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Pursuant to the Atomic Energy Act of 1954, as amended, the Energy Reorganization Act of 1974 (Public Law 93-48), and Title 10, Code of Federal Regulations, Chapter 1, Parts 30, 31, 32, 33, 34, 35, 36, 40 and 70, and in reliance on statements and representations heretofore made by the licensee, a license is hereby issued authorizing the licensee to receive, acquire, possess, and transfer byproduct, source, and special nuclear material designated below; to use such material for the purpose(s) and at the place(s) designated below; to deliver or transfer such material to persons authorized to receive it in accordance with the regulations of the applicable Part(s); and to import such byproduct and source material. This license shall be deemed to contain the conditions specified in Section 183 of the Atomic Energy Act of 1954, as amended, and is subject to all applicable rules, regulations and orders of the Nuclear Regulatory Commission now or hereafter in effect and to any conditions specified below.

Licensee		
2. Uranerz U.S.A., Inc  800 Werner Court Suite 140 Casper, Wyoming 82601	3. License number	SUA-1401
	4. Expiration date	October 31, 1986
	5. Docket or Reference No.	40-8783
6. Byproduct, source, and/or special nuclear material	7. Chemical and/or physical form	8. Maximum amount that licensee may possess at any one time under this license
a. Natural Uranium b. Byproduct Material	a. Aqueous Solution and Slurry b. Unspecified	a. That amount produced under licensed activities b. That amount produced under licensed activities
9. Authorized Place of Use: Section 13 and 14, T42N, R77W, Johnson County, Wyoming approximately 12 air miles southeast of Sussex and 14 air miles northeast of Edgerton.		
10. Authorized use for recovery from pregnant lixiviant in accordance with statements, representations, and conditions contained in (1) Figure 23 of Section 3.0, Figure 30 of Section 3.2, and Sections 5.0 and 7.3 of the licensee's Supplemental Data Report Dated December, 1981, as amended by the licensee's submittal dated October 9, 1981, and (2) portions of the licensee's April 6, 1981 supplement to application for a Source Material License as amended by the licensee's submittal dated October 9, 1981 as follows: Figures M-5, M-6, D-6.4; and Part III Reclamation. Wherever the word "will" is used in the licensee's submittals, it shall denote a requirement. Notwithstanding the above, the following conditions shall override any conflicting statements contained in the licensee's application and supplements.		

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by Harry Pattenhill for Ross Scavano  
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- 11. The uranium in situ solution mining operations shall be performed on a maximum wellfield area of one (1) acre containing seven (7) seven-spot patterns, as shown in Figure D-6.4 of the October 9, 1981 supplement submitted by Uranerz U.S.A., Inc. to the U.S. Nuclear Regulatory Commission (USNRC).
- 12. Variation from the calcium-magnesium bicarbonate-carbonate and/or sodium bicarbonate-carbonate leach solution with either hydrogen peroxide or oxygen added, as proposed by the licensee, shall require prior USNRC approval through amendment of this license. The licensee shall discuss why he proposes the variation and how it will affect groundwater quality, the pond water characteristics, restoration methods and criteria, and monitoring requirements.
- 13. The baseline water quality data, submitted by the licensee to the USNRC and shown in Appendix A of the Environmental Impact Appraisal, and the following required data shall be used to establish upper control limits and restoration criteria.

Monitor wells 7-M-20 and 1-M-51 shall be sampled and analyzed for the full suite of baseline indicators as shown in Appendix A of the Environmental Impact Appraisal (EIA) on at least two (2) separate occasions, at a minimum of weekly intervals, prior to injection of lixiviant.

The seven (7) recovery wells of the proposed well field, shown in Figure D-6.4 of the October 9, 1981 supplement submitted by Uranerz, U.S.A., Inc. to the USNRC shall be sampled and analyzed for the full suite of baseline indicators, as shown in Appendix A of the EIA on at least one (1) occasion prior to injection of lixiviant. The twenty-five (25) injection wells of the proposed well field shall be sampled and analyzed for at least the eight excursion indicators listed in License Condition No. 16 on at least one occasion prior to injection of lixiviant.

Well completion data, in the form of Table D-6.4 of the April 6, 1981 supplement, for the thirty-two (32) wells of the proposed well field shall be submitted to the USNRC, Uranium Recovery Licensing Branch, Washington, D.C. 20555 upon completion of construction.

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The required additional baseline water quality data for wells 7-M-20, 1-M-51, recovery wells and injection wells as well as any additional baseline water quality data collected by the licensee shall be submitted to the USNRC, Uranium Recovery Licensing Branch prior to injection of lixiviant.

