



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

May 21, 1999

Mr. Lawrence J. Corte, Manager
Western Nuclear, Inc.
Union Plaza Suite 300
200 Union Boulevard
Lakewood, CO 80228

SUBJECT: RADIOLOGICAL VERIFICATION COMPLETION REPORT REVIEW -
AMENDMENT NO. 88

Dear Mr. Corte:

This letter is in response to Western Nuclear, Inc.'s (WNI's) amendment request dated December 19, 1997, regarding submission of the Split Rock Project Radiological Verification Completion Report (CR). Specifically, WNI requested that the requirements of License Condition (LC) No. 33 be deleted such that surface lands at the site may be released for unrestricted use.

Based on its review, the U.S. Nuclear Regulatory Commission (NRC) staff concludes WNI's verification data provides reasonable assurance that the radiological cleanup of soil and buildings at the Split Rock site meets the applicable standards in 10 CFR Part 40, and that the requirements of LC No. 33 were met. Therefore, the NRC staff concurs with WNI's request to delete LC No. 33 of its Source Material License SUA-56. The NRC staff's review and conclusions are documented in the enclosed Technical Evaluation Report (TER).

The enclosed license SUA-56 has been amended to incorporate the revisions discussed in the TER. An environmental review of this amendment request was not performed since this action is categorically excluded under 10 CFR 51.22(c)(11). All other conditions of this license shall remain in effect and are unchanged.

If you have any questions concerning this subject, please contact Mr. Robert Carlson of my staff at (301) 415-8165.

Sincerely,

A handwritten signature in cursive script that reads "King Stablein".

N. King Stablein, Acting Chief
Uranium Recovery and
Low-Level Waste Branch
Division of Waste Management
Office of Nuclear Material Safety
and Safeguards

Docket No. 40-1162
License No. SUA-56

Enclosures: As stated

TECHNICAL EVALUATION REPORT

DATE: May 19, 1999

DOCKET NO.: 40-1162

LICENSE NO.: SUA-56 (Amendment 88)

LICENSEE: Western Nuclear Inc. (WNI)

FACILITY: Split Rock, Jeffery City, Wyoming

PROJECT MANAGER: R. Carlson

TECHNICAL REVIEWER: E. Brummett

SUMMARY AND CONCLUSIONS:

By letter dated December 19, 1997, WNI provided the Radiological Verification Completion Report (CR) for its Split Rock uranium mill site near Jeffery City, Wyoming, and requested that the requirements of License Condition (LC) No. 33 be deleted such that surface lands may be released for unrestricted use. The NRC staff evaluated the CR and subsequent revisions (dated September 18 and December 10, 1998), supporting documents, and results of the staff's confirmatory survey. Based on its review, the NRC staff concludes WNI's verification data provides reasonable assurance that the radiological cleanup of soil and buildings meets the applicable standards in 10 CFR Part 40, and that the requirements of LC No. 33 were met.

BACKGROUND:

The WNI mill at the Split Rock site was demolished in 1988 and the office building in May 1997. The debris was placed in the tailings pile. The soil cleanup and verification program was approved by NRC staff via License Amendment 78 on June 24, 1996. In addition, License Amendment 83 (LC No. 33E) authorized exception to the verification program for certain areas (ore haul road, granite mountains, remote dunes, access roadway, and rock stockpiles), as requested and justified by the licensee's submittals of March 31 and August 14, 1997.

WNI excavated approximately 750,000 cubic yards of contaminated soil through May 1997. For soil cleanup verification, WNI obtained over 1,500 soil samples; including 10 percent of P1 area (known or probable contamination) and 100 percent of P2 area (suspected of containing elevated uranium or thorium) grids, and only one grid needed to be recleaned and resampled. Four percent of the gamma survey results failed initially, and additional soil removal or sampling was performed by WNI. A total of 13,860 grids were surveyed or sampled. Seventy percent of the verification grid results are essentially background levels of Ra-226.

