



WASHINGTON

DEPARTMENT OF SOCIAL AND HEALTH SERVICES

Olympia, Washington 98504

Dixy Lee Ray  
Governor

*Handwritten:*  
Kerr  
Flatlin

June 26, 1980

G. Wayne Kerr, Acting Director  
Office of State Programs  
Agreements and Exports Branch  
Directorate of Licensing  
U.S. Nuclear Regulatory Commission  
Washington, D. C. 20555

Dear Mr. Kerr:

As we discussed, Washington is disappointed in the NRC's performance to date on Dawn Mining Company's Tailings Expansion Project. The scheduled completion date reference in your June 16, 1980 memo of September 1980, should be modified to September 1, 1980. This was the date agreed upon during the Spokane meeting of February 29, 1980. Not mentioned in your memo was the equally important date for a draft evaluation, July 1, 1980. Our State Environmental Policy Act requires at least 45 days between the issuance of a draft EIS and the issuance of an amendment, license, or construction permit. The agreed upon date for completion, September 1, 1980, was predicated on the fact that the SEPA process would begin on July 1, 1980.

Washington has three uranium milling licensing actions which should be completed by November 8, 1981. They are Dawn's tailings expansion, Dawn's renewal, and Western Nuclear's renewal. We hope to have a progression of involvement in these three cases. Since we must fulfill all of the SEPA requirements for the Dawn actions, we are relying heavily on the NRC to do the entire radiological assessment portion of the EIS for Dawn's tailings expansion, as agreed on February 29, 1980.

For Dawn's renewal please modify your date for completion to be December 1, 1980. We plan on elaborating on our portions of the EIS plus doing some of the radiological assessment. I ask your assistance in determining which areas of the r.a. would be appropriate for us to do. The February 29, 1980 agreement should also be modified to reflect this division of labor.

ATTACHMENT 1

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Rec'd  
7/14

G. Wayne Kerr  
June 26, 1980  
Page 2

By the time we can work on Western Nuclear's renewal, we should be able to do, or contract with individuals who can do, almost the entire action, with only guidance and informal help from the Commission. The projected date for completion of this renewal is approximately six months following issuance of the Dawn renewal or June 30, 1981.

We would be interested in the comments which you or your staff have concerning how we plan to proceed towards assuming UMRCA responsibilities.

Sincerely,

T. R. Strong, Head   
Radiation Control Section



Nancy P. Kirner, Supervisor  
Radioactive Materials Unit

NPK/mh



WASHINGTON  
Dixy Lee Ray  
Governor

DEPARTMENT OF ECOLOGY  
Mail Stop PV-11  
Olympia, Washington 98504

206/753-7800

DSHS - HEALTH SERVICES  
ENVIRONMENTAL

July 11, 1980

Mr. Sam I. Reed, Chief  
Environmental Health Programs  
Department of Social and  
Health Services  
Olympia, WA 98504

Dear Mr. Reed:

You recently requested our advice concerning an EIS you are preparing on a Dawn Mining Company proposal. Part of the proposal involves remedying a leakage problem associated with the existing operation.

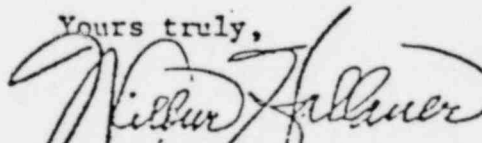
As I understand the problem, you scheduled your Draft EIS for July publication after the Nuclear Regulatory Commission agreed to provide a detailed, technical assessment by July 1, 1980. Although you now know the essential elements of the NRC report, the NRC has told you that the formal report will be delayed until September, by which time you had hoped to have your Final EIS prepared. You wish to avoid delay so as to solve the existing problem in the most expedient manner possible.

Tom Elwell, of our Environmental Review Section and Nancy Kirner, of your staff, have discussed the problem. Since Ms. Kirner feels that she can provide a layman's summary of the NRC report now, Mr. Elwell suggested that DSHS publish the Draft EIS on schedule incorporating the summary. The formal report would be included the Final EIS.

I concur with this recommendation: Actually, SEPA envisions the inclusion of layman's summaries rather than excessively detailed technical reports. Even when the formal report is available, you still may want to use the summary in the EIS itself and only include the entire report as an appendix. This will meet the SEPA goal of a short, readable, and informative EIS while keeping you on your existing schedule.

I hope this opinion is useful to you. Please contact Mr. Elwell (753-6891) if you wish to discuss the matter further.

Yours truly,



Wilbur G. Hallauer  
Director

cc: John Arnquist, DOE  
Tom Elwell, DOE

ATTACHMENT 2

MEETING BETWEEN THE STATE OF WASHINGTON,  
NRC, EPA, AND DAWN MINING TO DISCUSS  
LICENSING REVIEWS ON DAWN'S LICENSE RENEWAL  
REQUEST + REQUEST FOR AUTHORIZATION TO USE A NEW  
PROPOSED BELOW-GRADE DISPOSAL PIT.

DATES: 2/28 + 2/29/80  
SPOKANE, WASH

2/28 - AN AFTERNOON MEETING WAS HELD WITH ALL  
PARTIES PRESENT TO DISCUSS EPA'S COMMENTS ON  
DAWN'S SUBMITTAL + DAWN'S RESPONSE TO THESE  
COMMENTS.

A MEETING WAS THEN HELD BETWEEN THE STATE + NRC  
TO DISCUSS NRC'S INVOLVEMENT IN THE INDEPENDENT  
ENVIRONMENTAL ASSESSMENTS THAT MUST BE DONE. NRC  
AT ~~THE~~ THE STATE'S REQUEST WILL PERFORM THE  
REVIEWS OUTLINED IN THE ATTACHED DRAFT AGREEMENT.

