

40-299



UNITED STATES  
NUCLEAR REGULATORY COMMISSION  
WASHINGTON, D.C. 20555-0001

JUN 26 1994

OPM 11.2

LETTER FOR: State Officials and Uranium Recovery  
Licensees on Attached List

Dear Ladies and Gentlemen:

Attached is a summary of the meeting held in Denver, Colorado, on May 20, 1994, in which many of you participated. This meeting was held to permit interface between the Transition Oversight Team (TOT) and representatives from the uranium recovery industry and interested States. This summary reflects our understanding of the concerns and issues you presented to the NRC TOT, and our responses to your points.

As discussed during the meeting, the reorganization of the NRC Division of Waste Management and the move to a new building have caused a number of telephone numbers to change. A listing of the new telephone numbers for management and project managers involved in the uranium recovery regulatory program is attached. It was mentioned that these telephone numbers will again change when new telephone exchange equipment is completed in a couple of months. The NRC will again advise you of subsequent changes. The NRC will also advise you of changes in Project Managers necessitated by the final phaseout of the Uranium Recovery Field Office (URFO).

You are invited to participate in the next scheduled meeting between the TOT and uranium recovery licensees, their representative organizations, and the affected States that has been scheduled for July 13, 1994, 8:30 a.m., in the Region IV offices, 611 Ryan Plaza Drive, Suite 400, Arlington, Texas, 76012. Please provide any candidate topics for discussion to Ramon Hall (303) 231-5800 by July 1, 1994.

Please advise Ramon Hall, Director, URFO, if any of the concerns or issues are inaccurately presented, or if your understanding differs from the attached report.

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PDR ADOCK 04000299  
C PDR

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*Malcolm R. Knapp*  
Malcolm R. Knapp, Chairman  
Transition Oversight Team

DF03/1



JUN 03 1994

bcc:

Docket File (NRC Licensees Only)	<del>40-0299</del>	40-8681
PDR/DCS		40-8943
URFO r/f	40-8698	40-2259
HLUR Branch, DWM, (T-7 J9)	40-8452	40-8502
J. T. Greeves, DWM (T-7 J9)	40-9024	40-4492
J. J. Holonich, HLUR (T-7 J9)	40-6659	40-8971
S. J. Collins, DRSS, RIV	40-8964	40-8857
R. A. Scarano, DRSS, RIV	40-8905	40-8981
G. G. Benoit, DRMA, RIV	40-8902	40-6622
M. J. Fox, OP (W-512)	40-8907	40-8783
R. E. Hall, URFO	40-1341	40-8973
P. H. Lohaus, OSP, O-3 D23	40-3453	40-8903
R. J. Doda, RIV	40-8084	40-8904
C. A. Hackney, RIV		
D. M. Kunihiro, RV		
J. Hornor, RV		
O:\REH\PUB-MTG4.MAY		

Instructions: One copy should go to each docket file for the NRC Licensees. For all others, including the PDR/DCS, one copy with attached addressee list should be sent.

40-8912	40-8968
40-1162	40-8587
40-8102	

OFFICIAL DOCKET COPY

DD:URFO <i>[Signature]</i>	D:URFO:RIV <i>[Signature]</i>	D:DWM:NMSS <i>[Signature]</i>	
EFHawkins	BEHall <i>[Signature]</i>	MRKnapp <i>[Signature]</i>	
06/3/94	06/3/94	06/3/94	

NUCLEAR REGULATORY COMMISSION MEETING SUMMARY

May 20, 1994

Golden, Colorado

PARTICIPANTS: NRC TRANSITION OVERSIGHT TEAM  
URANIUM RECOVERY INDUSTRY REPRESENTATIVES  
STATE REPRESENTATIVE

PURPOSES: Discuss status of URFO closure actions, transfer of regulatory authority and inspection responsibility, and remaining URFO staffing.

Discuss Division of Waste Management reorganization with emphasis on functions of the High-Level Waste and Uranium Recovery Projects Branch.

Discuss status of NRC actions on significant policy issues of interest to the industry.

Provide forum for industry and state representatives to discuss URFO closure transition experience from their perspectives.

