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TEXAS COMMISSION ON ENVIRONMENTAL QUALITY

Protecting Texas by Reducing and Preventing Pollution

July 9, 2012

U.S. Nuclear Regulatory Commission
ATTN: Brian McDermott, Director
Division of Materials Safety and State Agreements
Washington, DC 20555-0001

Dear Mr. McDermott:

We are submitting enclosed with this letter a draft completion review report (CRR) for partial license termination of a former uranium recovery site. This submission is made, subsequent to telephone contact with Messrs. Duncan White and Dennis Sollenberger on January 26, 2011, and a letter to you dated March 6, 2012, to advise of the submission of a draft CRR in the near future, to formally initiate the process for obtaining the concurrence of the U.S. Nuclear Regulatory Commission (NRC), under the provisions of 10 CFR 150.15a(a) and Section 274c of the Atomic Energy Act of 1954, as amended (Act), to release the site to unrestricted use. This submission is made and the enclosed draft CRR was prepared per the directions provided in FSME Procedure Approval "Termination of Uranium Milling Licenses in Agreement States" SA-900.

Please contact Mr. Philip Shaver either by telephone at (512) 239-6468, or by email at philip.shaver@tceq.texas.gov for any questions or comments regarding the CRR.

Sincerely,

A handwritten signature in black ink that reads "Gary L. Smith".

Gary L. Smith, Ph.D., Section Manager
Uranium and Technical Assessments Section
Radioactive Materials Division

Enclosure

CC: Duncan White, Chief
Agreement State Programs Branch, NRC

DRAFT
COMPLETION REVIEW REPORT

Date: July 9, 2012

Licensee: South Texas Mining Venture, L.L.P.

License Number: R03626

Facility Name: Tex-1 Mine

Location: Hobson, Texas

Licensed Area Being Terminated: Approximately 109 acres

Manager: Gary L. Smith, Ph.D., Section Manager, Uranium and Technical Assessments Section

Technical Reviewer: Philip Shaver, Uranium License Reviewer

I. SUMMARY

South Texas Mining Venture, L.L.P.'s (STMV) Tex-1 Mine was an *in situ* leach (ISL) uranium mining and ion exchange (IX) uranium recovery site which has been decommissioned and reclaimed under Texas' Agreement State authority, derived from Title II of the Uranium Mill Tailings Radiation Control Act of 1978 (UMTRCA). The Texas Commission on Environmental Quality (TCEQ) is the agency of the State of Texas currently granted jurisdictional authority for regulation of source material recovery licensees, under the provisions of Chapter 401 of the Texas Health and Safety Code. UMTRCA requires that prior to termination of the license, the U.S. Nuclear Regulatory Commission (NRC) shall make a determination that the licensee has complied with the applicable standards and requirements. Further, the NRC has reserved the right to provide concurrence on release to unrestricted use of licensed sites prior to license termination, under the provisions of Title 10 of the Code of Federal Regulations, Section 150.15a. Under the Agreement State program, the State of Texas via its agency, the TCEQ, is responsible for approval of the remediation plans for STMV and for site inspections to ensure that the actual remedial actions have been completed pursuant to the approved plans and complies with the applicable criteria.

A radioactive material license for ISL uranium recovery was initially issued to Everest Exploration, Inc. (Everest) in January of 1986. The Tex-1 Mine site was operated and decommissioned by Everest. However, in July of 2010 the license was amended to be issued in the name of South Texas Mining Venture L.L.P. to reflect the partnership and acquisition of majority control by Uranium Energy Corp. Thus, the license is currently issued in the name of South Texas Mining Venture L.L.P. (STMV).

This report documents the TCEQ's basis for its conclusion that decommissioning and reclamation have been acceptably completed at the Tex-1 Mine site. The NRC FSME Procedure SA-900 titled "Termination of Uranium Milling Licenses in Agreement States" was used to prepare this report. The primary applicable standards for uranium mill reclamation in Texas is Title 30 of the Texas Administrative Code (30 TAC), Chapter 336, Subchapter L, titled "Licensing of Source Material Recovery and By-Product Material Disposal Facilities." This state rule is consistent with and compatible with NRC regulations, as required by the state's Agreement State status with the NRC.

