

March 7, 2005

MEMORANDUM TO: Robert Nelson, Chief
Uranium Processing Section
Fuel Cycle Facilities Branch
Division of Fuel Cycle Safety
and Safeguards
Office of Nuclear Material Safety
and Safeguards

FROM: B. Jennifer Davis, Section Chief */RA/*
Environmental and Performance
Assessment Directorate
Division of Waste Management
and Environmental Protection
Office of Nuclear Material Safety
and Safeguards

SUBJECT: COMMENTS ON THE DRAFT ENVIRONMENTAL ASSESSMENT FOR
THE KENNECOTT URANIUM COMPANY, SWEETWATER URANIUM
PROJECT, AMENDMENT OF SUA-1350 FOR THE CATCHMENT
BASIN RECLAMATION

The Environmental and Low-Level Waste Section has completed its review of the draft environmental assessment (EA). Based on the review, we have the following comments related to the content of the EA. When the comments are addressed, if there are significant changes to the EA, please allow us to review the draft EA again.

1. Section 8.0, Consultations.

The EA indicates that the Fish and Wildlife Service (FWS) was contacted to obtain a species list, however there were no further consultations documented with FWS regarding endangered species. In section 3.4 of the EA, the determination that no species were identified onsite appears to be from a wildlife survey done in 1997. For this construction activity, it may be beneficial for the administrative record to request a concurring response from FWS, or at minimum, to give the FWS an opportunity to evaluate and comment on the draft EA.

The EA indicates that the Wyoming State Historic Preservation Office (SHPO) and the Bureau of Land Management (BLM) were contacted in the consultation process. In section 3.7 of the EA, the determination that historic and cultural resources will be protected appears to be from consultations that occurred in 1999 and 1998, respectively. For this construction activity, it may be beneficial for the administrative record to request a concurring response from these agencies, or at minimum, to give these agencies an opportunity to evaluate and comment on the draft EA.

These consultations should be completed before the EA is finalized, or justification should be given as to why further consultation is not necessary for this proposed action. Follow the guidance in NUREG-1748 (*Environmental Review Guidance for Licensing Actions Associated with NMSS Programs*), Section 3.4.9, regarding consultations with other agencies.

2. Minor Editorial Changes

Minor editorial items were discussed over the phone with Stephen Cohen of your staff on Thursday, February 25, 2005, and will not be individually itemized in this memo.

When the final EA is published, please notify and submit a copy (with accession number) to Ms. Carol Walls at caw@nrc.gov. Note that all Federal Register notices related to materials licensing actions must be reviewed by the office of General Counsel (see ML032110331). If you have questions regarding this review or the attached comments, please contact Ron C. Linton of my staff. He can be reached at 301-415-7777 and at rcl1@nrc.gov.

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OFC	DWMEP		DWMEP			
NAME	RLinton		JDavis			
DATE	03/02/05		03/07/05			