



## Department of Energy

Albuquerque Operations Office

P.O. Box 5400

Albuquerque New Mexico 87115

JAN 28 1993

Mr. Dan Gillen  
Section Leader  
Division of Low-Level Waste  
Management and Decommissioning  
Office of Nuclear Materials Safety  
and Safeguards  
Mail Stop 5E-4 OWFN  
U.S. Nuclear Regulatory Commission  
Washington DC 20555

Dear Mr. Gillen:

During the Nuclear Regulatory Commission's (NRC) visit to the Uranium Mill Tailings Remedial Action (UMTRA) Project Office (PO) on January 12, 1993, I requested a meeting with you and Allan Mullins. In attendance at the meeting were Meredith Day, M. B. Leaf, and Paul Martinez of the Technical Assistance Contractor; you and me. Alan Mullins from the NRC was included via teleconference. The topic of discussion was NRC comment #11, on the September 1992 Spook, Wyoming, Final Long-Term Surveillance Plan (LTSP). In their comment, the NRC requested documentation for the settlement of the mining claim associated with the buffer zone.

As a result of the meeting, the UMTRA PO agreed to provide the following items to the NRC:

1. Documentation showing that the state of Wyoming conducted the acquisition of the Spook site in the name of the Department of Energy, thus verifying that the U.S. Government had legal ownership of the disposal site;
2. A legal description and a disposal site map locating the mining claim, thus verifying that the claim is associated with the buffer zone and not the actual disposal cell.

Enclosed are copies of real estate documentation to satisfy these agreements.

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Mr. Dan Gillen

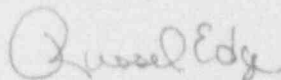
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JAN 28 1993

It was agreed that the submittal of this documentation would not delay the NRC's acceptance of the Final LTSP or issuance of the final site license. These items along with the verbal commitment by the DOE to complete the settlement of the mining claim within a reasonable amount of time will resolve comment #11.

If you have any questions, please contact me at 845-6130.

Sincerely,



Russel Edge  
Site Manager  
Uranium Mill Tailings Remedial Action  
Project Office

Enclosure (2)

cc w/o enclosure:

J. Erickson, WDEQ  
D. Gillen, NRC  
A. Mullins, NRC  
C. Smythe, UMTRA  
R. Edge, UMTRA  
L. Pinkel, TAC  
M. Day, TAC  
P. Martinez, TAC  
M. B. Leaf, TAC

THE STATE



OF WYOMING

## *Attorney General*

MIKE SULLIVAN  
GOVERNOR

JOSEPH B. MEYER  
ATTORNEY GENERAL

123 CAPITOL BUILDING  
CHEYENNE, WYOMING 82002  
TELECOPIER: 307-777-6869

ADMINISTRATION 307-777-7841  
CONSUMER AFFAIRS 777-6286  
WORKERS' COMPENSATION 777-5934  
NATURAL RESOURCES 777-7824, 777-7834  
CRIMINAL DIVISION 777-6743, 777-7874  
CIVIL DIVISION 777-7886, 777-7876, 777-6344  
TORT LITIGATION 777-6886  
CRIME VICTIMS COMPENSATION 777-5984

December 4, 1989

Mr. Mark L. Matthews  
Acting Project Manager  
Uranium Mill Tailings Project Office  
U.S. Department of Energy  
Post Office Box 5400  
Albuquerque, New Mexico 87115

RE: UMTRA Spook Site Conveyance Document and Title Insurance Policies.

Dear Mr. Matthews:

Attached to this letter for hand delivery by Roger Shaffer, the Wyoming Land Quality Administrator, are the originals of the Hornbuckle deed to the Spook Pit and Acid Pond parcels together with all of the access easements. The deed and access easements have been recorded as shown on the face of the documents. Mr. Shaffer is also delivering a paper copy of the right-of-way map, the mylar original for which is now on file in the county records.

Behind each conveyance document is a Policy of Title Insurance from First American Title Guaranty of Wyoming. I had to go back to the title insurance company for a correction on one of the policies because of an erroneous land description. The replacement page has been inserted into Policy No. 13-04951-0.

I am sending a copy of this letter to Jim Walter of the Jacobs Engineering Group to let him know that the original documents have been delivered to you. I very much appreciate his assistance in working through the problems.

Please note that the conveyance documents do not yet show an acceptance signature by an authorized officer of the Department of Energy indicating approval of title by the Department of Justice. I suggest that when the review is completed, one letter be written for the record indicating final acceptance on all of the related conveyances. Send the letter to me and I will have it recorded and provide copies

Mark L. Matthews  
December 4, 1989  
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to the individuals who would want the copies for their files.

If there is something more I should do to bring this project to a successful close, please let me know.