Enclosure

TECHNICAL EVALUATION:

The NRC staff reviewed the radiation aspects of remedial actions at the WNI Split Rock mill site to ensure that residual radioactive materials were cleaned up and controlled in accordance with: specifications in WNI's Reclamation Plan; LC 33A; and Part 40, Appendix A, Criterion 6(6) (limits for radium (Ra-226) in soil). The regulations to be met for this review also include: 10 CFR 40.42(j), which requires, in part, a radiation survey and report; and 10 CFR Part 40.42(k), which requires that a reasonable effort has been made to eliminate residual radioactive contamination, and a radiation survey (and other supporting information) be submitted by the licensee demonstrating that the premises are suitable for release. Areas of review included contaminated material excavation and soil cleanup verification procedures and data (all buildings were demolished).

Decommissioning records review and confirmatory survey activities were conducted by NRC staff during inspections performed May 14-15 and June 5, 1996 (Report 40-1162/96-01), May 14, 1997 (Report 40-1162/97-01), and May 14, 1998 (Report 40-1162/98-01). Also, the NRC letter of July 27, 1998, indicates that the Inspection Follow-up Item related to soil sample analyses was closed.

WNI had committed to remove uranium contaminated soil if it exceeded background by 10 pCi/g in the surface (first six inches) with Ra-226 at 5 pCi/g, or 30 pCi/g uranium if the Ra-226 was approximately background level (i.e., the unity rule would apply). Two grids required additional soil removal because of the elevated uranium levels. Most of the mill yard, where product (yellowcake, a uranium oxide) spills were likely, was covered by the disposal cell.

During the review, with respect to the above criteria and commitments, NRC staff noted the following:

1. Soil Cleanup and Verification: The CR indicates that standard procedures for soil verification were appropriately applied. The licensee divided the site into 10 x 10 meter grids and composite soil samples or gamma readings were taken, as designated in the plan, to verify cleanup levels. The data indicate that no sample exceeded 5 pCi/g above background. The staff determined that the quality control program appears to have been followed (considering both the Ra-226 and uranium data), and that the data are adequate to demonstrate compliance with the soil Ra-226 cleanup standard.
2. Equipment and Building Cleanup: The mill decommissioning report was submitted and approved by NRC staff (LC No. 28 related to mill decommissioning was deleted as part of License Amendment 87, dated May 2, 1999). The records for equipment release were reviewed and no problems were noted. No buildings remain on the site.

Based on the above observations, and on the results of on-site inspections performed by NRC staff, the staff concludes that the radiological aspects of soil cleanup were performed in accordance with WNI's approved Reclamation Plan, and that radiological cleanup and control verification data demonstrate compliance with the criteria in 10 CFR Part 40. The NRC staff determined that the CR information provides reasonable assurance that the Split Rock mill site area, beyond the disposal cell (to be deeded to the Federal government), is suitable for unrestricted release.

RECOMMENDED LICENSE CHANGES:

WNI's Source Material License SUA-56, LC No. 33, currently reads as follows:

The licensee is authorized to regrade the disposal area to preclude ponding and to proceed with the interim stabilization cover placement described in its March 31, 1989, submittal of Revision No. 2 to the June 1987 Tailings Reclamation Plan as modified by Table A of the October 21, 1991, submittal with the additions listed below.

- A. The licensee shall complete cleanup of all areas of windblown tailings as defined in the survey submitted March 1, 1988. Cleanup of radionuclide soil contamination (Ra-226, Th-230, U-238, and U-234) will be verified as meeting the applicable standards and guidelines according to the Radiological Verification Program submitted by letter dated December 15, 1995, as supplemented and revised by letters dated February 23, March 20, May 1, and May 29, 1996.
- B. DELETED by Amendment 55.
- C. DELETED by Amendment 78.
- D. DELETED by Amendment 55.
- E. The cleanup and verification of radium in the soil of the Granite Mountain, remote dunes, rock stockpile, and administration roadway areas is not required, as described in the licensee's amendment request dated March 31, 1997, and supplemented with additional information provided in an August 14, 1997, submittal. These areas are considered as being in radiological compliance and releasable for unrestricted use. Additionally, the road designated as the Ore Haul Road will require neither verification, nor release, since elevated radionuclide concentrations on the road are attributable to non-byproduct material.

