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

May 3, 2018

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

SUBJECT: RESOLUTION OF CONCERNS ABOUT ANOMALIES AT THE MEXICAN HAT URANIUM MILL TAILINGS RADIATION CONTROL ACT SITE

Dear Ms. Denny:

I am writing in response to your letter, dated February 5, 2018, providing the U.S. Department of Energy's (DOE) responses to concerns raised by Ms. Casandra Bloedel, formerly of the Navajo Nation Environmental Protection Agency, regarding elevated gamma radiation readings and mill balls in areas adjacent to the Mexican Hat Uranium Mill Tailings Radiation Control Act site in Utah (Agencywide Documents Access and Management System (ADAMS) Accession Number ML18044A102). These concerns were raised with DOE by David Taylor, Navajo Nation Department of Justice, in June 2011 and with U.S. Nuclear Regulatory Commission (NRC) staff in October 2015 (ADAMS Accession Number ML16110A119). In April 2016, NRC, DOE and Navajo Nation Environmental Protection Agency staffs discussed the elevated gamma radiation readings with Ms. Bloedel. Since then, the NRC staff has been working with DOE and Ms. Bloedel to resolve these concerns.

In your letter, you discuss that, in 2011, DOE radiologically surveyed the areas identified by Ms. Bloedel and identified three areas outside of the disposal site boundary that exhibited gamma readings that were above background, but that were within the soil cleanup criteria for the site. Neither mill balls nor construction debris were observed during the survey. The results of this survey, and DOE's conclusions regarding the elevated gamma readings, were communicated to David Taylor and Ms. Bloedel in October 2011. In June 2016, DOE visited the site and verified that the areas identified by Ms. Bloedel were the same areas that were evaluated and dispositioned in 2011.

The staff believes that DOE has adequately addressed the concerns raised by Ms. Bloedel, and we do not have any further comments or questions at this time. If additional information regarding the elevated gamma readings or mill balls is identified in the future, we will work with DOE and the Navajo Nation to assess the information and, if necessary, re-evaluate the situation.

In accordance with 10 *Code of Federal Regulations* 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 the NRC comments please feel free to contact me at 301-415-6749 or at Dominick.Orlando@nrc.gov.

Sincerely,

/RA/

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

Docket No. WM-00063
Mexican Hat dist. list

SUBJECT: RESOLUTION OF CONCERNS ABOUT ANOMALIES AT THE MEXICAN HAT URANIUM MILL TAILINGS RADIATION CONTROL ACT SITE **DATE**

DISTRIBUTION:

L.Gersey, RIV H. Arlt, DUWP, R.Evans RIV

ADAMS Accession No.: ML18086A091 ***by email**

OFFICE	NMSS/DUWP	NMSS/DUWP	RIV*	NMSS	NMSS
NAME	D.Orlando	C.Holston	R. Kellar	S. Koenick	D.Orlando
DATE	04/2 /18	04/ 5 /18	04/ 23 /18	5/ 03 /18	5/ 03 /18

OFFICIAL RECORD COPY