I. SUMMARY (continued)

The applicable standards and requirements, with appropriate references to related sections of this completion review report (CRR), are identified in Table 1 of this CRR. In response to the licensee's request for release to unrestricted use of the Tex-1 Mine site on Radioactive Material License No. R03626 (Everest - 2008A) the TCEQ has performed a review of the Tex-1 Mine site for compliance with all applicable standards and requirements for release to unrestricted use. As part of that review, the TCEQ has prepared a Review Sheet [Log No. 2008-12-0009 and Authorization and Remediation Tracking System (ARTS) Number 9247423]) to document the TCEQ's review of the licensee's request to release the Tex-1 Mine site to unrestricted use. This CRR is a part of the Review Sheet. However, additional information recorded on the Review Sheet may provide reference to more detailed evaluations made by the TCEQ and to STMV's documents submitted for TCEQ review during the site's reclamation period. The TCEQ's reviews of licensee submittals were conducted using guidance from NRC's NUREG-1569 ".

Table 1 Applicable Standards and Requirements Related to Topics Discussed in the CRR

Applicable Standards/Requirements	CRR Sections
State Rule: Title 30 of the Texas Administrative Code Section 331.107 UIC Permit: UR02493 Aquifer Restoration	Sections II.2 and II.3
State Rule: Title 30 of the Texas Administrative Code Section 331.46 UIC Permit: UR02493 Plugging and abandonment of wells	Section 2 and 3
Release of equipment and materials. State Rule: Title 25 of the Texas Administrative Code Section (§) 289.202(eee)(1) and §289.202(ggg)(6) State Rule: Title 30 of the Texas Administrative Code Section 336.364 Appendix G License Condition: Condition 27.F Criteria for release of equipment, facilities and materials (i.e., discrete solid objects) for unrestricted use are as follows:	Section 4

I. SUMMARY (continued)

Table 1 Applicable Standards and Requirements Related to Topics Discussed in the CRR (continued)

Nuclide	Average	Maximum	Removable	
U-nat	5,000 dpm alpha/100 cm ²	15,000 dpm alpha/cm ²	1,000 dpm alpha/cm ²	
Ra-226, Ra-228, Th-nat,	1,000 dpm/100 cm ²	3,000 dpm/100 cm ²	200 dpm/100 cm ²	
Beta-gamma emitters	5,000 dpm beta, gamma/100 cm ²	15,000 dpm beta, gamma/100 cm ²	1,000 dpm beta, gamma/100 cm ²	
<p>Release of sites (open areas with soil) to unrestricted use.</p> <p>State Rule: 30 TAC §336.1115(e)</p> <p>25 TAC §289.202(eee)(4) and (6); and §289.260(h)(6)(A) and (C)</p> <p>Release of open areas with soil</p> <p>Criteria for release to unrestricted use of soils (i.e., land) are the following limits averaged over 100 square meters:</p> <ul style="list-style-type: none"> • Radium-226 or -228 - (A) 5 pCi/g averaged over the first 15 cm of soil below the surface; and (B) 15 pCi/g, averaged over 15 cm thick layers of soil more than 15 cm below the surface; • natural uranium – (A) 30 pCi/g, averaged over the top 15 cm of soil below the surface; and (B) 150 pCi/g, average concentration at depths greater than 15 centimeters below the surface; and • no individual member of the public will receive an effective dose equivalent in excess of 100 mrem per year as calculated by the methodology provided in NUREG-1620, Appendix H - "Guidance to the U.S. Nuclear Regulatory Commission Staff on the Radium Dose Approach." 				Section 4

I. SUMMARY (continued)

In conclusion, the TCEQ considers STMV's Tex-1 Mine site to have met the applicable standards and requirements for release to unrestricted use. Upon receipt of a determination by the NRC, as required by Section 274c.(4) of the Atomic Energy Act, that the applicable standards and requirements have been met the licensee will be notified. Subsequently, following receipt of an application by the Licensee to amend Radioactive Material License No. R03626 to denote that the Tex-1 Mine site has been released to unrestricted use, the license will be so amended.

II. DOCUMENTATION OF BASES FOR CONCLUSION

The following are the TCEQ's review results for items specified in FSME Procedure SA-900 "Termination of Uranium Milling Licenses in Agreement States."