[Applicable Amendments: 43, 57, 59, 78, 83]

Based on this review, the NRC staff is providing the enclosed amended license SUA-56, reflecting the following revision to LC No. 33:

DELETED by Amendment No. 88.

ENVIRONMENTAL IMPACT EVALUATION:

An environmental review was not performed since this action is categorically excluded under 10 CFR 51.22(c)(11), and an environmental report from the licensee was not required by 10 CFR 51.60(a).

MATERIALS LICENSE

Pursuant to the Atomic Energy Act of 1954, as amended, the Energy Reorganization Act of 1974 (Public Law 93-438), and Title 10, Code of Federal Regulations, Chapter I, Parts 30, 31, 32, 33, 34, 35, 36, 39, 40, and 70, and in reliance on statements and representations heretofore made by the licensee, a license is hereby issued authorizing the licensee to receive, acquire, possess, and transfer byproduct, source, and special nuclear material designated below; to use such material for the purpose(s) and at the place(s) designated below; to deliver or transfer such material to persons authorized to receive it in accordance with the regulations of the applicable Part(s). This license shall be deemed to contain the conditions specified in Section 183 of the Atomic Energy Act of 1954, as amended, and is subject to all applicable rules, regulations, and orders of the Nuclear Regulatory Commission now or hereafter in effect and to any conditions specified below.

1. Licensee Western Nuclear, Inc.	3. License Number SUA-56, Amendment No. 88
2. 200 Union Boulevard, Suite 300 Lakewood, Colorado 80228 [Applicable Amendments: 34, 52]	4. Expiration Date Until Terminated (Applicable Amendments: 31, 32, 38, 41] 5. Docket or Reference No. 40-1162

6. Byproduct, Source, and/or Special Nuclear Material Natural Uranium	7. Chemical and/or Physical Form Any	8. Maximum Amount that Licensee May Possess at Any One Time Under this License Unlimited
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- 9. The licensee is hereby authorized to possess byproduct material in the form of uranium waste tailings generated by the licensee's past milling operations authorized under SUA-56. [Applicable Amendments: 32, 46, 58]
- 10. Authorized Places of Use: The licensee's uranium milling facilities located approximately two miles north of Jeffrey City, Wyoming.
[Applicable Amendments 46, 50, 60, 82]
- 11. DELETED by Amendment No. 49.
- 12. DELETED by Amendment No. 49.
- 13. DELETED by Amendment No. 49.
- 14. DELETED by Amendment No. 49.
- 15. DELETED by Amendment No. 49.
- 16. DELETED by Amendment No. 54.
- 17. DELETED by Amendment No. 33.
- 18. DELETED by Amendment No. 49.
- 19. DELETED by Amendment No. 56.
- 20. DELETED by Amendment No. 49.

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- 21. DELETED by Amendment No. 56.
- 22. DELETED by Amendment No. 54.
- 23. DELETED by Amendment No. 33.

24. The licensee shall implement the environmental monitoring program outlined in Table 2 of its guidance entitled "Current Environmental Monitoring Program," dated November 14, 1988. The data obtained from this monitoring program shall be reported semiannually to the NRC in accordance with requirements of 10 CFR 40.65.

[Applicable Amendments: 26, 28, 30, 44, 49, 56A, 84]

25. The licensee shall conduct a quality assurance program as contained in their submittal dated March 25, 1981. In addition, the licensee shall be required to document the results and recommendations of each annual audit of the environmental monitoring program. Any requested changes to the "Environmental Monitoring Manual" submitted on March 23, 1981, as revised by letters dated March 27, 1991, January 28 and March 11, 1992, shall be in the form of a license amendment.

