

CATX Checklist

Action Name: Umetco Minerals Corporation License Amendment Request

Action Location: Natrona County, Wyoming

Action Description: Amend the license to reflect the review of the Construction Completion Report

CATX Category: 10CFR 51.22(c)(11)

	YES	NO	Need Data
A. Is the action consistent with the Statements of Consideration for the categorical exclusion chosen?	X		
B. Is the action likely to significantly affect any aspect of the natural environment?		X	
C. Is the action likely to significantly affect any aspect of the cultural environment including those that might be related to environmental justice?		X	
D. Is the action likely to generate a great deal of public interest about any environmental issue?		X	
E. Is there a high level of uncertainty about the action's environmental effects?		X	

CONCLUSION:

☒ 1. The action is a CATX and requires no further environmental review.

☐ 2. The action is a CATX but requires additional documentation, see Section 2.1, NUREG-1748, attach documentation.

☐ 3. The action requires an EA.

☐ 4. The action requires an EIS.


Licensing Project Manager

2/25/08
Date

Richard Chang

Umetco Minerals Corporation



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February 19, 2008

Mr. Keith I. McConnell, Deputy Director
Decommissioning and Uranium Licensing Directorate
Division of Waste Management
and Environmental Protection
Office of Federal and State Materials
and Environmental Management Programs
Mail Stop T7E18
11545 Rockville Pike
Rockville, Maryland 20852-2738

Subject: Umetco Gas Hills Site, License Amendment Request

Reference: **Materials License SUA-648; Docket No. 40-0299**

Attention: Richard Chang, Project Manager, Special Projects Branch

Dear Mr. McConnell:

By letter dated June 29, 2007, Umetco Minerals Corporation (Umetco) submitted the report titled *Final Construction Completion Report, Gas Hills, Wyoming Site (June 2007)*. This report was prepared to document the conduct and completion of reclamation activities performed at Umetco's former uranium mill site in Gas Hills, Wyoming.

Accordingly, Umetco is hereby requesting a license amendment to reflect the completion of reclamation as required prior to license termination (LC 57). The specific license conditions (LC) which Umetco is requesting amendment and/or deletion are 10, 30, 54, 57, 58, 59 and 61. In addition, Umetco is requesting amendment to LC 55 to reflect a reduced surety amount as submitted to the NRC by letter dated June 12, 2007.

Specific rationale for amendment/deletion of these license conditions are as follows:

License Condition 10. C.

Perform a semi annual documented visual inspection of the evaporation pond (GHP No. 2). If the pond solution levels increase to contact the south or west embankment, quarterly inspections will be performed. If solutions are actively being transferred into the pond, weekly inspections will be performed, but may be postponed due to adverse weather conditions. Pond inspections may be terminated once GHP No. 2 reclamation activities have been initiated.

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Requested Amendment to LC 10.C.: Deletion

Rationale: Reclamation activities have been completed for the GHP No. 2 area in accordance with reclamation plan referenced by LC 61. Documentation supporting completion of this reclamation activity has been provided in the Final Construction Completion Report referenced above.

License Condition 30

The licensee shall decommission the Umetco Gas Hills Uranium Mill in accordance with its submittals dated May 2 and June 18, 1990, as modified for soil cleanup by submittals dated September 15 and November 17, 2000. The decommissioning shall include disposal, in the A-9 pit, of all structures (e.g. maintenance shop building, and water tower), debris, and other wastes within or originating from the restricted area.

Requested Amendment to LC 30.: Deletion

Rationale: Reclamation activities identified by LC 30 have been completed in accordance with the approved reclamation plans. Documentation supporting completion of this reclamation activity has been provided in the Final Construction Completion Report referenced above.

License Condition 54

The final reclamation of the inactive above-grade tailings impoundment (includes experimental heap leach site) shall be in accordance with the December 18, 1980, Reclamation Plan and the April 19, 1979, and May 13, 1982, letters, except as superseded by the Design for Enhancement of the Previously Approved Reclamation Plan for the Above-Grade Inactive Tailings Design Report of October 6 and October 28, 1997, as modified by submittals dated May 22, June 26, July 26, July 20, July 28, September 8, September 15, and November 23, 1998, as well as April 9 and June 7, 1999 and December 20, 2000.

Requested Amendment to LC 54.: Deletion

Rationale: Reclamation activities identified by LC 54 have been completed in accordance with the approved reclamation plans. Documentation supporting completion of this reclamation activity has been provided in the Final Construction Completion Report referenced above.

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License Condition 57

The NRC will not terminate the license until final reclamation has been completed and meets all applicable NRC regulations.

