

above conditions upon demonstration by Global Nuclear of good cause.

#### IV

In accordance with 10 CFR 2.202, the licensee must, and any other person adversely affected by this Order may, submit an answer to this Order, and may request a hearing on this Order, within twenty (20) days of the date of this Order. Where good cause is shown, consideration will be given to extending the time to request a hearing. A request for extension of time in which to submit an answer or request a hearing must be made in writing to the Director, Office of Nuclear Material Safety and Safeguards, U.S. Nuclear Regulatory Commission, Washington, DC 20555, and include a statement of good cause for the extension. The answer may consent to this Order. Unless the answer consents to this Order, the answer shall, in writing and under oath or affirmation, specifically set forth the matters of fact and law on which the licensee or other person adversely affected relies and the reasons as to why the Order should not have been issued. Any answer or request for a hearing shall be submitted to the Secretary, Office of the Secretary of the Commission, U.S. Nuclear Regulatory Commission, ATTN: Rulemakings and Adjudications Staff, Washington, DC 20555. Copies also shall be sent to the Director, Office of Nuclear Material Safety and Safeguards, U.S. Nuclear Regulatory Commission, Washington, DC 20555, to the Assistant General Counsel for Materials Litigation and Enforcement, at the same address, to the Regional Administrator, NRC Region II, Sam Nunn Atlanta Federal Center, Suite 23 T85, 61 Forsyth Street, SW., Atlanta, GA 30303-3415, and to Global Nuclear if the answer or hearing request is by a person other than the licensee. Because of possible disruptions in delivery of mail to United States Government offices, it is requested that answers and requests for hearing be transmitted to the Secretary of the Commission either by means of facsimile transmission to 301-415-1101 or by e-mail to [hearingdocket@nrc.gov](mailto:hearingdocket@nrc.gov) and also to the Office of the General Counsel either by means of facsimile transmission to 301-415-3725 or by e-mail to [OGCMailCenter@nrc.gov](mailto:OGCMailCenter@nrc.gov). If a person other than the licensee requests a hearing, that person shall set forth with particularity the manner in which his interest is adversely affected by this Order and shall address the criteria set forth in 10 CFR 2.714(d).<sup>3</sup>

If a hearing is requested by the licensee or a person whose interest is adversely affected, the Commission will issue an Order designating the time and place of any hearing. If a hearing is held, the issue to be considered at such hearing shall be whether this Order should be sustained.

Pursuant to 10 CFR 2.202(c)(2)(i), the licensee may, in addition to demanding a hearing, at the time the answer is filed or sooner, move the presiding officer to set aside the immediate effectiveness of the Order on the ground that the Order, including the need for immediate effectiveness, is not based on adequate evidence but on mere suspicion, unfounded allegations, or error.

In the absence of any request for hearing, or written approval of an extension of time in which to request a hearing, the provisions specified in section III above shall be final twenty (20) days from the date of this Order without further order or proceedings. If an extension of time for requesting a hearing has been approved, the provisions specified in section III shall be final when the extension expires if a hearing request has not been received. *An answer or a request for hearing shall not stay the immediate effectiveness of this Order.*

Dated this 6th day of February, 2003.

For the Nuclear Regulatory Commission.

**Martin J. Virgilio,**

*Director, Office of Nuclear Material Safety and Safeguards.*

[FR Doc. 03-4536 Filed 2-25-03; 8:45 am]

**BILLING CODE 7590-01-P**

## NUCLEAR REGULATORY COMMISSION

[Docket No. 40-8857]

### Notice of Amendment Request for Proposed Operation of the Gas Hills Project *in situ* Leach Uranium Recovery Facility, Freemont and Natrona Counties, WY, and Opportunity To Provide Comments and To Request a Hearing

#### I. Introduction

The U. S. Nuclear Regulatory Commission (NRC) has received, by letter dated June 24, 1998, a license amendment application from Power Resources, Inc. (PRI), requesting an amendment to Source Materials License SUA-1511 for the Highland Uranium Project to allow the operation of an *in*

inadvertently omitted the last sentence of 10 CFR 2.714(d) and subparagraphs (d)(1) and (2), regarding petitions to intervene and contentions. For the complete, corrected text of 10 CFR 2.714(d), please see 67 FR 20884, April 29, 2002.