[Applicable Amendments: 49, 63]

26. DELETED by Amendment No. 49.

27. The licensee shall reclaim the tailings disposal areas in accordance with the Tables and Figures, and Sections 1 through 5 and Section 7 of their February 7, 1994, report titled, "Western Nuclear, Inc. Split Rock Mill, Addendum A (February 7, 1994) to Revision 5 to the June 30, 1987, Uranium Tailings Reclamation Plan," with the following exceptions:

- A. If a rock source other than the on-site source is used, durability testing must be performed and the results submitted to the NRC for review and approval prior to placement of materials from the alternate source.
- B. The preliminary radon attenuation barrier design for the Winter Storage Ponds (Area 2C, Figure 4, Drawing No. 91-225-E53 (Addendum A to Revision 5) consists of 6 inches of Cody Shale and 12 inches of Soil Borrow. This design is considered acceptable for estimating the surety amount. However, once the storage ponds are dismantled, the Licensee shall confirm the design and obtain NRC approval prior to placing the radon cover on the ponds.
- C. A completion report including as-built drawings, verifying that reclamation of the site has been performed according to the approved reclamation plan shall be provided within 6 months after completion of construction. The report shall also include summaries of results of the quality assurance and control testing to demonstrate that approved specifications were met.
- D. One-point Proctor tests shall not be required during placement of the Cody shale.

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- E. The soil component of the erosion protection layer, consisting of soil/rock matrix, is deleted. This erosion protection layer, to be placed over the final surface reclamation soil cover, will consist of a minimum 4-inch thickness of rock with a minimum D_{50} of 2-inches.
- F. For rock durability tests, the frequency, specified in Table 5, shall be one test series prior to placement and one test series for every 20,000 cubic yards of material from the rock source.
- G. For rock gradation tests, the frequency, specified in Table 5, shall be one test prior to placement and one test for every 10,000 cubic yards of each size of material produced, with a minimum of 3 tests for each material size. These gradation tests shall be performed as the material is being produced and prior to placement of material.
- H. The radon barrier for the northern portions of Area 1A and Area 1B shall be constructed in accordance with material types, thicknesses, and placement criteria described in the license amendment request, License Condition #27: Revisions to Surface Reclamation Design - License Condition #33: Addendum to Radiological Verification Program, dated March 31, 1997; and the supplemental information, dated May 12, 1997, and May 30, 1997.
- I. The thickness of the radon barrier in the 0.8 acre Area 2A shall be in accordance with the Western Nuclear, Inc. Western Nuclear Split Rock Site Redesign of Final Cover Thickness 0.8 Acre Area in Area 2A, transmitted to the NRC on July 25, 1997.

[Applicable Amendments: 22, 56, 68, 71, 74, 75, 80, 81]

28. DELETED by Amendment No. 87.

29. The licensee shall maintain an NRC-approved financial surety arrangement, consistent with 10 CFR 40, Appendix A, Criteria 9 and 10, adequate to cover the estimated costs, if accomplished by a third party, for decommissioning and decontamination of the mill and mill site, for reclamation of any tailings or waste disposal areas, ground-water restoration as warranted and the long-term surveillance fee. Within 3 months of NRC approval of a revised reclamation/decommissioning plan, the licensee shall submit, for NRC review and approval, a proposed revision to the financial surety arrangement if estimated costs in the newly approved plan exceed the amount covered in the existing financial surety. The revised surety shall then be in effect within 3 months of written NRC approval.

Annual updates to the surety amount, required by 10 CFR 40, Appendix A, Criteria 9 and 10, shall be submitted to the NRC at least 3 months prior to the anniversary date which is designated as December 30 of each year. If the NRC has not approved a proposed revision to the surety coverage 30 days prior to the expiration date of the existing surety arrangement, the licensee shall extend the existing surety arrangement for 1 year. Along with each proposed revision or annual update, the licensee shall submit supporting documentation showing a breakdown of the costs and the basis for the cost estimates with adjustments for inflation, maintenance of a minimum 15 percent contingency fee, changes in engineering plans, activities performed and any other conditions affecting estimated costs for site closure. The licensee shall also provide the NRC with all surety related correspondence submitted to the State, a copy of the State's surety review, and the final approved surety arrangement. The licensee shall also ensure that the surety, where

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authorized to be held by the State, expressly identifies the NRC portion of the surety. The basis for the cost estimate is the NRC approved reclamation/decommissioning plan or NRC approved revisions to the plan. The previously provided guidance entitled "Recommended Outline for Site Specific Reclamation and Stabilization Cost Estimates" outlines the minimum considerations used by the NRC in the review of site closure cost estimates. Reclamation/ decommissioning plans and annual updates should follow this outline.

