 2004 MEETING SUMMARY, SOURCE MATERIAL LICENSE  
SUA-56, DOCKET NO. 40-1162

Dear Mr. Corte:

The purpose of this letter is to transmit the enclosed meeting summary from the meeting between the U.S. Nuclear Regulatory Commission (NRC) staff and Western Nuclear, Inc. (WNI) on May 17, 2004, in Denver, Colorado. Enclosed please find the meeting summary (Enclosure 1), agenda (Enclosure 2), and the sign-in sheet (Enclosure 3).

If you have any questions regarding this letter or the NRC staff review, feel free to contact me at (301) 415-6251 or by email at [rwv@nrc.gov](mailto:rwv@nrc.gov).

In accordance with 10 CFR 2.390 of NRC's "Rules of Practice for Domestic Licensing Proceedings and Issuance of Orders," a copy of this letter will be available electronically for public inspection in the NRC Public Document Room or from the Publicly Available Records (PARS) component of NRC's document system (ADAMS). ADAMS is accessible from the NRC Web site at <http://www.nrc.gov/reading-rm/adams.html>.

Sincerely,

***/RA/***

William von Till, Project Manager  
Fuel Cycle Facilities Branch  
Division of Fuel Cycle Safety  
and Safeguards  
Office of Nuclear Material Safety  
and Safeguards

Docket No.: 40-1162

Enclosures:

1. Meeting Summary
2. Meeting Agenda
3. Meeting Sign-In Sheet

cc: J. Wagner, WDEQ  
Art Klienrath, DOE  
Nicol M. Thompson, Esq.  
Heather Jacobson, Esq.  
Earl and Wallace Jamerman

May 27, 2004

Mr. Lawrence J. Corte  
Western Nuclear, Inc.  
Union Plaza, Suite 300  
2801 Youngfield Street, Suite 340  
Golden, Colorado 80401

SUBJECT: MAY 17, 2004 MEETING SUMMARY, SOURCE MATERIAL LICENSE  
SUA-56, DOCKET NO. 40-1162

Dear Mr. Corte:

The purpose of this letter is to transmit the enclosed meeting summary from the meeting between the U.S. Nuclear Regulatory Commission (NRC) staff and Western Nuclear, Inc. (WNI) on May 17, 2004, in Denver, Colorado. Enclosed please find the meeting summary (Enclosure 1), agenda (Enclosure 2), and the sign-in sheet (Enclosure 3).

If you have any questions regarding this letter or the NRC staff review, feel free to contact me at (301) 415-6251 or by email at [rwv@nrc.gov](mailto:rwv@nrc.gov).

In accordance with 10 CFR 2.390 of NRC's "Rules of Practice for Domestic Licensing Proceedings and Issuance of Orders," a copy of this letter will be available electronically for public inspection in the NRC Public Document Room or from the Publicly Available Records (PARS) component of NRC's document system (ADAMS). ADAMS is accessible from the NRC Web site at <http://www.nrc.gov/reading-rm/adams.html>.

Sincerely,

**/RA/**

William von Till, Project Manager  
Fuel Cycle Facilities Branch  
Division of Fuel Cycle Safety  
and Safeguards  
Office of Nuclear Material Safety  
and Safeguards

Docket No.: 40-1162

Enclosures:

- 4. Meeting Summary
- 5. Meeting Agenda
- 6. Meeting Sign-In Sheet

cc: J. Wagner, WDEQ  
Art Klienrath, DOE  
Nicol M. Thompson, Esq.  
Heather Jacobson, Esq.  
Earl and Wallace Jamerman

DISTRIBUTION (w/ Encl.) FCLB r/f JWhitten, RIV Maria Schwartz, OGC  
C:\ORPCheckout\FileNET\ML041530611.wpd

**ML041530611**

OFC	FCFB		FCFB		FCFB	
NAME	WvonTill		B. Garrett		BNelson	
DATE	5 /26/04		5 /27/04		5/27/04	

**OFFICIAL RECORD COPY**

## MEETING SUMMARY

DATE: May 17, 2004

TIME: 2:30 pm

PLACE: Executive Tower Hotel Johann Room, Denver, Colorado

PURPOSE: Update Nuclear Regulatory Commission staff regarding Western Nuclear, Inc.'s ongoing tasks for final site closure and license termination, and to brief the Nuclear Regulatory Commission staff on new issues related to such tasks

ATTENDEES: Refer to Enclosure 3

### DISCUSSION:

This meeting was at the request of Western Nuclear, Inc. (WNI) to discuss issues related to its site closure license amendment which contains a proposal to revise groundwater standards. The meeting was open to the public and three members of the public attended the meeting. The meeting agenda (Enclosure 2) and meeting sign-in sheet (Enclosure 3) are enclosed

The Nuclear Regulatory Commission (NRC) staff updated WNI on the review status of WNI's supplemental modeling and information related to characterization surrounding the "Red Mule" area as part of the review of WNI's Site Closure Plan. The NRC staff also discussed the status of a draft environmental assessment (EA) and stated that WNI needed to complete its effort to acquire properties or obtain institutional controls before the staff could complete the review of the Site Closure Plan or complete a draft EA. The NRC staff also discussed schedules and issues related to final license termination. WNI then discussed items related to its financial assurance and a potential proposal to revise the groundwater monitoring wells.

### ACTIONS:

WNI will continue to make a "good faith" effort to acquire properties or obtain institutional controls for properties in the path of the groundwater plume. When WNI has exhausted these efforts it will then submit a letter to the NRC with documentation and legal arguments. WNI will decide whether it wants the NRC to review a revision of groundwater monitoring wells. The NRC staff will notify the attorney's for the Red Mule residents in the event of a public meeting and has included them on this correspondence. The NRC will review and respond to WNI's February 16, 2004, letter.

NRC staff then asked if any members of the public had comments or questions. Two members of the public commented on issues related to property acquisition in the "Red Mule" area.

Enclosures: The only hand-out was the agenda, refer to Enclosure 2.



UNITED STATES  
NUCLEAR REGULATORY COMMISSION  
HEADQUARTERS

MEETING ATTENDANCE FORM

Subject: Western Nuclear, Inc., May 17, 2004, Meeting

Date: May 17, 2004 Location: Executive Tower, Denver, Colorado

PLEASE PRINT ALL INFORMATION LEGIBLY

NAME (e.g. J.B. Doe)	COMPANY TITLE (V.P. Nuclear Operations)	PHONE NUMBER (Area code) XXX-XXXX
Diane Diaz	NRC	(301) 415-6640
Gary Janosko	NRC	(301) 415-7244
Bob Nelson	NRC	(301) 415-7298
Ron Linton	NRC	(301) 415-7777
Christopher Pugsley	ATT, P.C. Counsel, WNI	(202) 496-0780
Heather Jacobson	Attorney For Redlands	(307) 358-3180
Nicol Thompson	Attorney For Jamermans	(307) 259-0649
Harley W. Shaver	Counsel for Western Nuclear	(303) 757-7500
L. J. Corte	Western Nuclear	(602)366-8074
Lou Miller	MFG/WNI	(970) 223-9600
A. J. Thompson	Counsel for WNI	(202) 436-0780
Bill von Till	NRC	(301) 415-6251
Maria E. Schwartz	NRC/OGC	(301) 415-1888
Elaine Brummett	NRC/NMSS	(301) 415-6606
Wallace Jamerman	Red Mule, Wy	(307) 544-9678