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UNITED STATES
NUCLEAR REGULATORY COMMISSION

REGION IV
URANIUM RECOVERY FIELD OFFICE
BOX 25325
DENVER, COLORADO 80225

DEC 22 1989

URFO: PJG
Docket No. 40-8907
04008907340E

MEMORANDUM FOR: Docket No. 40-8907
FROM: Pete J. Garcia, Project Manager
SUBJECT: AMENDMENT NO. 6 TO SOURCE MATERIAL LICENSE SUA-1475 FOR
THE CHURCH ROCK MILL

Introduction

By letter dated October 26, 1989, United Nuclear Corporation (UNC) requested amendment of Source Material License SUA-1475 to extend the deadline for cleanup of windblown contamination on offsite land controlled by the Navajo tribe. UNC requests extension of the deadline from December 31, 1989 to December 31, 1990.

Discussion

License Condition No. 33 of the Church Rock license requires that all windblown contamination in excess of the standard specified in Criterion 6 of Appendix A to 10 CFR 40 be cleaned up in 1989. To determine the extent of cleanup required in Section 1, T16N, R16W (located immediately east of the tailings impoundment on Navajo controlled land), Condition No. 16 required that UNC submit the results of a soil sampling and gamma survey program as well as a proposal for corrective actions, if necessary, by December 31, 1988. UNC submitted the required information on December 22, 1988.

UNC's survey program identified a maximum area of 15 acres which could exhibit contamination levels in excess of the limit of 5 pCi/g Ra-226 above background. In accordance with the overall schedule for site closure activities submitted on July 26, 1988 and referenced in Condition No. 33, UNC stated that the windblown contamination would be cleaned up in 1989. UNC also indicated that cleanup activities would be contingent upon receiving approvals from the tribe to conduct the work.

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The staff review of the UNC submittal, documented in a memorandum dated April 7, 1989, concluded that UNC has adequately delineated the maximum aerial extent of the contamination requiring remediation. The staff conclusion was discussed with the licensee via telecon on April 4, 1989, and it was agreed that the licensee would initiate contact with the tribe to obtain the required approvals. UNC indicated that additional soil samples had been taken to more accurately define the areas to be cleaned, and that the samples were in the process of being analyzed. UNC indicated that the tribe would be contacted following receipt and review of the additional sample results.

By letter dated May 24, 1989, UNC requested tribal approval of a proposed cleanup plan. The site was visited by tribal representatives on June 16, 1989. As no response had been received from the tribe, a followup letter was sent on September 26, 1989. The tribe then provided authorization for cleanup activities by letter dated October 20, 1989.

Following completion of other required site closure activities scheduled for 1989, UNC had demobilized equipment which they had also planned to use in conducting the cleanup in Section 1. UNC will re-mobilize the equipment during the spring of 1990 to perform closure activities scheduled for 1990. UNC proposes to clean up the Section 1 area at that time, and to revegetate the area during the fall.

Conclusion

The staff concludes that UNC has made a good faith effort to perform the required cleanup in 1989, and that the extension to 1990 is warranted due to circumstances beyond the licensee's control. The staff therefore recommends that Source Material License SUA-1475 be amended to revise the deadline for cleanup of Section 1 by revising Condition No. 33 to read as follows:

33. The licensee shall adhere to the schedule for cleanup of windblown tailings, interim stabilization and mill decommissioning; and adhere to the schedule for placement of the final reclamation cover and construction of flood diversion structures (pending NRC approval of those designs) in accordance to the document entitled, "Amendment 1, Reclamation Plan, License No. SUA-1475," submitted by letter dated July 26, 1988, as modified by submittal dated October 26, 1989.

The licensee shall submit the results of a final gamma survey and soil sampling program to verify cleanup of contaminated areas in accordance with Criterion 6 of Appendix A to 10 CFR 40 within 90 days of completion of cleanup of onsite windblown tailings in 1989 and offsite windblown tailings in 1990.

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The issuance of this amendment was discussed via telecon with Mr. Juan Velazquez of UNC on December 20, 1989.

Pete J. Garcia Jr.

Pete J. Garcia
Project Manager

Approved by:


Ramon E. Hall
Director

Case Closed: 04008907340E

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12/21/89

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