

From: Myron Fliegel, NRC
To: Daniel Gillen; Philip Ting
Date: 11/16/00 7:38PM
Subject: Meeting with DOE and Trustee on Atlas

The meeting was held at DOE, Germantown at 1:30 on November 16.
Participants: Dave Mathes, Jamie Joyce and Steve Miller, DOE Keith Eastin and Jim Langley, PWC
Myron Fliegel, NRC
Also Lisa Clark, NRC and several DOE Grand Junction staff by phone

Eastin stated that the PWC wants to avoid owning the site and material and not having an NRC license. To avoid that it plans to give us the required 180 day notice of withdrawing as trustee 181 days before October 30, 2001 if we do not work out other arrangements. Eastin discussed moneys that the trust expected to receive over the next year and a half - primarily Title X reimbursements. He estimated that they would total about \$2.5 million, but the timing was such that some work would have to be halted and then restarted when the money became available.

Langley discussed the work being done at the site. Wicks are being installed and the top and sides of the pile are being recontoured. Tailings from the sides of the pile are being moved to the top to provide loading. The material is being removed in a manner to shallow the side slopes to that required by the rec plan. Clean fill is then being put on the side slopes. This will leave the side slopes in a more stable situation while DOE prepares to remediate the site, which will take at least several years to prepare detailed plans and an EIS.

The trustee plans to install 17,000 wicks with a 3 meter spacing. They are about 70% complete and hope to complete the installation by the end of this year, weather permitting.

However, there is not enough money currently available to the trustee to complete the earthmoving work on the sides of the pile. The trustee estimated that it will need an additional \$1 - \$1.5 million to complete that work. If the money were available, the work could be completed by the end of February.

There was some discussion of DOE providing some Title X money to the trustee early. DOE is now evaluating the trust's 1999 claim, filed last spring. Payment will be made in April to the trust (and other licensees). DOE has disallowed some of the claim - at present it appears that the April payment will be less than \$600K. In addition, the trust will make another claim next spring, for about \$3 million, that would be paid in April 2002. If all of it were allowed by DOE, the trust would get over \$1.5 million. Eastin asked if the trustee could present a claim representing work done through this October or November and have DOE review that and pay the reimbursement for that and for last year's claim early in 2001. That would provide sufficient funds for the trust to complete earthmoving work on the pile. The trust would agree not to make any further Title X claims. DOE will consider this option.

We also discussed work on the groundwater CAP. There is about \$300K of work still to be done on the CAP, which is due to be presented to NRC by March 31. We discussed eliminating that part of the work aimed at providing an actual cleanup plan but continuing data collection and analysis, which would be useful to DOE.

We also discussed early license termination and transfer of the site to DOE. DOE's primary concern is lack of money to oversee the site in FY01. If the trustee got an early Title X reimbursement and completed installing the wicks and recontouring the side slopes by February-March, there wouldn't be any more expensive work to be done at the site until reclamation begins. We discussed the possibility of the trustee using trust funds to fund surveillance and maintenance for the remainder of FY01, if the site is transferred to DOE.

DOE will consider these issues. We also discussed having both a stakeholders meeting and a public meeting in Moab. I will call Utah and try to set up a stakeholders group meeting in January.

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