

U.S. NUCLEAR REGULATORY COMMISSION

7440065
**RESPONSE TO FREEDOM OF
INFORMATION ACT (FOIA) REQUEST**

NRC FOIA REQUEST NUMBER(S)

FOIA - 96-119

RESPONSE TYPE

☒ FINAL☐ PARTIAL

DATE

MAY 17 1996

DOCKET NUMBER(S) (if applicable)

REQUESTER

Shannon D. Work

PART I.—AGENCY RECORDS RELEASED OR NOT LOCATED (See checked boxes)☐ No agency records subject to the request have been located.☐ No additional agency records subject to the request have been located.☐ Requested records are available through another public distribution program. See Comments section.☒ Agency records subject to the request that are identified in Appendix(es) B are already available for public inspection and copying at the NRC Public Document Room, 2120 L Street, N.W., Washington, DC.☒ Agency records subject to the request that are identified in Appendix(es) A are being made available for public inspection and copying at the NRC Public Document Room, 2120 L Street, N.W., Washington, DC, in a folder under this FOIA number.☐ The nonproprietary version of the proposal(s) that you agreed to accept in a telephone conversation with a member of my staff is now being made available for public inspection and copying at the NRC Public Document Room, 2120 L Street, N.W., Washington, DC, in a folder under this FOIA number.☐ Agency records subject to the request that are identified in Appendix(es) _____ may be inspected and copied at the NRC Local Public Document Room identified in the Comments section.☒ Enclosed is information on how you may obtain access to and the charges for copying records located at the NRC Public Document Room, 2120 L Street, N.W., Washington, DC.☒ Agency records subject to the request are enclosed. Appendix A documents are enclosed.☐ Records subject to the request have been referred to another Federal agency(ies) for review and direct response to you.**Fees**☐ You will be billed by the NRC for fees totaling \$ _____.☐ You will receive a refund from the NRC in the amount of \$ _____.☐ In view of NRC's response to this request, no further action is being taken on appeal letter dated _____, No. _____.**PART II. A—INFORMATION WITHHELD FROM PUBLIC DISCLOSURE**☐ Certain information in the requested records is being withheld from public disclosure pursuant to the exemptions described in and for the reasons stated in Part II, B, C, and D. Any released portions of the documents for which only part of the record is being withheld are being made available for public inspection and copying in the NRC Public Document Room, 2120 L Street, N.W., Washington, DC in a folder under this FOIA number.**COMMENTS**

No documents were located that are subject to Item 1 of the request. With regard to Item 3 of the request, uranium facilities are not subject to the requirements in 10 CFR Part 30; therefore, no documents were located subject to this item. However, the subject matter is covered in documents subject to Item 2.

This completes NRC action on your request.

SIGNATURE, DIRECTOR, DIVISION OF FREEDOM OF INFORMATION AND PUBLICATIONS SERVICES

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FINAL

APPENDIX A

Documents To Be Placed in PDR

<u>No.</u>	<u>Date</u>	<u>Subject</u>
1.	1/4/78	Memo to G. Wayne Kerr, NRC from Ernest Resner & John Kendig, NRC--Report and Staff Evaluation of the Washington Radiation Control Program (13 pgs)
2.	10/14/80	Memo to Nancy Kirner, WA from Terry Frazee, WA -- 10 CFR 40, Appendix A (3 pgs)
3.	12/29/80	Letter to T.R. Strong, WA from Ross A. Scarano, NRC -- NRC responses to comments on those Sections of the DEIS for the Proposed Dawn Mining Company Mill Tailings Expansion Project (22 pgs)
4.	1/21/81	Routing & Transmittal Slip to Wayne Kerr, NRC from Hub Miller, NRC -- RE: Washington Assessment -- Supplementary Comments (29 pgs)
5.	1/21/81	Facsimile to G. Wayne Kerr, NRC from Hubert Miller, NRC -- RE: Washington Written Assessment (10 pgs)
6.	1/22/81	Note to Joel Lubenau, NRC from John F. Klucsik, NRC -- NMSS Comments on Washington UMTRCA Program (5 pgs)
7.	5/7/81	Note to Craig Gordon, NRC from John F. Klucsik, NRC -- Washington Proposed Regulations (1 pg)
8.	8/17/81	Attachment 2, State of Washington, "Application for Amended Agreement with U.S. NRC" (14 pgs)
9.	8/17/81	Attachment 3, State of Washington, "Application for Amended Agreement with U.S. NRC" (4 pgs)
10.	1981	Note to Washington File from Lloyd Bolling & Joel Lubenau, NRC -- Notes re: Washington Agreement State Review (2 pgs)
11.	6/4/82	Report - US NRC Technical Position -- Funding Assurance for Closure, Postclosure, and Long Term Care of a Low-Level Waste Disposal Facility (18 pgs)
12.	4/14/82	Letter to All A/S from Donald Nussbaumer, NRC -- NRC Draft Regulatory Guide MS 146-4 (21 pgs)
13.	2/8/83	Letter to Texas, Colorado, New Mexico, Washington from Donald Nussbaumer, NRC -- Assembled information on uranium mill tailings reclamation activities (2 pgs)
14.	5/4/83	Letter to Michael Hanbey, WA from Robert L. Fonner, NRC -- Response to letters dated 2/2/83 and 4/12/83 (17 pgs)

