

NUCLEAR REGULATORY COMMISSION

DOCKET NO. 40-3453

ATLAS CORPORATION

Notice of Receipt of Application to Amend Source Material
License No. SUA-917 by Atlas Corporation

Notice is hereby given that the U.S. Nuclear Regulatory Commission has received, is reviewing and is offering an opportunity for a hearing on an application from Atlas Corporation to amend Source Material License No. SUA-917.

In general, the submittals referenced below propose to modify License Condition 41 by providing a revision of the 1982 approved reclamation plan for the mill tailings. As in the original reclamation plan, the proposed plan calls for reclamation of the tailings impoundment in place, covering the tailings with a soil cover to reduce radon emanation, and flattening the embankment side slopes to 10 horizontal to 3 vertical (10H:3V) or less. In addition, the license amendment application proposes the following modifications of the previous plan:

1. As a means of promoting surface water drainage, the original domed top configuration would be changed to a system of channels. Three collection ditches would merge to form a larger drainage channel which would convey flood runoff from the reclaimed tailings surface into Moab Wash.
2. The soil cover thickness for radon attenuation purposes would be reduced based on an increase in the allowable radon emanation rate.

Enclosure 2

3. The erosion protection cover design would be modified. The top of the tailings impoundment would be covered with a layer of compacted rock and soil, and the embankment side slopes would be covered with rock native to the region.
4. Moab Wash would be reconfigured and designed to contain the Probable Maximum Flood, and convey flood flows into the Colorado River east of the tailings pile. On the southwest side of the tailings embankment, another drainage channel would divert runoff from the natural sandstone bluffs southwest of the channel.

The licensee's proposal, currently under review, was first proposed to the NRC by a letter dated August 2, 1988, and has been modified by submittals dated January 17, 1989, June 4, 1992, April 14, 1993, and April 23, 1993.

Additional information has been requested from the licensee by NRC letters dated October 8, 1993, November 29, 1993, and January 3, 1994. Responses to these letters may result in further modifications to the reclamation plan.

FOR FURTHER INFORMATION, CONTACT: Allan T. Mullins, Uranium Recovery Branch,
Division of Low-Level Waste Management and Decommissioning,
U.S. Nuclear Regulatory Commission,
Washington, DC 20555,
(301) 504-2578.

Notice of Availability of Application

Atlas Corporation's application would revise source material license SUA-917. The application, with the revisions thereto, describes the proposed modifications to the reclamation plan, and is being made available for public inspection at the Commission's Public Document room at 2120 L Street, N. W. (Lower Level), Washington, DC 20555.

Notice of Opportunity for Hearing


The licensee and any person whose interest may be affected by the issuance of a license amendment covering the proposal may file a request for hearing. A request for hearing must be filed with the Office of the Secretary, U.S. Nuclear Regulatory Commission, Washington, DC 20555, within 30 days of the publication of this notice in the Federal Register; must be served on the NRC staff (Executive Director for Operations, One White Flint North, 11555 Rockville Pike, Rockville, MD 20852); must be served on the licensee (Atlas Corporation, 370 Seventeenth Street, Suite 3150, Denver, Colorado 80202); and must comply with the requirements set forth in the Commission's regulations, 10 CFR 2.105 and 2.714. The request for hearing must set forth with particularity the interest of the petitioner in the proceeding and how that interest may be affected by the results of the proceeding, including the reasons why the request should be granted, with particular reference to the following factors:

1. The nature of the petitioner's right, under the Act, to be made a party to the proceeding;
2. The nature and extent of the petitioner's property, financial or other interest in the proceeding; and
3. The possible effect, on the petitioner's interest, of any order which may be entered in the proceeding.

The request must also set forth the specific aspect or aspects of the subject matter of the proceeding as to which petitioner wishes a hearing.

Dated at Rockville, Maryland, this day of March, 1994.

