

The Honorable Bill Richardson
United States House of Representatives
Washington, D.C. 20515-3103

October 23, 1996

40-8907

Dear Congressman Richardson:

I am responding to your letter dated September 23, 1996, requesting assistance from the U.S. Nuclear Regulatory Commission. In that letter, you provided information from one of your constituents concerning the reclamation activities at three uranium mines owned by United Nuclear Corporation (UNC). Based on a review of the information provided, it appears that the State of New Mexico passed a cleanup law, for abandoned uranium mines, entitled the New Mexico Mining Act, which went into effect in 1993. Your constituent seems to want UNC to conduct additional cleanup at three mines sites that were reclaimed before the New Mexico law went into effect.

There are two reasons why NRC is unable to assist your constituent with regard to any additional cleanup at UNC's abandoned uranium mine sites. First, under the Atomic Energy Act of 1954, as amended, NRC only has regulatory authority over the operation and eventual reclamation of uranium mills. Under this authority, NRC regulates the reclamation of the UNC uranium mill located in Churchrock, New Mexico. However, NRC has no authority for the operation or reclamation of any of the UNC uranium mines. Second, the statute your constituent cites is a New Mexico law. Therefore, it would be the responsibility of the appropriate State agency to ensure compliance with the New Mexico law. As an initial point of contact, your constituent may want to try Mr. Richard Orhbom in the New Mexico Environment Department. Mr. Orhbom can be reached at (505) 827-0219.

I trust you find this reply responds to your constituent's concerns and clarifies NRC's position.

Sincerely, *Original signed by*
James M. Taylor
James M. Taylor
Executive Director
for Operations

cc: Mr. Richard Orhbom
New Mexico Environment Department
TICKET #: EDO 96763

NL17 1/0

DISTRIBUTION:

File Center PUBLIC NMSS r/f URB r/f CSeelig, PMDA
MBell JSurmeier LHowell CCain DCorley, OC
HThompson EDO r/f MWeber DWM r/f DWM t/f
JAustin DGillen DIR r/f CPoland

Path & File Name: S:\DWM\URB\JJH\UNC

*SEE PREVIOUS CONCURRENCE

URB	OGC	TECH*	DWM	DWM	NMSS	NMSS
JHolonich*	RFonner*	EKraus*	MFederline*	JGreeves*	MKrapp*	CPaperiello*
10/15/96	10/15/96	10/11/96	10/XX/96	10/15/96	10/XX/96	10/16/96
EDO	EDO	OCA				
HThompson*	JTaylor	DRathbun				
10/21/96	10/22/96	10/13/96				

In small box on "DATE:" line enter: % = E-Mail Distribution Copy H = Hard Copy
OFFICIAL RECORD COPY

9610300028 961023
PDR ADOCK 04008907
C PDR

NRC FILE CENTER COPY

The Honorable Bill Richardson
United States House of Representatives
Washington, D.C. 20515-3103

SUBJECT: U.S. NUCLEAR REGULATORY COMMISSION ASSISTANCE WITH THE RECLAMATION
OF URANIUM MINES ABANDONED BY UNITED NUCLEAR CORPORATION

Dear Representative Richardson:

I am responding to your letter dated September 23, 1996, requesting assistance from the U.S. Nuclear Regulatory Commission. In that letter, you provided information from one of your constituents concerning the reclamation activities at three uranium mines owned by United Nuclear Corporation (UNC). Based on a review of the information provided, it appears that the State of New Mexico passed a cleanup law, for abandoned uranium mines, entitled the New Mexico Mining Act, which went into effect in 1993. Your constituent seems to want UNC to conduct additional cleanup at three mines sites that were reclaimed before the New Mexico law went into effect.

There are two reasons why NRC is unable to help your constituent get UNC to undertake any additional cleanup at its abandoned uranium mine sites. First, under the Atomic Energy Act of 1954, as amended, NRC only has regulatory authority over the operation and eventual reclamation of uranium mills. Under this authority, NRC regulates the reclamation of the UNC uranium mill located in Churchrock, New Mexico. However, NRC has no authority for the operation or reclamation of any of the UNC uranium mines. Second, the statute your constituent cites is a New Mexico law. Therefore, it would be the responsibility of the appropriate State agency to ensure compliance with the New Mexico law.

I trust you find this reply responds to your constituent's concerns and clarifies NRC's position.

