

**Department of Energy**  
Albuquerque Operations Office  
P. O. Box 5400  
Albuquerque, New Mexico 87115

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FEDERAL EXPRESS

Mr. Paul H. Lohaus  
Chief, Operations Branch  
Division of Low-Level Waste  
Management & Decommissioning  
Office of Nuclear Materials Safety  
and Safeguards  
Mail Stop 5-E-4  
U.S. Nuclear Regulatory Commission  
Washington, DC 20555

Dear Mr. Lohaus:

Enclosed for review are six copies of Modification Number 4 (Mod 4) to the Shiprock, New Mexico Remedial Action Plan (RAP). Mod 4 addresses contamination of the floodplain alluvium groundwater and includes revisions to the RAP text. Because of the time that has elapsed in characterizing the floodplain, I would like to briefly recapitulate events leading up to the issuance of RAP Mod 4.

A "Floodplain Groundwater Characterization" report was issued for review in the Spring of 1986 as Appendix E to the Shiprock Processing Site Characterization Report. The floodplain groundwater report was part of proposed Mod 3 and was referred to as Change No. 13. There were also two other proposed changes to the RAP, Changes No. 14 and 15, included in Mod 3.

Comments were received by the U.S. Department of Energy (DOE) on proposed Mod 3 from the Navajo Nation, Bureau of Indian Affairs, and Nuclear Regulatory Commission. Based on those comments, the DOE in the fall of 1986 reissued Changes No. 14 and 15 as Mod 3A to the RAP. Mod 3A was subsequently concurred with by all participants. The DOE then agreed to reissue Change No. 13 at a later date as Mod 4.

A meeting was held at the Shiprock site on December 11, 1986 to discuss the floodplain characterization and agree on additional data needs. A copy of the DOE Technical Assistance Contractor's memorandum documenting the meeting is enclosed with a list of the attendees.

We believe all comments provided by the Nuclear Regulatory Commission on the floodplain issue have been adequately addressed with the exception of questions on the legal aspects governing purchase, control and/or isolation of contaminated groundwater. The DOE will address these concerns in the future after the EPA groundwater standards are finalized.

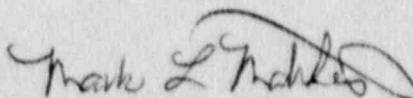
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We will be transmitting to you four original signature pages for your execution once they have been signed by the other participants. Following execution of the signature pages by all participants, a modification to Cooperative Agreement No. DE-FC04-83AL16258 between DCE and the Navajo Tribe will be executed to incorporate Mod 4 as part of the cooperative agreement.

Should you have any questions, please contact either Michael Abrams of my staff at (505) 844-3941 or Steve Hamp at (505) 846-1210.

Sincerely,



Mark L. Matthews  
Acting Project Manager  
Uranium Mill Tailings Project Office

Enclosure

cc w/enclosure:

J. Oldham, MK-F (2)

cc w/o enclosure:

D. Gillen, NRC-HQ

S. Hamp, UMTRA

R. Peel, JEG