



UNITED STATES
NUCLEAR REGULATORY COMMISSION

WASHINGTON, D.C. 20555-0001

March 29, 2001

COGEMA Mining, Inc.
ATTN: Donna Wichers, Manager
ISL Environmental and Regulatory Services
P.O. Box 730
Mills, WY 82644

**SUBJECT: COGEMA REQUEST FOR LICENSE CONDITION CHANGES AND
POSSESSION ONLY STATUS; SOURCE MATERIAL LICENSE SUA-1341,
AMENDMENT 4**

Dear Ms. Wichers:

The U.S. Nuclear Regulatory Commission (NRC) staff has reviewed the COGEMA Mining, Inc. (COGEMA) request for an amendment to address concerns with various conditions of the renewed license (performance-based) for the Irigaray and Christensen Ranch In-Situ Leach (ISL) Project. The requested changes were submitted by letters dated January 13 and March 4, 1999, and December 11 and 27, 2000. The NRC staff delayed completion of its review of the 1999 requests in order to incorporate standardized conditions for ISL facilities. COGEMA also requested, by letter of November 10, 2000, that the license be amended for possession only. COGEMA indicated that both facilities are in restoration and there are no plans to operate either facility for production in the future. However, it was requested that recovery of uranium from the restoration fluid be allowed. An electronic mail message from you on December 12, 2000, suggested that five license conditions be deleted and two be revised for the possession only license. The NRC staff has determined that most of the requested changes are acceptable and that a possession only license with limited uranium recovery from the restoration fluid is reasonable.

The NRC staff has modified some of the requested license condition changes, denied two requested changes, revised some conditions for clarification, and deleted those that do not apply to a possession only license. These license condition changes were discussed with you on July 6, August 16, and December 15, 2000, and January 11 and 12, 2001. If you wish to contest the NRC denial of the two requested changes (Conditions 10.10 and 10.16), you have the right to demand a hearing within 20 days from the date of this letter, according to 10 CFR 2.103(b). The staff technical evaluation of the requests and changes is provided in Enclosure 1. The changes are incorporated into the revised license in Enclosure 2.

An environmental assessment is not required for this amendment because this action is categorically excluded under 10 CFR 51.22(c)(11) since the changes are administrative or procedural. If you have any questions concerning this letter or the enclosures, please contact Elaine Brummett, the NRC project manager for the Irigaray and Christensen Ranch facilities, at (301) 415-6606 or by e-mail to esb@nrc.gov.

In accordance with 10 CFR 2.790 of the NRC's "Rules of Practice," a copy of this letter and its enclosures 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

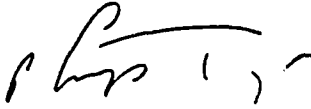
March 29, 2001

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D. Wichers

(ADAMS). ADAMS is accessible from the NRC Web site at
<http://www.nrc.gov/NRC/ADAMS/index.html> (the Public Electron Reading Room).

Sincerely,



Philip Ting, Chief
Fuel Cycle Licensing Branch
Division of Fuel Cycle Safety
and Safeguards, NMSS

Docket No: 40-8502
SUA-1341, Amendment No. 4

Enclosures: 1. Technical Evaluation of License Conditions
2. Amended License SUA-1341

cc: G. Cash, WDEQ-LQD
G. Mooney, WDEQ-LQD
R. Poyser, COGEMA

March 29, 2001

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Close TAC Nos. L51732, L52320 , and L51729

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NAME	EBrummett*		ARamirez*		STreby*-NLO		DGillen		PTing	
DATE	2/12/01		2/7/01		3/28/01		3/28/01		3/29/01	

* see previous

D. Wichers

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COGEMA
title II Sec
no legal citation

OFC	FCLB	FCLB	OGC	FCLB	FCLB
NAME	EBrummett	ARamirez <i>al</i>	STreby <i>ST</i>	DGillen	PTing
DATE	2/12/01 <i>EP</i>	2/7/01	3/23/01	3/ / 01	3/ / 01

TECHNICAL EVALUATION OF LICENSE CONDITION CHANGES
FOR SUA-1341, COGEMA MINING, INC.

