

Mr. Thomas W. Clawson
Van Cott, Bagley, Cornwall,
and McCarthy
50 South Main Street, Suite 1600
P.O. Box 45340
Salt Lake City, Utah 84145-0450

MAY 03 1994

Dear Mr. Clawson:

By letter dated January 13, 1994, you submitted to the U.S. Nuclear Regulatory Commission, Envirocare of Utah, Inc.'s (Envirocare) request for a hearing, pursuant to 10 CFR 2.1205, and a petition, pursuant to 10 CFR 2.206, regarding amendment of the license for the Umetco Minerals Corporation White Mesa Mill at Blanding, Utah, which authorizes the disposal of byproduct material from in situ leach facilities. As stated in our letter of February 21, 1994, the NRC postponed taking action on the § 2.206 petition until the Atomic Safety and Licensing Board (ASLB) issued its decision on the Envirocare hearing request, because the issues raised in the request for hearing were also raised in the 2.206 petition. As you are aware, the ASLB, in its Memorandum and Order of March 4, 1994, denied Envirocare's request for hearing based on timeliness. Therefore, the purpose of this letter is to inform you that NRC will review this petition in accordance with § 2.206, and issue a final decision with regard to the request within a reasonable time. A copy of the notice that is being filed for publication with the Office of the Federal Register is enclosed for your information.

Sincerely,

Original signed by
Robert M. Bernero

Robert M. Bernero, Director
Office of Nuclear Material Safety
and Safeguards

Enclosure: As stated

cc: W. Sinclair, Utah
C. Judd, Envirocare

Distribution: See attached list

SUBJECT ABSTRACT: RESPONSE ENVIROCARE OF UTAH, INC.'S 2.206 PETITION
* See Previous Concurrence

OFC	HLUR*		HLUR*		HLUR*		URFO*		OSP*	
NAME	SWastler		DGillen		JHolonich		RHall		RBangart	
DATE	04/15/94		04/18/94		04/18/94		04/18/94		04/19/94	
OFC	OGC*		DWM		DWM		NMSS		NMSS	
NAME	JGoldberg		JGreeves		MKnapp		Garlotto		RBernero	
DATE	04/25/94		04/28/94		04/28/94		04/30/94		04/3/94	

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ACNW: YES ☒ NO ☐ Delete file after distribution: Yes ☒ No ☐

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Distribution:

PDR

Docket File 40-8681

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DWM r/f

HLUR r/f

Dir r/f

DMorris 6E6

CPoland t/f 6E6

KDattilo 6E6

RBernero 6E6

GArlotto 6E6

RBangart, OSP 3D23

MKnapp 6E6

JGreeves 5E4

MBell 5E4

JHolonich 5E4

JAustin 5E4

DGillen 5E4

SWastler 5E4

TCombs, OSP 17A3

LGerke, CA 17A3

RFonner, OGC 15B18

PLohaus, OSP 3D23

STurk, OGC 15B18

CWoodhead, OGC 15B18

JGoldberg, OGC 15B18

HMcGurien, OGC 15B18

CHackney, RIV RIV

WBrown, RIV RIV

RHall, RIV, URFO RIV

DWard, RIV, URFO RIV

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DATE	04/15/94		04/18/94		04/18/94		04/18/94		04/19/94	
OFC	OGC		DWM		DWM		NMSS		NMSS	
NAME	JGoldberg		JGreeves		MKnapp		GArlotto		RBernero	
DATE	04/25/94		04/ /94		04/ /94		04/ /94		04/ /94	

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IG: YES ☐ NO ☒

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