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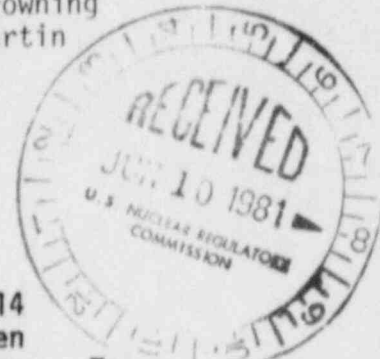
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JUN 2 1981

MEMORANDUM FOR: John B. Martin, Director  
Division of Waste Management

FROM: Ross A. Scarano, Chief  
Uranium Recovery Licensing Branch

SUBJECT: STATUS REPORT-40CFR190 HEARINGS



In March 26, 1981, Orders to implement 40CFR190 were issued to 14 NRC licensed uranium mills. The respective licensees were given until May 1, 1981 to file a request for a hearing on these Orders. To date eight (8) of the licensees have filed a request for hearing. Those licensees requesting a hearing do not have to implement the orders at this time. As of May 29, 1981, a proposed Notice of Hearing was sent to the Commission for publication at which time the licensees will be given an additional twenty (20) days to file specific information in support of their request of a hearing.

There have been discussions between the staff of WMUR, ELD, OGC, and the Hearing Board on the benefits of consolidating this effort into one hearing rather than having eight separate hearings. Also, the WMUR staff and ELD are in agreement that it would be in the interest of the NRC to file an opinion with the Hearing Board that the hearing(s) should be limited to site specific issues related to license conditions contained in the Orders and should not encompass a discussion of 40CFR190.

Independently, the WMUR staff is holding discussions with those licensees regarding site specific issues already raised in their respective requests for a hearing. To date, we have accomplished an informal resolution of these issues with Federal American Partners and Exxon. The staff intends to meet with Pathfinder Mines on both of its hearing requests during the next two weeks. Additionally, Energy Fuels Nuclear has indicated if we would revise the land survey requirements, they would willingly withdraw their request of hearing. Thus, I believe that we may be able to settle with 5 of the 8 licensees prior to a prehearing conference.

Original Signed by:  
R. A. Scarano

Ross A. Scarano, Chief  
Uranium Recovery Licensing Branch

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