*situ* leach (ISL) uranium recovery facility at the Gas Hills Project site. In order to support the staff's detailed technical review of the license amendment application, the staff requested additional information from PRI in letters dated May 21, 1999, and July 15, 1999. In response to staff requests for additional information, PRI supplemented and revised the license amendment application in letters dated September 24, 1999, November 11, 1999, and May 3, 2002.

The Highland Uranium Project is an existing licensed (Source Materials License SUA-1511) ISL uranium recovery facility located in central Converse County, Wyoming, approximately 24 miles northeast of Glenrock. Source Materials License SUA-1511 for the commercial operation of the Highland Uranium Project was issued on July 1, 1987. The planned Gas Hills Project covers approximately 8500 acres where PRI proposes to operate the Gas Hills Project as a satellite uranium recovery facility to the Highland Uranium Project facility. As a satellite facility, only well-field, ion exchange, and water treatment facilities would be constructed and operated at the Gas Hills Project to support uranium recovery activities. During process operations, uranium will be leached from identified subsurface ore bodies by circulating local groundwater fortified with chemicals through the mineralized zones. The dissolved uranium will be extracted from the uranium-bearing solution at a surface ion exchange facility at the Gas Hills Project. Then, the uranium-laden ion exchange resin will be transported by truck from the Gas Hills Project site to the Highland Uranium Project site for final processing of the uranium into "yellowcake" (U<sub>3</sub>O<sub>8</sub>). The travel distance by road between the Gas Hills Project and the Highland Uranium Project is approximately 140 miles. Water treatment facilities, including evaporation ponds, will be provided at the Gas Hills Project for treatment of wastes from process operations and subsequent well-field groundwater restoration activities.

PRI intends to extract sufficient uranium from the Gas Hills Project to yield as much as 2.5 million pounds of yellowcake per year over a production period of twenty years or longer. When the recovery of uranium from the Gas Hills Project well-fields reaches its economic limit, ISL operations will cease and groundwater restoration in the affected well-fields will begin. In this regard, it is PRI's intent to return the affected groundwater to baseline (pre-mining) conditions or acceptable

<sup>3</sup> The most recent version of Title 10 of the Code of Federal Regulations, published January 1, 2002,

water quality based on class of use. When groundwater restoration is complete in all the affected well-fields, all of the surface equipment, buildings, and structures will be decommissioned and all disturbed areas will be reclaimed. PRI's goal in this process will be to return the disturbed areas of the Gas Hills Project to their original or baseline conditions to the extent practical. Radioactive solid wastes and contaminated materials generated during process operations and resulting from decommissioning and reclamation activities will be disposed of at an NRC licensed disposal facility.

## II. Opportunity To Provide Comments

The NRC is providing notice to individuals in the vicinity of the facility that the NRC is in receipt of this license amendment request, and will accept comments concerning this action within 30 days of the publication of this notice in the **Federal Register**. The comments may be provided to the Chief, Rules and Directives Branch, Division of Administrative Services, Office of Administration, U.S. Nuclear Regulatory Commission, Washington, DC 20555-0001, and should cite the publication date and page number of this **Federal Register** notice. Written comments may also be delivered to Room T-6 D59, Two White Flint North, 11545 Rockville Pike, Rockville, MD 20852, from 7:30 a.m. until 4:15 p.m. on Federal workdays.

## III. Opportunity To Request a Hearing

The NRC hereby provides notice that this is a proceeding on an application for an amendment of a license falling within the scope of Subpart L, "Informal Hearing Procedures for Adjudications in Materials and Operator Licensing Proceedings" of NRC's rules and practice for domestic licensing proceedings in 10 CFR Part 2. Pursuant to § 2.1205(a), any person whose interest may be affected by this proceeding may file a request for a hearing in accordance with § 2.1205(d). A request for a hearing must be filed within 30 days of the publication of this **Federal Register** notice.

The request for a hearing must be filed with the Office of the Secretary, either:

- (1) By delivery to the Rulemaking and Adjudications Staff of the Office of the Secretary of the Commission at One White Flint North, 11555 Rockville Pike, Rockville, MD 20852; or
- (2) By mail or telegram addressed to the Secretary, U.S. Nuclear Regulatory Commission, Washington, DC 20555-0001, Attention: Rulemaking and Adjudications Staff. Because of

continuing disruptions in the delivery of mail to United States Government offices, it is requested that requests for hearing also be transmitted to the Secretary of the Commission either by means of facsimile transmission to 301-415-1101, or by e-mail to [hearingdocket@nrc.gov](mailto:hearingdocket@nrc.gov).

