

From: Jill Caverly
To: internet:pluthiger@ramc.net
Date: 2/10/05 4:09PM
Subject: Non-radiological groundwater constituents at Ambrosia Lake
Docket No: 40-8905

Dear Peter:

This is a follow-up to our recent telephone conversation concerning the Application for Alternate Concentration Limits (ACLs) at Ambrosia Lake. As you know, the New Mexico Department of the Environment (NMED) has provided the U.S. Nuclear Regulatory Commission (NRC) comments regarding our review of Rio Algom Mining LLC's (Rio Algom) Application for ACLs. A significant comment regarding the review of the application and the associated Environmental Assessment concerns non-radiological groundwater constituents: sulfate, total dissolved solids, chloride and nitrate. NMED stated that these constituents were not addressed in the ACL application and that it believes that post closure monitoring is necessary to assure that the current trends for the concentration of constituents continue.

In order to respond to this comment, NRC staff has reviewed guidance and regulations associated with groundwater regulations at uranium mill sites. After careful consideration of this information and NMED's comments regarding the non-radiological constituents, staff determined that the non-radiological constituents that are currently being monitored at the site should be addressed in the application and post closure monitoring plan. Rio Algom can propose standards for the non-radiological constituents by either proposing the background, maximum concentration limits or ACLs.

The basis for this conclusion comes from guidance provided by the Commission to staff in Staff Requirements Memorandum (SRM) for SECY-99-277 and in guidance document NUREG-1620 "Standard Review Plan for the Review of a Reclamation Plan for Mill Tailings Sites Under Title II of the Uranium Mill Tailings Radiation Control Act of 1978". The SRM re-enforces NRC jurisdiction for all non-radiological and radiological constituents at mill tailings sites. Therefore, NRC is responsible to assure that non-radiological constituents are protective. In addition, guidance in NUREG-1620 states that a reviewer should examine all constituents that may cause harm under specific circumstances to include non-radiological constituents that degrade the water quality and produce and impact on the water use beyond the long-term care boundary.

Please feel free to call me should you have any question regarding this matter.
Thank you,
Jill

Jill S. Caverly, P.E.
Project Manager
NMSS/FCSS/FCLB
301-415-6699

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