

July 26, 2013

Ms. Pamela Phillips, Director
USEPA Region 6
1445 Ross Ave, Ste. 1200
Dallas, TX 75202-2733

SUBJECT: 2012/2013 - FOURTH QUARTERLY PROGRESS REPORT FOR THE UNITED
NUCLEAR CORPORATION CHURCH ROCK URANIUM MILL SITE IN
MCKINLEY COUNTY, NEW MEXICO

Dear Ms. Phillips:

In accordance with the Memorandum of Understanding (MOU) between the U.S. Nuclear Regulatory Commission (NRC) and U.S. Environmental Protection Agency (EPA) for the United Nuclear Corporation (UNC) Church Rock Mill site, the NRC staff is providing this quarterly progress report on remediation activities at the site. Section V.A.4 of the MOU requires NRC "...to provide EPA with progress reports on UNC remediation on a quarterly basis" [Agencywide Documents Access and Management System (ADAMS) Accession Number ML112790513]. Although the MOU has not been revised in almost 20 years and does not reflect NRC's current organizational structure or electronic records management practices, NRC will implement the MOU, as written, until it is revised.

Remediation activities at the UNC Church Rock Mill site are ongoing in accordance with NRC Source Material License SUA-1475. License Condition 30.C requires UNC to submit, on a semiannual frequency, a groundwater monitoring report, and a corrective action program review, by January 30th of each calendar year that describes the progress towards attaining groundwater protection standards. License Condition 31 requires UNC to submit an annual survey of land use to the NRC by March 31st of each year. License Condition 25 also requires annual updates to the surety amount to adequately cover the estimated costs of decommissioning, decontamination and long-term surveillance activities if accomplished by a third party.

During the period of April 2013 to June 2013, the following formal correspondences were generated for the UNC Church Rock Mill site and included for information purposes are other significant correspondences related to the Northeast Church Rock Mine site.

- *U.S. Department of Energy – Office of Legacy Management Comments on the License Amendment Request to Revise Groundwater Protection Standards Based on Updated Background Concentrations, Source Material License SUA-1475, Groundwater Corrective Action Program, United Nuclear Corporation Church Rock Mill Site and Tailings Site.* Letter dated April 22, 2013, submitted by the U.S. Department of Energy (DOE) to the NRC [ML13142A416].

- *UNC Text for Consideration by NRC Regarding DOE Comments of April 22, 2013, UNC License Amendment Request for Revised Background Water Quality Standards of April 17, 2012.* Email dated May 6, 2013, submitted by Chester Engineers to the NRC [ML13142A419].
- *Financial Surety (redacted version) for United Nuclear Corporation.* Financial Instrument issued by UNC on May 10, 2013 [ML13149A281].
- *Review of United Nuclear Corporation/General Electric Documents submitted in November and December 2012 Related to the UNC Church Rock – Northeast Church Rock Non-Time Critical Removal Action.* Letter dated May 16, 2013, issued by the NRC to UNC [ML13126A259].
- *U.S. Department of Energy Comments on Proposed Additional Sensitivity Analysis: Evaluation of Consolidation and Water Storage Capacity Related to Placement of Mine Material on the Existing UNC Mill Site Tailings Impoundment, Northeast Church Rock Mine, Gallup, New Mexico (Dwyer Engineering, LLC, December 14, 2012) and Position on In-Situ Sampling of Mill Site Tailings.* Letter dated May 17, 2013, issued by DOE [ML13140A336].
- *Acknowledgement of the U.S. Environmental Protection Agency Comments on the License Amendment Request to Revise Groundwater Protection Standards for the United Nuclear Corporation - Church Rock Mill Site, McKinley County, New Mexico, Source Material License SUA-1475.* Letter dated June 3, 2013, from NRC to the EPA [ML13149A201].
- *Request for Additional Information on the License Amendment Request to Revise Groundwater Protection Standards Supplemented by a Groundwater Flow Model for the United Nuclear Corporation - Church Rock Mill Site, Source Material License SUA-1475.* Letter dated June 4, 2013, issued by the NRC to UNC [ML13121A553].
- *Response to the U.S. Department of Energy – Office of Legacy Management Comments on the License Amendment Request to Revise Groundwater Protection Standards Based on Updated Background Concentrations, Source Material License SUA-1475, Groundwater Corrective Action Program, United Nuclear Corporation Church Rock Mill Site and Tailings Site.* Letter dated June 5, 2013, issued by the NRC to DOE [ML1350A082].
- *License Amendment No. 47 For Source Material License No.SUA-1475 for the United Nuclear Corporation - Church Rock Mill Site – 2013 Annual Surety Update.* Letter dated June 24, 2013, issued by the NRC to UNC [ML13149A347; ML13149A360].

