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JAN 06 2013

TEXAS COMMISSION ON ENVIRONMENTAL QUALITY

Protecting Texas by Reducing and Preventing Pollution

January 25, 2013

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

Re: Concurrence on Release of Uranium Recovery Site
to Unrestricted Use

Dear Mr. McDermott:

As a follow up to our letter of March 6, 2012, this letter is to notify you that the Texas Commission on Environmental Quality (TCEQ) is in the process of preparing a completion review report (CRR) for the complete or partial release of the Mt. Lucas Project site, which is authorized on Radioactive Material License No. R03626 issued to South Texas Mining Venture L.L.P. The Mt. Lucas Project site is one of three (3) sites authorized on that license. Thus, release of the Mt. Lucas site will not result in termination of the license. The TCEQ anticipates submitting a draft CRR within three (3) to six (6) months of the date of this letter.

As offered in the March 6, 2012, letter, NRC staff is welcome to visit the site. However, we request that you contact us before scheduling the visit in order that we can arrange access to the site on the desired day of the visit.

If you have any questions or concerns regarding the plan to submit the draft CRR in the time period proposed, please advise. I can be contacted either by telephone at (512) 239-5308, or by email at Charles.Maguire@tceq.texas.gov.

Sincerely,

A handwritten signature in black ink, appearing to read "Charles W. Maguire".

Charles W. Maguire, Director
Radioactive Materials Division

CWM/PS

cc: Duncan White, NRC