1. Description of licensee's activities associated with decommissioning

The Tex-1 Mine is an ISL uranium mine and satellite IX recovery facility located near Hobson, Texas. The Tex-1 Mine's uranium leases cover approximately 109 contiguous acres of land. Of that acreage, 26.7 acres comprise the production area divided among 13 wellfields. In addition to the wellfields, the site also had two (2) IX recovery facilities (Tex-A and Tex-B). Structures at the Tex-A site included two (2) buildings (an office building and a lunch room, subsequently used as a storage building), two (2) fresh water tanks, two (2) ion exchange tanks and a third tank (use unspecified). Structures at the Tex-B site included a small shed used as a control room, two (2) ion exchange tanks, and a water storage tank (TDH – 1992A, TNRCC – 1996A). Both Tex-A and Tex-B were constructed on a caliche base (TDH 1989 – B).

Loaded resin was transferred from the Tex-1 site to the Licensee's Hobson processing plant facility for elution of the uranium from the resin and further processing to recover the uranium. No waste ponds were located at the Tex-1 site. All waste fluid at the Tex-1 Mine site was transferred via a 3-inch pipeline to a deep disposal well associated with the Licensee's Hobson processing plant. (TNRCC 1996 – A).

Surface activities at the site were initially authorized by the Texas Department of Health (TDH) in License No. 9-3626. Regulatory authority was transferred to the Texas Natural Resource Conservation Commission (TNRCC) in September 1993. Regulatory authority was transferred yet again in July 1997 from the TNRCC to the TDH. The TDH was merged with other agencies and a new agency was organized in September 2004 as the (Texas) Department of State Health Services (DSHS). Finally, the regulatory authority was transferred effective June 15, 2007, from the DSHS to the Texas Commission on Environmental Quality (TCEQ), formerly named the TNRCC, which was the successor to the Texas Water Commission (TWC).

II. DOCUMENTATION OF BASES FOR CONCLUSION

1. Description of licensee's activities associated with decommissioning (continued)

Subsurface activities, that is, underground injection, were permitted by the Texas Water Commission (TWC), [the TWC was subsequently renamed the Texas Natural Resource Conservation Commission (TNRCC), which was subsequently renamed the Texas Commission on Environmental Quality (TCEQ)], under TWC Permit No. UR02493 for injection wells. Permit No. UR02493 was issued August 31, 1981.

The Licensee initiated decommissioning activities by restoration of the groundwater in the mining aquifer in accordance with TNRCC permit requirements, and plugged and abandoned the wells associated with the ISL mining activities in accordance with permit and rule requirements. Following successful restoration of the groundwater, the Licensee began decommissioning of the surface features in the wellfields by removal of wellheads and related piping and decommissioning of the two (2) IX plant sites. Piping, wellheads, plant structures (e.g., IX vessels, piping, tanks) and contaminated soils were transferred to the Licensee's Hobson processing plant facility (also authorized under License No. R03626) for temporary storage prior to transferring for disposal or reuse, or contaminated soil was transferred to a conventional uranium mill site (Conoco – Conquista Project). The Licensee conducted surveys, and collected and analyzed soil samples to assess the effectiveness of the decommissioning activities. The surveys consisted of gamma scans of the two (2) satellite IX plant sites (Tex A and Tex B) and the wellfields. Most of the surveys were conducted with survey instrumentation mounted on an all-terrain vehicle (ATV) coupled to a global positioning system and a data logger to record count rate and position coordinates. The ATV surveys were conducted on a three (3) to five (5) meter spacing in the wellfields. Surveys conducted over the former satellite IX sites were conducted on a one (1) to two (2) meter spacing. Areas indicated by the survey to exceed radionuclide concentrations in the soil suitable for release to unrestricted use were subjected to remediation activities. A final survey was conducted of the areas subjected to remediation activities.

