

October 12, 2001

Mr. Roy S. Blickwedel
Remedial Project Manager
General Electric Company
640 Freedom Business Center
King of Prussia, PA 19406

SUBJECT: DELETION OF LEAD-210 FROM CHURCH ROCK SITE STANDARDS

Dear Mr. Blickwedel:

The U.S. Nuclear Regulatory Commission (NRC) staff has reviewed the Earth Tech Inc. letters, dated April 2, 2001 and May 7, 2001, requesting on the part of General Electric Co. that lead-210 be deleted from the site standards (License Condition 30.B) for United Nuclear Corporation's (UNC's) Church Rock uranium mill and tailings site. The letters present the case that the lead-210 analyses to date at the Church Rock site do not indicate that lead-210 concentrations in the groundwater are due to tailings seepage, and variability in concentrations measured are due to the analytical method used rather than actual lead-210 variability in the sampled groundwater.

NRC staff has reviewed the data submitted in the referenced letters, and discussed the data with Ms. Susie du Pont of Earth Tech, and does not agree with the conclusion that lead-210 should be removed from the site standards. The staff interpretation of the data presented in the Earth Tech letters is that lead-210 does appear to be present in the groundwater and may derive from the tailings seepage. An overall absence of detected lead-210 in the field blanks, relative to detection in well water samples, indicates the presence of lead-210 in the groundwater.

Therefore the NRC is denying the request to eliminate lead-210 from the list of site parameters. Both the U. S. Environmental Protection Agency and the New Mexico Environment Department concur that lead-210 should not be eliminated from the list. If you wish to contest the NRC denial of the requested change, you have the right to demand a hearing within 20 days from the date of this letter, in accordance with 10 Code of Federal Regulations Part 2.103(b).

R. Blickwedel

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Please contact Ken Hooks, the NRC Project Manager for the Church Rock site, at 301-415 -7777 or by e-mail at krh1@nrc.gov, if you have any questions concerning this letter.

In accordance with 10 CAR 2.790 of the NRC's "Rules of Practice," a copy of this letter will be available electronically for public inspection in the NRC Public Document Room or from the Publicly Available Records (PARS) component of NRC's document system (ADAMS). ADAMS is accessible from the NRC Web site at <http://www.nrc.gov/NRC/ADAMS/index.html> (the Public Electronic Reading Room).

Sincerely,

/RA/

Melvyn N. Leach, Chief
Fuel Cycle Licensing Branch
Division of Fuel Cycle Safety
and Safeguards
Office of Nuclear Material Safety
and Safeguards

Docket No. 40-8907
License No. SUA-1475

cc: Greg Lyssy, EPA Region 6
George Schuman, NMED Superfund Section
Maura Hanning, NMED Groundwater Section
George Padilla, Navajo EPA Superfund Program
Arthur Kleinrath, DOE Grand Junction
Larry Bush, UNC Gallup NM
Susie du Pont, Earth Tech

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Melvyn N. Leach, Chief
Fuel Cycle Licensing Branch
Division of Fuel Cycle Safety
and Safeguards
Office of Nuclear Material Safety
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George Padilla, Navajo EPA Superfund Program
Arthur Kleinrath, DOE Grand Junction
Larry Bush, UNC Gallup NM
Susie du Pont, Earth Tech

Case closed - L52350

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See previous concurrence

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