



August 18, 2004

**LICENSE SUA-1341
DOCKET NO. 40-8502**

Mr. Gary Janosko, Chief
Fuel Cycle Facilities Branch
Mail Stop T-8A33
Two White Flint North
11545 Rockville Pike
Rockville, MD. 20852

Subject: Excursion status reporting of monitor well 5MW66

Dear Mr. Janosko:

As per license Section 12.2 and 9.2, this letter serves as the written notification of the excursion status for monitor well 5MW66. The excursion was initially reported on July 22, 2004, by phone to our NRC Project Manager, Ms. Elaine Brummett.

A routine quarterly water sample collected on July 20, 2004 from perimeter monitor well 5MW66, exceeded all three of its upper control limits (UCL). A confirmation sample was collected on July 21, 2004 again with all three UCLs exceeded. Monitor well 5MW66 was then placed on excursion status and its sampling frequency increased to weekly.

Normally the course of action for a perimeter ore zone monitor well on excursion would be to initiate over-recovery from the adjacent wellfield to pull back errant lixivant. However, Mine Unit 5 is currently in the final stabilization phase of groundwater restoration. More specifically, all phases of active restoration have been completed in Mine Unit 5 (1 pore volume of groundwater sweep, and 8.7 pore volumes of reverse osmosis treatment). Additionally, all four rounds of stabilization monitoring samples have been collected.

The Wyoming Department of Environmental Quality (WDEQ) Land Quality Division was informed of this unique situation by letter dated July 28, 2004. In that letter COGEMA requested that a modified action plan be approved for well 5MW66. Specifically, the request proposed the following actions:

- ◆ Do not increase the sampling frequency in 5MW66 from quarterly to weekly.

The weekly sampling frequency was a requirement during production operation to assess the adequacy of the corrective action program.

- ◆ No active corrective action in the Mine Unit 5 wellfield will be taken for 5MW66. Pumping and/or more restoration do not appear at this time to be the answer to the problem. The restoration stabilization monitoring program will continue as is scheduled for Mine Unit 5.
- ◆ In lieu of a formal corrective action program, COGEMA will sample 5MW66 and analyze the sample for a full WDEQ Guideline 8 list of parameters. These results will be compared to the analytical data from Mine Unit 5. Based on these results, and any additional information available, COGEMA will submit a recommendation to the WDEQ for taking 5MW66 off excursion status, or for any further actions. The sampling analysis and formal recommendation will be completed within the 60-day time period for officially "controlling" an excursion.
- ◆ The monthly progress report will be replaced by the above submittal. Quarterly reporting on progress could continue if necessary.

The proposal to the WDEQ was accepted by Mr. Mark Taylor Senior Analyst and Project Manager for our operations on August 17, 2004. Full WDEQ Guideline 8 samples have been collected from 5MW66 and we are awaiting the laboratory analysis. Final recommendation and course of action are pending the review of this analysis and other data collected from the well. Ms. Elaine Brummett will be kept informed of the progression of this well excursion situation as the data is reviewed and conclusions reached.

Sincerely,



Tom Nicholson
Environmental Specialist/RSO

cc: Jack Whitten - NRC, Arlington, TX.
Elaine Brummett - NRC, Rockville, MD.
Donna Wichers - COGEMA

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Department of Environmental Quality



To protect, conserve and enhance the quality of Wyoming's environment for the benefit of current and future generations.

Dave Freudenthal, Governor

John Corra, Director

August 17, 2004

Mr. Tom Nicholson
COGEMA Mining, Inc.
P.O. Box 730
Mills, WY 82644

RE: Excursion Status, Monitor Well 5MW66 - Permit No. 478

Dear Tom:

I have your letter of July 28, 2004 concerning the above-mentioned well. Your modified action plans are acceptable. I will await your final recommendation.

Sincerely,

Mark Taylor
Senior Analyst

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xc: Cheyenne File



08-17-04
SR