

March 8, 2006

Thomas C. Pauling, Site Manager
U.S. Department of Energy
Office of Legacy Management
2597 B3/4 Road
Grand Junction, CO 81503

SUBJECT: DRAFT FINAL LONG-TERM SURVEILLANCE PLAN, GAS HILLS NORTH SITE,
FREMONT COUNTY, WYOMING (TAC LU0116)

Dear Mr. Pauling:

By letter dated March 30, 2005, the U.S. Department of Energy (DOE) submitted a draft final Long-Term Surveillance Plan (LTSP) for the Gas Hills North site (current Pathfinder Mines Corporation Lucky Mc site). This LTSP described DOE's plans to inspect, monitor, and maintain the Gas Hills North site. U.S. Nuclear Regulatory Commission (NRC) staff has reviewed this document and has provided its comments, herein.

During this LTSP review, DOE submitted to NRC staff a letter dated April 6, 2005, expressing its desire to have the offsite wells AL-8 and AL-9 either removed from the ground water monitoring network or incorporated into the long-term care boundary. On June 2, 2005, Pathfinder Mines Corporation (PMC) submitted to NRC staff a license amendment request to remove the offsite wells from the approved monitoring network. NRC staff reviewed this license amendment request along with DOE's information provided in its April 6, 2005, letter. NRC staff determined that PMC should acquire offsite private property and gain institutional control over the ground water on Bureau of Land Management (BLM) property between the site boundary and the Burgette property boundary. If PMC cannot purchase the offsite private property, they are to gain institutional control over the ground water. As a result, the long-term care boundary will be extended to the Burgette/BLM property boundary. Considering the above requirements, we offer the following comments.

The LTSP should be revised to reflect the addition of wells AL- 8 and AL-9 into the ground water monitoring network. Furthermore, the long-term care boundary should be revised to include the additional property to be acquired or controlled institutionally. NRC staff understands that DOE will coordinate the institutional controls for the BLM land. Incorporating these changes would involve, at a minimum, revisions to Sections 2.3 and 3.7, Appendix A, and Figures 2-2, 2-3, 3-1, and 3-2.

In Section 2.3.1, DOE states that the Federal government will own the 1,094-acre disposal site. This acreage will need to change to reflect the entire area that would be within the long-term care boundary. However, the acreage of the actual disposal site should be stated separately

for informational purposes. DOE also needs to specify the types of security features, if any, that will be installed in those offsite areas within the long-term care boundary. In Section 3.7 - Ground Water Monitoring, DOE should add wells AL-8 and AL-9 to Table 3-4.

Table 3-3 states that ground water protection standards (GWPSs) and ACLs are applicable at the point of compliance well. GWPSs and ACLs are actually applicable to all wells within the monitoring network. This is the case because once ground water contamination has been identified, each well in the monitoring network becomes a compliance well. Table 3-3 should be revised accordingly. Also, Appendix C - Points of Contact should be revised to state that I am the NRC point of contact.

If you have any questions regarding our comments, please contact me at 301-415-7182 or by e-mail at sjc7@nrc.gov.

In accordance with 10 CFR 2.390 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 Agencywide Documents Access and Management System (ADAMS). ADAMS is accessible from the NRC Web site at <http://www.nrc.gov/NRC/reading-rm/adams.html>.

Sincerely,

/RA/

Stephen J. Cohen, Project Manager
Uranium Processing Section
Fuel Cycle Facilities Branch
Division of Fuel Cycle Safety
and Safeguards
Office of Nuclear Material Safety
and Safeguards

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