

July 1, 2025



Mr. James Smith
U.S. Nuclear Regulatory Commission
11555 Rockville Pike
Rockville, MD 20852-2738

Re: Docket No. 07000925; License No. SNM-928
Clarification of NRC's January 15, 2025, Letter Regarding Requirements for Divested Properties

Dear Mr. Smith:

In a letter to the U. S. Nuclear Regulatory Commission (NRC) and the Oklahoma Department of Environmental Quality (DEQ) (ML22209A220) dated July 25, 2022, Environmental Properties Management LLC (EPM), Trustee for the Cimarron Environmental Response Trust (CERT), requested "NRC concurrence that divested portions of the formerly licensed site (for which the NRC approved divestiture with no institutional controls or deed restrictions) will not be included in the final dose assessment performed for license termination."

In a letter dated January 15, 2025, the NRC granted the request, stating, "The divested portions of the formerly licensed site (for which the NRC approved divestiture with no institutional controls or deed restrictions) will not be included in the final dose assessment performed for license termination.". This clearly indicates that three of the four divested properties are now excluded from the final dose assessment to be performed for license termination. However, deed restrictions are in place on one of the four divested properties – the 140-acre SW ¼ of Section 12. The deed restrictions on the 140-acre SW ¼ of Section 12 parcel are stated in Exhibit B of the Quitclaim Deed executed on that property and address the storage and handling of fuel or chemicals and prohibit the possession of firearms.

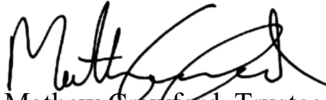
In anticipation of License SNM-928 termination, the NRC's parenthetical statement "(for which the NRC approved divestiture with no institutional controls or deed restrictions)" could be interpreted to mean that the 140-acre SW ¼ of Section 12 will be included in the final dose assessment; although there are deed restrictions this property, they do not address radiological concerns.

EPM requests the NRC to provide formal documentation of one of the two proposed resolutions of this issue:

1. The formerly-owned 140-acre SW ¼ of Section 12 will not be included in the final dose assessment, or
2. The final dose assessment for the 140-acre SW ¼ of Section 12 will be based on the radiological data provided in the August 9, 1995, *Final Status Survey Report – Phase I Areas* (ML21158A013). The final status survey data provided in that report is the basis for the NRC's **unrestricted** release of that property.

If you have any questions or desire clarification, please call me at 816-652-2784.

Sincerely,

A handwritten signature in black ink, appearing to read 'Mathew Crawford', with a stylized, flowing script.

Mathew Crawford, Trustee Project Manager

cc: (electronic copies only)

Rob Yalen, Office of the United States Attorney for the Southern District of New York

Stephanie Anderson and Linda Gersey, NRC Region IV

Rachel Miller, Paul Davis, Keisha Cornelius, Courtney Redmond, Lee Dooley, David Cates, and Jonathan Reid, DEQ

NRC Public Document Room

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