

June 29, 2011

MEMORANDUM TO: 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

FROM: Stephen J. Cohen, Team Leader */RA/*  
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

SUBJECT: REPORT OF SIDEBAR MEETING WITH WESTERN NUCLEAR, INC.

Enclosed with this memorandum is the report of the May 24, 2011 meeting between representatives of Western Nuclear, Inc. (WNI) and U.S. Nuclear Regulatory Commission staff to discuss the final steps WNI must take to terminate its license for the Split Rock Mill tailings impoundment. If you have any questions, please contact me.

Docket No. 04001162

Enclosure: Report of Meeting

cc: Meeting Attendees

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Date	06/29 /11	06/ 28 /11	06/ 29 /11	06/29 /11

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## MEETING REPORT

DATE: May 24, 2011

TIME: 9:00 a.m. to 10:00 am

PLACE: Grand Hyatt Hotel  
1750 Welton Street  
Denver, CO  
303-295-1234

PURPOSE: Western Nuclear, Inc. (WNI) requested this meeting to discuss with the U.S. Nuclear Regulatory Commission (NRC) staff the final steps WNI must take to terminate its license for the Split Rock Mill tailings impoundment near Jeffrey City, Fremont County, Wyoming. An agenda for this meeting is provided as Attachment 1.

### ATTENDEES:

See Attendees List (Attachment 2).

### BACKGROUND:

In 2006, WNI received a license amendment approving alternate concentration limits (ACLs) for groundwater protection standards at the Split Rock Mill. Approval of the ACLs allowed WNI to cease groundwater restoration and begin final decommissioning and license termination. Since then, WNI has been working with the U.S. Department of Energy (DOE) to finalize a long-term surveillance plan, prepare land transfer documents, and other steps toward license termination.

### DISCUSSION:

NRC staff read the opening statement for the meeting. WNI stated that it is seeking to terminate its license and believes that it has fulfilled all its responsibilities. WNI stated that it will be submitting a clarification of its indirect change of control application to address the proper ownership of WNI, as well as an updated financial assurance package.

The Department of Energy (DOE) is working on the long-term surveillance plan (LTSP), but must answer questions posed to them by the U.S. Army Corps of Engineers (USACE). This is necessary because of the land title work that must be completed by USACE.

One issue to be decided is the amount of money that WNI must pay the U.S. Treasury to cover long-term care. NRC staff stated that it may need to have the LTSP before the final amount can be determined. Because the LTSP contains the long-term care responsibilities of DOE, certain tasks specified in the LTSP, and agreed to by the NRC staff, might require additional funds from WNI.

ACTIONS:

**DOE: Submit LTSP**

**WNI: Submit RAI clarifications for indirect change of control**

**BLM Still needs to figure out the NEPA requirements for the withdrawal.**

**DOE: Obtain the warranty deed from USACE for LTSP.**

ATTACHMENTS

1 Agenda

2 List of Attendees

ATTACHMENT 1

**AGENDA**

**Western Nuclear, Inc.**

**Split Rock Mill**

**Tuesday, May 24, 2011, 9:00 a.m.**

MEETING PURPOSE: To discuss with the U.S. Nuclear Regulatory Commission (NRC) staff the final steps Western Nuclear, Inc. must take to terminate its license for the Split Rock Mill tailings impoundment near Jeffrey City, Fremont County, Wyoming.

MEETING PROCESS:

<u>Time</u>		<u>Lead</u>
9:00 a.m.	Introductions	All
	Overview of License Status and Action Items	WNI
	Remaining Steps for License Termination	WNI
	Staff Questions/Comments	NRC
	Public Questions/Comments	Moderator
10:00 a.m.	Adjourn	

ATTACHMENT 2



**MEETING ATTENDEES**

Date: May 24, 2011  
 Grand Hyatt Hotel, Denver, CO  
 9:00 am to 9:00 am

Topic: Powertech (USA), Inc.

NAME	AFFILIATION	PHONE NUMBER or EMAIL
Stephen J. Cohen	USNRC	<a href="mailto:stephen.cohen@nrc.gov">stephen.cohen@nrc.gov</a>
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Jim Viellenave	AUC	303-953-7975
Phil Cavendor	AUC	<a href="tel:303-408-6683">303-408-6683</a>
John Cash	Ur-Energy	307-265-2373
Wade Filkins	WWC Engineering	<a href="mailto:wfilkins@wwcengineering.com">wfilkins@wwcengineering.com</a>
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Anthony J. Thompson	Thompson & Pugsley	<a href="mailto:ajthompson@athompsonlaw.com">ajthompson@athompsonlaw.com</a>
Steve Hall	Stoller (DOE-LM)	
Mike Widdup	Stoller (DOE-LM)	
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