



UNITED STATES
NUCLEAR REGULATORY COMMISSION
WASHINGTON, D.C. 20555-0001

August 17, 2016

Ms. Jalena Dayvault, Site Manager
U.S. Department of Energy
Office of Legacy Management
2597 Legacy Way
Grand Junction, CO 81503

SUBJECT: U.S. NUCLEAR REGULATORY COMMISSION STAFF COMMENTS ON
U.S. DEPARTMENT OF ENERGY DRAFT REPORT ENTITLED "DURANGO
TRANSIENT DRAINAGE SYSTEM CLOSURE AND EVAPORATION POND
REMOVAL PLANNING DOCUMENTS" DATED JUNE 3, 2016
(DOCKET NO. WM-00048)

Dear Ms. Dayvault:

I am writing in response to your letter dated June 3, 2016, providing the U.S. Nuclear Regulatory Commission (NRC) staff with the revised report entitled "Durango Transient Drainage System Closure and Evaporation Pond Removal Planning Documents" dated May 2016 (Agencywide Documents Access and Management System (ADAMS) Accession No. ML16159A236). Your letter and the revised report provided responses to our request for additional information and comments in a letter dated April 18, 2016, regarding the U.S. Department of Energy's (DOE's) intention to remove the transient drainage system at the Durango, Colorado, Uranium Mill Tailings Radiation Control Act site (ADAMS Accession No. ML16095A185). The NRC staff has reviewed your letter and the documents in the revised report and has the following comment:

Sections 3 and 4 of the "Cleanup Criteria and Verification Sampling Plan" discuss the verification survey, sampling protocol, and data evaluation that the DOE will perform to demonstrate that the excavated evaporation pond will meet the cleanup criteria provided in Title 40 of the *Code of Federal Regulations* Part 192 for radium. Section 3.5 states that the DOE will also evaluate supplemental soil samples for other metals and radionuclides, besides radium. Section 4 states that the results of the supplemental soil samples will be compared to "applicable risk-based criteria, such as the EPA risk-based values for soil to groundwater migration and the U.S. Nuclear Regulatory Commission guidance for cleanup criteria for radionuclides other than radium (radium benchmark dose approach)." Please verify that the NRC staff will be provided with the final concentration-based cleanup criteria developed by the DOE to support the evaporation pond cleanup once the DOE has developed the cleanup criteria so that the NRC can evaluate the cleanup criteria and, if appropriate, determine if the NRC will perform a confirmatory survey of the evaporation pond before the site is covered and revegetated. In addition, in order to ensure that the NRC staff's review of the concentration-

J. Dayvault

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based cleanup criteria is not delayed, it would be helpful if the dose modeling and environmental parameters used to develop the cleanup criteria were provided along with the final cleanup criteria.

In accordance with Title 10 of the *Code of Federal Regulations* (10 CFR) Part 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 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

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Dominick A. Orlando, Senior Project Manager
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 Division of Decommissioning, Uranium Recovery
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ADAMS Accession No.:		ML16196A035		*Concurred via e-mail	
OFFICE	NMSS:PM	NMSS:LA	NMSS	NMSS	NMSS
NAME	N. Orlando	C. Holston	S. Giebel	Z. Cruz	D. Esh
DATE	7/13/16	7/14/16	7/14/16	7/14/16	7/18/16
OFFICE	R-IV	R-IV	NMSS:BC	OGC	NMSS:DUWP
NAME	R. Evans*	J. Whitten*	M. Meyer	A. Gendelman	A. Kock
DATE	7/18/16	7/18/16	7/21/16	8/1/16	8/16/16
OFFICE	NMSS:PM				
NAME	N. Orlando				
DATE	8/17/16				

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