2/29 - SITE VISIT TO DAWN  
- AFTERNOON MEETING BETWEEN STATE + NRC TO REVIEW THE  
DRAFT AGREEMENT. THE STATE STATE WILL REVIEW THIS  
AGREEMENT WITH THEIR MANAGEMENT + GET BACK TO NRC  
BY 3/13/80 WITH ANY COMMENTS OR PROPOSED CHANGES.  
RESOLVING COMMENTS OR PROPOSED CHANGES BY NRC + THE STATE  
A FINAL ~~THE~~ AGREEMENT WILL THEN BE SIGNED BY NRC + THE  
STATE PRIOR TO INITIATION OF NRC'S REVIEW.  
John Nelson FOR THE NRC  
Dixie, SR The State of WA  
2/29/80

Washington and NRC Mill Licensing Staff  
February 29, 1980

It is mutually agreed that the NRC will provide the State of Washington with technical assistance in its review of Dawn's renewal application and proposed below grade tailings management plan. Technical assistance will be rendered in the following areas:

- 1) Tailings Management Alternatives
- 2) Potential long-term impacts
  - a) long-term stability of tailings retention system
  - b) reclamation of tailings disposal area
- 3) Impacts to surface and ground water
- 4) Radiological assessment
- 5) Environmental impacts of accidents

The renewal review and the review of the below grade tailings management plan will be performed separately. The technical assistance evaluations will follow the general outline in Enclosure 1 to the 12/31/79 letter from Wayne Kerr, NRC, to the State of Washington on technical assistance. The review of the below grade tailings management plan will be performed first due to the preference of both Dawn and the state <sup>for Dawn to go to</sup> to <sup>go to</sup> a new below grade tailings disposal facility rather than raise

the existing dam. The NRC estimates that the review of the below grade tailings management plan and the renewal can be completed within six and nine months respectively.

It is agreed that the State of Washington will take no licensing action on either the below grade tailings management plan or the renewal until NRC has completed its review of the action.

The NRC and State of Washington will attempt to use their best efforts to complete the environmental assessment on the new tailings disposal area by September 1, 1980 and the renewal by December 1, 1980.

It is agreed that work on the environmental assessment will receive appropriate attention of the NRC and state and that each agency will fund its own activities.



STATE OF  
WASHINGTON

Elby Lee Ray  
Governor

DEPARTMENT OF SOCIAL AND HEALTH SERVICES P6  
Olympia, Washington 98504

March 26, 1980

Mr. Ross Scarano  
Uranium Mill Licensing  
U.S. Nuclear Regulatory Commission  
Silver Springs, Maryland 20910

Dear Mr. Scarano:

The State of Washington requests specific technical assistance from the U.S. Nuclear Regulatory Commission in those areas of uranium mill licensing outlined in Wayne Kerr's letter of December 31, 1979, and as described in the attached Draft Agreement Between the State of Washington and NRC Mill Licensing staff, February 29, 1980. I have signed the attached Draft Agreement to signify acceptance of Washington's commitments outlined in the Agreement.

By this letter Washington also officially submits a copy of the Dawn Mining Company response to EPA's questions on the previously submitted Environmental Report to the NRC.

Sincerely,

T. R. Strong, Head  
Radiation Control Section

TRS/mh

Attachment

cc: Wayne Kerr

ATTACHMENT 4

*Dupe of 8005090277 31P*  
*Received 4/1/80*

Draft Agreement Between the State of Washington  
and NRC Mill Licensing Staff

February 29, 1980

It is mutually agreed that the NRC will provide the State of Washington with technical assistance in its review of Dawn's renewal application and proposed below grade tailings management plan. Technical assistance will be rendered in the following areas:

1. Tailings Management Alternatives
2. Potential long-term impacts
  - a. long-term stability of tailings retention system
  - b. reclamation of tailings disposal area
3. Impacts to surface and ground water
4. Radiological assessment
5. Environmental impacts of accidents

The renewal review and the review of the below grade tailings management plan will be performed separately. The technical assistance evaluations will follow the general outline in Enclose 1 to the December 31, 1979 letter from Wayne Kerr, NRC, to the State of Washington on technical assistance. The review of the below grade tailings management plan will be performed first due to the preference of both Dawn and the State for Dawn to go to a new below grade tailings disposal facility rather than raise the existing dam. The NRC estimates that the review of the below grade tailings management plan and the renewal can be completed within six and nine months, respectively.

It is agreed that the State of Washington will take no licensing action on either the below grade tailings management plan or the renewal until NRC has completed its review of the action.

The NRC and State of Washington will attempt to use their best efforts to complete the environmental assessment on the new tailings disposal area by September 1, 1980, and the renewal by December 1, 1980.

It is agreed that work in the environmental assessment will receive appropriate attention of the NRC and state and that each agency will fund its own activities.





Meeting between the State of Washington, NRC, EPA, and Dawn Mining to discuss licensing reviews on Dawn's license renewal requests and requests for authorization to use a new proposed below grade disposal pit.

Dates: February 28 & 29, 1980

2/28 -- An afternoon meeting was held with all parties present to discuss EPA's comments on Dawn's submittals and Dawn's response to these comments.

A meeting was then held between the State and NRC to discuss NRC's involvement in the independent environmental assessments that must be done. NRC at the state's request will perform the reviews outlined in the attached Draft Agreement.

2/29 -- Site visit to Dawn

Afternoon meeting between State and NRC to review the draft agreement. The state staff will review this agreement with their management and get back to NRC by March 13, 1980 with any comments or proposed changes. A final agreement resolving comments or proposed changes by NRC and the state will then be signed by NRC and the State prior to the initiation of NRC's review.