



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

APR 26 1982

WMUR:DMG
Docket No. 40-8681
SUA-1358, Amendment No. 12

Energy Fuels Nuclear, Inc.
ATTN: Mr. C.E. Baker
Three Park Central, Suite 900
1515 Arapahoe
Denver, Colorado 80202

Gentlemen:

Pursuant to Title 10, Code of Federal Regulations, Part 40, Source Material License No. SUA-1358 is hereby amended by revising License Condition No. 29 to read as follows:

29. By May 19, 1982, the licensee shall submit to the NRC Uranium Recovery Licensing Branch, copies of all correspondence to or from the licensee related to attempts to establish surety arrangements, including all written requests that have been sent to bonding companies, banks and/or other organizations and all written responses from those organizations. The licensee shall establish an effective, NRC-approved financial surety arrangement, by October 19, 1982, to cover all costs for decommissioning, decontamination, and site reclamation, and maintain these or other NRC-approved arrangements thereafter until this license is terminated by the NRC.

All other conditions of this license shall remain the same.

The effect of this amendment is to require submittal of all surety-related correspondence in order for the NRC staff to adequately evaluate the reported difficulties you have encountered in obtaining an acceptable surety for reclamation and decommissioning of the White Mesa mill. In any case, the amendment also sets a deadline by which date an acceptable surety must be established in conformance with the Uranium Mill Tailings Radiation Control Act as amended, or appropriate

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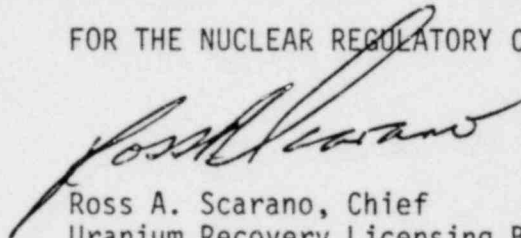
enforcement action will be taken. It is evident from your letters to us dated June 4, 1981, and November 23, 1981, that you are primarily pursuing the surety bond option. In order to satisfy the surety requirement you might consider the following other options:

- a. certificate of deposit
- b. deposit of government securities
- c. cash
- d. irrevocable letter or line of credit
- e. financial qualifications test (consider examining EPA's financial requirements for closure of solid waste disposal sites, 40 CFR 265, subpart H, published in the Federal Register on April 7, 1982, at 47 FR 15064.)
- f. secured interests in real property.

The above license condition revision has been discussed between Mr. G. Grandey of Energy Fuels Nuclear, and Mr. D. Gillen of my staff in an April 15, 1982 telephone conversation.

In accordance with Title 10, Code of Federal Regulations, Part 2.204, EFN may demand a hearing with respect to all or any part of this amendment within twenty (20) days from the date of the amendment. If no hearing is requested, this amendment will become effective upon expiration of this twenty day period.

FOR THE NUCLEAR REGULATORY COMMISSION



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