

June 29, 2009

Mr. Richard Bush, Site Manager  
U.S. Department of Energy  
Office of Legacy Management  
2597 B 3/4 Road  
Grand Junction, CO 81503

SUBJECT: L-BAR EROSION SITE VISIT

Dear Mr. Bush:

On May 6, 2009, Keith McConnell and Ted Johnson of the U.S. Nuclear Regulatory Commission (NRC) staff visited the L-Bar, New Mexico Disposal Site, along with David Traub from S. M. Stoller Corporation, a U.S. Department of Energy (DOE) contractor. DOE is responsible for surveillance and maintenance of this former uranium mill site under the general license in 10 CFR 40.28. The purpose of the visit was to review the erosion that had recently occurred at the site, to exchange ideas, and to discuss possible solutions to fix the erosion damage.

It appeared that the major cause of the excess erosion was the presence of easily-eroded spoil material that had been placed by the L-Bar licensee directly into the channel and over-bank area of a major gully just upstream of the sedimentation basin. The placement of this material and its high potential for erosion were not known and considered when the license was terminated and the site was turned over to DOE. During recent storms, new gullies had formed, deepened, and widened in that area, causing excess sediment to build up in the sedimentation basin.

During the site walkover, Mr. Traub explained DOE's current plans for repairing the existing damage and reducing future erosion. It involves placing rock protection in the channel and constructing drop structures to control erosion. Several other options were discussed, including: (1) removing the material from the channel and over-bank areas and using some of the excess material to construct strategically-located diversion berms; (2) armoring the entire easily-eroded area with riprap erosion protection; and (3) stabilizing the gullies with riprap.

The principal agreement reached during the visit was that the easily-eroded material was the major cause of the erosion problem and should be removed or stabilized. No other agreements related to specific actions or schedules were reached.

The NRC staff appreciates the cooperation of you and your contractors to resolve this issue. We look forward to working with you as you develop plans for our review and approval to mitigate this problem.

If you have any questions regarding this letter, please contact me at (301) 415-6629, or by e-mail, at [Myron.Fliegel@nrc.gov](mailto:Myron.Fliegel@nrc.gov).

In accordance with 10 CFR 2.390 of the NRC's "Rules of Practice for Domestic Licensing Proceedings and Issuance of Orders," a copy of this letter will be available electronically for public inspection in the NRC Public Document Room or from the Publicly Available Records component of NRC's document system (ADAMS). ADAMS is accessible from the NRC Web site at <http://www.nrc.gov/reading-rm/adams.html>.

Sincerely,

**/RA/**

Myron Fliegel, Senior Project Manager  
Uranium Recovery Licensing Branch  
Decommissioning and Uranium Recovery  
Licensing Directorate  
Division of Waste Management  
and Environmental Protection  
Office of Federal and State Materials  
and Environmental Management Programs

Docket No.: 40-8904

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Sincerely,

Myron Fliegel, Senior Project Manager  
 Uranium Recovery Licensing Branch  
 Decommissioning and Uranium Recovery  
 Licensing Directorate  
 Division of Waste Management  
 and Environmental Protection  
 Office of Federal and State Materials  
 and Environmental Management Programs

Docket No.: 40-8904

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