TCEQ staff performed confirmatory surveys of the Tex-1 Mine site in 2009 and 2010. Greater than twice background was used as a presumptive indicator of an area exceeding the release criteria for Ra-226 (RE: Table 1). The confirmatory surveys were conducted by first analyzing the Licensee's final survey data to locate areas with the highest gamma readings to conduct initial gamma surveys. In addition to the locations selected from the Licensee's final survey data for initial gamma surveys, roving surveys were also conducted over the wellfields and former satellite plant locations. Areas which gave a gamma reading exceeding twice background were selected for soil sampling. Soil samples collected from areas with gamma readings exceeding twice background were collected using the five-spot sampling method with core samples collected in the surface to 15 centimeter soil horizon and the 15 to 30 centimeter soil horizon. Each of the five (5) core samples from a soil horizon were comingled and homogenized. A sample aliquot was taken from each comingled, homogenized soil sample for analysis. For wellfields and former satellite plant locations where survey readings did not exceed twice background, core grab samples were collected in the surface-to-15-centimeter soil horizon and the 15-to-30-centimeter soil horizon from a location selected at random. Both five-spot samples and grab samples were analyzed for radium-226 and natural uranium concentrations.

II. DOCUMENTATION OF BASES FOR CONCLUSION (continued)

2. Information which demonstrates that the groundwater has been restored to meet applicable standards and requirements.

Injection authorization associated with the leaching (mining) of uranium and restoration of the groundwater in the mining zones is the jurisdiction of the Underground Injection Control (UIC) Program. The UIC Program resided within the Texas Water Commission (TWC), which subsequently became the Texas Natural Resource Conservation Commission (TNRCC) and now the TCEQ. Thus, all data pertaining to the restoration of the groundwater was reviewed by the UIC Program. The Uranium and Technical Assessments Section (UTAS) of the Radioactive Materials Division of the TCEQ has reviewed correspondence from the TNRCC to Everest (TNRCC – 1996B) stating that the TNRCC has determined that the (groundwater in the) production area had been restored in accordance with the specifications in Permit No. UR02493 and 30 TAC §331.107, and authorized to cease restoration activities, including monitoring. Thus, the referenced correspondence from TNRCC to Everest demonstrates that the groundwater has been restored to meet applicable standards and requirements.

3. Documentation that the production, injection and monitoring wells have been closed and plugged in accordance with applicable standards and requirements

As discussed in Section II.2 above, the UIC Program had sole jurisdiction over the production, injection and monitoring wells at uranium recovery operations. Consequently, no data pertaining to such wells were reviewed by the UTAS. Instead, the UTAS relied on the UIC Program to determine that the wells had been plugged and abandoned in accordance with the applicable standards and requirements. The UTAS reviewed a permit cancellation dated March 23, 1999 (TNRCC – 1999). The permit cancellation stated that the aquifer at the Tex-1 mine had been restored in accordance with 30 TAC §331.107, and that all Class III wells were plugged and abandoned in accordance with permit requirements and 30 TAC §331.46, as certified by an independent registered professional engineer and confirmed by inspection of the site by staff of the TNRCC. Thus, the referenced correspondence from TNRCC to Everest Exploration, Inc. demonstrates that the wells (i.e., production, injection and monitoring wells) at the Tex-1 Mine site have been closed and plugged to meet applicable standards and requirements (30 TAC §331.46).

4. Decommissioning information which documents that all radiologically contaminated materials have been properly disposed of, transferred to licensees authorized to possess such materials, or meet applicable standards and requirements for release.

Agency inspection staff (both TDH and TNRCC/TCEQ) made periodic (typically once per year) site visits to observe licensee activities and to review the licensee's records required by rule and license condition. Findings of these on-site inspections were documented in written inspection reports. Licensee and agency written correspondence also addressed certain aspects of the decommissioning progress and efforts. The inspection reports and correspondence provide the basis for determining the disposition of radiologically contaminated materials at the site.

II. Documentation of Bases for Conclusion

4. Decommissioning information which documents that all radiologically contaminated materials have been properly disposed of, transferred to licensees authorized to possess such materials, or meet applicable standards and requirements for release. (continued)

