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ENVIRONMENT

Department

984-0020, Ext. 200

STATE OF NEW MEXICO

ENVIRONMENTAL IMPROVEMENT DIVISION  
P.O. Box 968, Santa Fe, New Mexico 87504-0968  
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SECRETARY

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

CERTIFIED MAIL NO. 265473  
RETURN RECEIPT REQUESTED

December 27, 1982

Mr. Thomas Bailey  
UNC Mining & Milling  
Drawer QQ  
Gallup, New Mexico 87401

Dear Mr. Bailey:

There is good cause to believe that United Nuclear Corporation's activities at Church Rock, New Mexico, licensed by the State of New Mexico under License NM-UNC-ML, is currently in violation of Section 4-160.A. of New Mexico's Radiation Protection Regulations. This violation of Section 4-160.A. is an unauthorized release to an unrestricted area of radioactive material and concentrations which exceed the limits specified in Part 4, Appendix A, Table II, of the Radiation Protection Regulations. Specifically, sampling data for Well TWQ-124 has exceeded the maximum permissible concentration for Th-230 in an unrestricted area. The regulatory limit is  $2 \times 10^{-6}$  uci per milliliter (2,000 pCi per liter). Information submitted by UNC indicates the following readings for Well T W Q - 124:

<u>Sampling Date:</u>	<u>Concentration:</u>	<u>Sampling Date:</u>	<u>Concentration:</u>
1. 10/28/80	2,414 pCi/l	2. 02/22/81	3,700 pCi/l (EID sample)
3. 09/22/81	18,700 pCi/l	4. 06/07/82	34,160 pCi/l
5. 09/01/82	30,900 pCi/l	6. 11/10/82	35,000 pCi/l (EID sample)

In addition, analyses of samples at Well 450-A taken by UNC on June 7, 1982 and September 1, 1982 indicated Th-230 concentrations of 13,500 pCi/l and 13,700 pCi/l, respectively.

The contamination of ground water must be abated at the earliest possible date. Please undertake corrective action immediately. A hearing pursuant to Section 74-3-11 NMSA 1978 and Section 1-201 of the Radiation Protection Regulations has been scheduled for the HED Conference Room, Crown Building, 725 St. Michael's Drive, Santa Fe, New Mexico 87504-0968, February 1, 1983, at 9:00 a.m. The subject of the hearing is the above-cited violations of the Radiation Protection Regulations. If there is a problem with the hearing date, please advise.

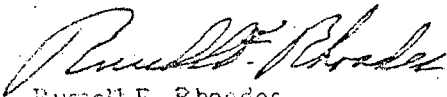
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Mr. Thomas Bailey  
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In addition to the above-cited matters concerning the Radiation Protection Regulations, we have a continuing concern for the unabated and uncontrolled spread of water pollution from the tailings disposal area at your Church Rock facility. At a December 17, 1982 meeting with EPA and EID representatives, UNC representatives indicated that there was a significant amount of information available to UNC which had not yet been submitted to the EID and that a plan to reclaim the contaminated aquifer and control the further spread of pollution from your tailings disposal facility could be submitted by your consultants to the company within two weeks. It is of the utmost importance for UNC to take expedited action to reclaim and control the contamination emanating from the Church Rock tailings disposal area. Please submit all relevant data and information and your plan for reclamation and containment of the contamination at the earliest possible date. Attached for your information is an outline of the information which has been requested of UNC by EID and which has not been fully submitted to EID at this time. If you have any questions concerning this attachment, please advise.

It is my hope that UNC will reclaim, and contain the contamination from its Church Rock tailing facility at an early date without necessitating further intervention by the United States Environmental Protection Agency or the Environmental Improvement Division.

Sincerely,



Russell F. Rhoades  
Director

KFR/BSG/sb

cc: Representative Thomas Ateitty  
SWRIC - Chris Shuey, Carol Oppenheimer  
U.S.S. - Edward Kennedy  
G. Stanley Crout  
Navajo Nation - Peter McDonald, Peterson Zah and Harold Tso