P.Phillips

3

Although copies of the aforementioned reports have been provided to EPA by either the Licensee and, or the NRC, these reports are also publicly available in NRC's ADAMS. In accordance with 10 CFR 2.390 of the NRCs "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 ADAMS.

ADAMS is accessible from the NRC Web site at <http://www.nrc.gov/reading-rm/adams.html>. If you have comments or questions regarding this letter, please contact me at 301-415-7319.

Sincerely,

/RA by Aby Mohseni Acting for/

Larry W. Camper, Director
Division of Waste Management
and Environmental Protection
Office of Federal and State Materials
and Environmental Management Programs

Docket No.: 40-8907
License No.: SUA-1475

cc: UNC Church Rock Distribution List

P. Phillips

3

Although copies of the aforementioned reports have been provided to EPA by either the Licensee and, or the NRC, these reports are also publicly available in NRC's ADAMS. In accordance with 10 CFR 2.390 of the NRCs "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 ADAMS.

ADAMS is accessible from the NRC Web site at <http://www.nrc.gov/reading-rm/adams.html>. If you have comments or questions regarding this letter, please contact me at 301-415-7319.

Sincerely,

Larry W. Camper, Director
Division of Waste Management
and Environmental Protection
Office of Federal and State Materials
and Environmental Management Programs

Docket No.: 40-8907
License No.: SUA-1475

cc: UNC Church Rock Distribution List

Distribution: JWhitten, RIV

LGersey, RIV

ML13200A099

OFFICE:	DWMEP:PM	DWMEP:LA	DWMEP:BC	DWMEP	DWMEP
NAME:	YNorman	SAchten	LChang	MNorato for APersinko	AMohseni for LCamper
DATE:	07/22/13	07/22/13	7/24/13	7/24/13	7/26/13

OFFICIAL RECORD COPY

UNC Church Rock Distribution List

cc:

Larry Bush
United Nuclear Corporation
P.O. Box 3077
Gallup, NM 87305

Roy Blickwedel
General Electric
640 Freedom Business Center
King of Prussia, PA 19406

Randall McAlister
General Electric
3135 Easton Turnpike, MC W1L
Fairfield, CT 06828

Mark Jancin, P.G.
Chester Engineers, Inc.
1315 West College Ave., Suite 100
State College, PA 16801

Janet Brooks
Louisiana/Oklahoma/New Mexico Section
(6SF-RL)
U.S. EPA - Region 6
1445 Ross Avenue, Suite 1200
Dallas, TX 75202-2733

Sara Jacobs
Superfund Program
U.S. EPA, Region 9
75 Hawthorne St. (SFD-8-2) 9th Flr.
San Francisco, CA 94105

Eugene Esplain
Navajo Nation Environmental Protection
Agency
WRCD Superfund Program
P.O. Box 2946
Window Rock, AZ 86515

Earle Dixon
New Mexico Environment Department
Ground Water Quality Bureau
Harold Runnels Bldg., Room N2250
1190 St. Francis Drive
PO Box 26110
Santa Fe, NM 87502

Jerry Schoeppner
New Mexico Environment Department
Ground Water Quality Bureau
Harold Runnels Bldg., Room N2250
1190 St. Francis Drive
PO Box 26110
Santa Fe, NM 87502

Deborah Steckley
U.S. Department of Energy
Office of Legacy Management
2597 Legacy Way.
Grand Junction, CO 81503

Dr. April Gil
U.S. Department of Energy
Office of Legacy Management
2597 Legacy Way
Grand Junction, CO 81503