

February 15, 2011

Mr. Richard Dana
Managing Arbiter/Appointed Special Master
JUDICIAL ARBITER GROUP, INC.
Suite 400
1601 Blake Street
Denver, Colorado 80202

Dear Mr. Dana:

I am writing to acknowledge receipt of your letter of December 22, 2010, inquiring as to the status of Nuclear Regulatory Commission's (NRC) review of the alternate closure standards for the Uravan, Colorado Uranium Mill.

Pursuant to the Atomic Energy Act and regulations promulgated thereunder, the NRC is charged with review and approval of any alternative closure standards prior to the State of Colorado proceeding with the mill license termination process. The NRC approval of the proposed Uravan alternative standards is a regulatory prerequisite to the termination of Colorado Materials License No. 660-02S (Colo.). In addition, the NRC must make a determination that all applicable standards, including any alternative standards, have been met prior to Colorado proceeding with the license termination. This will involve NRC review of Colorado's determination as presented to NRC (See procedure, SA-900, "Termination of Uranium Milling Licenses in Agreement States"; <http://nrc-stp.ornl.gov/procedures/sa900.pdf>).

We are aware that completion of remedial actions under Colorado License and the Uravan Remedial Action Plan is critical to the termination of the Consent Decree which has been in effect since February 12, 1987.

The NRC staff is reviewing the alternative standards proposed by Umetco, agreed to and submitted to NRC by the State of Colorado. The NRC staff has begun preparation of an evaluation which will be provided to the Commission for their review and approval to be published for public comment. The NRC will then evaluate the comments received and provide a final recommendation for the alternative standards for Commission consideration. The Commission decision will be published in the Federal Register. It is projected that the proposed alternate standard will appear before the Commission later in 2011.

Thank you for your interest in this matter. If you have any further questions, please contact me or Duncan White at (301) 415-2598 (email: duncan.white@nrc.gov) of my staff.

Sincerely,

/RA/

Robert J. Lewis, Director
Division of Materials Safety
and State Agreements
Office of Federal and State Materials
and Environmental Management Program

cc: See next page

Thank you for your interest in this matter. If you have any further questions, please contact me or Duncan White at (301) 415-2598 (email: duncan.white@nrc.gov) of my staff.

Sincerely,

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Robert J. Lewis, Director
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cc: See next page

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OFC	DMSSA/SAISB	FSME/DMSSA	FSME/DMSSA
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DATE	01/25/2011	01/25/2011	02/15/2011

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