In accordance with 10 CFR 2.1205(f), each request for a hearing must also be served, by delivering it personally or by mail, to:

- (1) The applicant, Power Resources, Inc., Highland Uranium Project, P.O. Box 1210, Glenrock, Wyoming 82637, Attention: William F. Kearney; and
- (2) The NRC staff, by delivery to the General Counsel, One White Flint North, 11555 Rockville Pike, Rockville, MD 20852, or by mail addressed to the Office of the General Counsel, U.S. Nuclear Regulatory Commission, Washington, DC 20555-0001. Because of continuing disruptions in the delivery of mail to United States Government offices, it is requested that requests for hearing be also transmitted to the Office of the General Counsel, either by means of facsimile transmission to 301-415-3725, or by e-mail to [OGCMailCenter@nrc.gov](mailto:OGCMailCenter@nrc.gov).

In addition to meeting other applicable requirements of 10 CFR Part 2 of the NRC's regulations, a request for a hearing filed by a person other than an applicant must describe in detail:

- (1) The interest of the requestor;
- (2) How that interest may be affected by the results of the proceeding, including the reasons why the requestor should be permitted a hearing, with particular reference to the factors set out in § 2.1205(h);
- (3) The requestor's areas of concern about the licensing activity that is the subject matter of the proceeding; and
- (4) The circumstances establishing that the request for a hearing is timely in accordance with § 2.1205(d).

## IV. Further Information

The application for the license amendment, and the supporting supplements and revisions to the application, are available for inspection at NRC's Public Electronic Reading Room at <http://www.nrc.gov/reading-rm/adams.html> [ADAMS Accession Numbers ML030310553, ML023640347, ML993300211, and ML021340187]. Documents may also be examined and/or copied for a fee, at the NRC's Public Document Room, located at One White Flint North, 11555 Rockville Pike, Rockville, MD 20852. Any questions with respect to this action should be referred to Rick Weller, Fuel Cycle Facilities Branch, Division of Fuel Cycle Safety and Safeguards, Office of Nuclear

Material Safety and Safeguards, U.S. Nuclear Regulatory Commission, Mail Stop T8-A33, Washington, DC 20555-0001. Telephone: (301) 415-7287; Fax: (301) 415-5390.

Dated at Rockville, Maryland, this 20th day of February, 2003.

For the Nuclear Regulatory Commission.

**Daniel M. Gillen,**

*Chief, Fuel Cycle Facilities Branch, Division of Fuel Cycle Safety and Safeguards, Office of Nuclear Material Safety and Safeguards.*  
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## NUCLEAR REGULATORY COMMISSION

[Docket No. 70-1151; License No. SNM-1107]

**Westinghouse Electric Company LLC, Columbia, SC; Order Modifying License (Effective Immediately)**

### I

Westinghouse Electric Company, L.L.C. (Westinghouse-Columbia) is the holder of Special Nuclear Material License No. SNM-1107 issued by the U.S. Nuclear Regulatory (NRC or Commission) pursuant to 10 CFR Part 70. Westinghouse-Columbia is authorized by their license to receive, possess, and transfer special nuclear material in accordance with the Atomic Energy Act of 1954, as amended, and 10 CFR Part 70. The original license was issued September 3, 1969. The present license was issued in November 1995 and expires in November 2005.

### II

On September 11, 2001, terrorists simultaneously attacked targets in New York, NY, and Washington, DC, utilizing large commercial aircraft as weapons. In response to the attacks and intelligence information subsequently obtained, the Commission issued a number of Safeguards and Threat Advisories to its licensees in order to strengthen licensees' capabilities and readiness to respond to a potential attack on a nuclear facility. The Commission has also communicated with other Federal, State and local government agencies and industry representatives to discuss and evaluate the current threat environment in order to assess the adequacy of security measures at licensed facilities. In addition, the Commission has been conducting a comprehensive review of its safeguards and security programs and requirements.

As a result of its consideration of current safeguards and security plan