Date: February 9, 2001

Docket No.: 40-8502 License No.: SUA-1341

Facility: Irigaray and Christensen Ranch ISL Projects

Project Manager: Elaine Brummett

Technical Reviewers: Elaine Brummett and John Lusher, Health Physicists
Michael Layton, Groundwater Hydrologist

SUMMARY AND CONCLUSIONS:

COGEMA Mining, Inc. (COGEMA) requested changes and/or deletions to thirteen conditions in license SUA-1341, for the Irigaray and Christensen Ranch In-situ leach (ISL) Projects, in letters dated January 13 and March 4, 1999. The NRC staff delayed completion of its review of these requests in order to incorporate standardized license condition language for ISL facilities. Letters dated December 11 and 27, 2000, requested additional changes in two conditions. Also, by letter dated November 10, 2000, COGEMA requested that the license be amended for possession only. A December 12, 2000, electronic mail message suggested changes to several license conditions and deletion of five others for the possession only license. The staff has reviewed COGEMA's requests and modified some of the requested license condition changes, has denied two of the requested changes, and has up-dated or revised conditions for clarification, as discussed with the licensee.

REQUESTS AND EVALUATION:

License Condition 9.2

Discussion: COGEMA requested a possession only license on November 10, 2000, therefore, the phrase in the first sentence referring to the 40.65 report should be deleted as COGEMA will no longer have authority to operate and the report is for operating facilities. Also, the address of the Branch Chief needs to be corrected and the second paragraph on notification of the Operations Center, should be reworded for clarity.

Action: Revise the condition as discussed.

License Condition 9.3

Discussion: Due to wording in the second and third paragraphs it is not clear that the phrases "the above" and "the above referenced sections" are meant to refer to the submittals comprising the approved license application.

Action: Change the wording to indicate that the license application is the above referenced documents.

License Condition 9.4

Action: Revise the wording and format to match the June 2000 revisions to 10 CFR 50.59 and §72.48 on which this condition is based.

License Condition 9.5

Request: By letter dated December 11, 2000, COGEMA informed the NRC staff that the issuer of the letter of credit for the surety fund had changed.

Action: Revise the second paragraph to clarify that the cost estimate to implement the plan should be reviewed and approved with the decommissioning plan and up-date the name of the issuer of the Letter of Credit in the last paragraph.

License Condition 9.7

Discussion: The last phrase of the first paragraph should be removed because the licensee will no longer be authorized to use lixiviant. The last paragraph indicates that contaminated waste and evaporation pond residues shall be disposed of at a site licensed to accept 11e.(2) byproduct material. Because of the NRC Commission decision on July 26, 2000, that "all liquid effluents at ISL uranium recovery facilities are 11e.(2) byproduct material," the pond residue/sludge derived from such waste water, are now classified as 11e.(2) byproduct material. Therefore, the last paragraph is not needed.

Action: Delete the last phrase of the first paragraph and the last paragraph.

License Condition 9.8

Action: Correct the month of the guidance to August.

License Condition 9.9

Request: The first paragraph in Condition 9.9 addresses the archaeological site within Mine Unit 6 at Christensen Ranch. COGEMA indicated in the January 13, 1999, letter that this site was mitigated by a contract archaeologist and the mitigation was approved by U.S. Bureau of Land Management (BLM), Wyoming Department of Environmental Quality (WDEQ), and the State Historic Preservation Office (SHPO). As this took place several years ago, the licensee requested that the first paragraph be deleted from the license.

COGEMA also indicated that the second paragraph is also somewhat confusing because the BLM, SHPO, and WDEQ approved the archaeological reports and surveys prepared for the licensing action in 1988. The entire NRC license area has been cleared for development so the second paragraph should also be deleted.

Discussion: The mitigation plan requires that the 288 square meter area around the Unit 6 site not be disturbed. If activity is proposed for that area, BLM, WDEQ, and NRC must be informed. The first paragraph should, therefore, be deleted. The second paragraph refers to sites discovered after 1988 and should remain.

Action: Delete the first paragraph.

License Condition 9.10

Request: In the January letter, COGEMA stated that the last sentence in the first paragraph and the second paragraph are essentially the same and requested that the second paragraph be deleted.

Discussion: The NRC staff agrees that the second paragraph is a duplicate sentence and should be deleted.

Action: Delete the second paragraph.

License Condition 9.13

Discussion: The protection of migratory birds and potentially endangered species is addressed in the recently submitted Decommissioning Plan because of potential land disturbance. The condition should be deleted as there will be no further development related to production.

