



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

FEB 4 1980

WMUR:PJG  
Docket No. 40-3453

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

Gentlemen:

This is in response to your 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 Energy 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,

A handwritten signature in dark ink, appearing to read "Ross A. Scarano", is written over the typed name.

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

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