Requested Amendment to LC 57: Deletion/License Termination

Rationale: Final reclamation has been completed in accordance with applicable NRC regulations. Documentation supporting completion of reclamation has been provided in the Final Construction Completion Report referenced above. Accordingly, Umetco is requesting license termination once work associated with transfer of title to byproduct material and land has been completed in accordance with LC 57.

License Condition 58

For the A-9 cover, the top 2 feet of frost protection will contain an average Ra-226 concentration that does not exceed the NRC-approved Ra-226 value based on data for surface soil surrounding the site. Reclamation of the A-9 Repository, C-18 pit, and of the north and south evaporation ponds, and the site grading shall be in accordance with the "Design for Enhancement of the Previously Approved Reclamation Plan for the A-9 Repository" in the licensee's submittal dated October 27, 1998, as modified by submittals dated December 10, 1998, March 29, 1999, and February 7, 2006.

Requested Amendment to LC 58: Deletion

Rationale: Reclamation activities identified by LC 58 have been completed in accordance with the approved reclamation plans. Documentation supporting completion of this reclamation activity has been provided in the Final Construction Completion Report referenced above.

License Condition 59

The licensee shall complete site reclamation in accordance with the approved reclamation plan as authorized by License Condition Nos. 54 and 58, in accordance with the following schedules.

A. To ensure timely compliance with target completion dates established in the Memorandum of Understanding with the Environmental Protection Agency (56 FR 55432, October 25, 1991), the licensee shall complete reclamation to control radon emissions as expeditiously as practicable, considering technological feasibility, in accordance with the following schedule:

*Remaining contaminated material retrieval and placement in the A-9 Repository –
Complete*

1. *Placement of the interim cover to decrease the potential for tailings dispersal and erosion:*
For the Inactive Impoundment – Complete
For the A-9 Repository – Complete
For the Heap Leach Impoundment – Complete
3. *Placement of final radon barrier designed and constructed to limit radon emissions to an average flux of no more than 20 pCi/m²/s above background.*
For the Inactive Impoundment – Complete
For the A-9 Repository – Complete
For the Heap Leach Impoundment – Complete
- B. *Reclamation, to ensure required longevity of the covered tailings and ground-water protection, shall be completed as expeditiously as is reasonably achievable, in accordance with the following target dates for completion:*
 1. *Placement of erosion protection as part of reclamation to comply with Criterion 6 of Appendix A of 10 CFR Part 40:*
For the Inactive Impoundment – Complete
For the A-9 Repository – December 31, 2004, except for the portions requested in the submittal of January 5, 2004. This remaining work will be performed upon completion of the GHP No.2 Reclamation Cover by December 31, 2005.
For the Heap Leach Impoundment – Complete
 2. *DELETED by Amendment No. 48.*
- C. *Any license amendment request to revise the completion dates specified in Section A must demonstrate that compliance was not technologically feasible (including inclement weather, litigation which compels delay to reclamation, or other factors beyond the control of the licensee).*
- D. *Any license amendment request to change target dates in Section B above must address added risk to the public health and safety and the environment. With due consideration to the economic costs involved and other factors justifying the request such as delays caused by inclement weather, regulatory delays, litigation, and other factors beyond the control of the licensee.*

Requested Amendment to LC 59. Deletion

Rationale: Reclamation activities identified by LC 59 have been completed in accordance with the approved reclamation plans and the target dates established in LC 59. Documentation supporting completion of this reclamation activity has been provided in the Final Construction Completion Report referenced above.

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License Condition 61

The final reclamation of the heap leach impoundment shall be in accordance with the reclamation plan submitted September 25, 1996, as supplemented or revised by submittals dated June 6, August 19, and October 15, 1997, and January 15, and February 11 and 13, 1998, and December 20, 2000.

The reclamation of Pond No. 2 will be performed according to the final plan submitted on September 11, 2003, as supplemented by a revised submittal dated February 7, 2006. In addition, the RA-226 data for the solidified pond sludge shall be submitted to the NRC, before radon barrier placement begins, to justify that the RA-226 values used in the radon flux model are representative. If the measured values are significantly higher than the estimated values, Umetco will provide a revised radon flux model to demonstrate that the long-term radon flux from the cover should meet the limit in Criterion 6(1).

Requested Amendment to LC 61. Deletion

Rationale: Reclamation activities identified by LC 61 have been completed in accordance with the approved reclamation plans. Documentation supporting completion of this reclamation activity has been provided in the Final Construction Completion Report referenced above.

Sincerely,



Thomas E. Gieck
Remediation Leader

TEG/jfc

cc: Mr. Mark Moxley, WYDEQ