Develop plans for future meetings with the industry and states following closure of URFO

ATTENDANCE: See Enclosure 1

SUMMARY:

1. Status of URFO Closure Activities:

It was indicated that of the 28 active dockets, 23 have now been physically transferred to NRC headquarters; however, since several URFO staff members remain available, approximately half of the project manager assignments remain with URFO staff. The remaining five dockets will be transferred as planned in mid-June. Inspection planning responsibility has been transferred to Region IV, and effective mid-June, all remaining inspection functions will be performed in Region IV. URFO staff losses to date have been Dawn Jacoby, Mary Hood, Gary Konwinski, and Paul Michaud. Dana Ward has submitted his resignation, effective May 28, 1994. It was noted that URFO would close permanently at the end of business on Monday, August 1, 1994.

2. Performance Based License Condition Development:

The NRC reported that the final version of the Performance Based License Condition (PBLC) was drafted in a Commission

Paper to be proposed to the Commission. The status of plans to incorporate the PBLC into licenses for the Power Resources Highland Uranium Project and the Umetco White Mesa Mill on a trial basis was discussed, along with the planning for the trial applications. After evaluation of the trial applications, other licenses could be similarly conditioned if licensees filed the necessary applications. Licensee representatives requested that the trial licenses be distributed to other licensees after issuance for their information; the NRC agreed to do so using the distribution list for this and similar meetings.

3. Status of Alternate Concentration Limits (ACL) Policy:

The NRC reported that the ACL Policy had been published in the Federal Register (March 21, 1994) for comment. It was stressed that there had been an error in the published date of closure of the comment period. The NRC will accept comments for 90 days after publishing, rather than until April 29, 1994, as stated in the Notice. The NRC reported that it would initiate a review of one application already submitted against the draft policy paper to serve as a check on the implementation of the technical position.

4. Regulation of In Situ Well Fields:

The NRC indicated that it was preparing the response to the formal request for reanalysis of the legal basis for NRC regulation of the in situ well fields. The draft response has been reviewed by the Office of the General Counsel, and was undergoing management review of the proposed policy.

5. Other NRC Policy Issues:

The NRC discussed the status of policy issues regarding Waste Fluid Disposal Alternatives and Closure of Lined Impoundments. Policy papers on these two issues have been drafted and are in the process of management review. Selected cases of Waste Fluid Disposal, which have been requested by license amendment request, are being reviewed in accordance with the draft policy guidance if licensee priority dictates. One licensee indicated that the policy on closure of lined impoundments was important to his plans to construct additional disposal capacity preparatory to resumption of operation.

6. Industry Representative Identified Topics:

One licensee representative requested that open items from its reclamation plan approval be reviewed by URFO staff before closure since it had identified the open areas. The Director, URFO, agreed to provide a status of the review to the licensee. (On May 26, 1994, The Director, URFO, advised the requester that the review of remaining issues in his

reclamation plan had been assigned to headquarters; however the URFO Project Manager and the technical reviewer have been in consultation with the headquarters technical reviewer to assure transfer of the technical background information. The headquarters technical reviewer had also participated in defining the open issues prior to approval of the reclamation plan, and was knowledgeable of the issues.)

One licensee expressed concern over delay of transfer of its license with the dynamic nature of the facility operation. It encouraged special care to assure a "bumpless transfer."

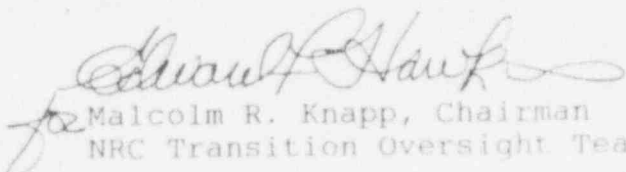
In situ licensee representatives expressed concern over the restrictions being imposed by the State of Wyoming on the disposal of in situ byproduct material in mill tailings piles. This concern has been exacerbated by the apparent financial failure of American Nuclear Corp., one of the disposal sites. The NRC representatives indicated that they had been advised by Counsel that the duality of regulatory authority over solid waste in Wyoming would have to be resolved between the licensees and the State. The NRC could not exert peremptory authority in this area.

One licensee requested further training by the NRC in the provisions of the new Part 20. The training during the previous TOT/AMC meeting had been beneficial; but the licensees still desired training at the level of those who must apply the requirements. The NRC agreed to take this as an initiative, and agreed to provide a specific proposal for consideration by the attendees at the July public TOT meeting.

