

**From:** "Brian Hamos" <bhamos@utah.gov>  
**To:** <RWV@nrc.gov>  
**Date:** 1/13/04 4:19PM  
**Subject:** Class III Protection Levels

Hi Bill,

I just wanted to follow-up on our earlier phone conversation. As we both agreed, in Utah the Class III protection levels are established at 1.5 times background. However, if background is already above the water quality standard (Table 1), then the protection level remains at the background level and not at 1.5 times. This may be an issue with arsenic, for example. The current background as listed in the License is 0.066 mg/l and the Table 1 standard is 0.05. So, in this case there would be an exceedance if arsenic was detected above 0.066 at the POE.

If Rio modeling shows arsenic going above 0.066 at the POE, then the POE must be moved farther down gradient, and more land would need to be controlled as part of the institutional controls.

I think this confirms what we already discussed, just wanted to reaffirm. Let me know if you have any further questions.

Thanks,

Brian

Please docket 40-8084