

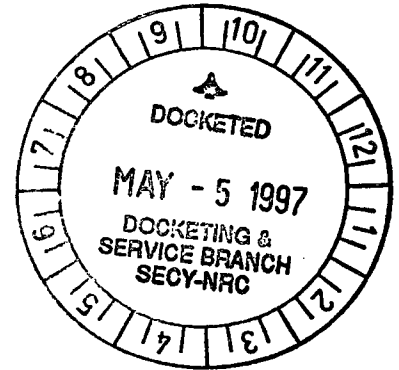


DOCKET NUMBER
PROD. & UTIL. FAC. 40-8681-MLA

Department of Energy

Nevada Operations Office
P. O. Box 98518
Las Vegas, NV 89193-8518

MAY 02 1997



SERVED MAY - 5 1997

Executive Director for Operations
Nuclear Regulatory Commission
One White Flint North
11555 Rockville Pike
Rockville, Maryland 20852

ENERGY FUELS NUCLEAR, INC., NUCLEAR REGULATORY COMMISSION LICENSE
NUMBER SUA-1358, AMENDMENT 1

The DOE Nevada Operations Office (DOE/NV) is an affected party to any decisions regarding the Nuclear Regulatory Commission (NRC) license amendment regarding the Cotter Concentrate material. DOE/NV and the state of Nevada negotiated and entered into an agreement (as required by the Federal Facility Compliance Act as mandated by Congress) concerning the management of this material. The agreement includes a deadline of August 30, 1997, for shipment of this material offsite to Energy Fuels Nuclear, Inc. If this offsite shipment date is not met, there is a potential for fines and penalties to be incurred by DOE/NV. Therefore, DOE/NV requests leave to participate in any hearings or preliminary conferences that the NRC may hold concerning Amendment 1 of the White Mesa Mill NRC license number SUA-1358.

If you have any questions or require more information, please contact Colleen T. O'Laughlin, DOE/NV Waste Management Division, at (702) 295-0648, or Peter A. Sanders, Environmental Restoration Division, at (702) 295-1037.

G. Leah Dever, Assistant Manager
for Environmental Management

WMD:CTO

DS03

SECY-EHD-001

18297

MAY 02 1997

cc:

Peter Block, NRC Judge, Rockville, MD
Jim Park, NRC Project Manager, Rockville, MD
William Sinclair, UDRC, Salt Lake City, UT
H. R. Roberts, EFN, Denver, CO
M. R. Rehmann, EFN, Denver, CO
R. A. Munsen, EFN, Denver, CO
P. J. Liebendorfer, NDEP, Carson City, NV
Chuck Bulik, NDEP, Las Vegas, NV
C. P. Gertz, DAMEM, DOE/NV, Las Vegas, NV
S. A. Hejazi, OCC, DOE/NV, Las Vegas, NV
R. C. Wycoff, WMD, DOE/NV, Las Vegas, NV
P. A. Sanders, ERD, DOE/NV, Las Vegas, NV

DOCKET NUMBER

BYPRODUCTS 40-8681-MLA



Department of Energy

Nevada Operations Office

P. O. Box 98518

Las Vegas, NV 89193-8518

DOCKETED
USNRC

'97 MAY -5 A9:38

MAY 02 1997

OFFICE OF SECRETARY
DOCKETING & SERVICE
BRANCH

Executive Director for Operations
Nuclear Regulatory Commission
One White Flint North
11555 Rockville Pike
Rockville, Maryland 20852

SERVED MAY -5 1997

ENERGY FUELS NUCLEAR, INC., NUCLEAR REGULATORY COMMISSION LICENSE
NUMBER SUA-1358, AMENDMENT 1

The DOE Nevada Operations Office (DOE/NV) is an affected party to any decisions regarding the Nuclear Regulatory Commission (NRC) license amendment regarding the Cotter Concentrate material. DOE/NV and the state of Nevada negotiated and entered into an agreement (as required by the Federal Facility Compliance Act as mandated by Congress) concerning the management of this material. The agreement includes a deadline of August 30, 1997, for shipment of this material offsite to Energy Fuels Nuclear, Inc. If this offsite shipment date is not met, there is a potential for fines and penalties to be incurred by DOE/NV. Therefore, DOE/NV requests leave to participate in any hearings or preliminary conferences that the NRC may hold concerning Amendment 1 of the White Mesa Mill NRC license number SUA-1358.

