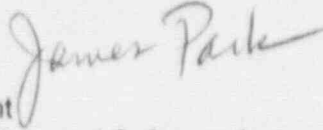


August 13, 1997

NOTE TO: Susan Fridley
Information and Records Management Branch
Office of Information Resources Management

FROM: James Park, Project Manger
Uranium Recovery Branch
Division of Waste Management
Office of Nuclear Materials Safety and Safeguards



SUBJECT: WITHDRAWAL OF PROPRIETARY STATUS FOR INFORMATION SUBMITTED
BY INTERNATIONAL URANIUM CORPORATION FOR THE WHITE MESA
URANIUM MILL (DOCKET NO. 40-8681)

By letter dated April 3, 1997, International Uranium Corporation (IUC) requested that certain portions of its license amendment application be withheld from public disclosure pursuant to 10 CFR 2.790 (Enclosure 1). IUC submitted additional information, by letter dated June 20, 1997 (Enclosure 2), and requested that specific portions of this information also be withheld from public disclosure.

By letter dated June 10, 1997, the NRC staff informed IUC that, based on the staff's review of IUC's affidavit accompanying the April 3, 1997 submittal, local public concern outweighed IUC's interest in keeping the amendment application information confidential (Enclosure 3).

The 30-day period required under 10 CFR 2.790(c) has expired, and additionally, by letter dated August 6, 1997 (Enclosure 4), IUC has withdrawn its application to withhold the above referenced information from public disclosure. Therefore, I request that any and all information submitted by IUC on April 3, and June 20, 1997, be removed from proprietary status and made immediately available for public disclosure in the Public Document Room.

If you have any questions concerning this note, I can be reached at 415-6699.

Enclosures: As stated (4)

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PDR ADCK 04008681
C PDR



INTERNATIONAL
URANIUM (USA)
CORPORATION

40-8681

Independence Plaza, Suite 950 • 1050 Seventeenth Street • Denver, CO 80265 • 303.625.7798 (main) • 303.359.4125 (fax)

June 20, 1997

VIA OVERNIGHT MAIL

Mr. Joseph J. Holonich, Branch Chief
High Level Waste and Uranium Recovery
Projects Branch
Division of Waste Management
Office of Nuclear Material Safety and Safeguards
U.S. Nuclear Regulatory Commission
2 White Flint North, Mail Stop T-7J9
11545 Rockville Pike
Rockville, MD 20852

Re: Supplemental Data for Amendment Request to Process an Alternate Feed at White Mesa Uranium Mill Source Material License SUA-1358

Dear Mr. Holonich:

In response to a request by NRC Staff, International Uranium (USA) Corporation ("IUC") hereby transmits a letter from the Material Owner describing the average composition of the uranium material, together with associated average composition data, as a supplement to the request to amend Source Material License SUA-1358 dated April 13, 1997 (see Attachment A). We also transmit, as Attachment B, the following documentation regarding the regulatory classification of the uranium material:

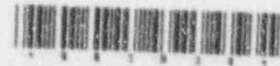
- Letter from the Material Owner explaining that the material is classified as source material, and managed under an NRC license. The letter also explains that source material is excluded from regulation as hazardous waste under the applicable State Code.
 - The Material Owner's Source Material license.
 - State Code citation with exclusion of "Source, special nuclear or byproduct material" from regulation as hazardous waste.

The enclosed letter and data are transmitted as two versions:

1. Complete text with brackets indicating portions of text and the selected attachments to be withheld as confidential; and
2. An edited version of (1) with bracketed text deleted and selected attachments removed. This version is meant to be used for the Public Document Room.

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~~change to Encl~~
PAR - 1 + info prop.



270031
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Joseph J Holonich
June 20, 1997
Page 2

IUC requests that the information identified as "confidential" contained in this amendment request be maintained by the NRC as confidential until March 31, 2000. IUC also reserves the right to reevaluate this proposed release date as circumstances change over the course of the proposed three year period.

We hope this information meets your needs for reviewing these elements of the amendment application. I can be reached at (303) 389.4131.

