

NUCLEAR REGULATORY COMMISSION

[7590-01]

DOCKET NO. 40-4492

WYOMING DEPARTMENT OF ENVIRONMENTAL QUALITY

AGENCY: Nuclear Regulatory Commission

ACTION: Notice of Issuance of Confirmatory Order to the Wyoming Department of Environmental Quality to Complete Reclamation of American Nuclear Corporation's Gas Hills, Wyoming, site.

SUMMARY: Notice is hereby given that the Director, Office of Nuclear Material Safety and Safeguards has issued a Confirmatory Order to the State of Wyoming, Department of Environmental Quality, requiring completion of the reclamation of the American Nuclear Corporation's Gas Hills, Wyoming, uranium mill and tailings site.

FOR FURTHER INFORMATION CONTACT: Mr. Kenneth Hooks, Uranium Recovery Branch, Mail Stop T-7J9, Division of Waste Management, Office of Nuclear Material Safety and Safeguards, U. S. Nuclear Regulatory Commission, Washington, DC 20555-0001. Telephone (301) 415-7777.

SUPPLEMENTARY INFORMATION: The Wyoming Department of Environmental Quality (WDEQ) has undertaken to complete the reclamation of the American Nuclear Corporation's (ANC's) Gas Hills, Wyoming, site which is presently licensed

Enclosure

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under NRC Source Materials License No. SUA-667, originally issued to Federal American Partners in 1971 pursuant to 10 CFR Part 40. The site is located in the Gas Hills mining district in central Wyoming about 85 miles west of Casper. The licensed site encompasses approximately 550 acres of land, of which approximately 140 acres consist of the decommissioned mill site and two tailings ponds that are undergoing reclamation. The remainder of the site is semi-arid land that has minimal value for livestock grazing. Reclamation of the mill site was commenced in 1988.

The current licensee and site owner is ANC, which announced on May 9, 1994, that it was discontinuing operations and going out of business. WDEQ informed the NRC on July 21, 1994, that it was prepared to complete reclamation of the site and had initiated bond forfeiture. The Wyoming Environmental Quality Council forfeited ANC's reclamation bond to WDEQ by Order dated October 5, 1994. It is understood that the State of Wyoming, through WDEQ, is reclaiming the site with proceeds from the reclamation bond forfeiture on October 5, 1994, and that the state has been spending its funds thereafter on reclamation at the site. WDEQ has hired a consultant to design final reclamation plans for ANC's Gas Hills site.

Any person adversely affected by the Confirmatory Order, other than WDEQ, may request a hearing within 20 days of its issuance. Where good cause is shown, consideration will be given to extending the time to request a hearing. A request for extension of time must be made to the Director, Office of Nuclear Material Safety and Safeguards, U.S. Nuclear Regulatory Commission, Washington, D.C. 20555-0001, and include a statement of good cause for the

extension. Any request for a hearing shall be submitted to the Secretary, U.S. Nuclear Regulatory Commission, ATTN: Chief, Docketing and Service Section, Washington, D. C. 20555-0001. Copies also shall be sent to the Director, Office of Nuclear Material Safety and Safeguards, U. S. Nuclear Regulatory Commission, Washington, D. C. 20555-0001; to the Assistant General Counsel for Hearings and Enforcement at the same address; to the Regional Administrator, NRC Region IV, 611 Ryan Plaza Drive, Suite 400, Arlington, Texas 76011-8064; and to the Land Quality Division Administrator, WDEQ, Herschler Building, 122 West 25th Street, Cheyenne, Wyoming 82002. If such a person requests a hearing, that person shall set forth with particularity the manner in which his interest is adversely affected by this Order and shall address the criteria set forth in 10 CFR 2.714(d).

If a hearing is requested by a person whose interest is adversely affected, the Commission will issue an Order designating the time and place of any hearing. If a hearing is held, the issue to be considered at such hearing shall be whether this Confirmatory Order should be sustained. In the absence of any request for hearing, the requirements specified shall be final 20 days from the date of this Order without further order or proceedings.

The Confirmatory Order is available for public inspection and copying at the NRC Public Document Room, in the Gelman Building, 2120 L Street NW., Washington, DC 20555.

Dated at Rockville, Maryland, this 21st day of October 1996.

FOR THE NUCLEAR REGULATORY COMMISSION



Joseph J. Holonich, Chief
Uranium Recovery Branch
Division of Waste Management
Office of Nuclear Material Safety
and Safeguards