

DRAFT

ANNUAL STATUS REPORT on the Uranium Mill Tailings Remedial Action Program

December 1982

Prepared in response to the
requirements of Section 114(a)
to Public Law 95-604
U.S. Department of Energy
Assistant Secretary for Nuclear Energy
Office of Nuclear Waste Management
and Fuel Cycle Programs
Washington, D.C. 20545



DRAFT

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I. INTRODUCTION

As required by Public Law 95-604, the "Uranium Mill Tailings Radiation Control Act of 1978", this Third Annual Status Report summarizes activities undertaken during FY 1982 by the Department of Energy (DOE) and other agencies as part of the Uranium Mill Tailings Remedial Actions (UMTRA) Program.

Title I of the Act authorizes the DOE, in cooperation (1) with the states and Indian tribes within whose boundaries designated processing sites* are located and (2) with persons who own these sites, to provide a program of assessment and remedial action at such sites. Twenty-four inactive uranium-processing sites located in 10 states are presently included in the UMTRA Program (Appendix A). The purposes of the remedial actions are to stabilize and control the tailings and other residual radioactive materials located on these sites in a safe and environmentally sound manner and to minimize or eliminate the potential radiation health hazards to the public. For some sites, the remedial action might include the reprocessing of tailings to extract residual uranium and other minerals. Properties in the vicinities of designated processing sites that are contaminated with material from the sites, which are herein referred to as "vicinity properties," are also eligible for remedial action.

II. PROGRAM STATUS

Progress made during the last year, present status, and plans for FY 1983 are described below.

1. RADIOLOGICAL SURVEYS AND INCLUSION OF VICINITY PROPERTIES

The Office of Operational Safety, under the jurisdiction of the DOE's Assistant Secretary for Environmental Protection, Safety, and Emergency

Preparedness (ASEP) continued its program of radiological assessments to

* "Processing site" is defined in P.L. 95-604.

identify public and private properties in the vicinity of designated inactive uranium mill tailings sites which contain residual radioactive materials originating from these sites.

During FY 1982, aerial radiological surveys were conducted in the vicinity of the Maybell, Colorado and Green River, Utah sites. Mobile gamma radiation surveys were conducted in the vicinity of 15 mill tailings sites; two in Arizona, seven in Colorado, two in New Mexico, three in Utah and one in Wyoming. Comprehensive radiological survey activities were completed in the vicinity of the Canonsburg, Pennsylvania site, were continued in Salt Lake City, Utah and were initiated in Durango, Colorado and Shiprock, New Mexico. Maintenance of an area network of radon monitors and monitoring of radon progeny concentrations in structures in support of the radiological survey program was continued in the vicinity of the Canonsburg site. A similar monitoring program was initiated in Salt Lake City, Utah. To date, approximately 230 comprehensive surveys (62 in FY 1982) have been completed by the Oak Ridge and Argonne National Laboratories under the direction of the Office of Operational Safety, and 127 of these properties in the vicinity of three mill tailings sites (Canonsburg, Salt Lake City, and Lowman) have been referred to the Office of the Assistant Secretary for Nuclear Energy for remedial action.

The Office of Operational Safety is responsible for environmental monitoring during remedial action activities and the certification of compliance with prescribed radiological criteria and standards upon completion of remedial action. A plan prepared to identify documentation and procedural requirements for the site certification process was completed and is

currently undergoing final Departmental review. Radiological assessments and an intensive radon monitoring effort were conducted during FY 1982 at the Salt Lake City Fire Station #1 which underwent remedial action during calendar year 1981.

Also during FY 1982, the Office of Operational Safety initiated a special review of files maintained by the Colorado Department of Health that contain the results of radiological surveys of public and private properties conducted by the Environmental Protection Agency and the State of Colorado over the past decade in Grand Junction, Colorado and surrounding communities. To date, the data contained in the files of 86, in an initial group of approximately 150 properties, have been determined sufficient to warrant referral of these properties for remedial action. The remainder of this initial group of properties will require radiological surveys to qualify and quantify the extent of suspected radioactive contamination, and determine eligibility for remedial action in compliance with the mandates of Public Law 95-604.