If you have any questions or require more information, please contact Colleen T. O'Laughlin, DOE/NV Waste Management Division, at (702) 295-0648, or Peter A. Sanders, Environmental Restoration Division, at (702) 295-1037.

G. Leah Dever, Assistant Manager
for Environmental Management

WMD:CTO

18297

Executive Director for Operations

-2-

MAY 02 1997

cc:

Peter Block, NRC Judge, Rockville, MD
Jim Park, NRC Project Manager, Rockville, MD
William Sinclair, UDRC, Salt Lake City, UT
H. R. Roberts, EFN, Denver, CO
M. R. Rehmann, EFN, Denver, CO
R. A. Munsen, EFN, Denver, CO
P. J. Liebendorfer, NDEP, Carson City, NV
Chuck Bulik, NDEP, Las Vegas, NV
C. P. Gertz, DAMEM, DOE/NV, Las Vegas, NV
S. A. Hejazi, OCC, DOE/NV, Las Vegas, NV
R. C. Wycoff, WMD, DOE/NV, Las Vegas, NV
P. A. Sanders, ERD, DOE/NV, Las Vegas, NV

UNCLASSIFIED
IF OFFICIAL USE ONLY, STAMP TOP AND BOTTOM OF PAGE.

U. S. Department of Energy Telecommunication Message		Page 1 of __ page(s)
PRECEDENCE DESIGNATION		---Emergency Use Only---
TO: Addressee(s) <input checked="" type="checkbox"/> Routine	<input type="checkbox"/> Priority	<input type="checkbox"/> Immediate
cc: Addressee(s) <input type="checkbox"/> Routine	<input type="checkbox"/> Priority	<input type="checkbox"/> Immediate
FROM: Colleen O'Laughlin Waste Management Division Nevada Operations Office 232 Energy Way Las Vegas, NV 89193-8518	For Communication Center Use MSG IDENTIFICATION	
<p>TO: 1. Executive Director for Operations FAX # (301) 415-2162 (301) 415-1757</p> <p>2. Jim Park FAX # (301) 415-5397</p>		
Originated By: (702) 295-0648 M/S 505/WMD	WMD Fax (702) 295-1153 Verify (702) 295-3181	Official Business <u>Yulanda Page</u> Signature Date: 5/8/97

UNITED STATES OF AMERICA
NUCLEAR REGULATORY COMMISSION

In the Matter of

ENERGY FUELS NUCLEAR, INC.

(White Mesa Uranium Mill
Request for License Amendment)

Docket No.(s) 40-8681-MLA

CERTIFICATE OF SERVICE

I hereby certify that copies of the foregoing LTR DEVER--DOE/NV..PARTICIPATE have been served upon the following persons by U.S. mail, first class, except as otherwise noted and in accordance with the requirements of 10 CFR Sec. 2.712.

Office of Commission Appellate
Adjudication
U.S. Nuclear Regulatory Commission
Washington, DC 20555

Administrative Judge
Peter B. Bloch
Presiding Officer
Atomic Safety and Licensing Board
Mail Stop - T-3 F23
U.S. Nuclear Regulatory Commission
Washington, DC 20555

Administrative Judge
Charles N. Kelber
Special Assistant
Atomic Safety and Licensing Board
Mail Stop - T-3 F23
U.S. Nuclear Regulatory Commission
Washington, DC 20555

Lawrence J. Chandler, Esq.
Office of the General Counsel
Mail Stop - 0-15 B18
U.S. Nuclear Regulatory Commission
Washington, DC 20555

Michelle R. Rehmann
Environmental Manager
Energy Fuels Nuclear, Inc.
Three Park Central, Suite 900
1515 Arapahoe Street
Denver, CO 80202

Norman Begay
White Mesa Ute Citizen
Box 1138
White Mesa, UT 84511

G. Leah Dever, Asst. Manager
for Environmental Management
Department of Energy
Nevada Operations Office
P.O. Box 98518
Las Vegas, NV 89193

Lula J. Katso
Westwater Navajo Community
c/o M. Hutchins
264 West 100 North
Blanding, UT 84511

Docket No.(s)40-8681-MLA
LTR DEVER--DOE/NV..PARTICIPATE

Winston M. Mason
Great Avikan House
Native American Peoples Historical
Foundation
3 East Center Street, Box AVIKAN
Blanding, UT 84511

Dated at Rockville, Md. this
5 day of May 1997

Adria T. Byrdson
Office of the Secretary of the Commission