15. 7/1/83 Working Draft Staff Technical Position Paper, NRC -- Financial Assurances for Decommissioning, Decontamination, Restoration, and Reclamation or Uranium Recovery Facilities (18 pgs)
16. 7/22/83 Memo to John J. Linehan, NRC from Jerome Saltzman, NRC -- Review of Energy Fuels Nuclear's Application for Self-Bonding - White Mesa Uranium Mill (16 pgs)
17. 8/24/83 Memo to Jack Hornor, NRC from Donald Nussbaumer, NRC -- Washington State Review - Uranium Mill Sureties (1 pg)
18. 9/27/83 Memo to Jerome Saltzman, NRC from Donald Nussbaumer, NRC -- State of Washington, Sureties for Uranium Mills (33 pgs)
19. 10/4/83 Memo to Donald Nussbaumer, NRC from Jerome Saltzman, NRC -- State of Washington, Sureties for Uranium Mills (2 pgs)
20. 10/7/83 Note to John Kendig, NRC from Donald Nussbaumer, NRC - Note regarding conversation with Bob Fonner on 10/6/83 (3 pgs)
21. 10/25/83 Memo to Jack Hornor, NRC from Donald Nussbaumer, NRC -- Sureties for Washington State Uranium Mills (3 pgs)
22. 11/9/83 Letter to Texas, Washington, Colorado, New Mexico from Donald Nussbaumer, NRC -- RE: Developments in the area of uranium mill and mill tailings regulations (1 pg)
23. 1984 Note to Kathy Schneide, NRC from J.F. Kendig, NRC -- Note re: Washington Regulation changes (1 pg)
24. 1/6/84 Letter to Robert Miller, WA from Nancy Kirner, WA -- Final Standards for the Control of Byproduct Materials from Uranium Ore Processing (2 pgs)
25. 1/6/84 Memo to Robert Browning, NRC from Donald Nussbaumer, NRC -- Agreement Mill States Response to NRC Request for "Quick" Comments on Proposed 10 CFR 40 and Advanced Notice of Rulemaking (7 pgs)
26. 1/20/84 Memo to R. Dale Smith & Robert Browning, NRC from Donald Nussbaumer, NRC -- Joy Mining Company (3 pgs)
27. 2/16/84 Memo to the Files from John F. Kendig, NRC -- Uranium Mill Meeting 1/30-31/84 (23 pgs)
28. 7/11/84 Washington State Register 84-15-019 Proposed Rules -- Department of Social and Health Services (Radiation Control)(General Provisions) (6 pgs)

