



April 3, 2007

Mr. Keith I. McConnell, Deputy Director  
Decommissioning & Uranium Recovery Licensing Directorate  
Division of Waste Management & Environmental Protection  
Office of Federal & State Materials & Environmental Management Programs  
Mailstop T7-E18  
U.S. Nuclear Regulatory Commission  
11545 Rockville Pike  
Rockville, Maryland 20852-2738

**Ref: Docket No. 040-08502, License No. SUA-1341**

Dear Mr. McConnell:

COGEMA Mining, Inc. (COGEMA) requests an amendment of the referenced license for COGEMA's Irigaray/Christensen Ranch facilities to revert to an operating (uranium production) status from the current restoration and decommissioning status. In light of favorable market prospects COGEMA anticipates a resumption of uranium mining-related activity later this year. Initially, the resumption will involve the completion of developmental well drilling in Mine Unit 7 at the Christensen Ranch Satellite facility. Well installations were approximately 50% complete in M.U. 7 when mining activity was suspended. There is also a possibility that COGEMA may decide to resume mining in portions of M.U. 5 and M.U. 6 at Christensen Ranch.

We request that the license be amended essentially to its last fully operating format which would be amendment no. 2, dated November 15, 1999. COGEMA would be conducting operations under the same operational requirements as specified in amendment 2 and the approved renewal application (submitted January 5, 1996, and as subsequently updated). As such there will be no changes in operations that would impact effluent releases, worker radiation safety, human health, and the environment beyond the projections made in the approved renewal application.

Because NRC approval of this request would permit the resumption of activities that have been thoroughly evaluated in the last license renewal action, COGEMA sees no need for additional environmental review in association with the request. Further, it would appear that this amendment request qualifies for a categorical exclusion of environmental review under 10 CFR 51.22(c)(11). Modification of the license to permit a resumption of operations would be "...a change in process operations..." as we interpret the cited

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regulation. Reversion to an operating license would result in a license expiration on June 30, 2008 (see below). Assuming favorable NRC action on this request, COGEMA will be submitting a license renewal application at least thirty days prior to that expiration date.

The specific changes to the SUA-1341 license that we request are itemized and discussed below:

**Condition 4:**

Action requested: Change the Expiration Date from “Until terminated” to “June 30, 2008”.

Discussion: The license would revert to the last renewal expiration date, triggering a comprehensive renewal application submittal in 2008.

**Condition 9.13:**

Action requested: Include the original language, “If evidence of the migratory bird and potentially endangered species, Mountain Plover, or its nesting sites is found at the Irigaray or Christensen sites, the licensee shall consult with the Fish and Wildlife Service before proceeding with development or ground disturbing activity in that area.”

Discussion: This inclusion will re-establish monitoring for and potential mitigation of impacts to this species in anticipation of additional ground disturbance as further mine development occurs.

**Condition 10.1:**

Action requested: Revise the condition to read “The licensee shall use a lixiviant composed of native groundwater, with added sodium bicarbonate and/or CO<sub>2</sub> gas and oxygen or hydrogen peroxide, as described in the approved license application.”

Discussion: This modification is necessary to re-establish the operational status of the site, consistent with the January, 1996 renewal application as modified.

**Condition 10.2:**

Action requested: Re-insert the deleted language concerning well integrity tests as follows - “... The licensee shall perform well integrity tests on each injection and production well before the wells are utilized and on wells that have been serviced with equipment or procedures that could damage the well casing. Additionally, each well shall be retested at least once every five years. Integrity tests shall be performed in accordance with Section 3.3.2.2 of the approved license application. ...”.

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Discussion: This modification will re-establish the integrity testing program consistent with mining operations.

**Condition 10.5:**

Action requested: Modify the condition to read, “The licensee is authorized to conduct operations at a maximum flow rate of 4000 gallons per minute, exclusive of restoration flow. Annual yellowcake production shall not exceed 2.5 million pounds.”

Discussion: The modification would re-established production levels consistent with the last operational license.

**Condition 10.6:**

Action requested: Modify the first sentence of the condition to read – “Solution evaporation ponds A, B, C, D, and E shall have at least 2 feet of freeboard.”

Discussion: This modification deletes reference to the 517 ponds. The 517 ponds have been completely decommissioned.

**Condition 10.19:**

Action requested: Re-instate the following language – “The licensee is hereby authorized to receive contaminated process equipment for reuse from licensed uranium recovery operators. Records of all receipts shall be maintained.”

Discussion: The modification will allow discretionary receipt and use of contaminated equipment for operations.