Plans for FY 1983 call for completion of aerial and ground mobile gamma radiation surveys in the vicinity of designated mill tailings sites. Comprehensive radiological surveys will continue in the vicinity of the Salt Lake City, Utah; Durango, Colorado; and Shiprock, New Mexico sites. This program will be expanded during FY 1983 to include surveys of public and private properties in the vicinity of sites located at or near Rifle, Grand Junction, Gunnison and Naturita, Colorado; Mexican Hat, Utah; Monument Valley and Tuba City, Arizona; and Riverton, Wyoming. Radon monitoring programs will be continued in Canonsburg and Salt Lake City and similar

programs will be initiated in Durango and Rifle, Colorado. Radiological assessment and site certification activities will be initiated at Canonsburg, Salt Lake City and other sites as remedial action projects are completed. The review of Colorado Department of Health files described above will also be continued as a high priority activity during FY 1983.

2. ESTABLISHMENT OF COOPERATIVE AGREEMENTS

Draft cooperative agreements were forwarded to the States of Idaho, New Mexico, North Dakota, Oregon, Texas, and Wyoming. Cooperative agreements with these states will be executed during 1983. Cooperative agreements have been previously executed with the states of Colorado, Pennsylvania, and Utah. A preliminary draft cooperative agreement with the Navajo Nation was prepared.

3. PROMULGATION OF STANDARDS FOR REMEDIAL ACTION

Environmental Protection Agency standards for the UMTRA Program are scheduled to be promulgated by January, 1983. (See Section 11, Environmental Protection Agency, for further details). Under provisions of P.L. 95-604, promulgation of standards will permit the DOE to begin remedial action at designated processing sites and will initiate the 7-year period authorized for performance of the program.

4. ACQUISITION OF LANDS AND MATERIALS

A November, 1981, offer by the State of Pennsylvania to purchase the Canonsburg site was not accepted by the owner. On February 10, 1982, the State initiated condemnation proceedings to acquire the site. The State has acquired possession of the site but a compensation settlement has not been reached. The State of Colorado was requested to acquire appraisals of the Durango site and these appraisals will be completed early in 1983.

5. REPROCESSING OF RESIDUAL RADIOACTIVE MATERIALS

Public Law 95-604 requires the Secretary of Energy to request expressions of interest in reprocessing, and upon receipt of any such expressions, to evaluate whether mineral recovery is practicable. Several general expressions of interest have been received by the DOE. A program to evaluate the practicability of additional mineral recovery at 13 sites is underway and will be completed in December, 1982. This information will be used along with site engineering and environmental data to determine if reprocessing is economically viable and consistent with remedial action.

6. NEPA DOCUMENTATION

Environmental Assessments (EA's) have been published for the implementation of remedial actions for the Canonsburg, Pennsylvania and Salt Lake City, Utah vicinity properties. Preliminary Draft Environmental Impact Statements (EIS's) have been prepared for the Salt Lake City, Utah and Canonsburg, Pennsylvania sites and one is presently being prepared for the Durango, Colorado site. The publication of the Final EIS's for the mill sites at Canonsburg, Salt Lake City and Durango are scheduled for June, 1983, July, 1983, and January, 1984, respectively. EIS's and/or EA's, as applicable, are in preparation for all other designated sites.

7. PROGRAM PLANNING

7.1 Project Planning

The UMTRA Project Plan is currently under internal DOE review and it is anticipated that it will be revised to incorporate the review recommendations as well as changes required to reflect the final standards promulgated by the EPA. The status of other Project Office planning documents is described below.

- a. UMTRA Project Management Plan - to be published January, 1983

- b. Quality Assurance Program Plan - originally published January, 1982; revision to be published February, 1983.
- c. Public Participation Plan - originally published May, 1981; revision to be published February, 1983.
- d. Health and Safety Plan - originally published November, 1980; revision to be published January, 1983.
- e. Guidelines for Contents of Environmental Impact Statements - published November, 1980.
- f. Guidelines for Contents of Environmental Assessments - published April, 1981.
- g. Project Schedule and Cost Estimate - originally published February, 1982; revision to be published January, 1983.

Additionally, a Cost Reduction Study of the UMTRA Project, initiated in September, 1982, is being performed to identify potential cost savings for the Project and to assist management in resource utilization planning.

