

February 4, 2016

Mr. Lawrence J. Corte
President and General Manager
Western Nuclear Incorporated
28011 Youngfield Street, Suite 340
Golden, CO 80401

SUBJECT: U.S. NUCLEAR REGULATORY COMMISSION STAFF REVIEW OF WESTERN NUCLEAR INCORPORATED'S TECHNICAL MEMORANDUM AND LICENSE AMENDMENT REQUEST DATED NOVEMBER 18, 2015, REGARDING THE WESTERN NUCLEAR INCORPORATED'S SPLIT ROCK SITE IN JEFFERY CITY, WYOMING (DOCKET NO. 040-1162)

Dear Mr. Corte:

I am writing in response to your letter, dated November 18, 2015, in which you provided the U.S. Nuclear Regulatory Commission (NRC) staff with Western Nuclear Incorporated's (WNI's) responses to the NRC staff's request for additional information regarding the termination of the radioactive materials license for WNI's Jeffery City, Wyoming site (Agencywide Documents Access and Management System (ADAMS) Accession Number ML15324A211). The NRC staff has completed its acceptance review of your request and has made the following determinations.

With respect to the Technical Memorandum, the staff has evaluated the information in the memorandum and has determined that it does not fully address the questions raised by the NRC staff in our August 13, 2015, letter (ML15223B126). This was discussed with you during a telephone call on January 6, 2015, at which time you indicated that you would perform additional ground water evaluations to support your license termination request.

With respect to your request that the NRC provide its position on your claim that the NRC can remove the nitrate Alternate Concentration Limit from WNI's license by issuing an administrative technical license amendment, the staff has not completed its evaluation of this request, and will be providing our response by separate letter.

In accordance with 10 CFR 2.390 of the NRC's "Agency Rules of Practice and Procedure," a copy of this letter will be available electronically for public inspection in the NRC Public Document Room or from the Publicly Available Records component of NRC's ADAMS. ADAMS is accessible from the NRC Web site at <http://www.nrc.gov/reading-rm/adams.html>.

L. Corte

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If you have any questions, please contact me at 301-415-6749, or by email at Dominick.Orlando@nrc.gov.

Sincerely,

/RA/

Dominick Orlando, Senior Project Manager
Materials Decommissioning Branch
Division of Decommissioning, Uranium Recovery,
and Waste Programs
Office of Nuclear Material Safety
and Safeguards

Docket No.: 040-1162
License No.: SUA-56

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ADAMS Accession No.: **ML16020A118** ***Concurred via e-mail**

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