Western Nuclear's currently approved surety, issued by American Home Assurance Company on October 26, 1998, in favor of the U. S. Nuclear Regulatory Commission, shall be continuously maintained in an amount no less than \$11,439,100 for the purpose of complying with 10 CFR 40, Appendix A, Criterion 9 and 10, until a replacement is authorized by the NRC.

[Applicable Amendments: 24, 45, 53, 64, 66, 70, 72, 76, 85R]

30. DELETED by Amendment No. 69.

31. DELETED by Amendment No. 46.

32. A. DELETED by Amendment No. 56.

B. DELETED by Amendment No. 50.

33. DELETED By Amendment No. 88

34. In order to ensure that no disturbance of cultural resources occurs in the future, the licensee shall have an archeological and historical artifact survey of areas of its property, not previously surveyed, performed prior to their disturbance, including borrow areas to be used for reclamation cover. These surveys must be submitted to the NRC and no such disturbance shall occur until the licensee has received authorization from the NRC to proceed.

The licensee is authorized to excavate material from the proposed reclamation borrow areas as designated in the licensee's approved reclamation plan, provided that protection of the cultural resources is managed in accordance with statements and representation contained in the licensee's letter dated March 30, 1992.

[Applicable Amendment: 71]

35. Before engaging in any project-related activity not evaluated by the NRC, the licensee shall prepare and record an environmental evaluation of such activity. When the evaluation indicates such activity may result in a significant adverse environmental impact that was not evaluated, or an impact greater than that evaluated in the environmental statement, the licensee shall provide a written evaluation of such activity and obtain prior approval of the NRC for the activity.

36. DELETED by Amendment No. 49.

37. The licensee is hereby exempted from the requirements of Section 20.203(e)(2) of 10 CFR Part 20, provided that all entrances to the restricted area are conspicuously posted in accordance with Section 20.203(e)(2) and with words, "Any area within this facility may contain radioactive material."

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[Applicable Amendment: 49]

- 38. Mill tailings other than samples for research shall not be transferred from the site without specific prior approval of the NRC obtained through application for amendment of this license. The licensee shall maintain a permanent record of all transfers made under the provisions of this condition.
- 39. DELETED by Amendment No. 50.

40. DELETED by Amendment No. 49.

- 41. Release of equipment or packages from the restricted area shall be in accordance with the previously provided guidance entitled, "Guidelines for Decontamination of Facilities and Equipment Prior to Release for Unrestricted Use or Termination of Licenses for Byproduct or Source Materials," dated September, 1984.
- 42. The Radiation Safety Officer (RSO) shall perform an annual review of the radiation protection program for content and implementation. A copy of the annual review report shall be retained at the site and shall be available for NRC review.

[Applicable Amendments: 49, 87]

- 43. The results of sampling, analysis surveys and monitoring, the calibration of equipment, reports on inspections, and the additional conditions to this license, as well as any subsequent reviews, investigations, and corrective actions, shall be documented. Unless otherwise specified in NRC regulations, all such documentation shall be maintained for a period of at least 5 years.

[Applicable Amendment: 49, 87]

- 44. Written procedures shall be established for site reclamation and monitoring activities to include personnel and environmental monitoring, and survey instrument calibrations. These procedures shall be reviewed and approved in writing by the Radiation Safety Officer (RSO) before implementation and whenever a change in procedure is proposed to ensure that proper radiation protection principles are being applied. In addition, the RSO shall perform a documented review of all existing site procedures at least annually. An up-to-date copy of each written procedure shall be kept at the site facility.

[Applicable Amendments: 49, 56, 87]

- 45. DELETED by Amendment No. 49.
- 46. DELETED by Amendment No. 87.
- 47. DELETED by Amendment No. 49.

- 48. The Radiation Safety Office (RSO), who is responsible for the radiation safety aspects of the decommissioning, shall possess the minimum qualifications as specified in Section 2.4.1 of Regulatory Guide 8.31, "Information Relevant to Ensuring That Occupational Radiation Exposure at Uranium Mills Will Be As Low As Reasonably Achievable," until license termination.