14. At least ninety (90) days prior to termination of mining activities the licensee shall submit a specific plan for groundwater quality restoration at the test site including a description of restoration methods, a list of water quality indicators for which the composite restoration stream and representative injection and recovery well water samples are to be analyzed and projected schedule of activity. The licensee shall notify the USNRC, Uranium Recovery Licensing Branch within thirty (30) days of any subsequent changes in the restoration methods. Injection of additional chemical agents, other than reducing agents discussed in Part III Reclamation of the licensee's April 6, 1981, supplement to application for a Source Material License, shall require prior approval of the USNRC in the form of a license amendment.

Restoration of the production aquifer groundwater and any other groundwaters that may be affected by mining operations shall be initiated within sixty (60) days after solution mining operations have been terminated. The licensee shall provide written notification to USNRC, Uranium Recovery Licensing Branch, that restoration activities are being initiated.

The objective of restoration shall be to return the groundwater quality, on an indicator by indicator basis, to baseline conditions. The licensee shall submit restoration targets, or goals, to the USNRC for review and approval in the form of a license amendment prior to initiating restoration activities.

During restoration operations the licensee shall sample and analyze the composite restoration stream on a bi-weekly basis. Sampling and analysis of representative injection or recovery wells in the wellfield shall be done on a monthly basis to monitor differences in the restoration progress within the wellfield. Sampling and analysis of all monitor wells shall continue on a routine operational basis as defined in License Condition No. 16.

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- 15. The post restoration monitoring plan shall consist of water sampling and analysis of all leaching wells, including any monitor wells affected by mining operations, for the full suite of baseline indicators as shown in Appendix A of the EIA on a monthly basis for a minimum of six (6) months to document stabilization of the groundwater quality.
- 16. During solution mining operations, monitor wells 1-M-20, 4-M-20, 5-M-20, 7-M-20, 1-M-10, 1-M-30 and 1-M-51 shall be sampled and analyzed for chloride and TDS every two (2) weeks and analyzed for TDS, chloride, sulfate, total alkalinity, carbonate, bicarbonate, sodium and uranium once every month. Water level elevations in these wells shall also be measured once every two weeks prior to sampling. Once per quarter, a set of samples from all monitor wells, including the stock wells Moore N and Moore S, shall be analyzed for the full suite of baseline indicators as shown in Appendix A of the EIA. Results shall be reported graphically and in tabular form in the quarterly reports required in License Condition No. 38.
- 17. Upper control limit (UCL) criteria to be applied to monitor wells to determine when action must be taken to control excursions during mining shall be based upon the premining baseline water quality data collection outlined in License Condition No. 13. Proposed upper control limits for the excursion indicators listed in License Condition 16 shall be submitted to the NRC prior to injection of lixiviant. The upper control limit for each excursion indicator shall be defined, on a well by well basis, as two (2.0) multiplied by the sample standard deviation with the result added to the sample mean. The one exception shall be uranium. The upper control limit for uranium shall be defined, on a well by well basis, as two (2.0) multiplied by the sample standard deviation with the result added to the maximum baseline concentration.

If two UCL values are exceeded in a well, or if one UCL value is exceeded by 20% of the UCL, the licensee shall take another water sample within forty-eight (48) hours and analyze it for at least the eight indicators listed in License Condition No. 16 above. An excursion is confirmed if two or more UCL values are exceeded or if one UCL value is exceeded by 20% of the UCL or more. Corrective action to mitigate the situation shall be initiated by the licensee

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when an excursion is confirmed and the USNRC, Uranium Recovery Licensing Branch shall be notified within forty-eight (48) hours by telephone and within seven (7) days in writing. Corrective actions shall be maintained until the excursion is concluded. In addition to corrective actions, monitoring shall be intensified; sampling frequency and analysis of excursion status wells shall be at least once every seven (7) days for the eight indicators listed in License Condition No. 16 above, as long as those wells are on excursion status. An excursion is considered concluded when the concentrations of excursion parameters are below the concentration levels defining an excursion.

If corrective actions have not been effective within 90 days of excursion confirmation, the injection of lixiviant shall be terminated. Resumption of injection shall require USNRC approval in the form of a license amendment.

