

# Natural Resources Defense Council, Inc.

WM-41

PDR

25 KEARNY STREET

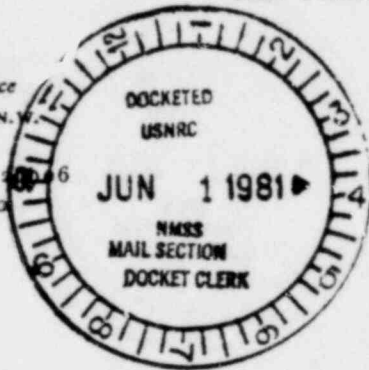
SAN FRANCISCO, CALIFORNIA 94108

415 421-6561

At. to: *André Tibbo*

Washington Office

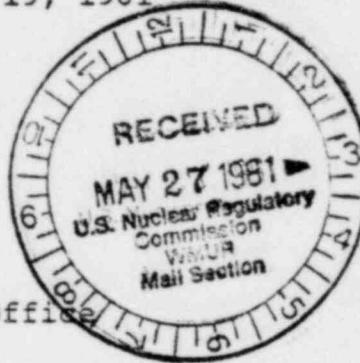
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May 19, 1981

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Mr. Richard H. Campbell  
Uranium Mill Tailings Project Office  
Albuquerque Operations Office  
Department of Energy  
P.O. Box 5400  
Albuquerque NM 87115

RE: Intent to Prepare Environmental Impact Statement  
for Remedial Actions at Inactive Uranium Mill Tailings  
Pile, Salt Lake City, Utah, 46 Fed. Reg. 21692,  
April 13, 1981

Dear Mr. Campbell:

The Natural Resources Defense Council, Inc. (NRDC), a national environmental law organization, maintains a longstanding interest in the remedial clean-up program for inactive uranium mill tailings piles. We submit these comments on the Department of Energy's (DOE) notice of intent to prepare an environmental impact statement (EIS) on the remedial action for the former Vitro processing site near Salt Lake City, Utah. Our comments are based on information given in the above-referenced notice and on the 1976 Phase II Study prepared by Ford, Bacon and Davis Utah, Inc. for DOE's predecessor agency, the Energy Research and Development Administration.

We find the scope of the proposed EIS too narrow, hampering the preparation of an adequate statement. In particular, we urge greater discussion of the environmental impacts of remedial action at the contaminated vicinity properties and the actions of the Nuclear Regulatory Commission (NRC) in licensing the final disposal of the inactive tailings pile. Additionally, DOE should include in its proposed action the clean-up of adverse conditions which have already been created by the improper storage of the inactive tailings pile at its current location.

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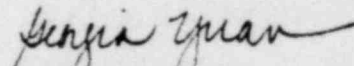
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Mr. Richard H. Campbell  
May 19, 1981  
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In the attached memorandum, we discuss our concerns in greater detail. NRDC looks forward to receiving and commenting on the Draft EIS.

Sincerely,

  
Georgia Yuan  
Project Geologist

Attachment

cc: William Shaffer  
Nuclear Regulatory Commission

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COMMENTS OF THE  
NATURAL RESOURCES DEFENSE COUNCIL, INC.  
ON THE NOTICE OF INTENT TO PREPARE AN  
ENVIRONMENTAL IMPACT STATEMENT FOR REMEDIAL ACTIONS  
AT THE INACTIVE URANIUM MILL TAILINGS PILE, SALT LAKE CITY, UTAH,  
46 FED. REG. 21692

Introduction and Summary

The Natural Resources Defense Council, Inc. (NRDC) submits these comments on the Department of Energy's (DOE) notice to prepare an environmental impact statement (EIS) on remedial actions at the inactive uranium mill tailings pile near Salt Lake City, Utah (hereinafter scoping notice). We are encouraged by the progress signaled by the preparation of this EIS and hope that DOE's program will continue to address in a timely fashion the clean-up of all 25 inactive sites. Our comments address many issues which we feel will apply to all the inactive sites.

Specifically, we urge DOE to pay equal attention to the impacts of remedial action at contaminated vicinity properties as it does to remedial action for the tailings piles. We also urge DOE to address the clean-up of hazardous conditions which have already been created and continue to threaten local populations at the storage sites of inactive piles. These conditions include ground water contamination, soil contamination, and windblown tailings. DOE should include in the EIS a description of the surveillance program which will be used to ensure that it has met the standards set by the Environmental Protection

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Agency (EPA). In addition, the Nuclear Regulatory Commission (NRC) should describe its plans to license the maintenance of the disposal site.

