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

FEB 4 1980

WMUR:PJG Docket No. 40-3453

Atlas Minerals Attn: Mr. Gordon Swanby 2506 Prudential Plaza 1050 17th Street Denver, Colorado 80265

Gentlemen:

This is in response to our October 10, 1979 letter requesting clarification of licensing procedures which would apply to your proposed heap leaching of the old Tuba City tailings.

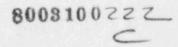
At the time the project was under active consideration, we held discussions with NRC legal staff concerning licensing procedures and responsibilities. It was decided that a meeting involving representatives of the Arizona Atomic Enercy Commission, Bureau of Indian Affairs, and NRC, would need to be held to discuss licensing jurisdiction. Prior to such a meeting, we would have reviewed your submittals pertaining to the project to determine if additional background information was needed for a decision on licensing jurisdiction to be made.

Regarding the question of what type of licensing action, an amendment to your mill license or a new license, would be required, if it was determined that the NRC would have licensing authority, a new license would be required. Due to the distance between Tuba City and your Moab mill and the completely independent nature of the two operations, the licensing action could only be accomplished by issuance of a new license.

We hope this answers your questions on licensing procedures which would apply to the Tuba City project. As your letter of October 10, 1979, informed us that the project is no longer under active consideration, we will not pursue the matter further unless we hear from you.

Sincerely. cara

Ross A. Scarano, Chief Uranium Recovery Licensing Branch Division of Waste Management





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