7. Schedule for Future Meetings:

It was agreed to hold a final TOT meeting in Region IV (611 Ryan Plaza Drive, Suite 400, Arlington, TX, 76011) at 8:30 a.m., on July 13, 1994.

NRC staff proposed a continuation of the periodic meetings of the NRC with the industry and State representatives. (See attached handouts.) Subsequent meetings would be scheduled in calendar year 1995, one in Rockville, MD; one in Arlington, TX; and one in Denver, CO. Attendees endorsed the concept of a continuing dialogue, and agreed to provide NRC feedback on the specifics of the proposal.

  
Malcolm R. Knapp, Chairman  
NRC Transition Oversight Team

MEETING ATTENDANCE

TOT MEETING WITH LICENSEES/STATES  
May 20, 1994  
Denver, Colorado

TOTAL ATTENDANCE: 12

REPRESENTATIVE ORGANIZATIONS

Wyoming Mining Association Oscar Paulson\*

LICENSEES

Energy Fuels Nuclear	Bill Almas
Ferret	Steve Collings
Kennecott	Oscar Paulson*
Pathfinder/COGEMA	Lee Nugent
Petrotomics (Texaco)	Frank Charron Kevin Bohnenblust
Power Resources	Paul Hildenbrand
United Nuclear	S. Dupont (Canonie)

OTHERS

Uranerz	Glenn Catchpole
Shepard-Miller	Toby Wright Kent Bruxvoort Bob Medlock
Colorado Dept. of Health	Art Burnham

NRC STAFF

Headquarters	Mal Knapp Joe Holonich
Region IV	D. Blair Spitzberg
URFO	Ray Hall Ed Hawkins

AGENDA

PUBLIC TOT MEETING  
May 20, 1994, 1:00 pm

- |         |   |                |
|---------|---|----------------|
| 1:00 pm | Purpose and Scope of Meeting  | M. R. Knapp    |
| 1:15 pm | Status of Transition<br>Regulatory Responsibility Transfer<br>Inspection Responsibility Transfer<br>Status of URFO Staff  | R. E. Hall     |
| 1:30 pm | Reorganization of Waste Management Division<br>with emphasis on High Level and Uranium<br>Recovery Branch functions.  | J. J. Holonich |
| 1:45 pm | Status of NRC Actions<br>Regulatory Reduction Efforts<br>Alternative Concentration Limits<br>Waste Fluid Disposal Alternatives<br>Closure of Lined Impoundments | J. J. Holonich |
| 2:30 pm | Discussion of Industry Topics<br>Impact of Wyoming/Pathfinder Agreement<br>on in situ operators<br>Impact of ANC closing on Ferret, et.al.                      | As Appropriate |
| 3:30 pm | Future Meeting (time and location)<br>Adjourn   | M. R. Knapp    |



