



July 28, 2008

Mr. Bill von Till, Branch Chief  
Uranium Recovery Licensing Branch  
Decommissioning & Uranium Recovery Licensing Directorate  
Division of Waste Management & Environmental Protection  
Office of Federal & State Materials & Environmental Management Programs  
Mail Stop T-8F5  
U.S. Nuclear Regulatory Commission  
11545 Rockville Pike  
Rockville, Maryland 20852-2738

Re: Docket No. 40-8502, License No. SUA-1341, NRC Correspondence Dated May 13, 2008

Dear Mr. von Till:

Enclosed please find a copy of a letter to COGEMA Mining, Inc. (CMI) from John Wagner, Administrator, WDEQ Water Quality Division, in response to our request for a verification that the appropriate classification for the pre-mining production zone groundwater at CMI's Christensen Ranch operation, Mine Units 2-6, is Class IV. You requested this determination in your correspondence to us dated May 13, 2008, in conjunction with the NRC's conditional acceptance for review of the Christensen Ranch Mine Units 2 through 6 Restoration Report (TAC J00563). Mr. Wagner states in the enclosed letter that "...the pre-mine groundwater quality in each of the production zones in Mine Units 2 through 6 shall be classified as a Class IV groundwater based upon the elevated concentrations of radium 226." Please let me know if the NRC staff requires any further information regarding this matter.

Sincerely,

A handwritten signature in black ink that reads "Tom Hardgrove".

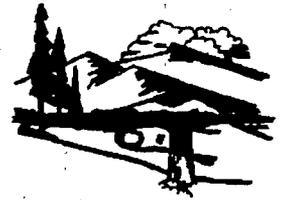
Tom Hardgrove  
Manager, Environmental & Regulatory Affairs

Encls.

cc: D. B. Spitzberg, U.S. NRC – Region IV  
G. Mooney, WDEQ



# Department of Environmental Quality



To protect, conserve and enhance the quality of Wyoming's environment for the benefit of current and future generations.

Dave Freudenthal, Governor

John Corra, Director

July 21, 2008

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JUL 28 2008

JWH

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

Re: Groundwater Classification, Christiansen Ranch Operation, Mine Units 2 through 6

Dear Mr. Hardgrove:

As per your request in your letter dated June 30, 2008, the Wyoming Department of Environmental Quality, Water Quality Division, Groundwater Section has reviewed the ambient (pre-mine) groundwater analytical data for production zones at Mine Units 2 through 6 at the Cogema Mining, Inc. (CMI) Christiansen Ranch Operation.

With several exceptions, the radium 226 class of use suitability standard is exceeded in the groundwater in all monitoring wells within the production zones at Units 2 through 6. Therefore, in accordance with Water Quality Rules and Regulations, Chapter 8, the Groundwater Section has determined that the pre-mine groundwater quality in each of the production zones in Mine Units 2 through 6 shall be classified as a Class IV groundwater based upon the elevated concentrations of radium 226. The groundwater suitability standard for radium 226 is 5 picocuries/liter, respectively, for Class I, Class II, and Class III groundwater.

The following quotation is from paragraph three of the November 14<sup>th</sup>, 2001 WDEQ position paper entitled "In-situ Groundwater Classification and Restoration":

*"The definition of groundwater restoration in the Environmental Quality Act (W.S. §35-11-103 (f) (ii) means the return of groundwater quality to pre-mining use or better. While there is a goal of using Best Practicable Technology (BPT) (LQD Rules and Regulations, Chapter 11, Section 3 (d) (i)) to return the groundwater within the production zone to the pre-mining average background groundwater quality, the standard is the restoration to pre-mining class of use. BPT shall be applied until the restoration results become asymptotic unless, of course background is achieved sooner. Outside the production zone, the goal is to return the groundwater to the pre-mining background groundwater quality for each well. The standard is to return the groundwater to the pre-mining class of use."*

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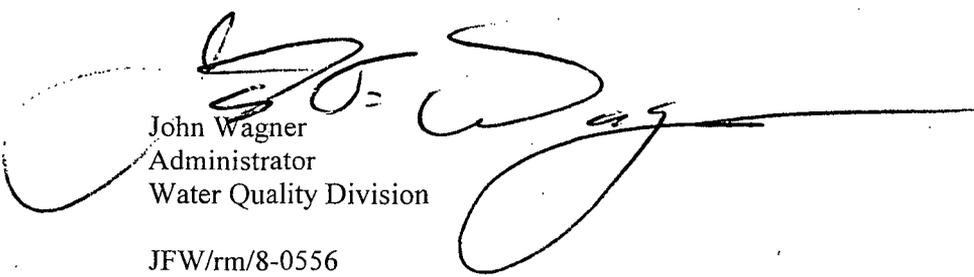
ADMIN/OUTREACH (307) 777-7937 FAX 777-3610	ABANDONED MINES (307) 777-6145 FAX 777-6462	AIR QUALITY (307) 777-7391 FAX 777-5616	INDUSTRIAL SITING (307) 777-7369 FAX 777-5973	LAND QUALITY (307) 777-7756 FAX 777-5864	SOLID & HAZ. WASTE (307) 777-7752 FAX 777-5973	WATER QUALITY (307) 777-7781 FAX 777-5973
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Therefore, for Mine Units 2 through 6, the restoration goal shall be pre-mining average background groundwater quality and the restoration standard shall be Class IV class of use if background groundwater quality cannot be attained by utilization of BPT.

If you have any questions, please contact me or Kevin Frederick, Groundwater Program Manager at 307-777-7781.

Sincerely,



John Wagner  
Administrator  
Water Quality Division

JFW/rm/8-0556

cc: Kevin Frederick, Manager, WQD Groundwater Section  
Don McKenzie, LQD Administrator  
Mark Rogaczewski, LQD, Sheridan  
Don Fischer, WQD, Sheridan