- 18. A formal report of events describing the corrective actions taken and detailed graphs and tables of all sample analyses shall be maintained during excursions as described in License Condition No. 17 above to document actions and the ensuing results. This report, along with pre-excursion and post-excursion data obtained from the analysis of at least two separate samples taken before and after an excursion, shall be submitted to the USNRC as part of the routine quarterly reports required in License Condition No. 38.
- 19. Baseline water level elevations for each monitor well shall be defined and submitted to the USNRC prior to the injection of lixiviant. The water level of each monitor well shall be monitored once daily for the first two (2) weeks of continuous operation. After the initial two weeks, water level monitoring can be decreased to once every two weeks and measured just prior to water quality sampling.

Net flow rates for the wellfield shall be recorded whenever monitor well water levels are measured; barometric pressure at the site or vicinity and its effect on water levels shall also be recorded. Hydrologic monitoring shall continue as described in this condition until restoration of the ore zone begins. An evaluation of the net flow balance, along with water level data, in graphical and tabular form, shall be submitted in a separate section of each quarterly report, as described in License Condition No. 38 below, until the monitoring is discontinued.

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20. Should the water level in any of the perimeter ore-zone monitor wells fluctuate significantly, particularly if levels rise and remain elevated for over forty-eight (48) hours, the licensee shall notify the USNRC, Uranium Recovery Licensing Branch, Washington, D.C. 20555, in writing within seven (7) days and take steps to determine the cause of the water level changes and to correct water levels in the monitor wells by well field adjustment. The licensee shall include a report describing the situation, the corrective actions taken and the results of those actions as part of the quarterly reports described in License Condition No. 38 below.
21. The volume of discharges to the evaporation ponds shall be recorded. Quarterly samples of bleed solution shall be analyzed for calcium, chloride, alkalinity, sodium, uranium, radium-226, sulfate, and TDS.
22. The two evaporation ponds shall be monitored for leaks on a daily basis. Any fluid detected in the standpipes of the pond leak detection systems shall be analyzed initially for chloride and TDS. If these concentrations exceed Wyoming Department of Environmental Quality Drinking Water Standards, then waters shall be analyzed for calcium, chloride, alkalinity, sodium, uranium, radium-226, sulfate, and TDS. Water quality samples taken at the standpipe shall be sampled for all eight (8) indicators at least every seven (7) days during the leak period and for at least two weeks following repair, if any residual liquid remains in the standpipes. The results of all standpipe analysis shall be reported to the USNRC in the quarterly report as per License Condition No. 38 below.

The USNRC, Uranium Recovery Licensing Branch shall be notified within forty-eight (48) hours if the chemical quality of the fluid found in the standpipe exceeds Wyoming Drinking Water Standards for any of the indicators tested. The licensee must take immediate steps to repair the leak. A report describing the actions taken by the licensee to repair the pond and the results of those actions shall be included with the quarterly report described in License Condition No. 38 below.

23. The location of the evaporation ponds shall be that site investigated in the report entitled "Geotechnical Investigation for the Proposed Ruth ISL Retention Ponds to be Located in Section 14, T42N, R77W, 6th P.M., Johnson County, Wyoming," by Chen and Associates, Inc., dated January 26, 1981.

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24. The licensee shall construct, operate and maintain the evaporation pond system in accordance with the statements, drawings, conclusions and recommendations in the following documents:
- a. "Technical Construction Specifications, Ruth ISL Retention Ponds, Johnson County, Wyoming" by Chen and Associates, Inc., dated January 5, 1981.
  - b. "Uranerz U.S.A., Inc., Response to USNRC Letter dated June 30, 1981" dated August 4, 1981; Response to USNRC comment 3.
  - c. September 9, 1981 letter from K. Gary Somerville, Uranerz U.S.A., Inc. to Jeff Pohle, Uranium Recovery Licensing Branch, USNRC.
25. Notwithstanding any conflicting information in the submittals referenced above in License Condition No. 24, the licensee shall comply with the following requirements regarding construction of the evaporation ponds:
- a. Prior to placing the material forming the layer in which the leak detection pipes are placed, the subgrade shall be graded to a surface tolerance of less than or equal to 0.1 feet over a 10-foot straight edge. If necessary, clay materials shall be added to any observed areas or pockets of permeable sands to achieve a base that is at least two orders of magnitude less permeable than the leak detection layer.
  - b. To enable detection of potential leakage as quickly as possible, the leak detection piping system shall be designed so that the pipe perforations are within 1 inch of the trench bottom.
  - c. Prior to liner placement, the leak detection system shall be tested to assure that it functions properly. The leak detection system operation tests shall consist of discharging water at four different flow rates varying from 1 to 50 gallons per minute on top of the leak detection bedding material. The locations in each pond shall be visually selected by the engineer to be as far as possible from the perforated collection tubes and two of the four tests shall be performed in each pond. The sumps shall then be monitored to determine if the water reaches them. If a detectable amount of the water does not reach the sump, the system shall be checked, repaired/reconstructed and retested. The system shall not be deemed acceptable until

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it passes the above described test. The licensee shall record the travel time, amount and flow rate of water applied to the system, and the amount and flow rate of water collected at the sump. The USNRC, Uranium Recovery Licensing Branch shall be notified by telephone of the results of the tests, within two (2) days after their completion.