29. 1984 Copy from the 1984 Review Report (8/83-10/84) -- Questions for Periodic Regulatory Review of Uranium Mill Washington Review Report Programs (1 pg)
30. 8/23/84 Letter to Nancy P. Kirner, WA from Donald Nussbaumer, NRC -- Response to request for comments on the proposed changes to WSR 84-15-019 (3 pgs)
31. 8/10/84 Memo to Jerome Saltzman, NRC from Donald Nussbaumer, NRC -- Proposed Changes to Washington State Radiation Control Regulations, General Provision (1 pg)
32. 11/15/84 Memo to Jack Hornor, NRC from Donald Nussbaumer, NRC -- Washington Mill Review (7 pgs)
33. 1/10/85 Letter to Donald Nussbaumer, NRC from Nancy Kirner, WA -- Comments made by Mr. Joe Stohr, Uranium Mill Program Manager concerning the proposed rule to amend NRC regulations (4 pgs)
34. 1/30/85 Memo to Jack Hornor, NRC from Donald Nussbaumer, NRC -- Washington Department of Social & Health Services Site Closure Evaluation for Dawn Mining Company & Western Nuclear Inc.'s Sherwood Project (41 pgs)
35. 2/6/85 Letter to Jack Hornor, NRC from Nancy P. Kirner, WA -- RE: 6/6/84 letter to Donald Nussbaumer (4 pgs)
36. 6/1985 Report developed by The State of Washington, DSHS, Radiation Control Section -- Evaluation of Dawn Mining Company's Sureties, Revision 2 (44 pgs)
37. 6/4/85 Letter to R.E. Miller, WA from John A. Beare, WA -- RE: Stipulations of an Order of Dismissal dated 1/18/85 (1 pg)
38. 7/1/85 Letter to R. Dale Smith, CO from Nancy P. Kirner, WA -- Latest revision of the State of Washington's evaluation for Dawn Mining Company's sureties (2 pgs)
39. 7/30/85 Memo to Guy Cunningham, NRC from John Davis, NRC -- Request for Legal Opinion & Concurrence Relating to NMSS Policy Guidance to URFO on Financial Assurance Under 10 CFR part 40, Appendix A, Criterion 9 (45 pgs)
40. 9/1985 Memo to Jerome Saltzman, NRC from Robert E. Browning, NRC -- NMSS Request for Assistance in Financial Assurance Issues (2 pgs)
41. 9/13/85 Memo to John G. Davis, NRC from Guy H. Cunningham, NRC -- Use of Parent-Company guarantee Under 10 CFR part 40, Appendix A, Criterion 9 (5 pgs)

- 42. 9/23/85 Note to Darrell, Jerry, Bob, Don N., NRC from Jim P., NRC --
RE: ELD memo on alternatives re: parent company guarantees
(1 pg)
- 43. 10/23/85 Memo to Robert Browning, & Joseph O. Bunting, NRC from John
Surmeier, NRC -- Trip Report Uranium Recovery Field Office
(URFO) and the State of Wyoming Concerning Financial
Assurance Mechanisms (4 pgs)
- 44. 11/1985 Report prepared by Mary Jo Seeman, NRC -- NRC and Agreement
State UR Licensees Currently Using or Applying for Permission
to Use Either Corporate or Self Guarantees as of November
1985 (27 pgs)
- 45. 12/4/85 Letter to Nancy P. Kirner, WA from Jack W. Hornor, NRC --
NMSS asked reviewer to obtain information about the
Washington uranium mill program during the up-coming review
of Washington (2 pgs)
- 46. 12/17/85 Memo to John G. Davis, NRC from G. Wayne Kerr, NRC -- WM
Interest in Agreement State Program and Offer of Assistance
in Conduct of Washington Review (1 pg)
- 47. 1/13/86 Memo to G. Wayne Kerr, NRC from John G. Davis, NRC -- NMSS
Assistance in the conduct of the State of Washington Review
(1 pg)
- 48. 1/27/86 Letter to Nancy P. Kirner, WA from Harry J. Pettengill, NRC
-- Response to 7/1/85 letter requesting the comments of the
URFO on State's evaluation (2 pgs)
- 49. 2/12/86 Note to Kathy Schneider, NRC from Jack Hornor, NRC -- Note
transmitting all materials from the Washington Review 1986 of
the Waste Management LLW program (14 pgs)
- 50. 2/24/86 Letter to Texas, Washington, New Mexico, Colorado from Donald
Nussbaumer, NRC -- Financial Assurances for Uranium Recovery
N.Mexico, ColoradoLicensees (26 pgs)
- 51. 3/26/86 Letter to Dr. John Beare, WA from John B. Martin, NRC -- RE:
Discussions Jack Hornor Region V Agreement State
Representative held with staff on 2/7/86 following the review
(7 pgs)
- 52. 4/10/86 Letter to John B. Martin, NRC from Leslie F. James, WA --
Response to 3/26/86 letter referencing Jack Hornor's review
of the radiation control program (1 pg)
- 53. 5/19/86 Memo to John G. Davis & G. Wayne Kerr, NRC from Robert D.
Martin, NRC -- NRC's Legal Questions as to Sureties (3 pgs)

