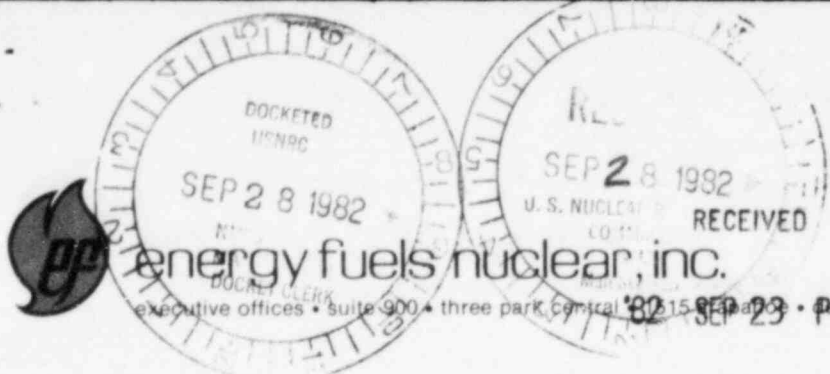


PDR

40-8681

Return to 396-SS



Executive offices • suite 900 • three park central • 1515 15th street • drive 2 • colorado 80202 • (303) 623-8317

LIC. FE. September 2, 1982

Mr. Dan Gillen
 Uranium Recovery Licensing Branch
 U.S. Nuclear Regulatory Commission
 7915 Eastern Avenue
 Silver Spring, Maryland 20910



Re: Docket No. 40-8681, SUA-1358

Dear Mr. Gillen:

Per our discussion by telephone on August 30, 1982, Energy Fuels Nuclear, Inc. ("Energy Fuels") finds it necessary to request permission via an administrative license amendment to discharge tailings into Cell 3 prior to the completion of construction of the Cell 4 dike (safety dike).

As you are aware, the tailings cells at White Mesa are formed by excavating a huge volume of material, and then building a containment dike on the downstream side of the excavated cell. Therefore, it is possible to discharge a considerable volume of tailings which can be contained below grade, creating no head on the dike itself.

Discharging of tailings up to this amount bears no relevance to safety matters connected with the dike itself, or with the downstream safety dike. In other words, it is not conceivable that a dam break could occur and release tailings as long as tailings are held below grade.

Specifically, Energy Fuels requests permission to utilize Cell 3 for storage of tailings in the absence of a downstream safety dike. During the period of such storage, tailing solution will be kept below grade level so as to allay any concern regarding downstream containment in the case of dike failure.

However, it is assumed that tailings can be stored against the dike to the extent that progressive construction of the safety dike will contain the volume of a potential

8210260022 820902
 PDR ADOCK 04008681
 C PDR

Applicant.....	
Check No. 47660.....	45,446
Amount Fee Category 150.....	3350
Type of Fee.....	minor safety
Date Check Rec'd.....	9/23/82
Received By.....	Agency

OFFICIAL DOCKET COPY

COPY SENT REGION IV 9/28/82

20743 Amend

Mr. Dan Gillen
September 2, 1982
Page Two

spill. The latter provision is important in that it now may be next spring (1983) before the safety dike is fully constructed.

Your prompt attention to this matter will be appreciated. A check for \$150 is enclosed to cover the fee for an administrative admendment.

Sincerely yours,

C. E. Baker

C.E. Baker
Manager, Regulatory Compliance

CEB/kc
Enclosure

cc: G.W. Grandey
M.D. Vincelette
D.K. Sparling
B.K. Reaveau
H.R. Roberts
G.E. Glasier



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

~~① GILLEN~~
FUE FEE ME
JZZ
② BETTY

FEE CLASSIFICATION MEMO

DOCKET NO.: 40-8681
TO: William O. Miller, Chief
License Fee Management Branch, ADM
FROM: John Linehan
SUBJECT: MATERIALS LICENSE AMENDMENT CLASSIFICATION

Applicant: Energy Fuels Nuclear, Inc
License No.: SVA-1358 Fee Category: 2A
Application Dated: 9-2-82 Received: 9-20-82
Applicant's Classification: Admin MINOR

The above application for amendment has been reviewed by NMSS in accordance with §170.31 of Part 170, and is classified as follows:

1. Safety and Environmental Amendments to Licenses in Fee Categories 1A through 1H, 2A, 2B, 2C, and 4A.
 - (a) Major safety and environmental
 - (b) Minor safety and environmental X
 - (c) Safety and environmental
(Categories 1D through 1G only)
 - (d) Administrative
2. Justification for Reclassification:
3. The application was filed (a) pursuant to written NRC request and the amendment is being issued for the convenience of the Commission, or (b) other (state reason):

MAIL CONTROL #: 20743
CASEWORK #: 04008681331E
CHECK INCLUDED:
 No
 Yes
Amount: \$150, 3350
Date of check: 44660 9-31-82
on check: 44660; 45446

Signature: [Signature]
Uranium Recovery Licensing Branch
Division of Waste Management, NMSS
Date: 9/21/82