Agency inspection reports note and Licensee correspondence states that equipment and materials were transferred solely from the Tex-1 site to the Licensee's Hobson processing plant site (Everest – 1995, Everest – 1991, TDH – 2003, TDH – 1992A, TDH – 1992B, TDH – 1991, TDH – 1989B, TDH – 1989A,) and soil was transferred from the Tex-1 site to the Hobson processing plant site (DSHS – 2005), with four (4) exceptions. The first exception is sand from a wellfield is indicated to have been transferred to Conoco Conquista (Radioactive Material License No. L01634), a conventional uranium mill project with a tailings impoundment (TDH - 1988). The second exception is broken up concrete, which is stated in a letter from the director of the Compliance and Enforcement Division of the TDH's Bureau of Radiation Control to be releasable to unrestricted use (TDH – 1998). The third exception is the release of a motor to unrestricted use (TDH – 1992B). The fourth exception is the pipeline that was used to transfer fluid by-product material from the Tex-1 site to the Hobson processing plant's waste disposal well. The pipeline was cleaned and surveyed by the Licensee and demonstrated to not exceed surface contamination release criteria, as described in Table 1 of the Summary section of this report (Everest – 1998). Otherwise, there is no indication in correspondence from the Licensee or in any of the inspection reports that any other equipment or materials were released from the Tex-1 site to unrestricted use.

Soils at the Tex-1 Mine site wellfields and remote IX unit facilities have been surveyed, and samples collected and analyzed to demonstrate compliance with the requirements of 30 TAC §336.1115(e). The results of the surveys, and soil sampling and analyses demonstrate that the concentrations of radionuclides in the soil do not exceed the following criteria:

- Radium-226 or –228 - (A) 5 pCi/g averaged over the first 15 cm of soil below the surface; and (B) 15 pCi/g, averaged over 15 cm thick layers of soil more than 15 cm below the surface.
- Natural uranium – (A) 30 pCi/g, averaged over the top 15 cm of soil below the surface; and (B) 150 pCi/g, average concentration at depths greater than 15 centimeters below the surface. (Everest – 2008B, TCEQ – 2011, TCEQ – 2010, TCEQ – 2009)

Additionally, RESRAD modeling, using the limits for natural uranium described above, has demonstrated that no individual member of the public will receive an effective dose equivalent in excess of 100 mrem per year (TDH – 2001).

II. DOCUMENTATION OF BASES FOR CONCLUSION (continued)

5. Discussion of the results of radiation surveys and soil sample analyses which confirm that the licensed site meets applicable standards and requirements for release.

The Licensee conducted an initial survey of the wellfields and satellite plant site locations. The surveys were conducted using a Ludlum Model 2241-2 rate meter with a 2-inch by 2-inch sodium iodide model 44-10 detector interfaced with a Tremble GPS system. The data collection system was mounted on an all-terrain vehicle (ATV). Surveys were conducted on a three (3) to five (5) meter spacing in the wellfields. Surveys over the former satellite remote IX facilities (caliche pads where the ion exchange vessels, lixiviant regeneration vessels, waste fluid tankage, control room, office and employee break/lunch room were formerly located) were conducted on a one (1) to two (2) meter spacing.

The licensee submitted a document titled "Tex-1 In-Situ Uranium Recovery Project Well Field Reclamation Completion Report, Request for Release for Unrestricted Use" dated December 2008 (Everest – 2008B). That report described the licensee's survey and sampling and analysis efforts to demonstrate that the site meets the criteria for release to unrestricted use. Those efforts include the following:

In February 2009 staff of the Texas Commission on Environmental Quality performed confirmatory surveys of the wellfields and the satellite plant sites. The surveys were conducted using one-by-one sodium iodide detectors in combination with Ludlum survey meters. An action level of twice the background count rate was used to indicate an area which had the potential to yield soil concentration results that might exceed the release criteria for Ra-226. Four (4) areas were indicated by the surveys to potentially have radium concentrations exceeding the release criteria. The Licensee removed the soil from these areas. The areas were again resurveyed by the TCEQ staff and yielded survey readings less than twice background.

