

April 27, 2005

Lawrence J. Corte, President and General Manager  
Western Nuclear, Inc.  
17222 S. Golden Road, Suite A  
Golden, Colorado 80401

SUBJECT: APRIL 25, 2005 MEETING SUMMARY, SOURCE MATERIAL LICENSE  
SUA-56, DOCKET NO. 40-1162

Dear Mr. Corte:

The purpose of this letter is to transmit the enclosed summary of the meeting between the U.S. Nuclear Regulatory Commission (NRC) staff and Western Nuclear, Inc. (WNI) on April 25, 2005, 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](mailto: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  
A. Klienrath, DOE

Lawrence J. Corte, President and General Manager  
Western Nuclear, Inc.  
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DISTRIBUTION: (w/ Encl.)

FCLB r/f                      JWhitten, RIV                      BSmith, OGC

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OFC	FCFB		FCFB		FCFB	
NAME	W. vonTill:bkh1		B. Garrett		B. Nelson	
DATE	04/26/05		04/26/05		04/27/05	

**OFFICIAL RECORD COPY**

## MEETING SUMMARY

DATE: April 25, 2005

TIME: 2:00 pm

PLACE: Nuclear Regulatory Commission Headquarters  
Rockville, Maryland Room O14B10

PURPOSE: Discussion of groundwater corrective action plan and license termination issues.

ATTENDEES: Refer to Enclosure 3

DISCUSSION:

This meeting was at the request of Western Nuclear, Inc. (WNI) to discuss issues related to its groundwater corrective action plan and license termination. The meeting was open to the public and noticed on March 28, 2005. No members of the public were present. The agenda can be found in Enclosure 2.

Regarding agenda item #1, the NRC staff stated that it needed to engage in a discussion with the U.S. Department of Energy (DOE) regarding WNI's February 10, 2005, submittal. After receiving input from DOE, the NRC staff would then develop and present options to the Commission. The NRC staff queried WNI on specifics related to a proposed alternate water supply well for Lot # 1 in the Red Mule subdivision. WNI stated that this alternate water supply would be offered to the residents of Lot # 1 should the site derived groundwater contamination migrate close to the current water supply. It should be noted that WNI's groundwater transport model indicates that this would not occur for several hundred years. WNI stated that the well would be installed on WNI property located to the east of the Red Mule area. This property could be placed inside the long-term care boundary or an easement could be given to DOE to access the well. NRC staff stated it would discuss this proposal with DOE. After the NRC discusses the proposal with DOE, WNI may meet with DOE for more detailed discussions.

Regarding agenda item # 2, the NRC staff stated that its review of WNI's "good faith" effort was not complete, however, staff did not need any additional information on this subject.

Regarding agenda item # 3, the NRC staff stated that a letter was sent to WNI on January 7, 2005 (ML050070211) requesting additional information on WNI's August 13, 2004, request to cease groundwater corrective action and reclaim two evaporation ponds. WNI stated it would review the letter and evaluate its options for proceeding with this amendment request.

Agenda item # 4 was discussed within the context of the other agenda items.

#### ACTIONS:

The NRC staff will contact WNI regarding the appropriate DOE point of contact and will engage in discussions with DOE regarding WNI's February 10, 2005, submittal. Future discussions will occur at a side-bar meeting (which will be publically noticed under separate cover) during the National Mining Association/NRC Uranium Recovery Workshop to be held during the week of May 23, 2005. WNI will evaluate NRC's January 7, 2005, letter requesting additional information regarding WNI's request to cease the groundwater corrective action.

MEETING AGENDA  
Western Nuclear, Inc.  
Monday, April 25, 2005  
2:00 p.m - 3:30 p.m.

MEETING PURPOSE: Discussion of groundwater corrective action plan and license termination issues

MEETING PROCESS:

<u>Time</u>	<u>Topic</u>	<u>Lead</u>
2:00 p.m.	Welcome and Introductory Remarks	Moderator
	Introductions	All
2:10 p.m.	Western Nuclear Issues:	
	1. Status of review of WNI's application for Alternate Concentration Limits (ACLs)	
	2. Status of NRC Staff's review of submission regarding "good faith" efforts for property acquisitions at the Split Rock site leading to final license termination	
	3. Schedule for reclamation of evaporation ponds at the Split Rock site	
	4. Future action items to achieve license termination	
	Discussion	All
3:10 p.m.	Summary of Action Items	Moderator
3:15 p.m.	Public Comment/Questions	Moderator
3:30 p.m.	Adjourn	



**UNITED STATES  
NUCLEAR REGULATORY COMMISSION  
HEADQUARTERS**

**MEETING ATTENDANCE FORM**

Subject: Western Nuclear, Inc., April 25, 2005, Meeting

Date: April 25, 2005 Location: Rockville, Maryland

**PLEASE PRINT ALL INFORMATION LEGIBLY**

<b>NAME (e.g. J.B. Doe)</b>	<b>COMPANY TITLE (V.P. Nuclear Operations)</b>	<b>PHONE NUMBER (Area code) XXX-XXXX</b>
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
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Chris Pugsley	Counsel for Western Nuclear	(202) 496-0780
Bill von Till	NRC	(301) 415-6251
Brooke Smith	NRC/OGC	(301) 415-2490

Enclosure 3