

Docket

JUL 10 1974

Docket 40-3698

L. C. Rouse, Chief, Fuel Fabrication and Reprocessing Branch, L.
SUSQUEHANNA-WESTERN, INC., Docket 40-3698

By letter dated June 18, 1974, Susquehanna-Western, Inc. requested termination of its source material license No. SUA-652. Because of the proposed sale of the site, which includes the tailings pile, this problem was discussed with OGC and as a result it was concluded that the course of action listed below should be followed. Subsequently, on July 1, 1974, the information contained in item 1 below was transmitted by phone to Mr. R. W. Keating, Vice President of Finance for Susquehanna-Western, Inc. The following protocol is recommended for terminating the license:

1. The Fuel Fabrication and Reprocessing Branch (FF&RB) notify the applicant that they should (a) prepare the site for a decommissioning survey by Regulatory Operations (RO) by decontaminating the mill and equipment so as to meet de minimus levels, (b) describe in detail how the tailing pile was restored and stabilized, and (c) outline the restrictions and encumbrances which will be placed on the tailing area, and (d) provide documentation which shows that the tailing pile reclamation procedures has been approved by the State of Wyoming Land Commission.
2. Upon receipt of the information, FF&RB will request RO conduct an on site inspection of the mill site and tailing pile and provide FF&RB with a report of their findings.
3. Upon completion of the RO survey, the Technical Support Branch (TSB) will perform an environmental assessment, utilizing the material submitted by the licensee and by RO.

The results of this assessment will be used in determining if an environmental impact statement will be required. If the site meets de minimus contamination levels, the tailings pile has been adequately restored and stabilized, and the reclamation of the tailing pile has been approved by the State of Wyoming, an environmental impact statement may not be required. However, an environmental assessment

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will describe the environmental significance which may arise since there will be no assurance for long term stabilization maintenance of the tailing pile. However, you may recall that the Office of the General Counsel determined sometime ago (legal memorandum by Howard K. Shapar, dated Sept. 22, 1965, entitled, "Commissions Regulatory Authority Over Uranium Mill Tailings") that the AEC has no authority over the disposition of tailing piles. Because of this circumstance, it may be desirable that the tailing pile be included on the list of tailing piles being jointly studied by the AEC and EPA as proposed by the Moss-Owens Bill.

R. B. Chitwood, Chief
Technical Support Branch

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