7.2 Project Procurement

Jacobs Engineering Group, Inc., selected as the UMTRA Technical Assistance Contractor (TAC) in November, 1981, initiated mobilization efforts under a letter contract in March, 1982, and is fully operational under Task Agreement One which runs through June, 1983. The TAC is responsible for developing generic planning documents; implementing site characterization programs; preparing Remedial Action Concept Papers, conceptual designs, design criteria and remedial action plans for individual processing sites; reviewing detailed designs prepared by the Remedial Action Contractor (RAC) and conducting maintenance and surveillance activities when remedial actions have been completed.

Morrison-Knudsen, Inc., was selected as the UMTRA RAC in August, 1982.

The RAC is responsible for preparing remedial action design and

construction schedules, and accomplishing engineering and design of approved remedial actions, and performing the remedial actions.

8. TECHNOLOGY DEVELOPMENT

UMTRAP has supported research programs to resolve uncertainties in the critical areas of long-term stability, radon attenuation and groundwater contamination. These programs were initiated in FY 1980 and are scheduled to be completed in FY 1983 and 1984. Through FY 1982, a total of \$10.5 million was expended on research activities. An additional \$2.5 million is planned in FY 1983.

To date, the research program has provided substantially improved knowledge of the potential for groundwater contamination and the performance of radon barriers. Work in FY 1983 will focus on completing work on long-term stability and groundwater contamination and on improving our knowledge of radon gas emanation. In addition, at the end of FY 1983, UMTRAP research results will be summarized in an integrated report for use in the design of UMTRAP remedial actions and for use in the stabilization of active tailings piles and other radioactive waste programs.

A bibliography of completed research reports is available upon request to the UMTRA Project Office.

9. REMEDIAL ACTION

Accelerated schedules have been developed for two high priority sites, Canonsburg and Salt Lake City, so as to start remedial actions in October 1983. Remedial actions at two other high priority sites, Durango and Shiprock, are scheduled to begin in 1984. Remedial actions at eight vicinity properties in Salt Lake City will have been completed by the end of 1982. Vicinity property decontamination at Canonsburg is scheduled to commence in the Fall of 1982. Additional actions are scheduled in the Spring of 1983 for Salt Lake City, Canonsburg, and Grand Junction.

10. PUBLIC PARTICIPATION

General and site specific Fact Sheets were updated in August and September, 1982. In May, 1982, a public meeting was held in Tuba City, Arizona. During the year, the UMTRA motion picture was shown to about a dozen service clubs (Kiwans, Lions, Civitan). The Durango Task Force and Salt Lake City Task Forces held several meetings during 1982 and received updated project information from the DOE. Public meetings on the Canonsburg Draft Environmental Impact Statement are scheduled for the Fall of 1982.

11. OTHER FEDERAL AGENCY PARTICIPATION

Coordination with and among the participating Federal agencies was maintained and meetings were conducted as necessary to exchange information and resolve problems. Following are the full texts of contributions to this report from the four Federal agencies cooperating with the DOE on the UMTRA Program.

Department of Justice

The Land Natural Resources Division has been designated by the Attorney General to perform staff work necessary to conduct the studies under Section 115(b) of P.L. 95-604 to determine the identity and legal responsibility of any person who owned, operated, or controlled any site designated under the Act. The staff work required for the Section 115(b) study of the Canonsburg, Pennsylvania site has been completed, and the Department's formal determination as to the liability or lack of liability on the part of former owners or operators is undergoing final revisions subsequent to extensive review within the Division. As reported previously, the Department has contracted to obtain title evidence on each site as part of its effort to identify individuals who owned, operated, or

controlled the sites. Complete title evidence on seventeen (17) sites has been forwarded to the Department of Energy for its use in making necessary site acquisitions. Work is continuing on the acquisition of title evidence with respect to six (6) additional sites.