54. 6/6/86 Letter to Leslie F. James, WA from John B. Martin, NRC -- Thank you letter responding to letter dated 4/10/86, and T.R. Strong's letter dated 4/24/86 in response to 1986 review (1 pg)
55. 10/31/86 Memo to Frank A. Costanzi, Martin g. Malsch, Donald Nussbaumer, NRC from Joseph O. Bunting, NRC -- Review of Technical Position on Financial Assurance for Uranium Recovery Licensees (71 pgs)
56. 12/4/86 Memo to Joseph O. Bunting, NRC from Darrell A. Nash, NRC -- OSP Review of Technical Position on Financial Assurance for Uranium Recovery Licensees (6 pgs)
57. 1/30/87 Note to the File from Lee Gronemeyer, NRC -- Summaries of major accomplishments in the Uranium Mills Program during 1986 (1 pg)
58. 3/2/87 Letter to Robert R. Rolfs, WA from John B. Martin, NRC -- RE: Discussions Jack Hornor Region V Agreement State Representative held with staff on 1/30/87 following the review (2 pgs)
59. 9/1/87 Memo to Clark Prichard, Darrell Nash, Donald Nussbaumer, NRC from Michael S. Kearney, NRC -- Request to Review Draft Report (277 pgs)
60. 10/26/87 Memo to Michael Kearney, NRC from Donald Nussbaumer, NRC -- Draft Report on Financial Assurance (2 pgs)
61. 12/19/88 Letter to Carlton Kammerer, NRC from Carole J. Washburn, WA -- Responding to findings made during Jack Hornor's compatibility review of Washington's radiation protection program (2 pgs)
62. 4/21/89 Memo to Washington Files from R.D. Smith, NRC -- Trip Report, Wellpinit, Washington, April 18, 1989 (3 pgs)
63. 6/13/89 Memo to Vandy L. Miller, NRC from Paul H. Lohaus, NRC -- Comments on State of Washington Ground-Water Regulations (2 pgs)
64. 12/1/89 Memo to Jack Hornor, thru Ramon E. Hall, NRC from Gary R. Konwinski, NRC -- Review Notes Washington Department of Social & health Services, Office of Radiation Protection Program Review, conducted November 28-30, 1989 (10 pgs)
65. 8/6/90 Letter to Vandy Miller, NRC from Joseph K. Buesing, WA -- Requesting cooperation and technical assistance in resolving issues related to the disposal of filter cake (3 pgs)

- 66. 11/6/90 Letter to Joseph K. Buesing, WA from Vandy L. Miller, NRC -- Response to 8/6/90 letter requesting cooperation and technical assistance in resolving issues related to the disposal of filter cake (13 pgs)
- 67. 2/24/93 Memo to Major Radioactive Materials Licensees from Terry C. Frazee, WA -- Financial Assurance and Recordkeeping Materials Licensees for Decommissioning (13 pgs)
- 68. 5/3/95 Letter to the Secretary, U.S. NRC from Terry C. Frazee, WA -- Response to letter dated 4/14/95 from Richard L. Bangart requesting A/S comments on "Clarification of Decommissioning Funding Assurance Requirement" (4 pgs)
- 69. Undated Letter to Bruce Miyahara, WA from Richard L. Bangart, NRC -- NRC review and evaluation of the Washington radiation control program (DRAFT). (44 pages)

Re: FOIA-96-119

APPENDIX B
DOCUMENT ALREADY AVAILABLE IN THE PDR

NUMBER	DATE	DESCRIPTION
1.	11/21/95	Letter to Bruce Miyahara, WA from Richard L. Bangart, NRC - NRC review and evaluation of the Washington radiation control program. (51 pages) PDR Accession No. 9512220049