



November 11, 1993

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Fax: 202/861-7535

Mr. James M. Taylor  
Executive Director for Operations  
United States Nuclear Regulatory Commission  
Washington, DC 20555

RE: Generic License Conditions

Dear Mr. Taylor:

Thank you for your letter of October 28, 1993. The American Mining Congress (AMC) appreciates the opportunity to continue discussions regarding the closure of the Denver Uranium Recovery Field Office (URFO) and ways to streamline the regulatory burdens faced by uranium recovery industry licensees.

Your letter noted that at the most recent URFO Transition Oversight Team (TOT) meeting, AMC promised to provide examples of generic license conditions that could reduce the number of amendments licensees must request. As promised, we are providing you with our preliminary list (enclosed) of performance based license conditions that could be generic to all licenses and therefore, eliminate the need for a formal, time-consuming amendment process prior to license modifications.

We also would like to take this opportunity to address another point made in your letter; your letter expressed concern over AMC's dissatisfaction with NRC's plans to have both NRC licensing staff and inspectors travel to industry sites for inspections. Our objection is not just to the cost of travel; we realize some travel is necessary to facilitate the transition. Our specific concern is that we would be paying for licensing staff from headquarters, who have no site-specific knowledge, to accompany Region IV inspectors, who have no Title II inspection experience. We believe there are better ways to

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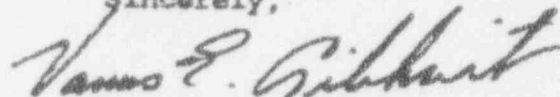
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promote efficiency and accessibility (perhaps even a jointly sponsored workshop to bring license and inspection staff together with licensees) and would be happy to discuss this with you.

We also would like to take issue with your assumption in SECY-93-207 that one of the benefits of bringing Title I and Title II management together at headquarters is that as the Title II workload declines, Title II licensing personnel will be able to work on other Nuclear Material Safety and Safeguard tasks. The URFO personnel, with its high level of expertise, has had great difficulty in addressing all the Title II licensing issues in a timely manner. We find it difficult to believe that shifting responsibility to headquarters will result in a more efficient handling of these highly site-specific licensee issues.

Sincerely,



James E. Gilchrist  
Vice President  
Environmental Affairs

cc: Ivan Selin, NRC Chairman  
Ramon Hall, URFO Director  
Malcolm Knapp, TOT Chairman

## PERFORMANCE BASED LICENSE CONDITIONS

### RSO Performance Criteria

The licensee shall designate a Radiation Safety Officer (RSO) who will be responsible for establishment and maintenance of a facility radiation protection program including personnel and environmental monitoring program. The RSO shall possess minimum qualifications as specified in Regulatory Guide 8.31.

### RST Performance Criteria

The licensee shall have Radiation Safety Technician(s) (RST) who will be responsible for maintenance of a facility radiation protection program including personnel and environmental monitoring program. The RST shall possess minimum qualifications as specified in Regulatory Guide 8.31.

### Corporate Organization

Any changes to the licensee's corporate organization structure including Radiation Safety staff will be documented and available for NRC inspection.

### Byproduct Disposal

The licensee is authorized to dispose of byproduct material from this facility to any site licensed by the NRC or Agreement State to receive and dispose of byproduct material. The licensee shall maintain a permanent record of all transfers made to facilities licensed to accept byproduct material.

### Process Modification

Prior to implementing any significant changes to the process circuit, the licensee shall evaluate the action to determine if such change may result in a significant adverse environmental or public safety impact. The licensee may not institute such changes if the evaluation indicates a significant adverse impact or is greater than that previously evaluated.

### Yellowcake Circuits

All yellowcake dryer operations shall comply with effluent standards within 10 CFR §20 and shall:

- a. Be immediately suspended if any of the emission control equipment for the yellowcake drying or packaging areas is not operating within design performance specifications;

- b. Assure that the recommended operating procedures are documented and that all appropriate gauges, audible alarms, sensors, are maintained and operating to design performance levels during yellowcake or packaging operations.

#### Retention Ponds

Prior to constructing any retention pond, a safety design analysis will be performed to meet the requirements of Regulatory Guide 3.11 and Staff Position Paper No. WM-8101. All safety design analysis shall be maintained on site for NRC inspection. The retention pond will be inspected at a frequency commensurate with the type and utilization of the structure. All inspections will be maintained on site for NRC review.

#### ISL Groundwater Restoration Plan

Prior to commencing groundwater restoration for each well field, the licensee shall prepare a restoration plan outlining the procedures to be employed with the goal of returning all affected groundwater constituents to baseline levels on a mining unit average basis. The licensee shall be required to demonstrate baseline conditions are not achievable in order to apply any alternate standard of performance.

#### Reclamation Plan Modifications

The licensee may make modifications to the approved reclamation plan provided:

- a. An analysis will be performed to determine there will be no significant impact resulting from the modification to the environment or public safety.
- b. The modification provides at a minimum, the equivalent protection or serves the same function as the original approved item being modified.

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**PHASED TRANSITION OF CASEWORK  
 FROM URFO TO LLUR**

FACILITY GROUPS	SHIP INSPECTION REPORT FILES TO RIV	CLOSE OUT ALL OPEN CASEWORK POSSIBLE	SHIP DOCKET FILES TO HQ	TRANSFER PROJECT MANAGEMENT RESPONSIBILITY TO HQ
<u>GROUP 1</u> ANC-Gas Hills Exxon-Highlands Petrotomics-S/B TVA-Edgemont Umetco-Gas Hills	1/15/94	2/1/94	2/15/94	2/15/94
<u>GROUP 2</u> ARCO-Bluewater Rio Algom-Lisbon Pathfinder-S/B Quivira-Ambrosia Lake UNC-Church Rock	2/25/94	3/1/94	3/15/94	3/15/94
<u>GROUP 3</u> Pathfinder-North Butte Rio Algom-Smith Ranch TOTAL-Irigaray/Christ. Kennecott-Sweetwater SOHIO-L Bar Union Pac.-Bear Creek	3/25/94	4/1/94	4/15/94	4/15/94
<u>GROUP 4</u> Atlas-Moab Homestake-Milan Pathfinder-Lucky Mc Ferret-Crow Butte Umetco-White Mesa WNI-Split Rock	4/25/94	5/1/94	5/15/94	5/15/94
<u>GROUP 5</u> Plateau-Shootaring HRI-Crownpoint/Church PRI-Highlands Grace Energy US Energy-Grn. Mtn.	5/25/94	6/1/94	6/15/94	6/15/94

Notes: 1. Assignment of facilities to Groups may change based on sequence of URFO staff losses. Schedule may also accelerate if necessary.

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