



October 24, 1979

TESTIMONY RE. DRAFT GENERIC EIS,
URANIUM MILL TAILINGS LICENSING, AND
CRITERIA RELATING TO URANIUM MILL TAILINGS AND
CONSTRUCTIONS OF MAJOR PLANTS

DOCKET NUMBER
PROPOSED RULE PR-30 et al (44FR50012) (37)

The following testimony is submitted on behalf of the Pikes Peak Justice and Peace Commission, an organization of 200 citizens in the Pikes Peak area who are working on a variety of social justice issues.

We view the proposals as a whole as an improvement over the weak regulations of the past but feel that the proposals have failed in a number of areas to adequately address specific problems and confront them with enforceable laws.

Regarding proposed regulations for mill and tailings sitings, we feel that the proposals focused too much on different technologies for tailings' liners and failed to give adequate thought to the question of tailings locations. While the proposals state that mills should not be located in the vicinity of a populated area, the definition of "populated area" is not given. This lack of specificity substantially weakens the NRE's ability to enforce such a proposal. The proposals also deal with controlling the contamination of surface water and underground water supplies. The Pikes Peak Justice and Peace Commission feels that trying to control this type of contamination would be entirely unnecessary if mills were not built over underground water supplies, nor where contamination of surface water is possible. This has proven to be one of the biggest problems resulting from uranium mining and milling in Colorado. The contamination takes a long time, mill operators are milling elsewhere by the time the water is so polluted that it can not be used for anything, and the taxpayers end up paying for a messy and expensive clean-up job. Again, the regulations concerning siting of uranium mills needs to be much more specific and stringent.

A prime example of underground water contamination exists in Canon City, Co. Cotter Corporation is responsible for the molybdenum and uranium contamination of numerous wells in a nearby residential area. The water from these wells can not be used for anything. While the proposals dealt with groundwater contamination and limiting the amounts of radium and thorium that reach the water table, not enough attention was given to faster moving chemicals. Radium and thorium both chemically combine with the soil and therefore seep only a few feet into the ground. Uranium, though, moves to a much greater depth and moves quickly -- with the water. Little attention was given to this fact.

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Contamination of the air is another problem we feel the proposals failed to adequately address. The new limit of $2\text{pCi}/\text{m}^2\text{sec}$ for allowable radon emission from tailings is not adequate; it is not similar to background levels. $1\text{pCi}/\text{m}^2\text{sec}$ would only slightly raise emissions controls costs and would be much safer.

While the proposals do somewhat deal with radon emissions from tailings sites and mills, the emissions from mining sites are not discussed at all. A mining site generally produces as much radon gas as a mill and tailings site. As the mine and mill are usually located right next to each other for convenience and expense defrayment, the amount of radon produced is twice the amount that the proposals recognize.

In the calculations of air contamination, another important contributor is ignored. Trucks transporting uranium ore to mills are left uncovered; the dust from the ore blows freely off the back.

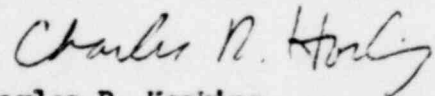
The proposals also fail to discuss the effects of in situ mining and the need for regulation of this process. This process allows different layers of water-bearing rock to interconnect if the drilled holes for projection of chemicals are not constructed properly, allowing toxic chemicals to once again affect the ground water. And even if the drilling is properly done, much of the chemical solution used to leach the uranium will be left in the ore bed after the mining project has been completed, leaving uranium flowing around under the surface. This process needs to be examined and regulated effectively.

Finally, the proposals completely skipped over one of the most effective ways to reduce the risks of uranium mining and milling. We strongly feel that mill operators who have a history of violations should not be granted milling licenses. A large percentage of the industry's problems are due to a small number of irresponsible mill operators. If the requirements for obtaining a license demanded competent people, many problems would be avoided from the start.

Unfortunately, the proposals do not influence Colorado or the other 24 agreement states. It is unfortunate, too, that 60% of the nation's uranium mills are in agreement states. Although the NRC determined the Colorado Board of Health's regulatory plan as adequate, it has hardly proven to be so. The NRC needs to re-examine the strength of agreement states' regulating agencies.

We hope that the NRC will seriously consider the suggestions we have made in our testimony. As citizens from a heavily-mined region, we wish to keep our state free from radioactive contamination.

Yours for greater justice,



Charles R. Hosking,
Chairperson

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