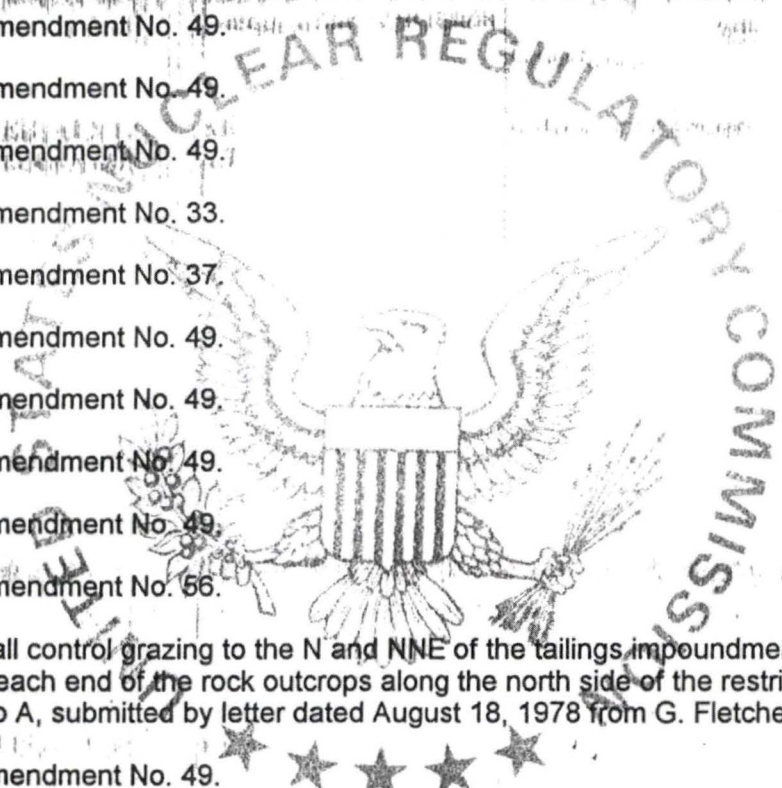
[Applicable Amendments: 49, 50, 56, 87]

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- 49. DELETED by Amendment No. 49.
- 50. DELETED by Amendment No. 49.
- 51. DELETED by Amendment No. 49.
- 52. DELETED by Amendment No. 49.
- 53. Radiation detection instruments shall be calibrated after repair and as recommended by the manufacturer or at intervals not to exceed six months, whichever is sooner.
- 54. DELETED by Amendment No. 49.
- 55. DELETED by Amendment No. 49.
- 56. DELETED by Amendment No. 49.
- 57. DELETED by Amendment No. 33.
- 58. DELETED by Amendment No. 37.
- 59. DELETED by Amendment No. 49.
- 60. DELETED by Amendment No. 49.
- 61. DELETED by Amendment No. 49.
- 62. DELETED by Amendment No. 49.
- 63. DELETED by Amendment No. 56.
- 64. The licensee shall control grazing to the N and NNE of the tailings impoundment by maintaining cattle guards at each end of the rock outcrops along the north side of the restricted area fence, as indicated on map A, submitted by letter dated August 18, 1978 from G. Fletcher to J. Linehan.
- 65. DELETED by Amendment No. 49.
- 66. DELETED by Amendment No. 33.
- 67. DELETED by Amendment No. 33.
- 68. DELETED by Amendment No. 46.
- 69. DELETED by Amendment No. 46.
- 70. DELETED by Amendment No. 49.
- 71. DELETED by Amendment No. 49.
- 72. DELETED by Amendment No. 49.
- 73. DELETED by Amendment No. 54.