Action: Delete the condition.

License Condition 10.1

Discussion: With the possession only license, COGEMA can no longer inject lixiviant into the ground to mobilize the uranium.

Action: Revise the condition to state, "The licensee is not authorized to inject lixiviant".

License Condition 10.3

Request: Condition 10.3 establishes the pre-operational baseline groundwater quality sampling program for all of the production units at Irigaray and Christensen Ranch. COGEMA pointed out in the January letter that in setting out the minimal density for the wells in the different monitoring zones, NRC did not include the words "(where present)" after "lower aquifer" in the third sentence, and after "Deep Zone Monitors" under the Monitored Unit category of the table, as specified in the license renewal application.

The letter also indicated that Mine Unit 6 baseline groundwater quality information that was added for Christensen Ranch in the last table of the Condition, should not be included in that table because Unit 6 was approved under the performance-based license.

Discussion: The NRC staff agrees that the words "where present" should be added to be consistent with the license renewal application and that removal of reference to Mine Unit 6 baseline from the table on Christensen Ranch is appropriate because of the Safety and Environmental Review Panel (SERP) process approval for mine unit operation.

Action: Revise the condition as requested.

License Condition 10.4

Discussion: The condition addresses establishment and implementation of Upper Control Limits (UCLs). Condition 11.2 has a sentence (fourth paragraph) concerning established UCLs that should be moved and incorporated into this condition.

Action: Move the fourth paragraph of Condition 11.2 to become the second paragraph of Condition 10.4.

License Condition 10.5

Request: This condition authorizes COGEMA to conduct operations at a "maximum flow rate" of 4000 gallons per minute (gpm), exclusive of restoration flow. COGEMA requested by letter dated January 13, 1999, to operate as previously authorized, at an "annual average" flow rate of 4000 gpm for Christensen Ranch. The operational flow rate for Irigaray, as stated in the license renewal application, is 2400 gpm so the license should be amended to reflect the additional 2400 gpm flow rate already approved for Irigaray or provide for 6400 gpm total flow for the two sites. COGEMA requested by letter dated November 10, 2000, that the license be amended for possession only but authorize production of yellowcake from the restoration fluid. In a phone conversation on December 15, 2000, Ms. Wichers suggested that a limited production of 30,000 pounds per year be authorized.

Discussion: The NRC staff considered that COGEMA stated that both facilities are in restoration and there are no plans to operate either facility for production in the future. Also, the recovery of uranium from the restoration fluid (groundwater sweep solution) is discussed in the approved license renewal application under Section 6 "Restoration and Reclamation Plans." The facility will not be considered as operational but in "possession only" status because the removal of uranium is part of the restoration (decommissioning) plan.

Action: Revise the license condition to allow production of yellowcake only from restoration fluid to a maximum of 30,000 pounds of yellowcake per year.

License Condition 10.6

Request: COGEMA indicated in the January 11, 2001, phone call that only one Christensen evaporation pond had been built and that the filter backwash pond had not been built. It was requested that the wording of this condition be altered to reflect the actual site condition.

Action: In the fifth line of this condition, delete the "s" on ponds after the word storage and after the words backwash pond add "(if constructed)."

License Condition 10.7

Discussion: The Commission indicated in the Staff Requirements Memorandum (SECY 99-013) dated July 26, 2000, that all liquid effluents at in-situ leach uranium recovery facilities are 11e.(2) byproduct material. This policy was provided to uranium recovery licensees by the Commission's letter of November 30, 2000. Therefore, surface discharge (disposal) of the liquid effluent referred to in this condition is no longer regulated under the NPDES permit but under 10 CFR Part 20.

Action: Revise the end of the first sentence to read "... or disposed of as allowed by NRC regulations."

License Condition 10.8

Request: In the January letter, COGEMA suggested changes to this condition that would allow some flexibility in their response and response time, when the alarm sounds on the emission control equipment for the yellowcake drying or packaging areas. Also, the licensee asked to be tied to emission ranges in its WDEQ Air Quality permit no. OP-254, rather than the manufacturer's ranges in the license to eliminate a dual regulation situation. COGEMA also requested that 10.8 C be deleted because it is redundant with 10.8 B. When NRC staff questioned the redundancy, COGEMA provided suggested wording for Condition 10.8 on December 27, 2000, that reflects the actual monitoring procedures for the scrubber system during dryer operation.