Very truly yours,



John D. Erdmann  
Senior Assistant  
Attorney General

JDE:ltv

✓mc: Jim Walter, Jacobs Engineering Group  
Roger Shaffer, Land Quality Administrator  
John Erickson, Wyoming UMTRA Project Officer  
Joseph Meyer, Attorney General



NOTE FOR EXAMINATION OF HORNBUCKLE EASEMENT:

The Hornbuckle road easement purports to convey an easement across the entire Southwest Quarter of Section 34, T.37N., R.73W. In actuality, the Baker family owns the north half of this quarter section of ground, which is included in the Baker easement. The title policies have the land ownerships correctly described. There is no harm in the surplus land description in the Hornbuckle easement, as the road way is completely covered by easement grants from the correct land owners.

U.M.T.R.A.  
Converse County  
Wyoming  
Tract 199M

RIO ALGOM MINING CORP., et al

A portion of Mining Claim ZEE 1, situated in the W<sup>1</sup>/<sub>4</sub>W<sup>1</sup>/<sub>4</sub>NW<sup>1</sup>/<sub>4</sub> of Section 27, Township 38 North, Range 73 West of the Sixth Principal Meridian, Converse County, Wyoming, being more particularly described as follows:

Commencing at the Northwest corner of said Section 27;

thence South along the West line of said Section 27, a distance of 1320.00 feet;

thence East, 10.00 feet to the POINT OF BEGINNING;

thence continuing East, 310.00 feet;

thence South parallel with said West line, 1320.00 feet;

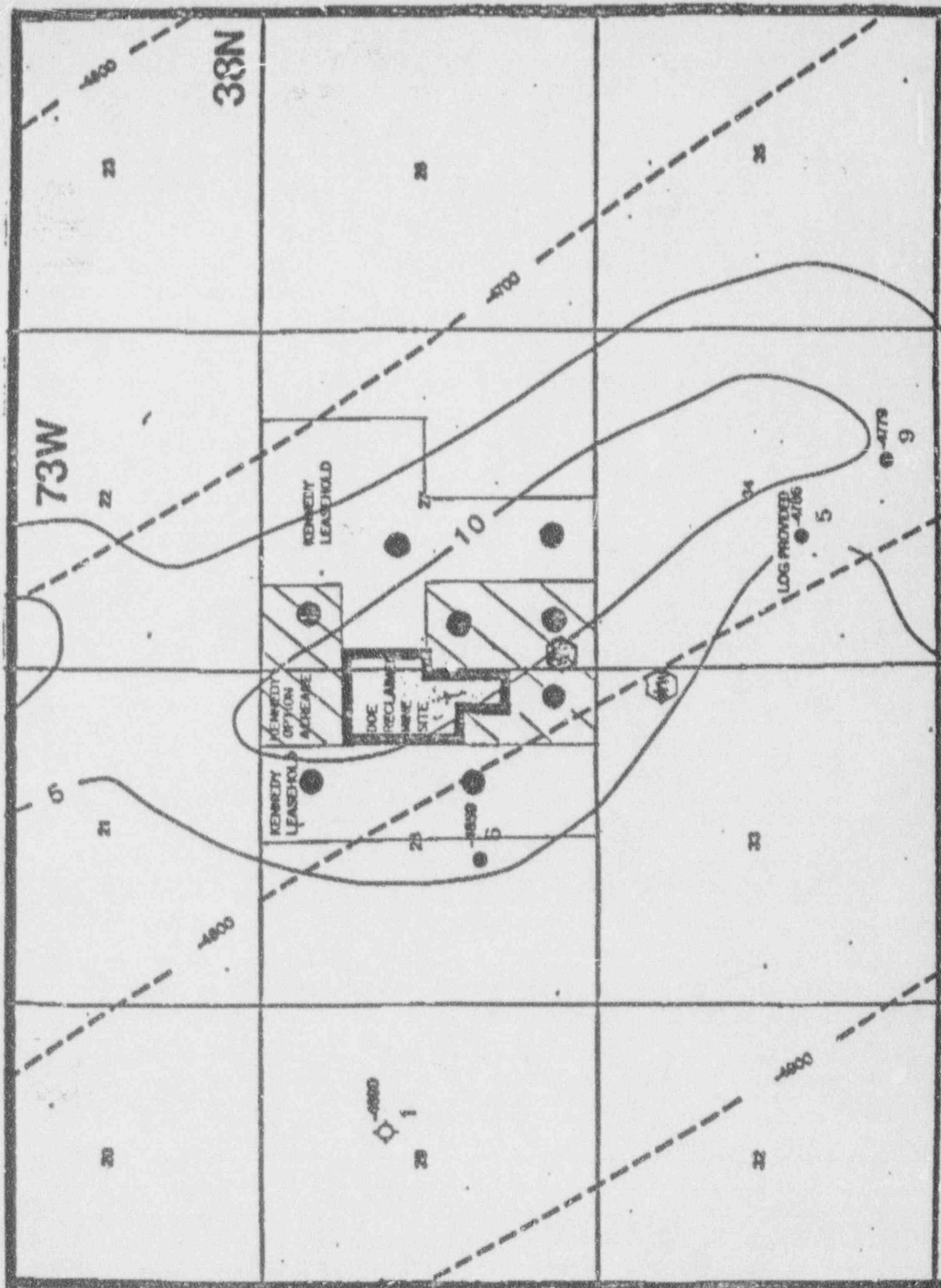
thence West, 310.00 feet;