Sincerely,



Michelle R. Rehmann
Environmental Manager

MRR/tay
Attachments

cc: Ronald E. Berg
William N. Deal
David C. Frydenlund
Earl E. Hoellen
James Park (NRC)
Harold R. Roberts

ATTACHMENT A

Subject: Average Composition of [] Residues

In discussions with outsiders about the composition of our residues, we are often asked for complete analyses. Although we have many analyses of Ta and Nb, we do not have many total analyses. However, in 1990 we subsidized ten 55-gallon drums of material from bins 2, 4, 7, 8 to Metallurg for them to evaluate for furnace concentration in Germany. In thorough German fashion, they made total analyses of the material and gave us the results.

I compiled the results of their analyses which were expressed as the elements, and calculated the average values and the standard deviation, then converted the values to normal fluorides. Lo and behold, I came out with 100% accountability! The data and results are shown in Table 1. The only discrepancy is that the calculated fluoride is 51%, whereas their average fluoride is 39%. This can be explained by assuming that some of the compounds are present as oxyfluorides rather than fluorides. This is most likely true of Nb, Ta and Zr and possibly Al.

Note that they report an average of 5.57% Ta_2O_5 , whereas we used 2.48% in the AFE. My leaching studies averaged 3.83%, which I think is closer to the real value. Also, note that the uranium was analyzed at 0.19% and the thorium at 0.43%. We normally quote the uranium at 0.3% and the thorium at 0.4%.

We have another potential source of good analytical data at the Bureau of Mines from thirteen samples from all bins, but they won't send us the results until we sign the CREADA. Until then, I recommend we use the last column in Table 1 as the "official analyses" of the residues.

R. C. Hard

Robert A. Hard, Consultant

ATTACHMENT B

[]

June 19, 1997

Ms. Michelle Rehmann
International Uranium Corporation, USA
Independence Plaza, Suite 950
1050 17th Street
Denver, CO 80265

RE: REGULATORY CLASSIFICATION OF [] MATERIALS BEING
PROPOSED FOR USE AS AN ALTERNATE FEEDSTOCK AT THE
WHITE MESA MILL

Dear Ms. Rehmann:

Based on our discussion, and your explanation of the NRC request for additional information concerning the regulatory status of the materials being proposed for use as an alternate feedstock at the White Mesa Mill, [] is providing the following discussion of the management system for the aforementioned materials.

Based on the fact that the materials in question contain naturally occurring Uranium and Thorium at a concentration greater than 0.05%, they are classified as Source Materials under the Atomic Energy Act of 1954 and are managed under NRC License [] (See Attachment I) which was renewed on December 31, 1996 and expires on December 31, 2001.

The materials are currently stored in seven (7) vaults which are constructed with concrete walls and floors. The roofs are formed using preformed concrete T beams and are covered with insulation and rubber membrane roofing materials.

The protection of workers from potential radiation exposure is a vital element in our radiation safety program and access to the bins is strictly controlled through locked entry gates and a log book.

In order to insure that there are no adverse environmental impacts, and that the integrity of the bins is being maintained, a series of monitoring wells which surround the bins are sampled on a quarterly basis as discussed in the materials submitted for the License renewal application.

[]
In addition to the above items, an ore inventory, which tracks the source material volume, is calculated annually as required under the License.

At present [] has submitted a Letter of Credit and executed a Standby Trust Agreement in favor of the NRC in order to insure funding for decommissioning the [] facility as required under the Site Decommissioning Funding Plan.

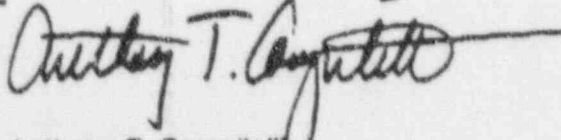
Further discussion of the regulatory status of the [] materials concerned the issue of hazardous waste and the status of these materials under the hazardous waste regulations of the Pa Department of Environmental Protection. Attachment II to this letter is a copy of a page from Title 25, Chapter 261 of the Pennsylvania Code. Title 25 is the body of regulations which govern environmental protection in the state and Chapter 261 addresses the criteria for the identification and listing of hazardous waste.