As indicated in prior Annual Reports, the Department of Justice is defending the United States in the case of Won-Door v. United States, No. 19-09-78L, before the Court of Claims. An agreement between Won-Door, the Secretary of Energy, the Nuclear Regulatory Commission and the State of Utah is scheduled to be signed within the next two months. The Department is also defending the Secretary of Energy and the EPA Administrator in the case of Sierra Club v. Edwards, et al., Civil Action No. 81-1368 in the U.S. District Court for the District of Columbia. The plaintiffs contend that the defendants have failed to properly and timely comply with certain requirements of UMTRCA concerning identification of vicinity properties and the promulgation of cleanup and disposal standards. The Department has filed a motion to dismiss three of the plaintiff's claims for lack of subject matter jurisdiction and for failure to state a claim upon which relief can be granted, while requesting an extension of time to respond to plaintiff's fourth claim for relief regarding cleanup and disposal standards. The plaintiffs have filed a motion for summary judgment as to all claims, which the Department has opposed. At the present time, these motions are pending decision by the Court.

The Department is also defending two class-action lawsuits filed against the United States, DOE, DOD, NRC, HHS, and EPA in the U.S. District Court for the Western District of Pennsylvania during March, 1982. In the first

of these cases, Dunn, et al. -vs- United States, et al., Civil Action No. 82-0437, the plaintiffs are seeking injunctive relief to abate the alleged public nuisance posed by radioactive materials at the Canonsburg processing site. The plaintiffs also contend that DOE has failed to comply with certain public participation requirements imposed by UMTRCA and the requirements of the National Environmental Policy Act concerning the preparation of an Environmental Impact Statement. In the second case, Amorose, et al. -vs- United States, et al., Civil Action 82-0438, plaintiffs are seeking damages against the federal defendants and several private corporations for reductions in property values allegedly caused by radioactive contamination resulting from activities at the Canonsburg processing site. Both cases are presently under submission to the Court on Federal Defendants' motions for summary judgment, and in both cases discovery, focused on the issue of class certification, is proceeding on a Court-imposed schedule.

ENVIRONMENTAL PROTECTION AGENCY

The Environmental Protection Agency's primary responsibility under PL 95-604 is to promulgate standards "...for the protection of public health, safety, and the environment from radiological and non-radiological hazards associated with residual radioactive materials...at inactive uranium mill tailings sites." We proposed standards for clean-up (45 F.R.27370) and long-term control (46 F.R. 2556) in April, 1980 and January, 1981, respectively. In response to comments we have evaluated the costs and benefits of several alternatives to these proposals. As a result, a number of changes have been made, including raising

some of the numerical limits and eliminating some requirements. The purpose of most of these changes is to make implementation easier and less costly. We have also provided an alternative to our radon flux standard for tailings piles, which is expressed in terms of the equivalent radon concentration in air. These changes should not result in any significant loss of health or environmental protection over that which would have been provided by the proposed standards. The standards were submitted to OMB for review under Executive Order 12291 on September 16, 1982. Final standards will become effective 60 days after they are issued.

Department of the Interior

The Department of the Interior has coordinated site visits, and responded to inquiries for technical advice on sites requiring access through or information about, public lands in WY, CO, and UT; and for sites on Indian lands within the state boundaries of NM, AZ, and UT. As the program proceeds, the department looks forward to more calls on its natural resources expertise from affected Indian tribes, from DOE or its contractors, and from other participating agencies.

Nuclear Regulatory Commission

For the period October 1, 1981 through September 30, 1982, the NRC participated in and completed the following significant actions related to the DOE's execution of the UMTRAP:

1. The NRC provided comments on the DOE Technical Criteria for UMTRAP disposal site selection.
2. The NRC concurred in the DOE Final Remedial Action Concept Papers for the Durango, CO and the Salt Lake City, UT UMTRAP processing sites,

concluded in a revised Remedial Action Concept Paper for the Canonsburg, PA processing site, and provided comments on the Draft Remedial Action Concept Paper for the Shiprock, New Mexico processing site.

3. The NRC reviewed and commented on the Preliminary Draft Environmental Impact Statements for the Canonsburg and Salt Lake City sites.
4. The NRC concurred in the designation of approximately 100 Salt Lake City vicinity properties. NRC will review and concur in the individual remedial action plans for those vicinity properties identified as unusually significant. NRC comments were provided on the DOE Draft Environmental Assessment for remedial action at the vicinity properties. Comments were also provided on the DOE Draft Radiological and Engineering Assessment for the Central Valley Water Reclamation Facility, a high priority vicinity property.

