UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION 6
SUPERFUND DIVISION
1445 Ross Avenue, Suite 1200
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Via email

October 24, 2014

Ms. Ashley Waldron, Project Manager
Division of Fuel Cycle Safety and Environmental Review
Office of Nuclear Material Safety and Safeguards
U.S. Nuclear Regulatory Commission
Mail Stop T-8F5
11545 Rockville Pike
Rockville, Maryland 20852

Subject: Response Comments to Draft Environmental Assessment for the Proposed
          License Amendment for United Nuclear Corporation Church Rock Mill Site,
          Source Material License No. SUA-1475

Dear Ms. Waldron:

The Environmental Protection Agency (EPA) has reviewed the Nuclear Regulatory
Commission's (NRC) Draft Environmental Assessment (Draft EA), dated August 15, 2014,
regarding the United Nuclear Corporation (UNC) License Amendment Request (LAR)
dated April 17, 2012, entitled "_License Amendment Request for Revised Groundwater
Protection Standards Based on Updated Background Concentrations, Source Materials
License SUA-1475, Groundwater Corrective Action Program, United Nuclear Corporation
Church Rock Mill and Tailings Site._" The LAR proposed a revision to background
groundwater protection standards.

EPA provided prior comments regarding the LAR to NRC in a March 25, 2013 email and
in a letter dated April 14, 2014.

EPA provides the following additional comments on the Draft EA:

1. EPA in general supports the NRC Draft EA determination of a Finding of No
    Significant Impact (FONSI) with the following specific comments:

a. EPA supports the Potential Background Threshold Values as presented in Tables 4, 5, and 6 in the LAR; with the exception in Comment 1b below:

b. EPA does not support the Draft EA proposed Uranium value of 0.3 mg/L for the Southwest Alluvium based on the 2006 GE Study[1]. EPA believes it is appropriate and correct to use the statistically calculated UPL95 value of 0.205 mg/L for Uranium in the Southwest Alluvium as calculated in the LAR.

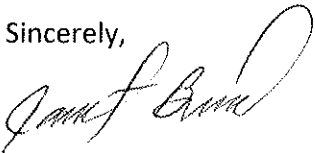2. There is a typo in Table 1 of the Draft EA "Radium-226 and -288" instead of -228.

As noted in *"Role of Background in the CERCLA Cleanup Program"*, dated April 26, 2002: "Generally, under CERCLA, cleanup levels are not set at concentrations below natural background levels. Similarly, for anthropogenic contaminant concentrations, the CERCLA program normally does not set cleanup levels below anthropogenic background concentrations (EPA, 1996; EPA, 1997b; EPA, 2000)." Anthropogenic here refers to "natural and human-made substances present in the environment as a result of human activities (not specifically related to the CERCLA release in question)."

A Site-Wide Supplemental Feasibility Study (SWSFS) is in progress for this Site. EPA will review the final SWSFS in conjunction with any updated ARARs, including: NRC Groundwater Protection Standard values, New Mexico Water Quality Control Commission values, EPA MCL values, EPA Regional Screening Level values, EPA Preliminary Remediation Goals for Radionuclide values, or other current Health-Based criteria. Note that the Feasibility Study is not a decision document, and the final cleanup values will be selected in an amendment to the Record of Decision for the groundwater operable unit.

New Mexico Environment Department (NMED) comments will be provided directly to NRC as I will be out of the office next week.

If you have any questions, please contact me via telephone at 214.665.7598 or by e-mail at brooks.janet@epa.gov.

Sincerely,

Janet Brooks
Remedial Project Manager
Superfund Division

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[1] This 2006 GE Study is not peer reviewed.

Enclosure

cc: Thomas McLaughlin, Project Manager, Nuclear Regulatory Commission
Earle Dixon, Project Manager, Superfund Oversight Section, New Mexico
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