Discussion: The NRC staff determined that conflicting requirements should be eliminated, particularly since the approved license application (page 3-28) indicates that COGEMA will abide by the WDEQ permit conditions for the scrubber. Also, COGEMA should have some flexibility in the action taken in response to an alarm in the drying or packing areas; however, NRC staff believe that COGEMA should suspend operations quickly if it is verified that the emission control equipment is not operating within the required ranges of the WDEQ permit. In addition, the proposed wording for the second and third paragraphs, as described in the letter of December 27, 2000, was determined to be acceptable.

Action: The license will be amended as requested, except the word "immediately" will be replaced by "within 1 hour" instead of being eliminated. It should take less than an hour to quickly check the equipment and alarms for malfunction.

License Condition 10.10

Request: The Condition states that the licensee shall sample particulates and radon progeny on a monthly frequency at the Irigaray and Christensen Ranch Satellite locations shown on Figures 5.2 and 5.3 of the approved license application. COGEMA indicated in the January letter that specifically citing the two Figures could be interpreted as restrictive - implying that changes could only be made to the designated sampling locations after NRC review and approval. COGEMA indicated that consistent with the concept of a performance-based license, they should have the capability to modify the sample locations through the SERP), without going through NRC staff. COGEMA requested that a statement to this effect be added to the end of the current license condition.

Discussion: The NRC staff intended that COGEMA submit proposed changes to the sampling locations to NRC for review and approval. Additional locations can be added by the licensee through the SERP, but changes that would reduce the number or change the location of the approved stations must be approved by NRC. This position is consistent with the position established in the Crow Butte license. Also, COGEMA recently indicated that a revised monitoring program is proposed in the Surface Decommissioning Plan that is under review by NRC. When that plan is approved, this condition should be revised again to reference the monitoring procedure in the Plan.

Action: Deny the request, but add "Additional locations can be added by the licensee through the SERP" for clarification.

License Condition 10.12

Discussion: To clarify that corrective actions for the bioassay program should follow Table 1 in Regulatory Guide 8.22, the reference to the license application should be deleted. The regulatory guide recommends corrective action after two consecutive samples with 35 $\mu\text{g/l}$ or greater uranium analyses but the license application indicates after four samples of 30 $\mu\text{g/l}$ or greater. The licensee can continue to use the conservative action level but should take action after two elevated samples or one sample if 130 $\mu\text{g/l}$ or greater. Also, a sentence should be added to the condition indicating that any exceedance of the administrative or action level and corrective actions shall be documented in the annual ALARA audit report.

Action: Revise the condition as discussed.

License Condition 10.14

Request: The January letter from COGEMA indicated that the second sentence in this condition is the same as that provided in Condition 9.7. This redundancy should be eliminated.

Discussion: The NRC staff agrees that the sentence is redundant with Condition 9.7 and Criterion 2 of Appendix A to Part 40, and should be deleted. Also, the first sentence concerning

temporary storage of contaminated material in the restricted area is unnecessary as it is redundant with Subpart I of Part 20 (Storage and Control of Licensed Material).

Action: Delete the condition.

License Condition 10.15

Request: In a phone call of July 6, 2000, Ms. Wichers asked that this condition be deleted because the two Research and Development wellfields referenced have been restored and the data submitted to NRC. Also, Production Unit 10 at Irigaray was never developed.

Discussion: The NRC staff agrees that since Unit 10 was never constructed and can not be constructed under possession only status, this part of the condition should be deleted. However, the restoration data for the 517 and USMT sites apparently was not approved so the condition must be revised.

Action: Revise the condition to require discussion of the 517 and USMT restoration data in the Irigaray restoration completion report.

License Condition 10.16

Request: COGEMA sent a fax to NRC on August 5, 1998, containing preliminary comments, one of which requested that the second paragraph of Condition 10.16 be deleted because it is not consistent with a performance-based license.

Discussion: The NRC staff has denied the request because changes to monitoring plans could impair the licensee's ability to meet all NRC regulations or degrade essential safety commitments (current Condition 9.4 B).

Action: Deny the request.

License Condition 10.19

Discussion: The condition authorizes the licensee to receive contaminated process equipment for reuse from licensed uranium recovery operators. It also requires that records of all receipts be maintained. The authority to transfer equipment is already granted under 10 CFR 40.51 and such records are required under §40.61. Therefore, the condition is redundant.