**Condition 10.20:**

Action requested: Re-instate the following language – “The licensee is hereby authorized to transfer source material to any facility licensed by NRC or an NRC Agreement State to receive source material for purposes of drying and storage. The licensee shall follow Standard Operation Procedure No. E-11 in the event of a transportation or storage accident.”

Discussion: The modification will re-establish an element of flexibility that existed in the last operational license, and it will reinstate the standard operating procedure concerning source material transportation or storage accidents.

**Condition 10.21:**

Action requested: Re-instate the following language – “Prior to initiating vanadium separation processing, the licensee’s SERP, in accordance with LC 9.4 shall assess the potential safety and environmental impacts of that process. If those impacts are outside

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the scope of the impacts considered by NRC in the EA as part of the license renewal review, the licensee shall submit a license amendment request to NRC for review and approval.”

Discussion: The modification will re-establish the operational option to consider vanadium removal if such processing appears warranted.

**Condition 10.22:**

Action requested: Re-instate the following language – “The licensee shall use its SOP PBLC-02, approved by NRC in December, 1996, including the guidance for evaluating hydrologic connectivity between aquifers, in assessing the potential startup of new mine units.”

Discussion: This addition will provide a necessary evaluation component to the process of expanding mining to new mine units.

**Condition 11.2:**

Requested action: Delete the entire last paragraph from the condition.

Discussion: Since the NRC and Wyoming Department of Environmental Quality (DEQ) have accepted the restoration of the Irigaray well fields (Mine Units 1-9) and authorized abandonment of the wells, there is no reason to retain in the license any reference to the wells (SSM-3, etc.) discussed in the last paragraph of condition 11.2.

**Condition 11.3:**

Action requested: Modify the condition to read as follows, “The licensee shall establish and conduct an effluent and environmental monitoring program in accordance with Section 5.8 of the approved license application.”

Discussion: This change would re-establish the effluent and environmental monitoring program consistent with what existed prior to the cessation of production.

**Condition 11.5:**

Action requested: Modify the condition to read as follows – “The licensee shall conduct the in-plant inspection and audit programs described in Section 5.3 of the approved license application. In addition, the RSO or designee shall document a daily walk-through of the Irigaray and Christensen Ranch Satellite facilities to determine that radiation control practices are being implemented appropriately.”

Discussion: This modification reverts to routine daily walkthrough inspections by the RSO or designee of the production facilities, consistent with the operational license.

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**Condition 11.6:**

Action requested: Modify the current condition as follows – “The results of the following activities, operations, or actions shall be documented: sampling, analyses, surveys and monitoring, survey/monitoring equipment calibration, results of reports on audits and inspections, all meetings and training courses required by this license; and any subsequent reviews, investigations and corrective actions, ~~shall be documented~~. Unless otherwise specified in the NRC regulations, all such documentation shall be maintained for a period of at least five (5) years.”

Discussion: This change deletes an unnecessary repetition of the phrase “...shall be documented”.

**Condition 11.7:**

Action requested: Modify the condition to add the clarifying word “and” to the text as follows – “The licensee shall monitor for external exposure in accordance with 10 CFR 20.1502(a)(1), **and** Section 5.7.2 of the approved license application. The licensee shall monitor for internal exposure in accordance with 10 CFR 20.1502(b)(1) and Section 5.7.3 of the approved license application.”

No discussion required.

**Condition 12.1:**

Action requested: Revise the condition to read – “Effluent and environmental monitoring program results provided in the annual report and in accordance with 10 CFR 40.65 shall be reported in the format shown in Table 3 of Regulatory Guide 4.14, (Rev. 1) entitled, “Sample Format for Reporting Monitoring Data.” The report shall also include injection rates and injection manifold pressures.”

Discussion: The revision includes reference to the reporting requirements of 10 CFR 40.65.

**Condition 12.6:**

Action requested: Modify the condition to refer to unqualified daily walk-through inspections as follows – “An annual report will be submitted to the NRC in accordance with Condition 9.2, that includes the ALARA audit report, land use survey, monitoring data, and the SERP information required under License Condition 9.4(d). The report shall include a summary of the daily (~~during operation of the yellowcake dryer~~) walk-through inspections.

Discussion: With a return to operational status daily walk-through inspections by the RSO or designee will occur, regardless of dryer status.

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Enclosed please find two copies of NRC Form 313, summarizing this license amendment request. COGEMA will be prepared to discuss any aspect of this request at the planned meeting with the NRC on May 14, 2007, in Denver, Colorado.

Sincerely,



Tom Hardgrove

Encls.

