



June 30, 2008

Mr. John Wagner, Administrator
DEQ/Water Quality Division
122 West 25th Street
Herschler Building, 4th Floor-West
Cheyenne, Wyoming 82001

Dear Mr. Wagner:

COGEMA Mining, Inc. (CMI) has received correspondence from the U.S. Nuclear Regulatory Commission (copy enclosed) seeking a clarification of the classification of mine unit (production zone) groundwater at CMI's Christensen Ranch operation. CMI submitted in April, 2008, a Restoration Report for Mine Units 2 through 6 to the US NRC (also to WDEQ/LQD, District III). In the introductory discussion to that report it was noted that the groundwater within the production zones was initially classified by WDEQ as generally either Class I or Class IV. The report noted the subsequent adoption by WDEQ of a policy revision concerning in situ groundwater classification and restoration (November 14, 2001) that precluded the consideration of groundwater treatment for radium removal when classifying groundwater as Class I. In the restoration report CMI interpreted the policy as effectively re-classifying any Christensen Ranch production zones previously designated Class I to Class IV (based on elevated baseline radium levels).

In the May 13, 2008 NRC correspondence to CMI the NRC specified that CMI must show that the WDEQ has determined that the pre-mining production zone groundwater should be reclassified as Class IV, and that Class IV is the appropriate standard for restoration if the primary standard (restoration to baseline) cannot be achieved. We request a verification from the Water Quality Division that our interpretation of the November 14, 2001 policy paper is correct. Your consideration of this request will be greatly appreciated.

Sincerely,

Tom Hardgrove
Manager, Environmental and Regulatory Affairs

Enclosure

Cc: Bill von Till, US NRC
Glen Mooney, WDEQ/LQD



UNITED STATES
NUCLEAR REGULATORY COMMISSION
WASHINGTON, D.C. 20555-0001

cc BB
RMO

May 13, 2008

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TRH

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

SUBJECT: CONDITIONAL ACCEPTANCE FOR REVIEW OF COGEMA MINING INC.,
CHRISTENSEN RANCH MINE UNIT 2 THROUGH 6 RESTROATION REPORT,
CAMPBELL AND JOHNSON COUNTIES, WYOMING (TAC J00563)

Dear Mr. Hardgrove:

By letter dated April 8, 2008, Cogema Mining, Inc., (COGEMA) submitted a wellfield restoration report for mine units 2 through 6 at the Christensen Ranch *In-Situ* Uranium Recovery Project in Campbell and Johnson Counties, Wyoming. The report was made publicly available in the U.S. Nuclear Regulatory Commission's (NRC) Agencywide Documents Access and Management System (ADAMS) on April 15, 2008. COGEMA has requested NRC's approval for the restoration of the Christensen Ranch mine units. NRC staff has found the application acceptable for detailed technical review, with the condition that COGEMA obtains a determination from the Wyoming Department of Environmental Quality (WDEQ) of the appropriate pre-mining use category for each mine unit if the appropriate classification is not Class I.

COGEMA has requested that restoration be approved based on the ability to return the mine unit groundwater to Wyoming Class IV restoration standards. COGEMA has indicated that groundwater within the production zone has been restored to the pre-mining class of use, using Best Practicable Technology (BPT). COGEMA has also indicated that because the radium-226 concentrations at baseline (initial concentrations) within the Christensen Ranch mine units were all above 5 pCi/l (Class I, II and III standards), the applicable groundwater classification for all these units is Class IV. However, the WDEQ Water Quality Division initially classified the groundwater as Class I.

NRC License SUA-1341 Condition 10.16 requires COGEMA to restore groundwater to baseline as the primary goal of restoration. If the primary goal cannot be achieved, the ground water will, at a minimum, be returned to the pre-mining use category. Currently, this pre-mining use category is Class I as determined by the WDEQ. Therefore, COGEMA will need to show that WDEQ has determined that the pre-mining groundwater should be reclassified as Class IV and that this is the appropriate standard for restoration if the primary standard cannot be met. The NRC requests a response within 45 days of the date of this letter.

If you have any questions, please contact Mr. Ron C. Linton, NRC Project Manager, at rcl1@nrc.gov or (301) 415-7777.

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 ADAMS. ADAMS is accessible from the NRC Web site at <http://www.nrc.gov/reading-rm/adams.html>.

Sincerely,



Bill von Till, Branch Chief
Uranium Recovery Licensing Branch
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.: 04008502

cc: Glen Mooney (WDEQ)