Unless DOE and NRC broaden the scope of the proposed EIS to include the issues we raise below, we believe that the EIS will not satisfy the requirements of the National Environmental Policy Act 42 U.S.C. 4321-4347 (NEPA).

#### Environmental Impacts at the Present Location

The EIS must discuss impacts of remedial action at the present storage site as well as at the permanent disposal site. All hazardous conditions resulting from improper storage must be cleaned up as required by PL 95-604. The condition of the storage site after clean-up is particularly important since it could become a high-density residential area.<sup>1/</sup> Below, we discuss four major hazardous conditions which DOE must address and we feel are not adequately covered by the EPA's proposed clean-up and disposal standards:<sup>2/</sup> (1) contaminated ground water at the present site; (2) non-radioactive pollutants in the soil below the tailings; (3) mitigation of immediate hazards during the six years prior to completion of remedial action; and (4) clean-up of contaminated vicinity properties.

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<sup>1/</sup> U.S. General Accounting Office, The Uranium Mill Tailings Cleanup: Federal Leadership at Last?, EMD-78-90, June 20, 1978, p. 7.

<sup>2/</sup> 46 Fed. Reg. 2556, January 9, 1981. A detailed discussion of the EPA standards can be found in the Comments of NRDC and the Southwest Research and Information Center on EPA's Draft EIS and the proposed standards, May 8, 1981.

Contaminated ground water is a potential problem at many of the inactive sites and DOE should discuss in the EIS the existing condition of water resources around the present location of the tailings. The EPA did not set a specific standard for ground water clean-up, believing that a generally applicable standard could not be implemented.<sup>3/</sup> Therefore, we believe that DOE has a responsibility to consider the improvement of already contaminated ground water on a site-by-site basis. EPA appears to concur with this opinion:

"We expect DOE to consider the need for and practicality of controlling contaminants that have already seeped under the tailings pile, and to apply technical remedies that are justified. Institutional controls should also be applied, however. If tailings are found to be contaminating ground water that is being used, we would expect DOE to provide alternate water sources or other appropriate remedies."<sup>4/</sup>

Clearly, part of the remedial clean-up should be a program of ground water surveillance and improvement. The impacts of such a program should be discussed in the EIS.

Non-radioactive contaminants in the soil may be a significant source of future ground or surface water degradation. The tailings at the Salt Lake City site contain arsenic, barium, chromium, vanadium, copper, iron, lead, manganese, silver, zinc, and cobalt.<sup>5/</sup>

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<sup>3/</sup> Id. p. 2560.

<sup>4/</sup> Id.

<sup>5/</sup> Ford, Bacon & Davis Utah, Inc., Phase II-Title I Engineering Assessment of Inactive Uranium Mill Tailings, Vitro Site, Salt Lake City, Utah, 1976, GJT, 1, p. 3-6 (hereinafter Phase II Study).



Any plan to remove the tailings to another site should include testing of the soils around the present site to ensure that non-radioactive contaminants are not left in the soils after clean-up is completed. Since EPA did not propose a specific standard for non-radioactive contaminants in the soil, DOE will have to determine a clean-up standard on a site-by-site basis.

Mitigation of immediate hazards during the six years prior to completion of remedial action must be addressed in the EIS. The hazards posed by the tailings pile near Salt Lake City have been recognized for many years. Plans to move the tailings to one of three sites to be discussed in the proposed EIS were originally suggested by the 1976 Phase II Study on this site.<sup>6/</sup> Yet no actions have been taken to reduce the existing hazards prior to completion of permanent clean-up. According to the 1979 Annual Status Report by DOE, the majority of the tailings remain "uncovered and subject to erosion."<sup>7/</sup> In addition, the site is only partially fenced and is "accessible to the public through various openings."<sup>8/</sup> The 1976 Phase II Study reports "evidence of significant amounts of windblown tailings ... up to approximately one-quarter mile from the site."<sup>9/</sup> Even assuming remedial action proceeds according

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6/ Phase II Study, Chapter 9.

7/ U.S. Department of Energy, Annual Status Report on the Inactive Uranium Mill Tailings Sites Remedial Action Program, December 1979, p. K-40.

8/ Id.

9/ Phase II Study, p. 3-6