

DEC 13 1993

Ned B. Larson, Deputy Director
Office of South West Area Programs
U.S. Department of Energy
EM-45/Trevion II
Washington, DC 20585

Dear Mr. Larson:

On September 28, 1993, meeting was held at One White Flint North in Rockville, Maryland, concerning the potential of disposing of mill tailings and other wastes from the Department of Energy's (DOE) Monticello facility at a Nuclear Regulatory Commission licensed uranium mill. A meeting summary is enclosed. Attendees included staff from the NRC, DOE, Environmental Protection Agency, State of Utah, and contractors to DOE. The potential option for disposal was focused on one NRC licensed mill, Umetco Minerals Corporation's White Mesa uranium mill in Blanding, Utah.

If you have any questions, please call either the NRC project manager, Chris McKenney, at (301) 504-2812 or me at (301) 504-3439.

Sincerely,

Joseph J. Holonich, Chief
Uranium Recovery Branch
Division of Low-Level Waste Management
and Decommissioning
Office of Nuclear Material Safety
and Safeguards

Enclosure: As stated

cc: See attached list

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Ned Larson
 U.S. Department of Energy
 Office of Environmental Restoration
 Trevion II
 19901 Germantown Rd
 Germantown, MD 20874

Dear Mr. Larson,

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If you have any questions, please call either the NRC project manager, Chris McKenney, at (301) 504-2812 or me at (301) 504-3439.

Sincerely,

Joseph J. Holonich, Chief
 Uranium Recovery Branch
 Division of Low-Level Waste Management
 and Decommissioning
 Office of Nuclear Material Safety
 and Safeguards

Enclosure: As stated
 cc:

Dave Mathes, DOE/HQ	Ronald Kowalewski, DOE/HQ
Jake Gatrell, DOE/HQ	Luke Mahier, Booz Allen/Belfort
Donald N. Leske, DOE/GJPO	Michael E. Madson,
Deborah L. Richardson,	Chem-Nuclear Geotech
Chem-Nuclear Geotech	Paul Musitovic, EPA/RGNVIII
C. Jay Silvernale, EPA/RGNVIII	Bill Sinclair, UDEQ/DRC
Ty Howard, UDEQ/DERR	Rick Van Horne, Umetco
W. W. Brice, Umetco	

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DEC 18 1993

Dave Mathes	DOE/HQ
Ronald Kowalewski	DOE/HQ
Ned Larson	DOE/HQ
Jake Gatrell	DOE/HQ
Luke Mahier	Booz Allen/Belfort
Donald N. Leske	DOE/GJPO
Michael E. Madson	Chem-Nuclear Geotech
Deborah L. Richardson	Chem-Nuclear Geotech
Paul Musitovic	EPA/RGNVIII
C. Jay Silvernail	EPA/RGNVIII
Bill Sinclair	UDEQ/DRC
Ty Howard	UDEQ/DERR
Rick Van Horne	Umetco
W. W. Brice	Umetco

MEETING SUMMARY

Date: September 28, 1993
Time: 1:00 p.m. - 3:15 p.m.
Location: One White Flint
Attendees: See List of Attendees (Attachment)

Purpose:

The meeting was requested by the Department of Energy (DOE) to discuss disposal, at Umetco Mineral Corporation's (Umetco's) White Mesa uranium mill, of uranium mill tailings and other material currently at DOE's Monticello facility. The Monticello facility is an old uranium mill that had previously milled vanadium and is part of DOE's Surplus Facilities Program. The site is also a Comprehensive Environmental Response, Compensation and Liability Act of 1980 (CERCLA, Super Fund) site, subject to Environmental Protection Agency (EPA) regulation. Both DOE and EPA are interested in transporting the tailings and wastes from the Monticello site to Umetco for disposal in the mill tailings impoundment. The Umetco mill is located in Blanding, Utah, about 26 miles from the Monticello site and is a U.S. Nuclear Regulatory Commission licensed uranium mill.

Meeting Summary:

DOE staff stated that while most of the material at the Monticello site was byproduct material as defined in section 11e.(2) of the Atomic Energy Act of 1954 (as amended) (11e.(2) material), some of it was radioactive material that was not 11e.(2) material. In response to this discussion, the draft NRC guidance on the disposal of non-11e.(2) material in tailings impoundments that was published in the Federal Register on May 13, 1992, was discussed. NRC staff stated that the guidance has not been finalized; however, if it received a request for such disposal, it would request Commission approval to review the disposal against the draft guidance. When it was pointed out that the guidance precludes acceptance of Resource Conservation and Recovery Act of 1984 (RCRA) material, DOE contractor staff stated that thus far, testing has not identified any RCRA material.

The procedure to initiate a request for disposal of the Monticello material at the Umetco facility was also discussed. The NRC staff stated that the request must come from its licensee, Umetco, in the form of a request to amend its license to accept and dispose of the material. The request must be accompanied by sufficient technical information to support the proposed amendment. In response to a question, NRC staff stated that any technical help or financial support by DOE to Umetco was a matter for those parties to arrange.

Enclosure 1

Because DOE wanted as early a decision as possible, NRC suggested separating the request into two parts: one to request general approval of the concept of disposal of the Monticello material at Umetco, and a second to request approval of the resulting modifications to Umetco's reclamation plan and site operations to accommodate the additional waste. NRC staff thought that it could reach a decision, with Commission concurrence, on the general concept by the end of March 1994.

We discussed the CERCLA aspects of the proposal. EPA staff stated that EPA potentially would end its regulatory oversight of the material, under CERCLA, at the Umetco gate. NRC staff pointed out that this is a potential problem area that the Office of General Counsel would have to consider. The draft guidance requires that there be no CERCLA issues related to the disposal of non-11e.(2) material in tailings impoundments.

It was agreed that the next step in the process would be for Umetco to submit a request to amend its license to allow disposal of Monticello material in its tailings impoundment.

LIST OF ATTENDEES

MEETING CONCERNING MONTICELLO WASTES ON SEPTEMBER 28, 1993

ONE WHITE FLINT NORTH, NRC HEADQUARTERS

NUCLEAR REGULATORY COMMISSION

Ed Hawkins	Region IV/Uranium Recovery Field Office
Mike Fliegel	LLUR/LLWM*
David Futoma	Office of the General Counsel
Joe Holonich	LLUR/LLWM
Paul Loniaus	LLWM

DEPARTMENT OF ENERGY

Dave Mathes	Headquarters
Donald N. Leske	Grand Junction Projects Office
Ronald Kowalewski	Headquarters
Ned Larson	Headquarters
Jake Gatrell	Headquarters
Michael E. Madson	Chem-Nuclear Geotech (contractor)
Deborah L. Richardson	Chem-Nuclear Geotech (contractor)
Luke Mahier	Booz Allen/Belfort (contractor)

ENVIRONMENTAL PROTECTION AGENCY

Paul Musitovic	Region VIII
C. Jay Silvernale	Region VIII

STATE OF UTAH/UTAH DEPARTMENT OF ENVIRONMENTAL QUALITY

Bill Sinclair	Division of Radiation Control
Ty Howard	Division of Environmental Response and Remediation

- * LLUR: Uranium Recovery Branch
- * LLWM: Division of Low-Level Waste Management
and Decommissioning
Office of Nuclear Material Safety
and Safeguards

Attachment