

OCT 04 1982

40-8681/DMG/82/09/23/0

- 1 -

DISTRIBUTION
Docket File 40-8681

- PDR
- WMUR r/f
- WMUR w/f
- NMSS r/f
- NRC Region IV
- DMGillen
- HJPettengill
- DEMartin
- JJLinehan
- RDSmith
- REBrowning
- JBMartin
- BFisher

WMUR:DMG
Docket No. 40-8681

MEMORANDUM FOR: Docket File No. 40-8681

FROM: Daniel M. Gillen
Uranium Recovery Licensing Branch
Division of Waste Management

SUBJECT: AMENDMENT NO. 15 TO SOURCE MATERIAL LICENSE NO.
SUA-1358, ENERGY FUELS NUCLEAR - WHITE MESA

In a September 2, 1982 letter from Energy Fuels Nuclear (EFN), a request was made for a license amendment to allow discharge of tailings into Cell 3 prior to the completion of the Cell 3 Safety Dike (Cell 4 dike). During a subsequent telephone conversation between myself and Mr. C.E. Baker of EFN, the need to construct the safety dike at all was questioned, since it is a redundant safety feature not required by the criteria in Regulatory Guide 3.11, especially in light of EFN's pending plans to forgo any further cell construction beyond Cell 3. At a meeting in our offices on September 13, 1982, EFN followed up on this discussion with a verbal request that construction of the Cell 3 Safety Dike be eliminated.

I have verified that the existing Cell 3 Dike, constructed during the initial phase of the tailings management program, was reviewed and found to meet the safety criteria of Regulatory guide 3.11. This verification was made by a September 9, 1982 telephone conversation with John D. Nelson (staff geotechnical consultant) and a review of Nelson's August 23, 1979 report on his review of the tailings system design. Therefore, since the staff has no requirements for a redundant embankment if the existing one meets Regulatory Guide 3.11, there is no need for EFN to construct the Cell 3 Safety Dike. However, the elimination of the Cell 3 Safety Dike should in no way affect the installation or location of groundwater monitoring well No. 14 which is to be located at the centerline of the dike. The need for this down-gradient monitoring well still remains.

The proposed action is the amendment of Source Material License No. SUA-1358 to authorize EFN to forgo the construction of the Cell 3 Safety

20743

OFC	:	:	:	:	:	:
NAME	:	:	:	:	:	:
DATE	:	:	:	:	:	:

OFFICIAL DOCKET COPY

8210210534 820930
PDR ADOCK 04008681
C PDR

OCT 04 1982

40-8681/DMG/82/09/23/0

- 2 -

Dike. The staff has concluded that the issuance of this amendment will not constitute an undue risk to the health and safety of the public and will not result in any incremental impacts.

Approval of this amendment with the addition of item "g" to License Condition No. 26 as follows is recommended.

26 (g) Notwithstanding any conflicting information in the submittals referenced in items "f" and "g" of License Condition No. 25, the licensee shall be allowed to forgo the construction of the Cell 3 Safety Dike (Cell 4 Dike). This construction change, shall not affect the installation or the location of groundwater monitoring Well No. 14.

APPROVED: *J. Gillen*

Original Signed By:

Daniel M. Gillen
New Facilities Section
Uranium Recovery Licensing Branch
Division of Waste Management

OFC	:	WMUR	:	WMUR	:	:	:	:
NAME	:	DMGillen	:	JJLinehan	:	:	:	:
DATE	:	82/09/23	:	9/30/82	:	:	:	:

OFFICIAL DOCKET COPY