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74. The licensee shall implement a compliance monitoring program containing the following:

- A. Sample Southwest Valley Wells 1, B, 21, 24, 25, 16, 15, and Northwest Valley Wells 4, 5, 17, 19, 23, and 27, on a semiannual frequency for chloride, nitrate, sulfate, pH, TDS, water level, beryllium, cadmium, chromium, lead, nickel, radium-226 and 228, selenium, thorium-230, and uranium.
- B. Comply with the following ground-water protection standards at point of compliance Well No. 4 and 21, with background being recognized in Well No. 15:
beryllium = 0.05 mg/l, cadmium = 0.01 mg/l, chromium = 0.05 mg/l, lead = 0.05 mg/l, nickel = 0.05 mg/l, radium-226 and 228 = 5 pCi/l, selenium = 0.013 mg/l, thorium-230 = 0.95 pCi/l, and uranium = 0.16 mg/l.
- C. Implement a corrective action program that shall annually recover and evaporate between 6 and 15 million gallons of contaminated water based upon minimizing recharge to the tailings. The program shall be constructed as described in the August 31, and September 28, 1989, submittals as modified by the licensee's April 3, 1990, January 13, 1992, September 23, 1993, and April 18, 1997, submittals. The objective of the program shall be to return the concentrations of beryllium, cadmium, nickel, radium-226 and 228, selenium, thorium-230, and uranium to the concentration limits specified in Subsection (8).
- D. The licensee shall submit by December 15 of each year, a review of the corrective action program and its effect on the aquifer.

[Applicable Amendments: 25, 27, 36, 39, 40, 44, 48, 51, 56, 58, 61, 62, 67, 69A, 79]

75. The licensee shall complete site reclamation in accordance with the approved reclamation plan and groundwater corrective action plan, as authorized by License Condition Nos. 27 and 74, respectively, in accordance with the following schedules:

- A. To ensure timely compliance with target completion dates established in the Memorandum of Understanding with the Environmental Protection Agency (56 FR 55432, October 25, 1991), the licensee shall complete reclamation to control radon emissions as expeditiously as practicable, considering technological feasibility, in accordance with the following schedule:
- (1) Windblown tailings retrieval and placement on the pile - complete.
 - (2) Placement of the interim cover to decrease the potential for tailings dispersal and erosion - complete.
 - (3) Placement of final radon barrier designed and constructed to limit radon emissions to an average flux of no more than 20 pCi/m²/s above background as described in WNI's submittal of June 14, 1994.
 - (a) For areas 3A and 3B - December 31, 1994 (complete).
 - (b) For area 2B - December 31, 1995 (complete).
 - (c) For area 1C - December 31, 1996.

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(d) For areas 1A, 1B, 2A, and 2C - December 31, 1998.

B. Reclamation, to ensure required longevity of the covered tailings and groundwater protection, shall be completed as expeditiously as is reasonably achievable, in accordance with the following target dates for completion and as described in WNI's submittal of June 14, 1994:

(1) Placement of erosion protection as part of reclamation to comply with Criterion 6 of Appendix A of 10 CFR Part 40.

(a) For areas 3A and 3B - June 30, 1995 (complete).

(b) For area 2B - June 30, 1996.

(c) For area 1C - June 30, 1997.

(d) For areas 1A, 1B, 2A, and 2C - June 30, 1999.

(2) Projected submittal of revised groundwater corrective action plan - October 31, 1999.

C. Any license amendment request to revise the completion dates specified in Section A must demonstrate that compliance was not technologically feasible (including inclement weather, litigation which compels delay to reclamation, or other factors beyond the control of the licensee).

D. Any license amendment request to change the target dates in Section B above, must address added risk to the public health and safety and the environment, with due consideration to the economic costs involved and other factors justifying the request such as delays caused by inclement weather, regulatory delays, litigation, and other factors beyond the control of the licensee.

[Applicable Amendments: 73, 77, 86]

76. Notification to NRC under 10 CFR 20.2202, 10 CFR 40.60, and specific license conditions should be made as follows:

Required written notice to NRC under this license should be given to: Chief, Uranium Recovery and Low-Level Waste Branch, Division of Waste Management, Office of Nuclear Material Safety and Safeguards, U.S. Nuclear Regulatory Commission, Washington, DC 20555.

[Applicable Amendment: 73]

FOR THE NUCLEAR REGULATORY COMMISSION

King Stablein

N. King Stablein, Acting Chief
Uranium Recovery and Low-Level
Waste Branch
Division of Waste Management
Office of Nuclear Material Safety
and Safeguards

Date 5/21/99