Cc: D. B. Spitzberg, USNRC Region IV  
G. Mooney, WYDEQ

**NRC FORM 313**  
(10-2005)  
10 CFR 30, 32, 33,  
34, 35, 36, 39, and 40

**U.S. NUCLEAR REGULATORY COMMISSION**

APPROVED BY OMB: NO. 3150-0120

EXPIRES: 10/31/2008

Estimated burden per response to comply with this mandatory collection request: 4.4 hours. Submittal of the application is necessary to determine that the applicant is qualified and that adequate procedures exist to protect the public health and safety. Send comments regarding burden estimate to the Records and FOIA/Privacy Services Branch (T-5 F53), U.S. Nuclear Regulatory Commission, Washington, DC 20555-0001, or by internet e-mail to [infocollects@nrc.gov](mailto:infocollects@nrc.gov), and to the Desk Officer, Office of Information and Regulatory Affairs, NEOB-10202, (3150-0120), Office of Management and Budget, Washington, DC 20503. If a means used to impose an information collection does not display a currently valid OMB control number, the NRC may not conduct or sponsor, and a person is not required to respond to, the information collection.

**APPLICATION FOR MATERIAL LICENSE**

**INSTRUCTIONS: SEE THE APPROPRIATE LICENSE APPLICATION GUIDE FOR DETAILED INSTRUCTIONS FOR COMPLETING APPLICATION. SEND TWO COPIES OF THE ENTIRE COMPLETED APPLICATION TO THE NRC OFFICE SPECIFIED BELOW.**

**APPLICATION FOR DISTRIBUTION OF EXEMPT PRODUCTS FILE APPLICATIONS WITH:**

DIVISION OF INDUSTRIAL AND MEDICAL NUCLEAR SAFETY  
OFFICE OF NUCLEAR MATERIALS SAFETY AND SAFEGUARDS  
U.S. NUCLEAR REGULATORY COMMISSION  
WASHINGTON, DC 20555-0001

**ALL OTHER PERSONS FILE APPLICATIONS AS FOLLOWS:**

**IF YOU ARE LOCATED IN:**

ALABAMA, CONNECTICUT, DELAWARE, DISTRICT OF COLUMBIA, FLORIDA, GEORGIA, KENTUCKY, MAINE, MARYLAND, MASSACHUSETTS, MISSISSIPPI, NEW HAMPSHIRE, NEW JERSEY, NEW YORK, NORTH CAROLINA, PENNSYLVANIA, PUERTO RICO, RHODE ISLAND, SOUTH CAROLINA, TENNESSEE, VERMONT, VIRGINIA, VIRGIN ISLANDS, OR WEST VIRGINIA, SEND APPLICATIONS TO:

LICENSING ASSISTANCE TEAM  
DIVISION OF NUCLEAR MATERIALS SAFETY  
U.S. NUCLEAR REGULATORY COMMISSION, REGION I  
475 ALLENDALE ROAD  
KING OF PRUSSIA, PA 19406-1415

**IF YOU ARE LOCATED IN:**


ILLINOIS, INDIANA, IOWA, MICHIGAN, MINNESOTA, MISSOURI, OHIO, OR WISCONSIN, SEND APPLICATIONS TO:

MATERIALS LICENSING BRANCH  
U.S. NUCLEAR REGULATORY COMMISSION, REGION III  
2443 WARRENVILLE ROAD, SUITE 210  
LISLE, IL 60532-4352

ALASKA, ARIZONA, ARKANSAS, CALIFORNIA, COLORADO, HAWAII, IDAHO, KANSAS, LOUISIANA, MONTANA, NEBRASKA, NEVADA, NEW MEXICO, NORTH DAKOTA, OKLAHOMA, OREGON, PACIFIC TRUST TERRITORIES, SOUTH DAKOTA, TEXAS, UTAH, WASHINGTON, OR WYOMING, SEND APPLICATIONS TO:

NUCLEAR MATERIALS LICENSING BRANCH  
U.S. NUCLEAR REGULATORY COMMISSION, REGION IV  
611 RYAN PLAZA DRIVE, SUITE 400  
ARLINGTON, TX 76011-4005

PERSONS LOCATED IN AGREEMENT STATES SEND APPLICATIONS TO THE U.S. NUCLEAR REGULATORY COMMISSION ONLY IF THEY WISH TO POSSESS AND USE LICENSED MATERIAL IN STATES SUBJECT TO U.S. NUCLEAR REGULATORY COMMISSION JURISDICTIONS.