FOR THE NUCLEAR REGULATORY COMMISSION


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

PROJECT TITLE: TECHNICAL ASSISTANCE IN THE PREPARATION OF AN ENVIRONMENTAL ASSESSMENT FOR THE DECOMMISSIONING AND RECLAMATION OF ATLAS CORPORATION'S MOAB, UTAH URANIUM MILL FACILITY
TASK 6 - MOD. 1

TYPE OF CONTRACT: FULL COST FEE RECOVERABLE
JOB CODE: L2094
B&R NUMBER: 45019402100
DOCKET NUMBER: 04003453
TAC NUMBER: L50900
NRC OFFICE: NMSS
NRC PROJECT MANAGER: Deborah DeMarco, 301-504-2521
NRC TECH. MONITOR: Allan Mullins, 301-504-2578

1.0 Background

The Atlas Corporation owns a uranium mill facility near Moab, Utah which is undergoing mill decommissioning. A reclamation plan for the site, including the tailings area, has been submitted to the Nuclear Regulatory Commission for approval. NRC published a "Finding of No Significant Impact" (FONSI) in the Federal Register on July 20, 1993, with a notice of intent to amend the Atlas license to approve the reclamation plan for onsite disposal of the tailings. Many comments were received on the Environmental Assessment (EA) which supported the FONSI. The number, source, and contents of these comments were sufficient to convince NRC that an environmental reassessment was needed. In addition, it was determined that a complete evaluation of the reclamation plan with Appendix A to 10 CFR Part 40 needed to be determined. The FONSI was rescinded by Federal Register notice on October 8, 1993. The reclamation plan reassessment is presently underway and should be completed in May 1994.

Many of the comments received on the EA were directed towards the need for both a more extensive evaluation of offsite disposal of the tailings and an Environmental Impact Statement (EIS). In addition, lack of information on some environmental impacts was noted. Additional information will be requested from the licensee. NRC intends to perform a more extensive environmental evaluation of the proposed reclamation plan, including the offsite disposal options, and an EIS will be required.

2.0 Objective

The objective of this project is to assist NRC in defining the additional environmental data which is needed and in preparing an EIS.

3.0 Technical and Other Special Qualifications Required

ORNL shall commit the appropriate number of qualified staff to the project encompassing the required disciplines to perform the environmental evaluation. NRC reserves the right to approve the Project Manager and the individual personnel assigned to the Task from the necessary technical disciplines including health physics, hydrology, geology, ecology, risk assessment, and socio-economics. The ORNL Project Manager shall be experienced in managing environmental assessment projects including preparation of an EIS and may not be changed during the project without prior written approval by NRC.

4.0 Level of Effort

The staff estimates the level of effort to be approximately 59 weeks with the following breakdown.

Task 6 (2 staff weeks)

Task 7 (~~34~~⁴⁷ staff weeks)

Subtask A 6 weeks

Subtask B 18 weeks

Subtask C 4 weeks

Subtask D 12 weeks

Subtask E 4 weeks

Subtask F 3 weeks

Task 8 (10 weeks)

5.0 Completion Dates

Task 6 February 11, 1994

Task 7 Subtask A

April 28, 1994

Subtask B

September 1, 1994

Subtask C

September 30, 1994

Subtask D

February 17, 1995

Subtask E

March 17, 1995

Task 8 This is contingent on events and may not be needed.

6.0 Work Required

Task 6 - Prepare an environmental assessment of the reclamation plan for onsite disposal of mill tailings and of the offsite options for disposal.

Assess the present draft EA and the comments received on it and determine the additional data needed to perform a thorough environmental evaluation under the National Environmental Policy Act (NEPA). Prepare a list of the additional information needed by February 11, 1994.

Task 7 - Plan, draft, and complete an EIS evaluating the onsite and offsite disposal options for the Atlas Moab uranium mill.

Subtask A

Assemble a team and review the data on the project including the reclamation plan, the existing Technical Evaluation Report and EA, and the comments received on the EA. Visit the site and participate in a public meeting to be held on April 14, 1994 as needed for familiarization.

Plan and participate in a public scoping meeting. Compile, categorize, and summarize all comments received in the scoping process. Identify significant issues and alternatives that NRC should consider in the scope of the EIS in accordance with 10 CFR Part 51. Submit a draft scoping report for NRC review within two weeks of the scoping meeting. Revise draft scoping report to reflect NRC comments and submit final scoping report for NRC approval within two weeks of receiving NRC's comments.

Subtask B

Based on the approved scoping report, develop draft EIS in accordance with 10 CFR Part 51 and the description in NRC's notice of intent to prepare an EIS. Complete draft EIS by September 1, 1994 and submit to NRC for review.