Attachment 2

HANDOUTS  
USED DURING  
MEETING



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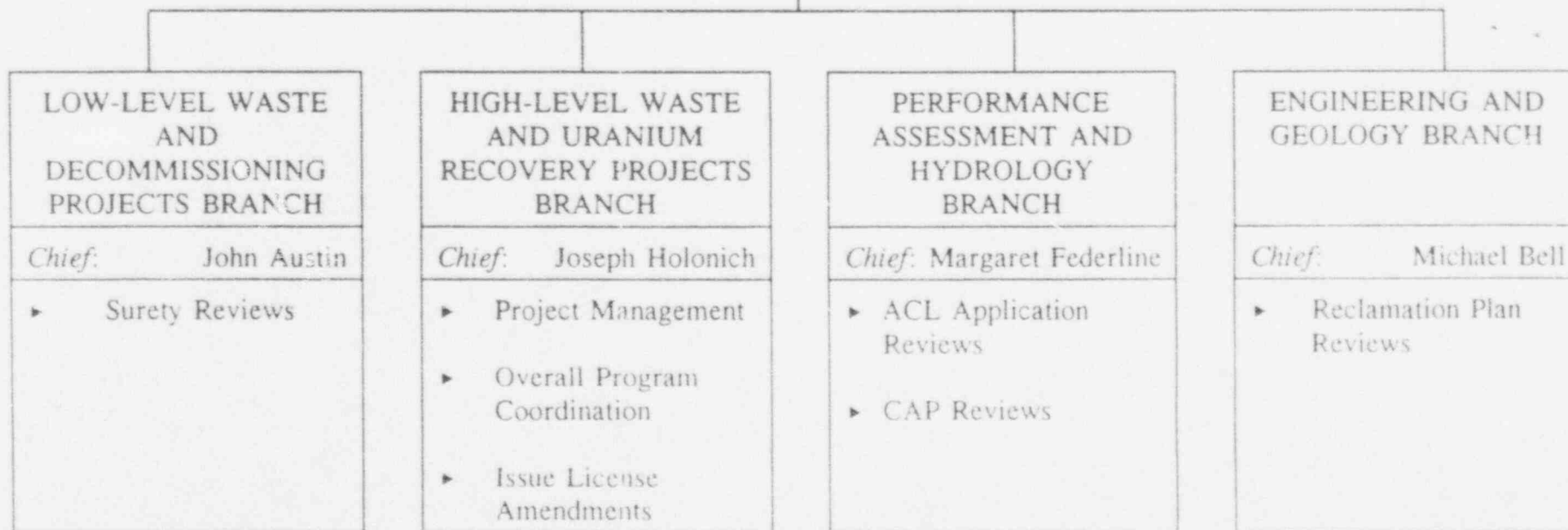
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Uranium Recovery Functional Organization

**WASTE MANAGEMENT DIVISION**

*Director: Malcolm Knapp*

*Deputy: John Greeves*





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## STATUS OF NRC ACTIONS

Presented at:

### **PUBLIC TOT MEETING**

By:

Joseph J. Holonich

High Level Waste and Uranium Recovery Projects Branch

Division of Waste Management

Office of Nuclear Material Safety and Safeguards

May 20, 1994

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**NRC ACTIONS**

- **REGULATORY REDUCTION EFFORTS**
- **ALTERNATIVE CONCENTRATION LIMITS**
- **EFFLUENT DISPOSAL ALTERNATIVES**
- **CLOSURE OF LINED IMPOUNDMENTS**
- **WASTE JURISDICTION ISSUE**



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**STATUS**  
**REGULATORY REDUCTION EFFORTS**

- COMMISSION PAPER ON EFFORTS TO REDUCE REGULATORY IMPACTS ON LICENSEES (PBLC)
  - EVALUATION COMPLETE
  - COMMENTS FROM INDUSTRY CONSIDERED
  - IN FINAL PREPARATION
  
- EXAMPLES OF LICENSES IMPLEMENTING PBLC
  - PREVIOUS INTERACTIONS AND CORRESPONDENCE
  - POWER RESOURCES AND UMETCO WHITE MESA
  - EXAMPLE LICENSES CURRENTLY BEING DRAFTED
  - STAFF MEETING WITH LICENSEE PROJECTED FOR JULY



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STATUS  
ALTERNATE CONCENTRATION LIMITS

- DRAFT FINAL TECHNICAL POSITION
  - NOTICED IN FEDERAL REGISTER ON MARCH 21, 1994
  - COMMENT PERIOD CLOSES APRIL 29, 1994
  
- COMMENTS RECEIVED FROM:
  - AMERICAN MINING CONGRESS
  - RIO ALGOM MINING CORPORATION
  - ARCO (BLUE WATER MILL)



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**STATUS CONTINUED**  
**ALTERNATE CONCENTRATION LIMITS**

- COMMENTS INCLUDE SUCH AREAS AS:
  - TRANSFER OF EXCESS LAND TO DOE
  - RISK LEVEL
  - ALARA
  - NATURAL ATTENUATION
  - GROUNDWATER USE



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STATUS  
EFFLUENT DISPOSAL ALTERNATIVES

- EVAPORATION PONDS - TRADITIONAL METHOD
  - IMPRACTICAL IN SOME INSTANCES
  - COST DOLLARS, TIME AND LAND IN ALL INSTANCES
- MAJOR CONCERN RELEASE OF IIE.(2) BYPRODUCT MATERIAL





