

April 20, 2009

Mr. John H. Ellis, President  
Sequoyah Fuels Corporation  
P.O. Box 610  
Gore, OK 74435

SUBJECT: APPROVAL OF RECLAMATION PLAN FOR SEQUOYAH FUELS  
CORPORATION FACILITY

Dear Mr. Ellis:

By letters dated January 28, 2003, and subsequently revised by letters dated February 27, 2004, July 30, 2004, January 31, 2006, and January 4, 2008, Sequoyah Fuels Corporation (SFC) submitted a Reclamation Plan (RP) for the surface reclamation of its former uranium conversion site near Gore, Oklahoma. The January 4, 2008, letter included your submission of a final RP which incorporates all the changes that SFC agreed to make in regard to the outstanding issues and confirmatory items that we have discussed throughout the U.S. Nuclear Regulatory Commission (NRC) staff's review of the aforementioned submittals. The January 4, 2008 RP was then supplemented by letter dated June 25, 2008 in which SFC provided revisions to Chapter 7.0 (Cost) and Chapter 8.0 (Schedule).

The NRC staff has completed its detailed technical review of your request to amend SFC's license to incorporate the RP and identified no significant administrative omissions or technical deficiencies. Therefore, the staff has amended the license to incorporate the final RP dated January 4, 2008, as supplemented by letter dated June 25, 2008.

NRC staff has documented its review of the RP in a safety evaluation report (SER) (Enclosure 1) in which the staff determined that the RP, if properly implemented, will be protective of human health, safety, and the environment.

The NRC previously issued a Final Environmental Impact Statement (EIS) which discusses the purpose and need for SFC's proposed surface reclamation activities and groundwater corrective actions, and reasonable alternatives to the proposed action, including the no-action alternative. The Final EIS also discusses the environment potentially affected by the SFC proposal, presents and compares the potential environmental impacts resulting from the proposed action and its alternatives, and identifies mitigation measures that could eliminate or lessen the potential environmental impacts. In the Final EIS, the NRC staff concluded that the proposed action is protective of human health, safety, and the environment with small effects on the physical environment and human communities with the exception of land use, for which the impact would be moderate.

The revised license, issued as Amendment No. 33 to Source Materials License SUB-1010 is enclosed (Enclosure 2). If you have any questions about this letter, please contact Mr. Kenneth Kalman, the NRC Project Manager for the SFC site at (301) 415-6664, or via e-mail [kenneth.kalman@nrc.gov](mailto:kenneth.kalman@nrc.gov).

In accordance with 10 CFR 2.390 of the NRC's "Rules of Practice for Domestic Licensing Proceedings and Issuance of Orders," 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/reading-rm/adams.html>.

Sincerely,

**/RA/**

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

Enclosure: 1. Safety Evaluation Report  
2. Amended License SUB-1010

Docket No.: 40-8027  
License No.: SUB-1010

cc: See next page

In accordance with 10 CFR 2.390 of the NRC's "Rules of Practice for Domestic Licensing Proceedings and Issuance of Orders," 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/reading-rm/adams.html>.

Sincerely,

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

Enclosure: 1. Safety Evaluation Report  
 2. Amended License SUB-1010

Docket No.: 40-8027  
 License No.: SUB-1010

cc: See next page

**DISTRIBUTION:**

B Spitzberg RgnIVMailCenter A Fetter BVonTill

**ML090260354**

Office	DWMEP	DWMEP	OGC	DWMEP	DWMEP
Name	KKalman	SMichonski for CHolston	JHull	RTadesse	KMcConnell
Date	1/27/09	1/29/09	11/13/08	1/30/09	04/20/09

**OFFICIAL RECORD COPY**

cc list:

William Andrews, USGS  
Michael Broderick, OK DEQ  
Kelly Burch, Esq., OK AG  
Will Focht, OSU  
Alvin Gutterman, Esq., Morgan Lewis & Bockius  
Pat Gwin, Cherokee Nation  
Jeannine Hale, Esq., Cherokee Nation  
Craig Harlin, SFC  
Jim Harris, USACE  
Troy Poteete, Cherokee Nation  
Charles Scott, USFWS  
Saba Tahmassebi, OK DEQ  
Rita Ware, EPA  
Kim Winton, USGS  
Merritt Youngdeer, BIA