In addition to the two (2) areas identified by survey to exceed twice the background count rate which the Licensee elected to not remediate, soil samples were collected from seven (7) additional locations selected at random in the wellfields, and one (1) from each of the two (2) IX plant sites. Sample results for nine (9) of these areas were within the regulatory limits for Ra-226 and natural uranium soil concentrations (re: Table 1). However, two of the areas exceeded the release criteria for Ra-226. (TCEQ – 2009)

In April of 2010, TCEQ staff returned to the Tex-1 Mine site to resurvey and take soil samples after the Licensee had remediated the two (2) areas that had exceeded the release criteria for Ra-226. Soil samples analysis results for the samples collected in these two areas were now within the regulatory limits for Ra-226. (TCEQ – 2010, TCEQ – 2012)

II. DOCUMENTATION OF BASES FOR CONCLUSION (continued)

6. Discussion of results of the state's site closure inspection.

In February of 2009, TCEQ staff performed a survey of the South Texas Mining Venture's Tex-1 Mine site. The surveys were performed using Ludlum survey instruments and one-by-one sodium iodide probes. The purpose of the surveys was to confirm the results of the survey data submitted by Everest (Everest 2008B) to the TCEQ; verify that the site met the criteria for release to unrestricted use; and ultimately, to allow the release of the site (approximately 109 acres) to unrestricted use.

In conducting the confirmatory surveys, twice the background count rate for a survey instrument would be presumptive of an area with the potential to exceed the radionuclide soil concentration limit (re: Table 1). Confirmatory surveys were performed consisting of two (2) types of surveys: Selected Area Survey and Roving Survey. The Selected Area Surveys utilized the Licensee's data (i.e., count rate, and latitude and longitude coordinates) to select areas of interest from the approximately 50,000 locations at the Tex-1 site at which the Licensee had collected survey data. The data was screened for locations with count rates exceeding 14,000 counts per minute. The companion latitude and longitude coordinates for a selected location were used to locate the spot where the survey reading was obtained. TCEQ staff then conducted surveys on foot about the spot to locate the area with the highest count rate. A 100 m² area was then centered on that spot. Soil samples were collected using the five-spot soil sampling and compositing method (TCEQ – A) at soil surface to six (6) inch (i.e., 15 centimeter) soil depth, and at six (6) inch to 12 inch (i.e., 30 centimeter) soil depth.

In addition to the Selected Area Survey protocol, Roving Surveys were conducted over the remainder of the wellfield and satellite IX facility locations. As with the Selected Area Surveys, areas with count rates exceeding twice background were subjected to a more intense survey, to define the area of potential contamination, and establish a 100 m² area for five-spot sampling.

If a wellfield or satellite location yielded no areas where count rates exceeded twice background, a sampling location was selected at random and a grab sample was collected. In contrast to a five-spot sampling, a grab sample consist of a single core sample taken at a single location to represent a 100 m² area. The core sample is collected individually at soil depths of surface to six (6) inches and six (6) to 12 inches depth.

Samples were analyzed by the TCEQ contract laboratory (Department of State Health Services, Bureau of Laboratories) for Ra-226 and natural uranium. Two of the sites (Wellfields 1-4) exceeded the release criteria for Ra-226. The Licensee was notified of the results. In April of 2012, following additional reclamation efforts by the Licensee another confirmatory survey was conducted and samples collected, from the areas previously failing to meet the release criteria. Analysis of the samples confirmed that the areas no longer exceeded the radionuclide (i.e., Ra-226 and natural uranium) concentration in soil criteria for release to unrestricted use. (TCEQ - 2012)

II. DOCUMENTATION OF BASES FOR CONCLUSION

6. Discussion of results of the state's site closure inspection. (continued)

Previous analysis by staff at the Texas Department of Health of the natural uranium in soil concentration limits (i.e., 30 pCi/g in first 15 centimeters, and 150 pCi/g at soil depths greater than 15 centimeters) in conjunction with the regulatory limits for radium-226 in soil (i.e., 5 pCi/g and 15 pCi/g at soil depths of first 15 centimeters and greater than 15 centimeters, respectively) demonstrated that the 100 mrem per year dose limit to an individual member of the public would not be exceeded. Thus, the Tex-1 Mine site does not exceed the dose limit criteria for release of a former uranium recovery site to unrestricted use. (TDH – 2001)

On-site disposal of radioactive material, including byproduct material, was not authorized at the Tex-1 Mine site, thus, there is no land to be transferred to the state or the Federal Government.

As a result of these findings, the TCEQ is proposing to authorize STMV to release the Tex-1 Mine site to unrestricted use and remove the site from the license.

7. Documentation that release of a portion of the site will not negatively impact the remainder of the site to be closed at a later date.

