

**From:** Guardiola, Maria  
**Sent:** Monday, April 04, 2011 8:35 AM  
**To:** FCSS\_Document\_Processing Resource  
**Cc:** Bartlett, Matthew  
**Subject:** Phone call summary  
**Attachments:** 665S.docx

Please docket the attached email which contains the meeting summary for a call with INIS. The email should be placed in an ADAMS in Docket 40-9086. The 665S is attached. Thanks.

Attendees:

Maria C. Guardiola-NRC  
Matthew Bartlett-NRC  
Richard Heimbach-NRC contractor  
Kristia Dearing-NRC Contractor  
Tim Harvey-NRC Contractor  
Asimios Malliakos-NRC  
John Miller-INIS

Purpose: Discuss groundwater well that will be drilled by Lea County.

Currently the land where INIS plans to build the International Isotopes Fluorine Products facility will be constructed is owned by Lea County and has one well. In order for the land to be transferred to INIS another well needs to be dug by Lea County. INIS had a concern that this would be considered as preconstruction.

John indicated that the Xcel production (Maddox) well located on the site has permitted water rights of 100 to 150 acre-feet per year. Although Xcel has no plans to use groundwater from the well, they plan to maintain their water rights since under NM Water Right Statutes they can transfer the groundwater rights to other (groundwater) non-Critical Management Areas. Therefore, the existing Xcel well is not available for site use, and Lea County will install a new well in accordance with a NM Water Rights Purpose in Place Permit for up to 50 ac-ft/yr. A Purpose in Place Permit simply means that the NM Office of State Engineer would issue the site a certificate which quantifies the right and describes the point(s) of diversion, place of use, and purpose of use.

Asimios emphasized the importance of getting a response to RAI 11 with information that includes the new well so that impacts to the groundwater aquifer and nearby users can be evaluated. No additional information is requested beyond what was originally requested in RAI 11.

Asimios asked whether there might be any other unexpected requirements related to the land transfer that could emerge later. John replied that he didn't think there would be, since Lea County has been working on the land transfer for about a year now.

John indicated that he felt he could easily get the proposed site production well details from Lea County, and that he expects an RAI draft response to be delivered for his review late this week. Since the prairie chicken survey would not be completed until next week, the survey will be submitted under separate cover - most likely during or after the week of April 11.

*Maria C. Guardiola*  
*US Nuclear Regulatory Commission*

*Office of Nuclear Materials Safety and Safeguards*  
*AFCB Branch*  
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