GOVERNOR

STATE OF NEW MEXICO
ENVIRONMENTAL IMPROVEMENT DIVISION
P.O. Box 968, Santa Fe, New Mexico 87503
(505) 827-5271
Thomas E. Baca, M.P.H., Director

ENVIRONMENT department

George S. Goldstein, Ph.D.
SECRETARY

Lorry J. Gordon M.S., M.P.H.
DEPUTY SECRETARY

CERTIFIED MAIL-
RETURN RECEIPT REQUESTED

January 31, 1980

RECEIVED
FEB 01 1980
RADIATION PROTECTION SECTION

Mr. H. J. Abbiss, Vice President
UNITED NUCLEAR CORPORATION
Mining and Milling Division
P. O. Box 3951
Albuquerque, New Mexico 87110

RE: Discharge Plan for DP-63 for Backfilling Operations at N.E. Church Rock Mine.

Dear Mr. Abbiss:

The amendment to United Nuclear Corporation's Discharge Plan DP-63 for backfilling North East Church Rock Mine, in McKinley County, New Mexico, is hereby approved subject to the conditions enumerated below.

The approved amendment consists of an extension of time of discharge plan approval to January 31, 1981; and changes in the sampling program, experimental program, and reporting program as described in UNC's submission to the Environmental Improvement Division dated January 28, 1980. This amendment is approved subject to the following conditions:

1. No tailings other than cycloned tailings sands shall be transported to the North East Church Rock Mine for use in sand backfilling after the date of approval of this discharge plan amendment.

2. No tailings other than cycloned tailings sands shall be used for sand backfilling after the stock pile of spiggoted sands existing at the NECR Mine on the date of approval of this amendment is depleted, or after March 1, 1980, whichever is sooner; provided however that for good cause shown in a written request the EID may allow use of spiggoted tailings up to April 1, 1980.

Other aspects of the discharge plan approved October 2, 1979, and the conditions imposed in the October 2, 1979, approval letter remain unchanged.

The discharge plan was submitted pursuant to Section 3-106 of the New Mexico Water Quality Control Commission regulations. It is approved pursuant to Section 3-109. Please note subsections 3-109.F. and 3-109.E., which provide for possible future amendment of the plan. Please be advised that the approval of this plan does not relieve you of liability should your operations result in actual pollution of surface or ground waters which may be actionable under other laws and/or regulations.

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PDR ADOCK 04008907
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The monitoring and reporting shall be as specified in the discharge plan and supplements thereto.

Pursuant to subsection 3-109.G.4, this plan approval is for a period of one (1) year. This approval will expire January 31, 1981, and you should submit an application for new approval in ample time before that date.

Sincerely,

Thomas E. Baca,
Director

TEB:MSC:tpc

cc: Gerald Stewart, EID Radiation Bureau
William Bennett, EID District I, Albuquerque, NM
Carl Woolfolk, EID, Milan, NM
Todd Miller, UNC, Gallup, NM