

October 19, 1979

Mr. John R. Martin, Director  
Division of Waste Management  
Office of Nuclear Material Safety and Safeguards  
Nuclear Regulatory Commission  
Washington, D. C. 20555

Dear Mr. Martin:

This letter is to confirm the discussions among representatives of the New Mexico Environmental Improvement Division, the Nuclear Regulatory Commission and United Nuclear Corporation at a meeting held in Albuquerque October 17, 1979. In connection with the resumption of Stage 1 discharges for a limited period of time at United Nuclear's Church Rock Mill, United Nuclear recognizes the need for, and has initiated the following action:

1. The performance of a study of possible alternative tailings impoundment sites and alternative tailings disposal systems. The objectives by which possible alternative sites and systems for below grade disposal are to be studied include:
  - (i) location away from population centers so as to minimize population exposure;
  - (ii) containment in a disposal system or systems designed to minimize dispersion and dispersal by natural forces;
  - (iii) containment in a disposal system or systems designed to limit radiological exposures or releases in accordance with the ALRA principle;
  - (iv) containment in a disposal system or systems designed to limit seepage of toxic material into the groundwater to the limits set in the New Mexico Groundwater Regulations (if applicable), or other applicable regulatory limits;
  - (v) during operations, the blowing of tailings to unrestricted areas shall be minimized to the extent reasonably practical during normal operating conditions.

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ENCLOSURE

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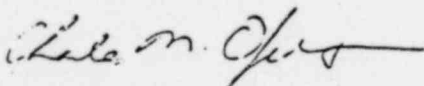
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2. Submittal of the study provided for above to the appropriate regulatory agency or agencies for review within 90 days from commencement of Stage 1 operations. The submittal shall be accompanied by a proposal by the company for the development of the preferred new alternative site (if obtainable) and system for disposal of tailings generated after such development. The proposal will include a feasibility study of and plans to ultimately relocate the existing tailings from the current site, or develop and/or demonstrate an impoundment system at the current site for the existing tailings that could be shown to provide reasonable assurance of containment of the tailings over the long term.
3. The study provided for herein shall be a study of the general characteristics of the site, such as geology, hydrology, population, and meteorology. Detailed information, such as would be developed through drilling and testing, will not be developed until appropriate authorization by the appropriate agency or agencies. The subsequent detailed report will include a study of alternative reclamation schemes.

Stage 1 operations as used in this letter refers to discharge of the solid fraction into the central cell of the tailings disposal area, and the liquids into the borrow pit.

United Nuclear's action is without prejudice to its position that the Nuclear Regulatory Commission has incorrectly perceived its jurisdiction or, that if jurisdiction is present, it was improperly exercised.

Sincerely,



for D. D. Turberville  
Division President

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cc: New Mexico Environmental Improvement Division  
New Mexico State Engineer

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