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**STATUS CONTINUED**  
**EFFLUENT DISPOSAL ALTERNATIVES**

- **THREE ALTERNATIVES**
  - **SURFACE WATER DISCHARGE UNDER TABLE 2 OF APPENDIX B**
  - **LAND APPLICATION UNDER 20.2002**
  - **DEEP WELL INJECTION UNDER 20.2002**
  
- **STATUS OF DIRECTIVE**
  - **DRAFTED MARCH 1994**
  - **DISCUSSED IN CHEYENNE IN APRIL 1994**
  - **DISCUSSED WITH TEXAS AND NEBRASKA VIA TELCON**
  - **COMMENTS RECEIVED FROM PRI AND WMA**



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**STATUS**  
**CLOSURE OF LINED IMPOUNDMENTS**

- **DRAFT POLICY AND GUIDANCE UNDER PREPARATION**



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**STATUS**  
**WASTE JURISDICTION ISSUE**

- ISSUE RAISE<sup>D</sup> BY FERRET TO NRC
  - DISPOSAL OF IN SITU WASTE AT PATHFINDER SB
  - PATHFINDER HAS NRC APPROVAL
  - WYOMING REQUIRES WASTE DISPOSAL PERMIT
  - ~~PATHFINDER HASN'T OBTAINED STATE PERMIT~~ *REQUIRED*
  
- JURISDICTION
  - NRC PRIMARY FOR RADIOLOGICAL SAFETY
  - CONCURRENT WITH STATE IN OTHER AREAS
  - NON-RADIOLOGICAL
    - \* LICENSEE RESOLVE WITH STATE
    - \* LICENSEE CAN GO TO FEDERAL COURT



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**PUBLIC TOT MEETING**

By:

Joseph J. Holonich

High Level Waste and Uranium Recovery Projects Branch

Division of Waste Management

Office of Nuclear Material Safety and Safeguards

May 20, 1994

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STATUS CONTINUED  
ALTERNATE CONCENTRATION LIMITS

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## Proposed NRC/Uranium Industry Continuing Interaction

- ▶ Last TOT meeting to be held Mid-July
- ▶ Regular Uranium Recovery Meetings after July
  - (1) Continue dialogue begun through TOT
  - (2) Seek workable format
- ▶ Feedback at July '94 meeting
  - (1) How many would attend future meetings
  - (2) Agree on format
  - (3) Feedback on proposed schedules/locations
  - (3) Potential issues

## NRC/Uranium Industry Interaction (continued)

### ▶ Meeting Format

- (1) Is present format best?
- (2) Should we limit to 8-10 participants?
  - 3-4 from NRC
  - 2-3 from industry organizations (AMC, WMA)
  - 3-4 others (licensees/states)
- (3) All licensees, public invited as observers/  
occasional commentators

## NRC/Uranium Industry Interaction (continued)

▶ Proposed future meetings

- (1) October '94
  - Rockville, MD
  - Working group
  - Discuss generic issues
  
- (2) February '95
  - Arlington, TX
  - Same format as Oct meeting
  
- (3) June '95
  - Denver, CO
  - Workshop
  - Achieve better program integration

HIGH-LEVEL WASTE AND URANIUM RECOVERY PROJECTS BRANCH  
PROJECT MANAGEMENT ASSIGNMENTS BY FACILITY  
TITLE II FACILITIES

Malcolm R. Knapp	(301) 415-7437
John T. Greeves	(301) 415-6708
Joseph J. Holonich	(301) 415-6643

<u>CONVENTIONAL FACILITIES</u>	<u>PROJECT MANAGER</u>	<u>TELEPHONE</u>
ANC-Gas Hills	Kenneth Hooks	(301) 415-7281
ARCO Bluewater	Pete Garcia	URFO
Atlas-Moab	Allan Mullins	(301) 415-6693
Exxon-Highland	Cynthia Miller-Corbett	URFO
Homestake-Grants	Pete Garcia	URFO
Kennecott-Sweetwater	Charlotte Abrams	(301) 415-5808
Pathfinder-Lucky Mc	Pete Garcia	URFO
Pathfinder-Shirley Basin	Pete Garcia	URFO
Petrotomics-Shirley Basin	Cynthia Miller-Corbett	URFO
Plateau-Shootaring Canyon	Joel Grimm	URFO
Quivira-Ambrosia Lake	Pete Garcia	URFO
Rio Algom-Lisbon	Sandra Wastler	(301) 415-6724
Sohio Western-L-Bar	Charlotte Abrams	(301) 415-5808
TVA-Edgemont	Sandra Wastler	(301) 415-6724
Umetco-Gas Hills	Allan Mullins	(301) 415-6693
Umetco-White Mesa	Sandra Wastler	(301) 415-6724
UNC-Church Rock	Pete Garcia	URFO
Union Pacific-Bear Creek	Charlotte Abrams	(301) 415-5808
Western Nuclear-Split Rock	Allan Mullins	(301) 415-6693