Sincerely,

James M. Taylor
Executive Director
for Operations

TICKET #: EDO 96763

DH PROOFED 8/16/96

DISTRIBUTION:

File Center PUBLIC NMSS r/f URB r/f CSeelig, PMDA
MBell JSurmeier LHowell CCain DCorley, OC
HThompson EDO r/f MWeber DWM r/f DWM t/f
JAustin DGillen DIR r/f CPoland

Path & File Name: S:\DWM\URB\JJH\UNC

*SEE PREVIOUS CONCURRENCE

OFC	URB*		OGC*		TECH*		DWM		DWM*		NMSS	NMSS
NAME	JHolorich		RFonner		EKraus		MFederline		JGreeves		MKnapp	CPaperiello
DATE	10/15/96		10/15/96		10/ /96		10/ /96		10/15/96		10/ /96	10/16/96

OFC	EDO		EDO							
NAME	HThompson		JTaylor							
DATE	10/ /96		10/ /96							

In small Box on "DATE:" line enter: M = E-Mail Distribution Copy H = Hard Copy
OFFICIAL RECORD COPY

The Honorable Bill Richardson
United States House of Representatives
Washington, D.C. 20515-3103

Dear Congressman Richardson:

I am responding to your letter dated September 23, 1996, requesting assistance from the U.S. Nuclear Regulatory Commission. In that letter, you provided information from one of your constituents concerning the reclamation activities at three uranium mines owned by United Nuclear Corporation (UNC). Based on a review of the information provided, it appears that the State of New Mexico passed a cleanup law, for abandoned uranium mines, entitled the New Mexico Mining Act, which went into effect in 1993. Your constituent seems to want UNC to conduct additional cleanup at three mines sites that were reclaimed before the New Mexico law went into effect.

There are two reasons why NRC is unable to help your constituent get UNC to undertake any additional cleanup at its abandoned uranium mine sites. First, under the Atomic Energy Act of 1954, as amended, NRC only has regulatory authority over the operation and eventual reclamation of uranium mills. Under this authority, NRC regulates the reclamation of the UNC uranium mill located in Churchrock, New Mexico. However, NRC has no authority for the operation or reclamation of any of the UNC uranium mines. Second, the statute your constituent cites is a New Mexico law. Therefore, it would be the responsibility of the appropriate State agency to ensure compliance with the New Mexico law. As an initial point of contact, your constituent may want to try Mr. Richard Orhbom in the New Mexico Environment Department. Mr. Orhbom can be reached at (505) 827-0219.

I trust you find this reply responds to your constituent's concerns and clarifies NRC's position.

Sincerely,

James M. Taylor
Executive Director
for Operations

cc: Mr. Richard Orhbom
New Mexico Environment Department

TICKET #: EDO 96763

DISTRIBUTION:

File Center PUBLIC NMSS r/f URB r/f CSeelig, PMDA
MBell JSurmeier LHowell CCain DCorley, OC
HThompson EDO r/f MWeber DWM r/f DWM t/f
JAustin DGillen DIR r/f CPoland

Path & File Name: S:\DWM\URB\JJH\UNC

*SEE PREVIOUS CONCURRENCE

OFC	URB	OGC	TECH*	DWM	DWM	NMSS	NMSS
NAME	JHolonich*	RFonner*	EKraus*	MFederline*	JGreeves*	MKnapp*	CPaperiello*
DATE	10/15/96	10/15/96	10/11/96	10/XX/96	10/15/96	10/XX/96	10/16/96

OFC	EDO	EDO	OCA
NAME	HThompson	JTaylor	DRathbun
DATE	10/21/96	10/28/96	10/ /96

In small box on "DATE:" line enter: M = E-Mail Distribution Copy H = Hard Copy
OFFICIAL RECORD COPY

The Honorable Bill Richardson
United States House of Representatives
Washington, D.C. 20515-3103

SUBJECT: U.S. NUCLEAR REGULATORY COMMISSION ASSISTANCE WITH THE RECLAMATION
OF URANIUM MINES ABANDONED BY UNITED NUCLEAR CORPORATION

Dear Representative Richardson:

I am responding to your letter dated September 23, 1996, requesting assistance from the U.S. Nuclear Regulatory Commission. In that letter, you provided information from one of your constituents concerning the reclamation activities at three uranium mines owned by United Nuclear Corporation (UNC). Based on a review of the information provided, it appears that the State of New Mexico passed a cleanup law, for abandoned uranium mines, entitled the New Mexico Mining Act, which went into effect in 1993. Your constituent seems to want UNC to conduct additional cleanup at three mines sites that were reclaimed before the New Mexico law went into effect.

