



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

March 27, 2017

Mr. Mark Kautsky, 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 REVIEW OF
THE U.S. DEPARTMENT OF ENERGY POSITION PAPER ON THE ORIGIN OF
CONTAMINATION IN MANY DEVILS WASH NEAR THE SHIPROCK, NEW
MEXICO, DISPOSAL SITE (Docket Number WM-00058)

Dear Mr. Kautsky:

I am writing in response to the U.S. Department of Energy (DOE) position paper entitled "Origin of Contamination in Many Devils Wash, Shiprock, New Mexico" dated January 2017 (Agencywide Documents Access and Management System [ADAMS] Accession No. ML17034A048). The U.S. Nuclear Regulatory Commission (NRC) staff have reviewed the position paper, and the references cited in the position paper supporting the DOE position that the contamination in Many Devils Wash is not from mill related activities, and do not have any questions at this time.

Based on the NRC staff's review of the position paper, and the references cited therein, it appears that the upper part of Many Devils Wash was not affected by mill related activities. However, it would be helpful if the DOE outlined what area at the Shiprock site is affected by the conclusions of the position paper and where the DOE considers the boundary of Many Devils Wash to be. This is especially true for the lower portion of Many Devils Wash, downgradient of the buried escarpment, which appears to be hydraulically connected to the eastern terrace.

We understand that, in the future, the DOE may use the position paper, and the references in the paper, to inform a potential revision to the Groundwater Corrective Action Plan (GCAP) for the Shiprock site. NRC staff will review any proposed revisions to the GCAP when they are submitted by the DOE.

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 Website at <http://www.nrc.gov/reading-rm/adams.html>.

M. Kautsky

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If you have any questions concerning the NRC review of the position paper, 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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ADAMS Accession No.: ML17080A335

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