The TCEQ has determined that the release for unrestricted use and removal of the Tex-1 Mine site from the license will not negatively impact the remainder of the sites associated with the license. In addition to the Tex-1 Mine site, there are two (2) other sites on the license. The closest site is the Hobson Plant Processing Facility which is located approximately four (4) miles from the Tex-1 Mine site. This site will continue as an active site on the license for the foreseeable future. The remaining Mt. Lucas Mine site is located approximately 50 miles from the Tex-1 site. It is anticipated to be released for unrestricted use and moved from the license at a later date. The TCEQ based its decision on the following: The site being removed from the license is not contiguous with any other site associated with licensed activities that may lead to recontamination of the released site; and removal of the Tex-1 Mine site from the license will not in any way prevent or hinder the licensee's ability to complete decommissioning of the other licensed site anticipated for release to unrestricted use in the future.

III. REFERENCES

DSHS - 2005	Report of inspection performed on 1/12/2005 by Eric Skotak with the DSHS at the Hobson site Subject: Inspection report notes that contaminated soil was removed from the Tex-1 site and transported to the Hobson site between December 22 and 28, 2004.
Everest - 2008A	Letter dated December 10, 2008, from James T. Clark to Gary Smith Subject: Licensee's request that the Tex-1 Mine site be released to unrestricted use.
Everest - 2008B	Everest Exploration, Inc., Tex-1 In-Situ Uranium Recovery Project Well Field Reclamation Completion Report, dated December 2008
Everest - 1998	Letter dated June 15, 1998, from James T. Clark (Everest) to Arthur C. Tate (TDH) Subject: Advises of the decontamination efforts made with and the survey results of the pipeline from Tex-1 to the Hobson disposal well facility.
Everest - 1995	Letter dated June 13, 1995, from James T. Clark (Everest) to Dale Kohler (TNRCC) Subject: Transfer of wellfield material to Hobson
Everest - 1991	Letter dated August 30, 1991, from Larry McGonagle (Everest) to Robert Green (TDH) Subject: Transfer of wellfield materials (pumps, pipe, valves, etc.) to Hobson
TCEQ - A	Procedure for Conducting Confirmatory Close Out Surveys of Open Lands of In Situ Leach Uranium Recovery Facilities, Draft Internal Procedure, TCEQ
TCEQ - 2012	TCEQ Interoffice Memorandum dated May 18, 2012, from Philip Shaver to License File R03626 Subject: Recommend Release of the Tex-1 Mine site to Unrestricted Use
TCEQ - 2010	Interoffice Memorandum dated April 28, 2010, from Tony Gonzalez (TCEQ) to File R03626 Subject: documenting confirmatory survey conducted on April 7, 2010, at the Tex-1 Site
TCEQ - 2009	Interoffice Memorandum dated October 13, 2009, from Philip Shaver to License File R03626 Subject: Documenting confirmatory survey conducted on February 18 & 19, 2009, at the Tex-1 site.

III. REFERENCES
(continued)

TDH - 2003	Report of inspection performed on 3/18 – 19/2003 by Bob Burkhart with the TDH Subject: Inspection report notes that well piping and process equipment has been removed from the site to the Hobson facility.
TDH - 2001	Interoffice Memorandum from Gary Smith to Cindy Cardwell dated July 8, 2001 Subject: Calculations and Notes on Compatibility of 25 TAC §289.260 and §289.202 with New 10 CFR 40 Soil Limits
TDH - 1998	Letter dated August 24, 1998, from Arthur Tate (TDH) to James T. Clark (Everest) Subject: determining that concrete can be released to unrestricted use.
TDH – 1992B	Report for inspection conducted on December 16, 1992, by Robin Cooksey with TDH Subject: The inspection report notes that the Licensee is negotiating with Pathfinder in Wyoming for the disposal of byproduct material A motor was released for unrestricted use. Pumps, pipes, valves and other materials are transferred from Tex-1 to (Everest) Hobson for storage.
TDH – 1992A	Report for inspection conducted on May 19, 1992, by Robin Cooksey with TDH Subject: The inspection report notes that pumps, pipes, valves and other materials are transferred from Tex-1 to (Everest) Hobson for storage. The report also includes a diagram of the two satellites at the Tex-1 site: one satellite is depicted as having five (5) vessels (T-1, T-5, T-6, IX-A and IX-4) and a lunch room structure and a control room structure; the second satellite is depicted as having two (2) vessels (IX-C and IX-D) and a pump.
TDH - 1991	Report for inspection conducted on December 17, 1991, by Eric Skotak with TDH. Subject: In addition to the inspection of the facility, also describes the disposition of items (e.g., pumps, pipes valves, and other materials) by transfer from the site to the Hobson Mine site (another site possessed under the same license by the Licensee). Also documents the management of restoration fluid by transfer to the Licensee’s waste pond at the waste disposal well at the Hobson site.