Subtask C

Revise draft EIS to reflect NRC comments and prepare a camera ready draft EIS for final NRC approval and publication by September 30, 1994.

Subtask D

Review public comments received on the draft EIS. Compile, organize, and categorize comments and draft recommended responses to all comments with NRC participation. Complete by February 17, 1995 and submit to NRC for final approval.

Subtask E

Revise draft EIS as needed to reflect public and NRC comments and submit revised draft EIS to NRC for final review and approval. Complete by March 17, 1995.

Prepare camera ready final EIS ready for printing in the same format as the draft EIS. Complete and submit to NRC by March 17, 1995.

Task 8 - Support for Legal Challenges on final EA or EIS.

7.0 Meetings and Travel

No more than five contractor personnel shall make a trip to the Atlas Moab mill site for familiarization purposes under Task 7. Task 7 will require

travel for a scoping meeting for an EIS. Travel could be required under Task 8 and would be as approved by NRC's Project Manager. Upon request, the ORNL Project Manager and essential team members shall meet with the NRC Project Manager and Technical Monitor at NRC's offices in Rockville, Maryland, once during Task 6, twice during Task 7, and as needed and approved by NRC's Project Manager during Task 8. The NRC Technical Monitor may periodically meet with the contractor in ORNL offices at Oak Ridge, Tennessee to review progress and provide input into the project.

8.0 NRC Furnished Material

NRC will provide the following to ORNL:

Copy of the draft Technical Evaluation Report on the Atlas Moab mill.

Copy (hard and electronic) of the draft Environmental Assessment for the Atlas Moab mill.

Copies of comment letters received on the EA.

Copies of environmental monitoring data on the Atlas Moab mill site taken over the previous eight years.

Copies of information requests and responses from the licensee as part of the current review process.

9.0 DOE Acquired Material

No materials are expected to be acquired under this task order.

10.0 Schedule

The schedule for Task 6 is stated in section 5.0. The schedule for Task 7 will be determined if an EIS is the designated document. The schedule for Task 8 will be determined if legal challenges are mounted.

11.0 Reports

The final Task 7 report would be an EIS. The Task reports should be furnished in hard copy and in electronic medium form (WordPerfect 5.1). The Task 7 report, if developed and submitted, will be published by NRC as a NUREG report; therefore, the document should meet the requirements for preparation of such reports (NUREG-0650, Revision 1 copies of which have been previously furnished to ORNL).

A monthly letter report (MLR) shall be prepared by the 20th of the following month. The following breakdown of monthly staff utilization shall be provided in the MLR for each task showing the number of hours charged to the following categories: health physics, hydrology, geology, ecology, risk assessment and accident analysis, socio-economic assessment, and project management. The report shall describe by these categories, the work activities accomplished and in progress with an estimate of the degree of completeness. Completion dates should be tracked and reported on the Subtask level.

12.0 Technical Direction

Allan Mullins is designated as the NMSS Technical Monitor for the environmental evaluation of the Atlas Moab project. Deborah DeMarco is designated as the NRC Project Manager. Technical instructions may not constitute new assignments of work or changes of such a nature as to justify an adjustment in cost or period of performance. Directions, if any, for changes in scope of work, cost, or period of performance will be issued by the NRC Project Manager.

MONTHLY LETTER STATUS REPORT REQUIREMENTS

A monthly letter status report (MLSR) must be submitted to NRC by the 20th of each month, using the distribution list established in the work order. The MLSR must, as a minimum, contain the information required below.

This project may be omitted from the performing organization's monthly activities report, following NRC's determination that all work is completed and that the final cost information is acceptable. However, the final MLSR for the project must be included in performing organization's monthly activities report covering the last month of NRC's fiscal year.

It is acceptable to indicate in the MLSR that the project was inactive during the reporting period if a previous monthly activities report that contained the latest financial and progress status information is referenced.

The MLSR must include the following: the full name and address of the performing organization; the job code number and the title of the project; the principal investigator's (PI's) name and full telephone number; and the project period of performance, the task assignment periods of performance, and the reporting period. Financial information must be provided on each individual task and by task under each individual task assignment.

As a minimum, the MLSR must include the following sections:

Objective

Provide a brief statement of the performing organization's understanding of the objective(s) of the program/project.