- d. All liner field seams shall be tested for adequacy of bond along 100 percent of their length and the results reported in the construction report required by License Condition No. 28.
26. The licensee shall maintain at least three feet of freeboard between the embankment crest and the pond level.
27. The licensee shall at all times maintain sufficient reserve capacity in the evaporation pond system to enable the transfer of the contents of a pond to other ponds in the event of a leak. In the event of a leak and subsequent transfer of liquid, the freeboard requirements of License Condition No. 26 shall be discontinued while the liner is being repaired.
28. Within 6 months after completion of the ponds, the licensee shall submit a report detailing the construction methods, construction controls, quality assurance programs, results of leak detection system operation tests, and testing methods that were actually utilized in the construction of the ponds and the installation of the leak detection system and liner. This report shall also provide locations of field tests and all test results obtained during construction and as-built drawings showing details of construction of the various components of the pond.
29. The licensee shall notify Region IV, USNRC, Office of Inspection and Enforcement, 611 Ryan Plaza Drive, Suite 1000, Arlington, Texas 76011 and the Uranium Recovery Licensing Branch, USNRC, Washington, D.C., 20555 at least three (3) weeks prior to the completion of the ponds to provide adequate time for on-site inspections by the USNRC.
30. The licensee shall immediately notify the USNRC, Region IV, Office of Inspection and Enforcement, 611 Ryan Plaza Drive, Suite 1000, Arlington, Texas 76011, and the USNRC, Uranium Recovery Licensing Branch, Washington, D.C. 20555, by telephone and telegraph, of any failure of an evaporation pond, any break or rupture of any pipeline, or any similar failure of any other fluid or material conduit or

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storage facility which results in an uncontrolled release of radioactive materials, or of any unusual conditions which if not corrected could lead to such a failure. Such notification shall be followed, within seven (7) days, by submittal of a written report detailing the conditions leading to the failure or potential failure, corrective actions taken, and results achieved. This requirement is in addition to the requirements of 10 CFR Part 20.

- 31. Final disposition of radioactive solid process and evaporation pond residues (byproduct material) shall be at an USNRC licensed tailings disposal site.
- 32. The uranium recovery plant shall be operated at a maximum flow rate of one-hundred (100) gpm.
- 33. The licensee shall perform the radiological environmental monitoring program as outlined in Table 5.2.01 of the Environmental Impact Appraisal (EIA). Preoperational data from this program shall be provided to the USNRC in the first quarterly report discussed in License Condition No. 38 below.
- 34. Further treatment of the yellowcake slurry such as filtering or heat or vacuum drying shall require prior approval from the USNRC in the form of a license amendment.
- 35. Exploration boreholes, post-test boreholes, and all wells within the wellfield area not used in production or monitoring and not properly cased or sealed within a specific unit shall be plugged prior to injecting lixiviant to comply with Wyoming Department of Environmental Quality (WDEQ) requirements. All wells shall be plugged prior to decommissioning the site for unrestricted use.
- 36. The licensee shall conduct mechanical well integrity tests on each injection or recovery well before each well is put into service. During the integrity test, bottom hole pressures shall not exceed the casing pressure rating. If any well casing failing the integrity test cannot be repaired or corrected, the well shall be plugged, abandoned, and reclaimed. The results of the well integrity tests shall be submitted to the USNRC prior to well field operation and injection of lixiviant.

