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40-8943

**FERRET EXPLORATION COMPANY OF NEBRASKA, INC.**

216 Sixteenth Street Mall, Suite 810  
Denver, Colorado 80202

(303) 825-2266  
(303) 825-1544 - FAX



RETURN ORIGINAL TO PDR, HQ.

December 4, 1990

Mr. Ramon Hall  
U.S. Nuclear Regulatory Commission  
Uranium Recovery Field Office  
Box 25325  
Denver, Colorado 80225

RE: Docket No. 40-8943  
License SUA-1534



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Dear Mr. Hall:

License Condition 49 of Ferret Exploration Company of Nebraska's (FEN) License SUA-1534 requires five (5) feet of freeboard in the evaporation ponds. It is FEN's belief that this freeboard requirement should only apply to the newly constructed commercial evaporation ponds. FEN's R&D License SUA-1441 required a freeboard of three (3) feet (License Condition 19) and that sufficient reserve capacity was maintained in the system to allow transfer of the contents of one pond to the other (License Condition 21).

FEN requests a license amendment which allows a separate freeboard requirement for the R&D ponds.

FEN requests that License Condition 49 be amended to read as follows: "During normal operating conditions, the commercial ponds shall have five (5) feet of freeboard and the R&D ponds shall have three (3) feet of freeboard. The licensee shall, at all times, maintain sufficient reserve capacity in the evaporation pond system to enable the transfer of the contents of a pond to the other ponds. In the event of a leak and subsequent transfer of liquid, the freeboard requirement shall be suspended during the repair period".

If you have any questions regarding this matter, please do not hesitate to contact me.

Sincerely,

Ralph Knode  
Vice President

DESIGNATED ORIGINAL

Certified By Mary C. Wood

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