Pa Code 25 § Exclusions, lists those solid wastes which are specifically excluded as hazardous waste under the regulations. Subsection (a) under this citation excludes "Source, special nuclear or by-product material as defined by the Atomic Energy Act of 1954.." from regulation as hazardous waste. As noted above, the materials in question are regulated as source material under an appropriate NRC License.

I believe that this information is adequate in explaining the regulatory status of the materials being proposed as alternate feedstock for the White Mesa Mill.

Should you have any questions, or require additional information, please contact me at your convenience.

Yours truly,

[]


Anthony T. Campitelli
Manager, Environmental Affairs

attachments

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, 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.

<p>1. [Licensee]</p> <p>2. []</p>	<p>3. License number [RENEWAL]</p> <hr/> <p>4. Expiration date December 31, 2001</p> <hr/> <p>5. Docket or Reference No 40-6940</p>
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- | | | |
|---|--|--|
| <p>6. Byproduct, source, and/or special nuclear material</p> <p>Natural uranium and thorium</p> | <p>7. Chemical and/or physical form</p> <p>Any</p> | <p>8. Maximum amount that licensee may possess at any one time under this license</p> <p>400 tons as elemental uranium and thorium</p> |
|---|--|--|
9. Authorized place of use: The licensee's facility at [Pennsylvania.]
 10. Authorized use: Receipt, possession, and processing at the Boyertown, Pennsylvania, facility in accordance with the statements, representations, and conditions specified in the licensee's revised application dated March 16, 1994; and supplements dated May 24, August 17, and October 31, 1995; February 26, March 13, and April 10, and November 26, 1996.
 11. The licensee shall document all ALARA Committee's recommendations for achieving ALARA in radiation protection, proposed in each meeting. A copy of the recommendations shall be provided to the General Manager.
 12. The licensee shall revise attachments B, C and I to the renewal application dated March 16, 1994, to reflect the current regulations at 10 CFR Part 20, which became effective on January 1, 1994. The revision should be completed within 60 days of the issuance of this renewed license.
 13. Release of equipment, facilities, or packages to the unrestricted area or to uncontrolled areas onsite shall be in accordance with the "Guidelines for Decontamination of Facilities and Equipment Prior to Release for Unrestricted Use or Termination of Licenses for Byproduct, Source, or Special Nuclear Material," dated April 1993.

MATERIALS LICENSE
SUPPLEMENTARY SHEET

License Number
[] RENEWAL

Contract or Reference Number
[]

14. The licensee shall collect the following samples at the [] site and analyze for radioactivity at least quarterly:
- a. Composite samples from a continuously collected sample of the effluent at Outfall 001 when effluent is discharged.
 - b. Upstream and downstream water samples (relative to Outfall 001) of West Swamp Creek.
 - c. Groundwater samples from Monitoring Wells 1a, 2, 3, and 4 identified in Figure 4.1 of NUREG-1027.

If the concentration of any radionuclide exceeds 1 percent of the value given in 10 CFR Part 20, Appendix B, Table II, an investigation shall be made to determine the possible cause and appropriate action shall be taken.

If the concentration of a radionuclide exceeds 10 percent of the value in Table II, the licensee shall report the incident to the Administrator, Region I, U.S. Nuclear Regulatory Commission, within 30 days after the analysis is received by the licensee.

- d. Sediment samples from upstream and downstream locations in West Swamp Creek and immediately downstream of Outfall 001. If gross alpha concentrations exceed 100 pCi/g, an investigation shall be made to determine the cause.

The licensee shall maintain a record of all monitoring results obtained in accordance with this license condition.

FOR THE NUCLEAR REGULATORY COMMISSION

Michael F. Weber

Date: December 24, 1996

By: Michael F. Weber
Division of Fuel Cycle Safety
and Safeguards
Washington, DC 20555

ATTACHMENT A