III. REFERENCES
 (continued)

<p>TDH - 1989B</p>	<p>Report for inspection conducted on November 8, 1989, by Thomas Cardwell with TDH Subject: Inspection report notes that all solid by-product material is transferred to the Hobson facility (Everest) for storage, and liquid by-product material is piped to the Hobson facility for deep well disposal.</p> <p>The report also notes that the facility has two buildings (lunch room and control room) and that the plant pads are constructed of caliche.</p>
<p>TDH - 1989A</p>	<p>Report for inspection conducted on March 10, 1989, by Thomas Cardwell with TDH Subject: Inspection report notes the transfer of solid by-product material by transfer of the material to the Licensee's Hobson Mine site facility for storage.</p> <p>The Report also notes the transfer, by pipe, of liquid by-product material to the Licensee's Hobson facility for disposal by deep well injection.</p>
<p>TDH - 1988</p>	<p>Report for inspection conducted on February 26, 1988, by Thomas Cardwell with TDH. Subject: The inspection report notes that sand from the wellfield was disposed of at the Conoco Conquista (Project).</p> <p>The report also notes that liquid by-product material is piped to the Hobson facility (Everest) for disposal by deep well injection.</p>
<p>TDH - 1984</p>	<p>Environmental Assessment, Safety Evaluation Report, and Proposed License Conditions Related to the Texaco, Inc. - Sunoco Energy Development Company, Hobson Tex-1 Project, Karnes County, Texas TBRC EA-13, Bureau of Radiation Control, Texas Department of Health, April 3, 1984.</p>
<p>TNRCC - 1999</p>	<p>Cancellation of Permit No. URO2493-001 dated March 23, 1999. Subject: Documents cancellation of the UIC permit and notes that the aquifer has been restored in accordance with 30 TAC §331.107 and that all Class III wells have been plugged and abandoned in accordance with permit requirements and 30 TAC §331.46, as certified by an independent registered professional engineer and confirmed by inspection of the site by the staff of the TNRCC.</p>

III. REFERENCES
 (continued)

TNRCC – 1996B	Letter, dated April 5, 1996, from TNRCC to Everest Exploration, Inc. Subject: Advises that restoration and monitoring activities could cease.
TNRCC – 1996A	Report of inspection conducted on January 30 – 31, 1996, and April 25 – 26, 1996, by Muhammadali Zare.a.k. with the TNRCC Subject: The inspection report describes Tex A as consisting of two (2) buildings and two (2) fresh water tanks, and Tex B as consisting of a small shed (control room). Waste fluids generated from restoration processes were pumped through a pipeline to the liquid byproduct storage pond located at the Hobson disposal well facility. Contaminated soil (as a result of a spill on 11/17/93 at the Tex-1 facility), which was previously stored on the ground in Wellfield 4 at Tex-1 was transferred from Tex-1 to the Hobson facility for storage. No release of equipment to unrestricted use was noted
TNRCC – 1994	Report of inspection conducted on June 20, 1994, by Rick Muñoz with TNRCC Subject: Inspection report notes that there is no septic tank at the site and byproduct material waste fluids are transferred to the deep disposal well associated with the Hobson facility for disposal
TNRCC - 1993	Report inspection conducted on December 13, 1993, by Muhammadali Zare.A.K with TNRCC Subject: The inspection report notes that production ceased at Tex-1 in April 1990, and that waste fluids generated by the groundwater restoration process are transmitted via pipeline from Tex-1 to the byproduct storage pond at the (Everest) Hobson disposal well facility and that there is no septic tank at the Tex-1 site.