IN SITU PRODUCTION FACILITIES

EFN Reno Creek	Robert Carlson	(301) 415-8165
Ferret-Crow Butte	Joel Grimm	URFO
Hydro Resources-Crown Point	Joel Grimm	URFO
Pathfinder-North Butte	Cynthia Miller-Corbett	URFO
Power Resources-Highland	Cynthia Miller-Corbett	URFO
Rio Algom-Smith Ranch	Joel Grimm	URFO
Cogema-Irigaray/ Christensen Ranch	Cynthia Miller-Corbett	URFO

Note: All URFO staff may be reached on (303) 231-5800. Direct numbers of identified URFO Project Managers are:

Pete Garcia	(303) 231-5812
Joel Grimm	(303) 231-5806
Cynthia Miller-Corbett	(303) 231-5811



Quivira Mining Company  
ATTN: Bill Ferdinand, Manager  
Radiation Safety, Licensing &  
Reg. Affairs  
6305 Waterford Blvd., Suite 325  
Oklahoma City, OK 73118

Atlantic Richfield Company  
ATTN: Ron S. Ziegler  
P.O. Box 638  
Grants, NM 87020

UNC Mining and Milling  
ATTN: Juan ... Velasquez  
1700 Louisiana Blvd., NE, Suite 230  
Albuquerque, NM 87110

Hydro Resources, Inc.  
ATTN: Mark Pelizza  
Uranium Resources Inc.  
12750 Merit Drive, Suite 1210, LB 12  
Dallas, TX 75251

Grace Energy Company  
ATTN: Michael P. Grace  
P.O. Box 1033  
Venice, CA 90291

Sohio Western Mining Company  
10 East south Temple  
P.O. Box 11248  
Salt Lake City, UT 84147

Homestake Mining Company  
ATTN: Fred Craft  
P.O. Box 98  
Grants, NM 87020

Ferret Exploration Company of  
Nebraska, Inc.  
ATTN: Steve Collings  
216 Sixteenth St. Mall, Suite 810  
Denver, CO 80202

Tennessee Valley Authority  
ATTN: Manager, Nuclear Licensing  
and Regulatory Affairs  
5N 157B  
Lookout Place  
1101 Market Street  
Chattanooga, TN 37402

Rio Algom Mining Corp.  
ATTN: Bill Ferdinand, Manager  
Rad. Safety, Licensing &  
Reg. Affairs  
6305 Waterford Blvd., Suite 325  
Oklahoma City, OK 73118

Atlas Corporation  
ATTN: R. E. Blubaugh  
Vice President of Environmental  
and Governmental Affairs  
Republic Plaza  
370 Seventeenth St., Suite 3150  
Denver, CO 80202-5631

Plateau Resources Limited  
P.O. Box 2111  
Ticaboo  
Lake Powell, UT 84533-2111

Umetco Minerals Corporation  
ATTN: R. A. Van Horn  
Manager of Operations  
P.O. Box 1029  
Grand Junction, CO 81502

Bear Creek Uranium  
ATTN: Gary Chase  
Radiation Safety Officer  
P.O. Box 366  
Casper, WY 82602

Umetco Minerals Corporation  
ATTN: Pat J. L. Lyons  
General Superintendent  
P.O. Box 151  
Riverton, WY 82501

American Nuclear Corporation  
ATTN: William C. Salisbury  
550 North Poplar Street, Suite No. 6  
Casper, WY 82602

U.S. Energy Corporation  
ATTN: Kenneth Webber  
877 North 8th West  
Riverton, WY 82501

