



# Rio Algom Mining LLC

January 15, 2007

ADDRESSEE ONLY

Mr. Tom McLaughlin  
U.S. Nuclear Regulatory Commission  
Mail Stop 7T-7-E18  
Washington, DC 20555

Re: **license SUA-1473, Docket No. 40-8905**  
**License Condition #34**

Dear Mr. McLaughlin ,

In accordance with License Condition 34.F of the above referenced source material license, Rio Algom proposes the following groundwater corrective action to address the beryllium concentrations present within monitor well 36-06.

Rio Algom discussed this matter with Messrs. Bob Lukes and Stephen Cohen of NRC in November 2006, in which NRC recommended Rio Algom submit a plan to regain compliance with ground water protection standard for beryllium.

If you have any questions or need additional information, please do not hesitate to call me at (505) 287-8851.

Regards,

Peter Luthiger  
Manager, Radiation Safety  
and Environmental Affairs

Attachment: As Stated

xc: S. Cohen (NRC)  
T. Fletcher (RAM)  
R. Jones (TX)  
NRC -Document Control  
file

**Rio Algom Mining LLC**  
**License SUA-1473, Docket No. 40-8905**  
**Proposed Corrective Action for Beryllium in Well 36-06**

Rio Algom (RAM) obtained approval of Alternate Concentration Limits (ACL) for the Ambrosia lake site in February 2006 for those constituents that required ACL. Parameters for which ACLs were not requested remained within the compliance monitoring program with their associated groundwater protection standard (GPS) as a basis for groundwater compliance. Dakota monitor well 36-06 includes a GPS for beryllium of 0.01 milligrams per liter (mg/L). The beryllium concentration in well 36-06 is presently in excess of the GPS established for the Dakota.

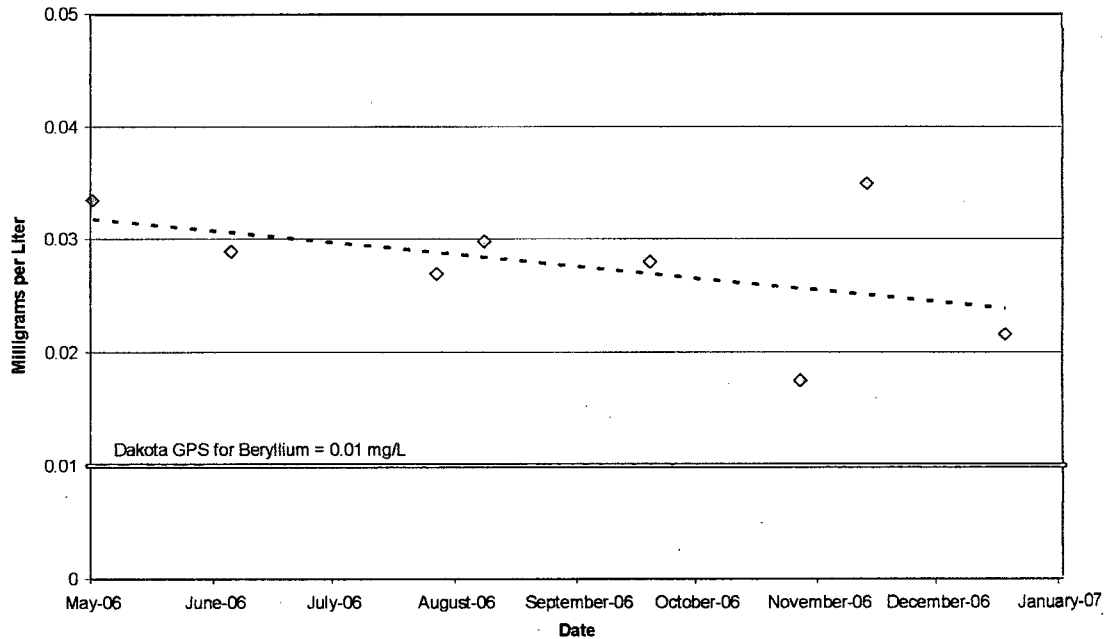
License Condition 34.F requires the submission of a groundwater corrective action that is designed to regain compliance with the GPS. In consultation with NRC staff, RAM proposes the following corrective action to address the beryllium concentrations within Dakota point of compliance monitor well 36-06.

Monitor well 36-06 was assigned as a point of compliance (POC) well for the Dakota formation when the CAP was in effect and has been retained as a sampling point for the stability monitoring plan. This well is situated directly downgradient of the waste disposal area that has impacted the Dakota formation. As a result of well 36-06 being in close proximity to the source, the well has been sensitive to the surface reclamation activities that have transpired in the vicinity as RAM proceeds with site reclamation work.

RAM has discussed this phenomenon with 36-06 during past meetings with NRC and both parties concurred that fluctuations in well water quality appear to be linked to surface reclamation work. The latest increase trended correlated with surface field work in the vicinity of the well. More recently, that trend has leveled and RAM anticipates that the concentration trend will begin to decline over time. The analytical results for beryllium that have been obtained from the monthly sampling are exhibiting this downward trend in concentrations (Chart 1).

Chart 1

Montior Well 36-06  
Beryllium Concentration



Proposed Corrective Action

RAM proposes to continue monthly monitoring of well 36-06 for beryllium so that additional data will be available in evaluating the beryllium concentrations. Monthly sampling will continue to June 30, 2007.

Assessment of the beryllium concentration will be performed and in the event the existing concentration remains above the GPS, RAM will continue the monthly sampling and will develop a plan to address the situation. This plan will include an assessment of how the GPS was established and possible corrective actions to remedy the situation.