1. THIS IS AN APPLICATION FOR (Check appropriate item) <input type="checkbox"/> A. NEW LICENSE <input checked="" type="checkbox"/> B. AMENDMENT TO LICENSE NUMBER <u>SUA-1341</u> <input type="checkbox"/> C. RENEWAL OF LICENSE NUMBER _____		2. NAME AND MAILING ADDRESS OF APPLICANT (Include ZIP code) COGEMA Mining, Inc. P.O. Box 730 Mills, WY 82644			
3. ADDRESS WHERE LICENSED MATERIAL WILL BE USED OR POSSESSED Irigaray Plant Facility 2751 Irigaray Rd., Johnson Co., WY Christensen Ranch Satellite Facility 932 Black & Yellow Rd. Johnson Co., WY		4. NAME OF PERSON TO BE CONTACTED ABOUT THIS APPLICATION Thomas Hardgrove  TELEPHONE NUMBER (307) 234-5019			
SUBMIT ITEMS 5 THROUGH 11 ON 8-1/2 X 11" PAPER. THE TYPE AND SCOPE OF INFORMATION TO BE PROVIDED IS DESCRIBED IN THE LICENSE APPLICATION GUIDE.					
5. RADIOACTIVE MATERIAL a. Element and mass number; b. chemical and/or physical form; and c. maximum amount which will be possessed at any one time.		6. PURPOSE(S) FOR WHICH LICENSED MATERIAL WILL BE USED.			
7. INDIVIDUAL(S) RESPONSIBLE FOR RADIATION SAFETY PROGRAM AND THEIR TRAINING EXPERIENCE.		8. TRAINING FOR INDIVIDUALS WORKING IN OR FREQUENTING RESTRICTED AREAS.			
9. FACILITIES AND EQUIPMENT.		10. RADIATION SAFETY PROGRAM.			
11. WASTE MANAGEMENT.		12. LICENSE FEES (See 10 CFR 170 and Section 170.31) FEE CATEGORY _____ AMOUNT ENCLOSED \$ _____			
13. CERTIFICATION. (Must be completed by applicant) THE APPLICANT UNDERSTANDS THAT ALL STATEMENTS AND REPRESENTATIONS MADE IN THIS APPLICATION ARE BINDING UPON THE APPLICANT.  THE APPLICANT AND ANY OFFICIAL EXECUTING THIS CERTIFICATION ON BEHALF OF THE APPLICANT, NAMED IN ITEM 2, CERTIFY THAT THIS APPLICATION IS PREPARED IN CONFORMITY WITH TITLE 10, CODE OF FEDERAL REGULATIONS, PARTS 30, 32, 33, 34, 35, 36, 39, AND 40, AND THAT ALL INFORMATION CONTAINED HEREIN IS TRUE AND CORRECT TO THE BEST OF THEIR KNOWLEDGE AND BELIEF.  WARNING: 18 U.S.C. SECTION 1001 ACT OF JUNE 25, 1948 62 STAT. 749 MAKES IT A CRIMINAL OFFENSE TO MAKE A WILLFULLY FALSE STATEMENT OR REPRESENTATION TO ANY DEPARTMENT OR AGENCY OF THE UNITED STATES AS TO ANY MATTER WITHIN ITS JURISDICTION.					
CERTIFYING OFFICER - TYPED/PRINTED NAME AND TITLE Bernard Bonifas, Acting General Manager		SIGNATURE 	DATE Apr 3, 2007		
<b>FOR NRC USE ONLY</b>					
TYPE OF FEE	FEE LOG	FEE CATEGORY	AMOUNT RECEIVED	CHECK NUMBER	COMMENTS
			\$		
APPROVED BY				DATE	

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 B. AMENDMENT TO LICENSE NUMBER SUA-1341  
 C. RENEWAL OF LICENSE NUMBER \_\_\_\_\_

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

**3. ADDRESS WHERE LICENSED MATERIAL WILL BE USED OR POSSESSED**

Irigaray Plant Facility  
2751 Irigaray Rd., Johnson Co., WY  
Christensen Ranch Satellite Facility  
932 Black & Yellow Rd.  
Johnson Co., WY

**4. NAME OF PERSON TO BE CONTACTED ABOUT THIS APPLICATION**

Thomas Hardgrove

TELEPHONE NUMBER  
(307) 234-5019

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**11. WASTE MANAGEMENT.**

**12. LICENSE FEES (See 10 CFR 170 and Section 170.31)**

FEE CATEGORY \_\_\_\_\_ AMOUNT ENCLOSED \$ \_\_\_\_\_

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CERTIFYING OFFICER -- TYPED/PRINTED NAME AND TITLE  
**Bernard Bonifas, Acting General Manager**

SIGNATURE *B. Bonifas*

DATE **April 3, 2007**

**FOR NRC USE ONLY**

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APPROVED BY				DATE	