Action: Delete the condition.

License Condition 10.20

Discussion: The first sentence of this condition duplicates the wording in 10 CFR 40.51 concerning the transfer of source material. The second sentence refers to a Standard Operating Procedure for transportation or storage accident that is in Section 7.5.2 (page 7-23) of the approved license renewal application. There is no need for the license to repeat the approved renewal application.

Action: Delete the condition.

License Condition 10.21

Discussion: The license condition refers to vanadium separation which will no longer be authorized under the possession only status requested by COGEMA on November 10, 2000. The staff determined that Condition 10.21 is not compatible with a possession only license and should be deleted.

Action: Delete the condition.

License Condition 10.22

Request: COGEMA indicated in the January letter that since the license condition references "SOP PBL-02, approved by NRC in December 1996," a license amendment would be needed to revise this SOP. That is not in keeping with the performance-based license. The phrase "approved by NRC in December 1996" should be deleted.

Discussion: The NRC staff considers that since this condition concerns potential startup of new mine units, and COGEMA has requested a possession only license, Condition 10.22 should be deleted as it is no longer relevant because no new mine units can be constructed.

Action: Delete the condition.

License Condition 11.2

Request: This license condition sets out the monitoring program to determine when the monitoring wells are on excursion. It also sets out the actions that are to be taken by COGEMA in the event that an excursion is detected or confirmed. For the 1998 renewed license, a new requirement was added to this condition that states that monitor wells shall be sampled and tested no more than 14 days apart. This sentence (first paragraph) replaced a previous requirement that samples from monitor wells will be collected on a twice per month basis.

COGEMA indicated in the January letter that being required to sample each of the 400 monitoring wells on a "no more than 14 days apart" schedule could cause major disruptions in the normal sampling program, given uncertainties in weather, holidays, etc. that could throw the

routine sampling efforts off schedule. COGEMA also noted that during restoration, sampling is done monthly or quarterly, depending on the phase of restoration. On December 12, 2000, the NRC staff was asked to refer to Table 6.2 in the approved license renewal application as the table provides the restoration groundwater monitoring schedule and analyses. The table indicates that in the restoration phase, monitor wells are to be sampled monthly.

COGEMA also requested that the words "monitor well" be added to first line of second paragraph after "routine" and before "sampling" for clarification. In addition, COGEMA requested that in the last sentence of the third paragraph "samples collected 7 days apart" be changed to the original wording for excursions of "1-week samples."

The March letter requested that the requirement in the third paragraph to notify the NRC Operations Center within 24 hours upon confirmation of an excursion be deleted because written notification to NRC would be adequate.

Discussion: The requirement stating that monitoring wells should be sampled and tested every 14 days was added to the license in order to provide control over the sampling interval during operations and so that samples would be processed quickly. Because COGEMA has requested a possession only license and already has an approved monitoring program for restoration, the first sentence of the condition can be deleted. The words "monitoring well" will be added as requested but defined as perimeter and upper aquifer monitoring wells. Also, the notification requirements for excursions can be deleted from this condition as the required notification is addressed in revised Condition 12.2, except the quarterly status report will still be required.

Action: Revise the condition as discussed above.

License Condition 11.4

Request: COGEMA stated in the January letter that new language was inserted into the last sentence of the second paragraph when the license was renewed: "and once every 7 days for at least 2 weeks following repairs." COGEMA indicated that they can't take samples of standpipe water quality after pond repair because there is no fluid there after the leak has been corrected so the Condition phrase should be deleted. COGEMA also indicated that the reporting requirements duplicate those found in Condition 12.3 and should be eliminated from Condition 11.4. In addition, the third paragraph should be deleted because it is no longer applicable as the Willow Creek ponds were reclaimed in 1995. The March letter requested that notification of the NRC Operations Center be deleted (paragraph two).

Discussion: The phrase in the second paragraph should be modified to indicate that sampling should be done if fluid is present in the standpipe and that samples are to be done weekly (in place of every 7 days). The reporting requirements have been compiled in the revised Condition 12.2 and can be deleted from the second paragraph here. Also, the third paragraph can be deleted as the licensee indicated that the Willow Creek ponds no longer exist.

Action: Revise the condition as discussed above.

