

January 19, 2016

Mr. Salem Thyne  
Licensing and Performance  
Assessment Manager  
Louisiana Energy Services, LLC  
P.O. Box 1789  
Eunice, NM 88231

SUBJECT: APPROVAL OF LICENSE AMENDMENT REQUEST 15-09 REQUEST TO  
MODIFY MATERIALS LICENSE SNM-2010, LICENSE CONDITION 10

Dear Mr. Thyne

In a letter dated November 16, 2015, (Agencywide Document Access and Management System (ADAMS) Accession Number (ML15324A042) Louisiana Energy Services, LLC (LES), dba URENCO USA (UUSA), requested a review and approval of a modifications to materials license SNM-2010, license condition #10, to remove the Environmental Report (ER) from the list of identified License Basis Documents, and incorporate the relevant material from ER which was relied upon in the Safety Evaluation Report, into the proposed revision of the Safety Analysis Report (SAR). Specifically, this License Amendment Request eliminates License Condition 10 c, the effect of which removes reference to the ER from the license. Upon review of the revisions requested by URENCO USA, the staff found that the changes to the SAR (Enclosure 1) are consistent with the regulatory requirements of both 10 CFR Parts 20 and 70. Accordingly, approval of the amendment request is granted. Your Materials License SNM-2010 has been amended as follows:

Amendment 70 to Materials License SNM-2010 deletes condition 10c. This license Condition, which required the activities to be conducted in accordance with the statements, representations, described in the UUSA Environmental Report, has been removed from the license. The requirements for the radiological effluent monitoring program, the radiological environmental monitoring program, and the features for waste minimization are now subsumed into license condition 10.b referencing the Safety Analysis Report.

The changes requested are considered administrative in nature (i) there is no significant change in the types or significant increase in the amounts of any effluents that may be released offsite, (ii) there is no significant increase in individual or cumulative occupational radiation exposure, (iii) there is no significant construction impact, and (iv) there is no significant increase in the potential for or consequences from radiological accidents. In accordance with Title 10 of the Code of Federal Regulations (10 CFR) 51.22(c)(11), neither an environmental assessment nor an environmental impact statement is warranted for this action. Therefore, the staff has determined that the changes are categorically excluded from the requirement to prepare a site-specific environmental assessment.

S. Thyne

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If you have any questions, please contact Mr. Michael Raddatz at (301) 415-7391, or via e-mail to [Michael.Raddatz@nrc.gov](mailto:Michael.Raddatz@nrc.gov).

Sincerely,

**/RA/**

Thomas A. Grice, Chief  
Enrichment and Conversion Branch  
Division of Fuel Cycle Safety, Safeguards,  
and Environmental Review  
Office of Nuclear Material Safety  
and Safeguards

Enclosure:

1. List of Changes to SAR
2. License SNM-2010

Docket No.: 70-3103

License No.: SNM-2010

cc: Jay Laughlin, LES/UUSA

S. Thyne

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If you have any questions, please contact Mr. Michael Raddatz at (301) 415-7391, or via e-mail to [Michael.Raddatz@nrc.gov](mailto:Michael.Raddatz@nrc.gov).

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Docket No.: 70-3103

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cc: Jay Laughlin, LES/UUSA

ADAMS Accession Number: **ML16012A207**

<b>OFC</b>	FCSE/ECB	NMSS/FMB	NMSS/FCSE/ECB
<b>NAME</b>	MRaddatz	TBrockington	TGrice
<b>DATE</b>	01/19/2016	01/19/2016	01/19/216

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The following commitments have been dispositioned by incorporation into the Safety Analysis Report. All other commitments were transferred to the Corrective Action Program and their disposition will be verified during upcoming routine inspections.

Commitment Number	Commitment Text	Environmental Report Section	NUREG 1790 Section	Disposition
1	<b>Future site-specific avian surveys will be conducted at appropriate times of the coming years.</b>	3.5.2	6.3.2 (6-20); 6.3.2.2 (6-21)	Incorporate into SAR
3	<b>Mitigation measures will be in place to minimize potential impact on ecological resources.</b>	5.2.5		Incorporate into SAR
4	In addition, <b>LES will periodically monitor the NEF site property and basin waters during construction and plant operations to ensure the risk to birds and wildlife is minimized.</b> If needed, measures will be taken to release entrapped wildlife. <b>The monitoring program will assess the effectiveness of the entry barriers and release features to ensure risk to wildlife is minimized.</b>	6.3.3	6.3.1 (6-20)	Incorporate into SAR
5	<b>The ecological monitoring program is conducted in accordance with generally accepted practices and the requirements of the New Mexico Department of Game and Fish. Data will be collected, recorded, stored and analyzed. Actions will be taken as necessary to reconcile anomalous results.</b>	6.3.11	6.3.6 (6-23)	Incorporate into SAR
6	<b>Data relevant to the ecological monitoring program will be recorded in paper and/or electronic forms. These data will be kept on file for the life of the facility.</b>	6.3.11.1	6.3.5 (6-23)	Incorporate into SAR

10	<p><b>LES has committed to the Governor of New Mexico (LES, 2003b) that: (1) there will be no long term disposal or long-term storage (beyond the life of the plant) of UBCs in the State of New Mexico; (2) a disposal path outside the State of New Mexico is utilized as soon as possible; (3)LES will aggressively pursue economically viable paths for UBCs as soon as they become available; (4) LES will work with qualified vendors pursuing construction of private deconversion facilities by entering in good faith discussions to provide such vendor long-term UBC contracts to assist them in their financing efforts; and (5) LES will put in place as part of the NRC license a financial surety bonding mechanism that assures funding will be available in the event of any default by LES.</b></p>	4.13.3.1.3; 8.10	1.20.4 (1-84); 2-60; 4.2.14.3 (4-57)	Incorporate into SAR
11	<p><b>Any deconversion facility used by NEF will not be located in the State of New Mexico.</b></p>	4.13.3.1.3	4.2.14.3 (4-57)	Incorporate into SAR