Progress During Reporting Period

For each task and/or task assignment, provide a clear, concise discussion of the work performed during the reporting period. As a minimum, these discussions must include sufficient detail to support the costs reported for the period. Progress reported as "worked on all tasks" is not acceptable. Names and dates of meetings and conference calls must be included. In addition, the current status of each task should be identified.

Travel

Travel taken during the reporting period must be fully described and must include, as a minimum, the purpose of the travel, whether prior NRC authorization was required and obtained, the identity of all traveller(s), beginning and ending dates of the travel, and the origin and destination points. If portions of the travel costs are split between projects, the appropriate corresponding job code number(s) must be identified.

Anticipated and Encountered Problem Areas

Problems both encountered during the reporting period and anticipated for the next period(s) must be identified.

Discussion of problems encountered during the reporting period must include the actual solution or, if action is not implemented by the time of report issuance, the proposed solution. The status of the problem should be updated in subsequent MLSRs until problem resolution is achieved and reported. NOTE:

The person(s) and/or organization(s) with responsibility for action to address the problem must be clearly identified. In the event that NRC is required to take action, a separate letter to the appropriate NRC individual(s) must be transmitted.

Problems or circumstances that require a change in the level of effort or estimated cost(s), scope of work, or travel requirements should be discussed. NOTE: A separate letter identifying the need for a modification must be sent to the project manager as soon as the problem is identified. Such notification must not be delayed until issuance of the MLSR.

REMINDER: Changes to the statement of work that constitute new assignments of work of such a nature as to justify an adjustment in overall cost or period of performance may only be authorized by the appropriate official. Section 13.0, the "Technical/Project Direction", of the Statement of Work.

Plans for the Next Reporting Period

A discussion of the work to be performed and a description of anticipated travel must be provided. Milestones that will be completed during the period must be described. NOTE: Where prior NRC travel authorizations are required, a separate written notification to the NRC project manager is required.

Variance

Any variance in either schedule or spending rate must be identified and discussed in detail. Discussion must include the cause(s) for the variance(s), together with the proposed solution to bring the dates and cost within planned dates and amounts.

Financial Status

In addition to the financial status information reported in the format entitled "Sample Financial Status Report Format", a narrative description of the financial status of the project must be provided. Statements such as "See attached financial status" are not acceptable. A discussion of the status of the projected cost and schedule of the project must be included. If the projected actual cost is expected to be greater than or less than the planned cost and/or if the schedule is projected to be longer than or less than the planned schedule, a discussion of the reasons for the differences must be provided. Actions to mitigate any delays in schedule and/or increases in cost should be thoroughly described.

Sample

MLSR

Financial Status Report Format

MONTH, YEAR

Job Code #.*

TITLE:

Task Assignment #.**

Task Assignment Title:

Basic Order/Agreement Period of Performance: From _____ To _____

Task Assignment Period of Performance From _____ To _____

Total Project Authorized Amount: \$

Total Funds Obligated to Date: \$

Total Current Fiscal Year Authorized Amount: \$

Total Funds Obligated Current Fiscal Year: \$

Current Cost Incurred Status

	Current Month	Fiscal Year To Date	Cumulative Project To Date
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Direct Staff Effort (Hours)

- Direct Labor
- Overhead
- Materials and Services
- ADP Support
- Travel Expenses Subcontracts***
- Capital Equipment
- Other
- General and Administrative

Subtotal

DOE Adder

Total Costs \$ \$ \$

Total Uncosted Amount \$ \$ \$

Percentage of available cumulative funds costed %

Percentage of available current fiscal year funds costed %

* Specialized account internal account numbers may be added.

** Separate financial status report is required for each individual task assignment.

*** Include contract and purchase order dollar amounts.

Overall Funding Status

Provide the prior fiscal year carryover, the current fiscal year funding level required as reflected in the current NRC Form 189 for the project, the funds received to date for the current fiscal year, and the balance of funding needed for the current fiscal year, in thousands of dollars, as follows:

Prior FY <u>CARRYOVER</u>	FY Project <u>Funding Level</u>	FY Funds <u>Received to Date</u>	FY Funding Balance Needed
\$	\$	\$	\$

Balance of Funds Required by Fiscal Year

FY-XX	FY-XX	FY-XX	FY-XX
\$	\$	\$	\$

Task Assignment Funding Status

For task assignment job code provide the following information:

Task Number
and Title

Task i

Task n

(Task assignment data may be included with the fee recovery table.)

