



UNITED STATES
NUCLEAR REGULATORY COMMISSION
WASHINGTON, D. C. 20555

NOV 21 1979

Ms. Linda Smiraglia
Mail Stop 1631
David D. Smith and Associates
Box 929-E
San Diego, California 92109

Dear Ms. Smiraglia:

This letter is in response to your request dated October 25, 1979, for a copy of the draft environmental impact statement (DEIS) concerning the Mt. Taylor Project uranium mill tailings impoundment proposed by Gulf Mineral Resources Company.

PL 96-106 was enacted on November 9, 1979. It amended the Uranium Mill Tailings Radiation Control Act (UMTRCA) of 1978 to clarify Sections 204(h) and 204(e) of that Act. The clarification provides that the Commission shall no longer have direct licensing authority over uranium mill tailings (as byproduct material) produced in Agreement States. As the Commission will not issue byproduct material licenses for uranium mill tailings projects in Agreement States, there is no longer a need for the Commission to prepare environmental impact statements for such projects, i.e., the DEIS which you requested will not be prepared.

Sincerely,

E. A. Trager

Eugene A. Trager
Uranium Recovery Licensing Branch
Division of Waste Management

1594 357

7912170 100