License Condition 11.5

Request: COGEMA indicated in the January letter that the typographical error in the last sentence should be corrected. Also, Ms. Wichers indicated in a call on December 15, 2000, that the daily walk-through inspection in the second sentence should be qualified as only for the Irigaray facility during operation of the yellowcake dryer, considering the possession-only status.

Discussion: The NRC staff agrees these changes should be done.

Action: Revise the second sentence as indicated above and delete the word "if" in the last sentence before the words "that radiation."

License Condition 12.1

Discussion: The NRC staff notes that this condition refers in part to 10 CFR 40.65. With the possession only status, monitoring reports are not required to be submitted semi-annually. For non-operating facilities, all the data can be reported in the annual report.

Action: Delete the phrase "submitted in accordance with 10 CFR 40.65" and indicate that the data should be provided in the annual report.

License Condition 12.2

Request: COGEMA indicated in the January letter that this condition deals with lixiviant excursion reporting as does Condition 11.2 and requires a 60-day report but the same information is provided in the 7-day and quarterly reports. The 60-day report requirements should be deleted and the last sentence should be corrected to read, "Written progress reports describing the status of the excursion shall be submitted to the NRC...." The March letter asked that the reference to notifying the NRC Operations Center be eliminated.

Discussion: The NRC staff has draft language concerning required and expected notifications to replace the existing Conditions 11.2 and 12.2, as discussed with the Uranium Recovery Section Leader.

Action: Revise the condition to standardized language concerning notifications and reporting.

License Condition 12.3

Request: This condition requires notification of the NRC Operations Center by telephone when standpipe analysis indicates a pond is leaking. COGEMA indicated in the March letter that this requirement should be replaced by notification of the Uranium Recovery Branch in writing within 7 days of receipt of the analysis results.

Discussion: The requirements and conditions for notifying the Operations Center of incidents are delineated in 10 CFR 20.2202. A pond leak may not meet the notification criteria but could be a safety or performance concern and should be reported, as stated under the revised Condition 12.2, to the NRC Project Manager and the Region IV Branch Chief.

Action: Delete the condition.

License Condition 12.4

Request: This condition concerns documenting and reporting spills. COGEMA indicated in the January letter that "all" spills in the first paragraph should be changed to "significant" spills and that mention of mining solutions and process chemicals be deleted. COGEMA also recommended deletion of the first definition of a significant spill as 10,000 gallons or more, as it is more restrictive than the guidance provided by NRC letter dated April 8, 1998.

Discussion: The staff has revised and consolidated the wording for notification and reporting requirements and consolidated the requirements in revised Condition 12.2. The staff maintains that reference to spills of ISL extraction (mining) solutions and process chemicals should not be deleted from spill reporting requirements as they are now regulated as 11e.(2) byproduct material. Uranium recovery licensees were notified of this change by the Commission letter dated November 30, 2000.

Action: Delete the condition.

License Condition 12.5

Discussion: The condition requires a detailed decommissioning plan by April 30, 2000. The staff notes that this date was extended by NRC letter dated April 27, 2000. The plan submitted May 8, 2000, was noted by NRC staff to be unacceptable for review due to deficiencies. A detailed decommissioning plan was submitted December 19, 2000. Therefore, this condition is no longer applicable.

Action: Delete the condition.

License Condition 12.6

Request: Ms. Wichers, in a phone call on December 15, 2000, suggested revising the condition by adding words such that daily walk-through inspections are now required only "during operation of the yellowcake dryer."

Discussion: The staff determined that, in keeping with a possession only license, it is appropriate for the COGEMA staff to only do the daily inspection when the yellowcake dryer is in operation so the last sentence of the condition can be revised as requested. In addition, the staff suggested changing the condition so that the ALARA audit is part of an annual report that

also includes an annual land use survey, the monitoring data, and the SERP report required by Condition 9.4. The report would also be submitted according to Condition 9.2 (to the NRC Branch Chief). This wording would be consistent with other uranium recovery licenses.

Action: Revise the condition as discussed above.

License Condition 12.7

Request: During a July 6, 2000, phone call, Ms. Wichers indicated that this condition requiring a written report 1-month subsequent to a reportable incident, is not consistent with either Condition 12.2 or Condition 12.3 (report within 60 days of excursion confirmation and report within 30 days of a pond leak).

Discussion: This condition is not needed since the new Condition 12.2 will address all notifications and reporting.

Action: Delete the condition.