CERTIFICATE FEE RECOVERY COST STATUS:

Pursuant to the provisions of 10 CFR Parts 170 and 171 on fees, provide the total amount of funds costed during the period and fiscal year to date for each task or task assignment by facility or topical report. The Certificate Fee Recovery Status Report must be on a separate page as part of the MLSR for the job code, and must be in the format provided on the following page. Cost must be properly apportioned by docket number and TAC number to the appropriate site.

There should be only one Certificate Fee Recovery Cost Status table per job code. The facilities should be identified by docket number and TAC number, and costs should be reported as whole numbers rounded to the nearest dollar. For work that involves more than one site, each site should be listed separately and the costs should be split appropriately between the sites. Common costs as defined below, must be identified separately in the Certificate Fee Recovery Cost Status table each month and must be divided among all plants worked on under the program during the month. The total of the period costs reported in the Certificate Fee Recovery Cost Status table should equal the total of the period costs reported in the Financial Status section. In the event the totals of the costs reports in these two tables are not equal, an explanation for the variance should be given as a footnote to the Certificate Fee Recovery Cost Status table.

Common costs are those costs associated with the performance of an overall program that benefit both sites covered under that program or that are required to satisfactorily carry out the program. Common costs include costs associated with the following: preparatory or startup efforts to interpret and reach agreement on methodology, approach, acceptance criteria, regulatory position, or technical reporting requirements; efforts associated with the "lead site" concept that might be involved during the first one or two plant reviews; meetings and discussions involving the above efforts to provide

orientation, background knowledge, or guidance during the course of a program; any technical effort applied to a category of plants; and project management. On a monthly basis, the common costs for the month must be apportioned to the costs incurred during the month for each of the sites for which work was performed.

CERTIFICATE FEE RECOVERY COST STATUS

JOB CODE:

TITLE:

PERIOD:

Inspection Report or Report <u>Title</u>	Facility <u>Name</u>	Docket <u>Number</u>	Identification <u>Number</u>	Period <u>Costs</u>	Cumulative Costs This Fiscal <u>Year</u>
Common Costs					
Task 1					
Task n					



UNITED STATES NUCLEAR REGULATORY COMMISSION

Office of Public Affairs
Washington, D.C. 20555

No. 94-51
Tel. 301-504-2240

FOR IMMEDIATE RELEASE
(Thursday, March 24, 1994)

NRC TO HOLD PUBLIC MEETING ON SCOPE OF EIS FOR DECOMMISSIONING OF UTAH URANIUM MILL

The Nuclear Regulatory Commission will hold a meeting in Moab, Utah, on Thursday, April 14, to obtain public input on the scope of an environmental impact statement that the agency intends to prepare for the reclamation of mill tailings at the Atlas Corporation's NRC-licensed uranium mill in Moab.

The mill operated from 1956 until 1984 and has been owned by Atlas since 1962. Uranium is no longer being processed at the site, and Atlas has been in the process of cleaning it up for several years. Atlas's proposed action for the mill tailings resulting from the operation is to dispose of them on site. Two alternative disposal sites have been identified. One is in a box canyon about 7 miles away; and the other is near the airport, about 15 miles away.

Members of the public are invited to attend the public scoping meeting and discuss the proposed action and possible alternatives. It will be held at Starr Hall, 155 East Center Street, Moab, from 7:00 to 10:00 p.m. on April 14.

Written comments are also invited. They should be submitted by May 13, 1994, to the Secretary, U.S. Nuclear Regulatory Commission, Washington, DC 20555, Attention: Docketing and Service Branch.

Further information on environmental aspects of the Atlas site is available for inspection at the offices of the Grand County Council, 125 East Center, Moab.

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Enclosure 4

SCHEDULE FOR ENVIRONMENTAL IMPACT STATEMENT
ATLAS MOAB MILL

Prepare for and hold scoping meeting on content of the EIS	04-14-94
Prepare draft EIS (ORNL/NRC)	09-01-94
Publish draft EIS	09-30-94
Comment period	45 days
Prepare response to comments and Final EIS (ORNL/NRC)	03-17-95
Publish EIS	04-17-95
Waiting period for Federal action implementation	30 days