

STATE OF NEW MEXICO

ENVIRONMENTAL IMPROVEMENT DIVISION
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Thomas E. Baca, M.P.H., Director

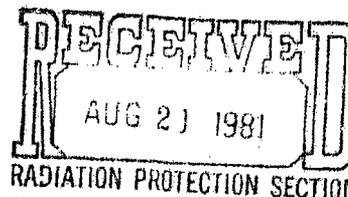
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SECRETARY

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DEPUTY SECRETARY

CERTIFIED MAIL--RETURN RECEIPT REQUESTED

August 20, 1981



Mr. H. J. Abbiss, P.E.
Vice President
Environmental and Safety Services
United Nuclear Corporation
P. O. Drawer QQ
Gallup, New Mexico 87301

Dear Mr. Abbiss:

The EID has received and evaluated your letter of August 4, 1981 pertaining to the limit of backfilling at the northeast Church Rock Mine and the output of computer modeling depicting the long term physio-chemical effects of backfilling on the Westwater Canyon aquifer. Your requests to exceed 12,000 tons per month of cycloned tailings for backfilling purposes and for an extension of time beyond October 15, 1981 for submission of modeling results are denied. This decision is based upon the following information:

1. If UNC proposes to increase their present rate of backfilling beyond 12,000 tons per month there must be a public notice and opportunity for a public hearing. There have already been several requests for a public hearing on any increase in backfilling. All relevant data pertaining to the backfilling should be received and evaluated by the EID staff before the EID would proceed to set up the public hearing.

2. The EID staff is concerned with the lack of completeness of data generated from UNC concerning the long term effects between mine stope backfilling with uranium mill tailings and the Westwater Canyon aquifer. Both parties should be concerned with the possibility of degradation of water quality within the aquifer, thus an accurate assessment of these complex physio-chemical interactions must be established. Computer modeling is essential in establishing an accurate-comprehensive prediction of these interactions. Further, the data that has been collected and interpreted to date by both UNC and the EID are representative of backfilling rates at approximately 12,000 tons per month. At increased rates of backfilling (i.e. > 12,000 ton/month) the complex physio-chemical interactions between the backfilled tailings and ground water are not established. Hopefully, the computer modeling efforts for the proposed increased volume will help in elucidating the uncertainties.

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3. With reference to Mr. Todd Miller's letter of March 30, 1981 he states "Our major effort has been toward establishment of working and contractual agreements with Batelle, N.W. for the modeling of long term impacts. We have concluded through conversations with other consultants and EID staff that the "PMT Model" is the most appropriate to predict contaminant movement in this situation." From Mr. Miller's letter it is apparent that UNC will have had ample time to develop and report the predictive modeling results to the EID by October 15, 1981. This period of time from Mr. Miller's letter received on March 31, 1981 to October 15, 1981 is six (6) and one-half months.

The EID staff is willing to cooperate with UNC on any aspects of mine stope backfilling including the computer modeling once UNC has clarified its intentions for their backfilling operations. If you have any questions please contact Patrick Longmire of my staff.

Sincerely,



THOMAS E. BACA
Director

TEB/PAL/sm

cc: Thomas Hill, UNC, Albuquerque
Gerald Stewart, EID, Radiation
William Bennett, EID, District I
Carl Woolfolk, EID, Milan