



UNITED STATES

NUCLEAR REGULATORY COMMISSION

REGION IV

URANIUM RECOVERY FIELD OFFICE
BOX 25325
DENVER, COLORADO 80225

DEC 31 1992

Docket No. 40-8084
SUA-1119, Amendment No. 41

Rio Algom Mining Corp.
ATTN: Marvin Freeman, Vice President
Technical Services and
Environmental Affairs
6305 Waterford Blvd., Suite 325
Oklahoma City, Oklahoma 73118

Dear Mr. Freeman:

We have completed our review of your license amendment requests dated November 22, 1991, and December 15, 1992, to amend Source Material License SUA-1119 to incorporate a schedule for reclamation milestones and to extend the termination date for the reduced pumping rate at monitoring wells OWUT-9, MW-11A and EF-24 to June 30, 1993. The November 22, 1991, amendment request was in response to our October 22, 1991, letter requesting a proposed schedule in accordance with the Memorandum of Understanding (MOU) between the Environmental Protection Agency (EPA) and the NRC which was published in the Federal Register on October 25, 1991. The December 15, 1992, amendment request was made to extend by six months the reduced pumping rate until an additional evaporation pond is constructed or other alternatives are found to reduce well recovery waters. The staff will also take this opportunity to reinstate wording omitted in License Condition No. 53D when Amendment No. 36 was issued.

The staff has determined under exclusions contained in 10 CFR 51.22(c)(11) that further environmental documentation is not required for this amendment request. The proposed November 22, 1991, amendment is administrative, incorporating reclamation milestones into your license in accordance with the MOU between EPA and the NRC. The proposed December 15, 1992, amendment is also administrative revising a termination date for reduced pumping and reinserting wording in License Condition No. 53. Therefore, an environmental assessment by this office for the proposed action is not required since this action is categorically excluded under 10 CFR 51.22(c)(11), and is not required by 10 CFR 51.60(b)(2).

In consideration of the above, and pursuant to Title 10 of the Code of Federal Regulations, Part 40, Source Material License SUA-1119 is hereby amended by revising License Condition No. 53 and adding License Condition No. 55 to read as follows:

53. The licensee shall implement a ground-water compliance monitoring program containing the following:

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- A. Sample wells OWUT-9, EF-24, MW-11A, MW-5, MW-13, H-56, EF-3, EF-5, EF-25, EF-23, MW-7, MW-8A, MW-9, RW-1, MW-4, EF-4, and EF-6 on a semiannual frequency for arsenic, molybdenum, selenium, and water level, and on a quarterly frequency for natural uranium, chloride, sulfate, pH, and conductivity.

Water levels shall also be measured annually in the following wells:

H wells 6, 10, 14, 38, 48, 55, 56, 71, 72, 73, 77, and 78; D-3 MW wells 1, 2, 6A, 10, 11, and 12; DM 80 wells 1, 2, 3, and 4; FT-1; LT well 10; GW wells 19, and 20; and EF wells 2, 8, 16, 17, 19, 20, 22, and 26.

- B. Comply with the following ground-water protection standards (in mg/l) at the northern point of compliance wells H-56 and OWUT-9 with background being recognized in well MW-5:

arsenic = 0.05, molybdenum = 0.07, selenium = 0.01, and uranium = 0.01.

- C. Comply with the following ground-water protection standards (in mg/l) at the southern point of compliance wells EF-3 and EF-5, with background being recognized in well MW-13:

arsenic = 0.066, molybdenum = 0.05, selenium = 0.01, and uranium = 0.02.

- D. Implement a corrective action program consisting of pumping wells OWUT-9, MW-11A, and EF-24 or other wells in these areas at a combined flow rate of approximately 100 gpm due to exceedance of ground-water protection standards. The objective of the corrective action program shall be to return the concentration of arsenic, molybdenum, selenium, and uranium to the concentration limits specified in subsections (B) and (C). If a combined pumping rate of 100 gpm cannot be maintained due to possible exceedance of freeboard requirements, the licensee shall be permitted until June 30, 1993, to reduce pumping to the maximum possible gpm rate obtainable to maintain appropriate freeboard requirements.

Additionally, the licensee shall, on a semiannual frequency, submit a ground-water monitoring report as well as submit a corrective action program review by July 1 of each year that describes the progress towards attaining ground-water protection standards.

- E. Construct the enhanced evaporation system as described in the June 29, 1990, amendment application as revised by letter dated November 12, 1990.

[Applicable Amendments: 19, 20, 27, 29, 34, 35, 36, 39, 41]

55. The licensee shall complete site reclamation in accordance with an approved reclamation plan. The ground-water corrective action plan shall be conducted as authorized by License Condition No. 53 in accordance with the following schedule.
- A. To ensure timely compliance with target completion dates established in the Memorandum of Understanding with the Environmental Protection Agency (56 FR 55432, October 25, 1991), the licensee shall complete reclamation to control radon emissions as expeditiously as practicable, considering technological feasibility, in accordance with the following schedule:
- (1) Windblown tailings retrieval and placement on the pile - September 30, 1993.
 - (2) Placement of the interim cover to decrease the potential for tailings dispersal and erosion - December 31, 1992.
 - (3) Placement of final radon barrier designed and constructed to limit radon emissions to an average flux of no more than 20 pCi/m²/s above background - December 31, 1996.
- B. Reclamation, to ensure required longevity of the covered tailings and ground-water protection, shall be completed as expeditiously as is reasonably achievable, in accordance with the following target dates for completion:
- (1) Placement of erosion protection as part of reclamation to comply with Criterion 6 of Appendix A of 10 CFR Part 40 - December 31, 2015.
 - (2) Projected completion of ground-water corrective actions to meet performance objectives specified in the ground-water corrective action plan - December 31, 2015.
- C. Any license amendment request to revise the completion dates specified in Section A must demonstrate that compliance was not technologically feasible (including inclement weather, litigation which compels delay to reclamation, or other factors beyond the control of the licensee).
- D. Any license amendment request to change the target dates in Section B above must address added risk to the public health and safety and the environment, with due consideration to the economic costs involved and other factors justifying the request such as delays caused by inclement weather, regulatory delays, litigation, and other factors beyond the control of the licensee.

All other license conditions shall remain the same. The license is being reissued to incorporate the above modifications.

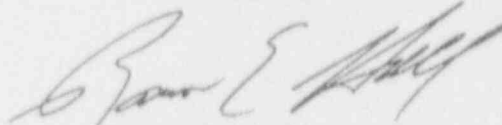
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The reclamation schedule amendment was discussed and agreed to by Bill Ferdinand and Dana C. Ward of my staff on July 21, 1992. The reduced pumping rate amendment was discussed and agreed to by you and Dana C. Ward on December 30, 1992.

Sincerely,



Ramon E. Hall
Director

Enclosure:
Source Material License SUA-1119

cc:
F. Fossey, Lisbon
L. Anderson, RCPD, UT

Rio Algom Mining Corp.

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bcc:

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LFMB

PDR/DCS

URFO r/f

LJCallan, RIV

LLUR Branch, LLWM, 5E2

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DCWard/lv <i>DCW</i>	EFHawkins	REHall		
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