

March 4, 2008

Mr. Tom Hardgrove
COGEMA Mining, Inc.
935 Pendell Boulevard
P.O. Box 730
Mills, WY 82644

SUBJECT: AMENDMENT REQUEST TO CHANGE FROM RESTORATION AND
DECOMMISSIONING STATUS TO OPERATING STATUS,
IRIGARAY/CHRISTENSEN RANCH FACILITIES, COGEMA MINING, INC.
(TAC J00522)

Dear Mr. Hardgrove:

I am responding to your letter to the U.S. Nuclear Regulatory Commission (NRC), dated April 3, 2007, that requests an amendment to Materials License SUA-1341 for the COGEMA Mining, Inc. (COGEMA) Irigaray/Christensen Ranch facilities to revert to an operating (uranium production) status from the current restoration and decommissioning status. You requested that the license be amended to its last fully operating format and, 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. You indicated that since COGEMA is requesting the licensing 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. You further suggested that the amendment qualifies for a categorical exclusion under 10 CFR 51.22(c) (11) as a change in process operations.

NRC has determined that your request to return to uranium production status does not qualify for a categorical exclusion under 10 CFR 51.22(c) (11) and that an environmental review is required. To complete its review, the NRC staff requires that the additional information summarized in the enclosure be provided regarding the environmental impacts of the proposed action. We recognize that this additional information may require substantial time to collect and assimilate. We also would note that Materials License SUA-1341 will be considered in timely renewal provided COGEMA submits a license renewal application by May 30, 2008. Given these circumstances, please inform us if you would like NRC to continue the license amendment process to return the Irigaray/Christensen Ranch facilities to operating status. Note that because your requested amendment is not a simple licensing action, we intend to publish a notice of opportunity to request a hearing in the *Federal Register*.

If you have any questions regarding this matter, please contact me at 301-415-7295, or Ron Linton, Project Manager, of my staff at 301-415-7777, or by e-mail at rcl1@nrc.gov.

T.Hardgrove

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In accordance with 10 CFR 2.390 of the NRC's "Rules of Practice," a copy of this letter will be available electronically for public inspection in the NRC Public Document Room or from the Publicly Available Records component of NRC's Agencywide Documents Access and Management System (ADAMS). ADAMS is accessible from the NRC Web site at <http://www.nrc.gov/NRC/reading-rm/adams.html>.

Sincerely,

/RA/

Keith I. McConnell, Deputy Director
Decommissioning and Uranium Recovery
Licensing Directorate
Division of Waste Management
and Environmental Protection
Office of Federal and State Materials
and Environmental Management Programs

Docket No.: 040-08502

License No.: SUA-1341

Enclosure:
Request for Additional Information

cc: G.Mooney (WYDEQ)

T.Hardgrove

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/RA/

Keith I. McConnell, Deputy Director
Decommissioning and Uranium Recovery
Licensing Directorate
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and Environmental Protection
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and Environmental Management Programs

Docket No.: 040-08502

License No.: SUA-1341

Enclosure:
Request for Additional Information

cc: G.Mooney (WYDEQ)

(CLOSES TAC J00522)

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Request for additional information regarding COGEMA's request for a license amendment to revert to operating (uranium production) status from decommissioning and restoration status.

1. Provide information on any new outside activities taking place near the Irigaray/Christensen Ranch facility that are likely to have environmental impacts similar in significance to the proposed action or cause added stress on shared resources.

There are other mining and extractive industries that are active near the Irigaray/Christensen Ranch facility, such as other uranium mining and milling companies as well as coal bed methane. There may be other activities of which the NRC is not aware. COGEMA should provide a description any such activities in order to facilitate an NRC evaluation of the cumulative effects of the proposed action on the environment.

2. Provide information on changes to local transportation that are likely to occur due to a transition from decommissioning status to operating status.

COGEMA should provide a discussion of any likely changes to traffic expected with a return to operating status along with an estimate of the duration and extent of these changes. Activities that may occur with a return to operating status and have an effect on traffic might include the transportation of materials and an increase in traffic due to an increase in personnel. Available details about any important newly developed roadways, proposed roadways, or changes in traffic patterns due to outside developments should also be provided.

3. Provide information on changes in population demographics in the surrounding communities from those evaluated in the 1998 EA along with expected changes in demographics that are likely to occur due to a transition from decommissioning status to operating status.

COGEMA should provide a description of any changes in the demographics of the local area since the 1998 EA to facilitate an NRC evaluation of the potential socio-economic impacts of the proposed action. COGEMA should also provide information regarding any expected changes in demographics that may be caused by an increase in personnel at the site with the restart activities. Accompanying this information should be a description of any stressed resources, such as housing or school systems that may be impacted by these personnel increases.

4. Provide a discussion of any changes in noise levels caused by activities at the Irigaray/Christensen Ranch facility that are likely to occur due to a transition from decommissioning status to operating status.

Using current noise levels as a baseline, COGEMA should provide a description of any predicted changes in noise levels that may occur due to the various activities expected with the proposed action. COGEMA should also identify any changes in potential noise receptors in order to facilitate an NRC evaluation of the significance of noise impacts.

5. Provide a discussion of the changes in visual and scenic quality of the Irigaray/Christensen Ranch facility that are likely to occur due to a transition from decommissioning status to operating status.

Using current visual and scenic quality as a baseline, COGEMA should provide a description of any predicted changes in the visual and scenic quality of the Irigaray/Christensen Ranch facility that may occur due to any planned ground disturbance, construction, or operation activities that may occur with a restart in order to facilitate an NRC analysis of the potential impacts of these changes.

6. Provide information on logistical activities that are likely to occur due to a transition from decommissioning status to operating status.

There may be some logistical activities, such as minor construction and development of infrastructure for production and personnel increases that will be necessary to return the Irigaray/Christensen Ranch facility to operating status. COGEMA should provide a description of these activities to facilitate an NRC evaluation of their potential environmental impacts as they are a part of the proposed action.