

November 2, 2004

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

SUBJECT: OCTOBER 28, 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 of the meeting between the U.S. Nuclear Regulatory Commission (NRC) staff and Western Nuclear, Inc. (WNI) on October 28, 2004, in Rockville, Maryland. 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 via email to rwv@nrc.gov.

In accordance with 10 CFR 2.390 of the NRC's Rules of Practice, a copy of this letter will be available electronically 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
License No.: SUA-56

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

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DISTRIBUTION (w/ Encl.)

FCLB r/f J.Whitten, RIV M.Schwartz, OGC

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*see previous concurrence

OFC	FCFB		FCFB		FCFB	
NAME	W. vonTill*		B. Garrett*		G. Janosko	
DATE	11/1/04		11/2/04		11/2/04	

OFFICIAL RECORD COPY

MEETING SUMMARY

DATE: October 28, 2004

TIME: 1:00 pm

PLACE: Nuclear Regulatory Commission Headquarters
Rockville, Maryland Room T8 E8

PURPOSE: Update Nuclear Regulatory Commission (NRC) staff regarding Western Nuclear, Inc.'s ongoing tasks for final site closure and license termination, and to brief the NRC 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 noticed on October 14, 2004. No members of the public were present.

WNI updated the NRC staff on their good faith effort in attempting to acquire properties in the "Red Mule" area as part of WNI's Site Closure Plan. WNI stated that they are still in the process of this action. WNI and the NRC staff also discussed two other license amendments under NRC review including a proposed revision to WNI's groundwater monitoring plan and to cease groundwater corrective action. During the meeting, the State of Wyoming's comments were also discussed. The NRC staff indicated that they would need to consider comments from the State and consult with the State as part of 10 CFR Part 51 through an Environmental Assessment.

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 they will then submit a letter to the NRC with documentation and legal arguments. WNI also indicated they will respond to the State's comments by either correspondence and/or a meeting.

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

Enclosure 1

MEETING AGENDA
Western Nuclear, Inc.
Thursday, October 28, 2004
1:00 p.m. - 2:00 p.m.

MEETING PURPOSE: To discuss status of licensing reviews

MEETING PROCESS:

<u>Time</u>	<u>Topic</u>	<u>Lead</u>
1:00 p.m.	Welcome and Introductory Remarks	Moderator
	Introductions	All
	Presentation	Licensee, et al
	Discussion	All
	Summary of Action Items	Moderator
	Public Comment/Questions	Moderator
2:00 p.m.	Adjourn	

Enclosure 2



**UNITED STATES
NUCLEAR REGULATORY COMMISSION
HEADQUARTERS**

MEETING ATTENDANCE FORM

Subject: Western Nuclear, Inc., October 28, 2004, Meeting

Date: October 28, 2004 Location: Rockville, Maryland

PLEASE PRINT ALL INFORMATION LEGIBLY

NAME (e.g. J.B. Doe)	COMPANY TITLE (V.P. Nuclear Operations)	PHONE NUMBER (Area code) XXX=XXXX
Gary Janosko	NRC	(301) 415-7244
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
Joe Holonich	NRC	(301)415-7213
Bill von Till	NRC	(301) 415-6251
Maria E. Schwartz	NRC/OGC	(301) 415-1888