

May 2, 2016

Ms. Cassandra Bloedel,
Environmental Program Supervisor
Resource Conservation and Recovery Program
Waste Regulatory Compliance Department
Navajo Nation Environmental Protection Agency
P. O. Box 339
Window Rock, AZ 86515

SUBJECT: CONCERNS ABOUT ANOMALIES AT THE MEXICAN HAT URANIUM MILL
TAILINGS RADIATION CONTROL ACT SITE (DOCKET NO.: WM-00063)

Dear Ms. Bloedel:

I am writing in response to concerns that you raised during a meeting on October 29, 2015, in Albuquerque, New Mexico between the Federal and Navajo Nation agencies involved in the 5-year plan to address uranium contamination on the Navajo Nation. During the meeting you raised concerns about elevated gamma readings in an area adjacent to the U.S. Department of Energy's (DOE's) Mexican Hat, Uranium Mill Tailings Radiation Control Act (UMTRCA) site near Halchita, Utah. You also indicated that you had raised these concerns to the DOE and the U.S. Environmental Protection Agency's (EPA's) attention in the past.

The U.S. Nuclear Regulatory Commission (NRC) staff has evaluated the information that you provided regarding the elevated gamma readings. NRC staff also discussed your concerns with the DOE project manager for the site, with the DOE contractor who tried to locate the areas of elevated gamma readings when you made the DOE aware of the concern in the past, and with the NRC Region IV staff that have conducted observational site visits at the site. Based on these discussions, the NRC staff determined that the DOE had investigated the elevated gamma readings in the past, but were unable to locate and substantiate the elevated gamma readings.

On April 8, 2016, NRC staff met with you and staff of the DOE and EPA, during a meeting of the 5-Year Plan agencies, to discuss the NRC staff's evaluations and conclusions about the elevated gamma readings. Based on this discussion, the NRC, DOE, EPA and Navajo Nation Environmental Protection Agency (NNEPA) staffs agreed to the following:

1. The NRC, NNEPA, and DOE staff planned to visit the Mexican Hat site on April 8, 2016, during which time the NNEPA staff would point out the area where the elevated gamma readings were observed. However, due to inclement weather, the agencies decided to post-pone the site visit;
2. The DOE and NNEPA staff will determine a mutually agreeable date and time to visit the site and the NNEPA staff would point out the location(s) of the elevated gamma readings to the DOE staff. The DOE staff will determine if they are able to perform a limited scan for elevated gamma readings of the area designated by you during this site visit;

3. The NNEPA staff will determine if they can provide any additional surveys that they may have concerning the elevated gamma readings to the NRC, EPA and DOE staffs; and,
4. After the NRC, EPA and DOE staffs have reviewed the additional surveys, and the NNEPA and DOE staffs have conducted the site visit, the agencies will discuss the findings and determine the appropriate steps to take in the future.

In accordance with 10 CFR 2.390 of the NRC's "Agency Rules of Practice and Procedure," 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 Agencywide Documents Access and Management System (ADAMS). ADAMS is accessible from the NRC Web site at <http://www.nrc.gov/reading-rm/adams.html>.

If you have any questions concerning this letter, please contact me at 301-415-6749 or by email at Dominick.Orlando@nrc.gov.

Sincerely,

/RA/

Dominick A. Orlando, Senior Project Manager
Materials Decommissioning Branch
Division of Decommissioning, Uranium Recovery
and Waste Programs
Office of Nuclear Material Safety
and Safeguards

cc:

Linda Reeves, EPA Five-Year Plan Coordinator
US EPA Tribal Lands Cleanup Section

Angelita Denney, Site Manager
U.S. Department of Energy

3. The NNEPA staff will determine if they can provide any additional surveys that they may have concerning the elevated gamma readings to the NRC, EPA and DOE staffs; and,
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/RA/

Dominick A. Orlando, Senior Project Manager
Materials Decommissioning Branch
Division of Decommissioning, Uranium Recovery
and Waste Programs
Office of Nuclear Material Safety
and Safeguards

cc:

Linda Reeves, EPA Five-Year Plan Coordinator
US EPA Tribal Lands Cleanup Section

Angelita Denney, Site Manager
U.S. Department of Energy

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