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- 37. Flow rates on each injection and production well and injection pressures on injection wells shall be measured at least once per day and recorded on a daily operational log. During wellfield operations injection pressures shall not exceed the integrity test pressure at the injection well heads. This will assure that both pipe design pressure and fracture pressure in the ore zone and adjacent confining layers are not exceeded.
- 38. A quarterly report shall be submitted to the USNRC, Uranium Recovery Licensing Branch, Washington, D.C. 20555 that summarizes the status of the R&D in situ test program with supporting analytical data and evaluations regarding important environmental aspects of the operations such as water quality and water level data, lixiviant migration control, waste generation volumes, volumes and representative chemical analyses of injected lixiviant, and pregnant solution produced. The quarterly report shall include all data on environmental monitoring as well as groundwater data. All water quality and water level data shall be presented in tabular and graphical form, with a written summary explaining what the data show.
- 39. All sampling and monitoring data, calibration records, reports on audits, inspections, and other analyses, training records, and safety meeting minutes, as well as any subsequent reviews, investigations, and corrective actions, shall be documented. Unless otherwise specified in the U. S. Nuclear Regulatory Commission regulations, all such documentation shall be maintained for a period of at least five (5) years.
- 40. The licensee shall maintain an up-to-date copy of each written operating and monitoring procedure in each area where it is used.
- 41. The licensee shall investigate the exposure history of any worker that exceeds 25 percent of the maximum permissible exposure limits as specified in 10 CFR 20 based on a calculated Time Weighted Exposure (TWE) for the week or calendar quarter, dependent on the solubility of the material. Further, the licensee shall identify the source of the exposure areas, take necessary corrective measures to ensure reduction of future exposures to as low as is reasonably achievable. Records shall be maintained of these investigations.

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- 42. If the results of in-plant alpha contamination surveys, in non-process areas, exceed those levels specified in "Guidelines for Decontamination of Facilities and Equipment Prior to Release for Unrestricted Use or Termination of Licenses for Byproduct Source or Special Nuclear Material" dated November 1976, the area shall be decontaminated, the source of the contamination shall be determined, control measures shall be initiated, and the results shall be documented.
- 3. The licensee shall submit a copy of the semiannual ALARA audit report to the USNRC, Uranium Recovery Licensing Branch, Washington, D.C. 20555, and the USNRC, Region IV, Office of Inspection and Enforcement, 611 Ryan Plaza Drive, Suite 1000, Arlington, Texas 76011.
- 44. The licensee is hereby exempted from the requirements of Section 20.203(e)(2) of 10 CFR 20 for posting areas within the facility, provided that all entrances to the facility are conspicuously posted in accordance with Section 20.203(e)(2) and with the words, "ANY AREA WITHIN THIS FACILITY MAY CONTAIN RADIOACTIVE MATERIAL".
- 45. The licensee shall develop a quality assurance program for all sampling and analyses performed as part of the in-plant radiation safety, groundwater and environmental monitoring programs that includes all of the recommended elements of a quality assurance program specified in USNRC Regulatory Guide 4.15, "Quality Assurance for Radiological Monitoring Programs (Normal Operations) - Effluent Stream and the Environment." In addition, prior to commencing operations and within ninety (90) days of issuance of this license, the licensee shall submit to the USNRC, Uranium Recovery Licensing Branch, for approval in the form of a license amendment, complete specifications for this quality assurance program.
- 46. Within ninety (90) days of the issuance and prior to commencing operations, the licensee shall develop and submit to the Uranium Recovery Licensing Branch, for USNRC review and approval in the form of a license amendment, a general emergency action plan establishing authorities and procedures to be followed for likely accidents resulting in the release of yellowcake.
- 47. The licensee shall notify, in writing, the USNRC, Region IV, Office of Inspection and Enforcement, 611 Ryan Plaza Drive, Suite 1000, Arlington, Texas 76011, and USNRC, Uranium Recovery Licensing Branch, Washington, D.C. 20555, at least six (6) weeks prior to

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commencing mining operations so that a USNRC inspection may be conducted to review the licensee's development and implementation of administrative and operating procedures and monitoring programs.

- 48. Release of equipment, materials, or packages from the restricted area shall be in accordance with the enclosed "Guidelines for Decontamination of Facilities and Equipment Prior to Release for Unrestricted Use or Termination of Licenses for Byproduct, Source, or Special Nuclear Material," dated November 1976.
- 49. Any surface discharges of liquids shall require prior approval of the USNRC in the form of a license amendment.
- 50. Uranerz U.S.A., Inc. shall reclaim and decommission the well field and process facility sites as discussed in Part III Reclamation of the licensee's April 6, 1981 supplement to application for Source Material License.
- 51. Uranerz U.S.A., Inc. shall maintain a surety to cover all groundwater restoration, reclamation, and decommissioning including the cost of offsite disposal of radioactive solid process or evaporation pond residues. Uranerz U.S.A., Inc. shall provide a copy of the surety along with a cost breakdown to the USNRC, Uranium Recovery Licensing Branch prior to injection of lixiviant.
- 52. This license shall not be terminated until the USNRC has determined that all site reclamation, decommissioning, and wellfield restoration has met all applicable standards and regulations.

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