Power Resources, Inc.  
ATTN: Steve Morzenti, Vice  
President  
1560 Broadway, Suite 1470  
Denver, CO 80202

Exxon Corporation  
c/o Exxon Coal and Minerals Company  
ATTN: Dave Range  
Staff Environmental Engineer  
P.O. Box 1314  
Houston, TX 77251-1314

COGEMA Mining, Inc.  
ATTN: Chuck Foldenauer  
P.O. Box 730  
Mills, WY 82644

Pathfinder Mines Corporation  
ATTN: Robert Poyser  
7401 Wisconsin Avenue  
Bethesda, MD 20814-3416

Pathfinder Mines Corporation  
ATTN: Lee Nugent, Mine Manager  
P.O. Box 831  
Riverton, WY 82501

Pathfinder Mines Corporation  
North Butte ISL Operations  
ATTN: Donna L. Wichers  
935 Pendell Boulevard  
Mills, WY 82644

Pathfinder Mines Corporation  
ATTN: Lee Nugent, Mine Manager  
Shirley Basin Mine  
Shirley Basin, WY 82615

Petrotomics Company  
ATTN: Ron Juday, Supervisor  
P.O. Box 8509  
Shirley Basin, WY 82615

Western Nuclear, Inc.  
ATTN: Stephanie Baker  
200 Union Blvd., Suite 300  
Lakewood, CO 80228

Kennecott Uranium Company  
ATTN: Oscar Paulson  
P.O. Box 1500  
Rawlins, WY 82301

State of Nebraska  
ATTN: Tom Lamberson, Deputy Director  
Department of Environmental  
Quality  
P.O. Box 98922  
Lincoln, NE 68509-8922

State of Utah  
ATTN: William J. Sinclair, Director  
Division of Radiation Control  
Department of Environmental Quality  
168 North 1950 West  
P.O. Box 144850  
Salt Lake City, UT 84114-850

State of Colorado  
ATTN: Robert M. Quillin, Director  
Radiation Control Division  
Department of Health  
4300 Cherry Creek Dr., So.  
Denver, CO 80222-1530

State of Washington  
ATTN: Terry R. Strong, Director  
Division of Radiation Protection  
Department of Health  
P.O. Box 47827  
Olympia, WA 98504-7827

Uranium Producers of America  
ATTN: Joseph H. Card, President  
c/o Jon Indall, Carpenter, Comau, et.  
al.  
P.O. Box 669  
Santa Fe, NM 87504-0665

State of New Mexico  
ATTN: Benito Garcia, Chief  
Hazardous and Radioactive  
Materials Bureau  
Camino De Los Marquez, Suite 4  
P.O. Box 26110  
Santa Fe, NM 870502

State of South Dakota  
ATTN: Mike Pochop, Scientist  
Department of Environment  
and  
Natural Resources  
Division of Environmental Regulation  
523 E. Capitol, Joe Foss Building  
Pierre, SD 57501

State of Wyoming  
ATTN: Roger Fransen, Legal and  
Natural Resources  
Specialist  
State Planning Coordinator's Office  
Herschler Building, 4th Floor East  
Cheyenne, WY 82002

State of Texas  
ATTN: Susan S. Ferguson, Director  
Hazardous Waste Division  
Texas Water Commission  
P.O. Box 13087  
Austin, TX 78711-3087

American Mining Congress  
ATTN: James E. Gilchrist, Vice  
President  
1920 N Street N.W., Suite 300  
Washington, DC 20036-1662

New Mexico Mining Association  
ATTN: Charles E. Roybal, Executive  
Director  
6020 Academy N.E., Suite 201  
Albuquerque, NM 87109-3315

Wyoming Mining Association  
ATTN: Marion Loomis, Executive  
Director  
P.O. Box 866  
Cheyenne, Wyoming 82003

Colorado Mining Association  
ATTN: David R. Cole, President  
1340 Colorado State Bank Building  
1600 Broadway  
Denver, CO 80202-4913

Utah Mining Association  
ATTN: Jack E. Christensen, President  
825 Kearns Building  
Salt Lake City, UT 84101

Wyoming Mining Association  
ATTN: Dale Alberts, President  
P.O. Box 866  
Cheyenne, Wyoming 82003