There are two reasons why NRC is unable to help your constituent get UNC to undertake any additional cleanup at its abandoned uranium mine sites. First, under the Atomic Energy Act of 1954, as amended, NRC only has regulatory authority over the operation and eventual reclamation of uranium mills. Under this authority, NRC regulates the reclamation of the UNC uranium mill located in Churchrock, New Mexico. However, NRC has no authority for the operation or reclamation of any of the UNC uranium mines. Second, the statute your constituent cites is a New Mexico law. Therefore, it would be the responsibility of the appropriate State agency to ensure compliance with the New Mexico law.

I trust you find this reply responds to your constituent's concerns and clarifies NRC's position.

Sincerely,

James M. Taylor
Executive Director for Operations

TICKET #: EDO 96763

DISTRIBUTION: File Center PUBLIC NMSS r/f URB r/f CSeelig, PMDA
MBe11 JSurmeier LHowell CCain DCorley, OC
HThompson EDO r/f MWeber DWM r/f DWM t/f
JAustin DGillen DIR r/f CPoland

Path & File Name: S:\DWM\URB\JJH\UNC

*SEE PREVIOUS CONCURRENCE

OFC	URB	H	OGC	H	TECH*		DWM	DWM	NMSS		NMSS	
NAME	JHornich		RPonner		EKraus		MFederline	AGreeves	MKnapp		CPaperiello	
DATE	10/ /96		10/ /96		10/ /96		10/ /96	10/ /96	10/ /96		10/ /96	
OFC	EDO		EDO									
NAME	HThompson		JTaylor									
DATE	10/ /96		10/ /96									

In small Box on "DATE:" line enter: M = E-Mail Distribution Copy H = Hard Copy
OFFICIAL RECORD COPY

The Honorable Bill Richardson
U.S. House of Representatives
Washington, D.C. 20515-3103

Oct 11 96 10:51 AM 004 P.05

United States

SUBJECT: U.S. NUCLEAR REGULATORY COMMISSION ASSISTANCE WITH THE RECLAMATION OF URANIUM MINES ABANDONED BY UNITED NUCLEAR CORPORATION

Dear Representative Richardson:

I am responding to your letter dated September 23, 1996, requesting assistance from the U.S. Nuclear Regulatory Commission. In that letter, you provided information from one of your constituents concerning the reclamation activities at three uranium mines owned by United Nuclear Corporation (UNC). Based on a review of the information provided, it appears that the State of New Mexico passed a cleanup law for abandoned uranium mines, entitled the New Mexico Mining Act, that went into effect in 1993. ~~The concern outlined in the information from your constituent appears to be a desire to have UNC conduct additional cleanup at three mines sites that were reclaimed before the New Mexico law went into effect.~~ *which seems to want*

There are two reasons ~~the~~ ^{why} NRC is unable to ~~assist~~ ^{help} your constituent in getting UNC to undertake any additional cleanup at its abandoned uranium mine sites. First, under the Atomic Energy Act of 1954, as amended, ~~the~~ NRC only has regulatory authority over the operation and eventual reclamation of uranium mills. Under this authority, NRC regulates the reclamation of the UNC uranium mill located in Churchrock, New Mexico. However, NRC has no authority for the operation or reclamation of any of the UNC uranium mines. Second, the statute ~~being cited by your constituent~~ ^{is} a New Mexico law. Therefore, it would be the responsibility of the ~~appropriate~~ ^{cites} State agency to ensure compliance with the New Mexico law. *trust*

I hope you find this information useful in responding to your constituent. *concerns and clarifies NRC's position*

Sincerely,

James M. Taylor
Executive Director for Operations

DISTRIBUTION:

File Center PUBLIC NMSS r/f URB r/f CSeelig, PMDA
MBell JSurmeier LHowell CCain DCorley, OC
HThompson EDO r/f MWeber DWM r/f DWM t/f
JAustin DGillen DIR r/f CPoland

Path & File Name: S:\DWM\URB\NMH\STOFUT.RSP

*SEE PREVIOUS CONCURRENCE

OPC	URB	OGC	TECH*	DWM	DWM	NMSS	NMSS
NAME	JHolmich	RFenner	EKreuz	MFederline	JGreeves	MKnapp	CPaperiello
DATE	10/ /96	10/ /96	10/ /96	10/ /96	10/ /96	10/ /96	10/ /96
OPC	EDO	EDO					
NAME	HThompson	JTaylor					
DATE	10/ /96	10/ /96					

In small box on "DATE:" line enter: M = E-Mail Distribution Copy H = Hard Copy
OFFICIAL RECORD COPY

3)