

October 9, 1996

MEMORANDUM TO: Ronald R. Bellamy, Chief  
Decommissioning and Laboratory Branch, RI

FROM: Michael F. Weber, Chief [Original signed by]  
Low-Level Waste and Decommissioning Projects Branch  
Division of Waste Management, NMSS

SUBJECT: HERITAGE MINERALS REQUEST FOR EXTENSION OF DECOMMISSIONING  
PROCESS

This memorandum responds to your Technical Assistance Request: Heritage Minerals, Inc. Request For Extension Of Decommissioning Process Per 10 CFR 40.42(f), to Don Cool, dated August 20, 1996. Don Cool transferred your request to the Division of Waste Management on August 27, 1996.

In the August 20, 1996, memorandum, you identified three potential options for responding to Heritage Minerals' request for an extension of the decommissioning process. You recommended that the U.S. Nuclear Regulatory Commission adopt the position taken in Option 3, which is to deny the request from Heritage Minerals to be allowed to not have to commit to a schedule for decommissioning Heritage's NRC licensed mill and monazite pile. Under this option, Heritage Minerals would be required to commence with the decommissioning process as prescribed in 10 CFR 40.42. If the land and the license transfer, to the State of New Jersey, take place before August 15, 1998, the NRC would consider a new decommissioning time clock for the State, provided that the State submits a Statement of Intent, at the time of license transfer to satisfy the decommissioning financial assurance requirements.

We agree with your assessment that it is speculative at this time to assume the property will be transferred to the State of New Jersey on the schedule assumed by Heritage Minerals. Therefore, we concur with your recommendation to adopt Option 3.

License No. SMB-1541  
Docket No. 040-08980

Contact: J. Buckley  
301-415-6607  
T.C. Johnson  
301-415-7299

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UNITED STATES  
NUCLEAR REGULATORY COMMISSION  
WASHINGTON, D.C. 20555-0001

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