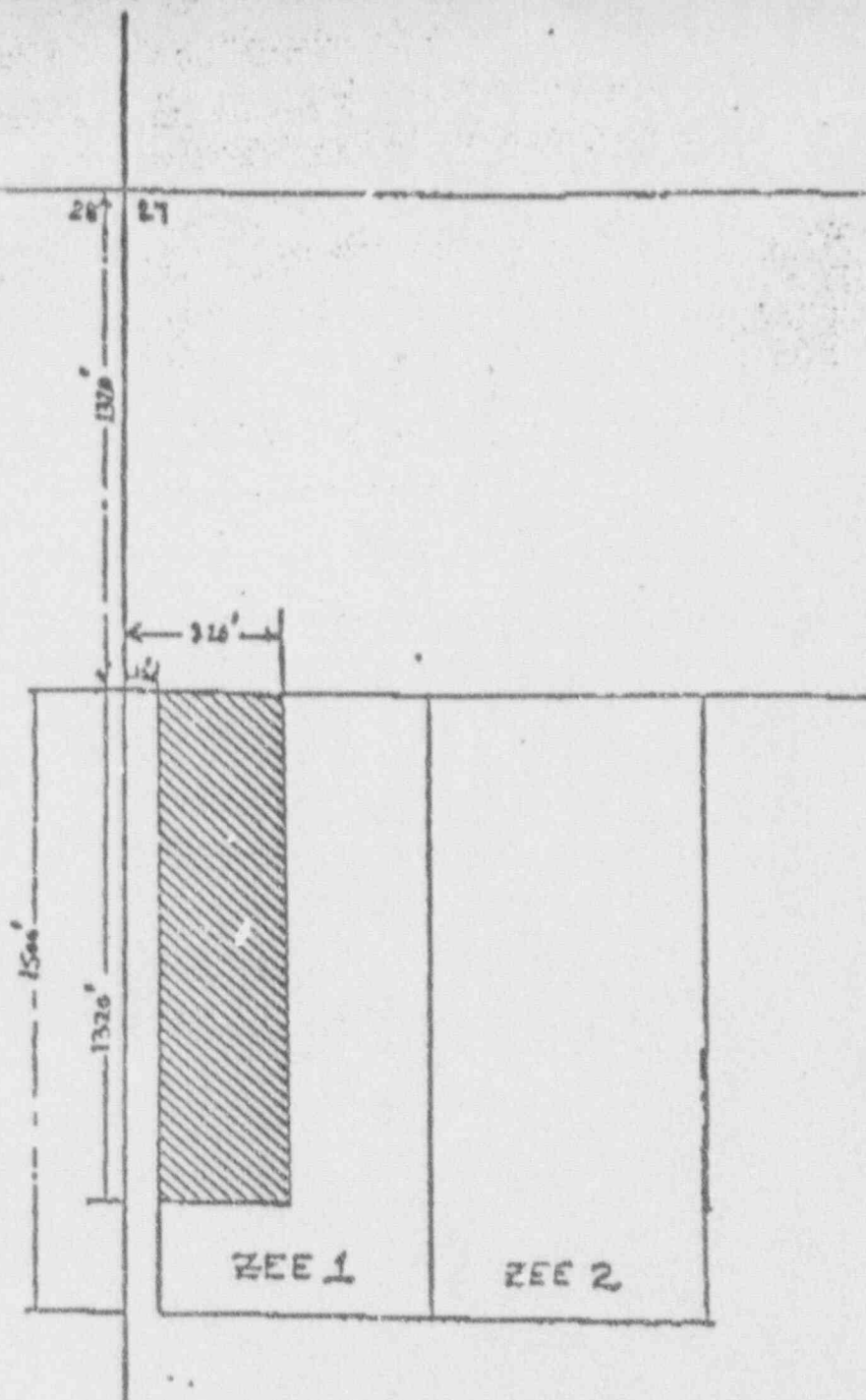
thence North parallel with said West line, 1320.00 feet to the point of beginning.

The tract of land herein described contains 9.39 acres, more or less.

NOTE: The West line is assumed to bear due South for the purposes of this description.

REV2JUL91  
30OCT90





T.38N., R.73W, 6<sup>th</sup> PM

SUBJECT TRACT

EXHIBIT 3