12. STATE AND INDIAN TRIBE ACTIVITIES

Excellent cooperation has been extended by all of the participating states and Indian tribes. Some of the state and Indian tribe activities are noted in other sections of this report and the full texts of their inputs are included in Appendix B.

13. STATUS OF DESIGNATED SITES

CANONSBURG, PENNSYLVANIA - The Preliminary Draft Environmental Impact Statement (PDEIS) was issued for comment and the Draft Environmental Impact Statement (DEIS) will be issued in November, 1982. Site access to the Canon Industrial Park was obtained. The Remedial Action Concept Paper (RACP) was issued. A cooperative agreement with the State

of Pennsylvania for remedial action is in place. Conceptual design for the remedial action has started and stabilization-in-place is being followed as the preferred option identified in the PDEIS. The vicinity properties' clean-up at 14 to 24 properties is scheduled to start in the Fall of 1982.

SALT LAKE CITY, UTAH - The RACP was finalized and indicated that stabilization-in-place and disposal at a site south of Clive, Utah, would be evaluated equally. A fast track schedule was established which has a goal of initiating remedial action by October, 1983. Draft conceptual designs and the Remedial Action Plans (RAP's) for both disposal options are due in late 1982. The PDEIS was issued for comment in September, 1982, and the DEIS will be issued by December, 1982. Remedial actions are complete at a total of eight (8) vicinity properties and several additional properties are planned for remedial action during FY 1983.

DURANGO, COLORADO - The RACP was approved for distribution by the DOE and the State in August, 1982. Access agreements were executed for the potential disposal sites that will be considered in the Environmental Impact Statement (EIS). Site characterization work is underway at the potential disposal sites and is expected to be completed by the end of 1982. Access to the tailings piles is still not available, but sufficient information exists to enable the assay and EIS activities to be completed without it. The draft EIS is expected to be published in May, 1983. Mobile gamma ray scanning surveys indentified 80 vicinity properties where remedial action may be required. Comprehensive on-site surveys were initiated at some of these properties.

SHIPROCK, NEW MEXICO - It was agreed by DOE Headquarters and UMITRA staff that an Environmental Assessment would be prepared (in lieu of an Environmental Impact Statement) at the Shiprock site because of the probable acceptability of stabilization-in-place (SIP). A June, 1982 feasibility evaluation confirmed the technical feasibility of stabilization-in-place and this alternative was reviewed with the Navajo Environmental Protection Commission. The Remedial Action Concept Paper was drafted and transmitted to the Navajo Nation for review and comment. A Cooperative Agreement was drafted, with execution expected early in FY 1983. Preparation of required project documents are in process.

GRAND JUNCTION, OLD RIFLE, & NEW RIFLE, COLORADO - These sites are considered together because joint disposal of the tailings from all three sites is an option. Disposal-site screening was completed by the State, and the State recommended four candidate sites in July, 1982. Work on preparing environmental documentation at these sites began in July, 1982, and the stabilization-in-place Feasibility Report is expected by October, 1982. An EIS scoping meeting is tentatively scheduled for November, 1982. Vicinity property evaluations were initiated. Preliminary indications are that there are 5,000-6,000 vicinity properties in the Grand Junction area and 200-220 in Rifle.

OTHER SITES - The majority of work which has been accomplished on the remaining sites consists of stabilization in-place (SIP) feasibility studies on Gunnison and Riverton and the preparation of Environmental Assessments. These will be completed by early 1983.

III. PROGRAM FUNDING

<u>ACTIVITY</u>	<u>FY 1981 ACTUALS</u>	<u>FY 1982 ACTUALS</u>	<u>EST. FY 1983 OBLIGATIONS</u>
<u>ASNE</u>			
Planning & Studies	\$ 1,996,000	\$ 1,103,000	\$ 2,703,000
Engineering	618,000	1,197,000	1,750,000
Environmental	1,668,000	3,893,000	3,091,000
Technology Development	4,988,000	3,072,000	2,363,000
Site Acquisition	---	619,000	1,000,000
Remedial Action	398,000	1,612,000	5,530,000
Technical Support	2,632,000	6,148,000	5,843,000
	<u>\$ 11,860,000</u>	<u>\$ 17,644,000</u>	<u>\$ 22,280,000</u>
	=====	=====	=====
<u>ASEP</u>			
Aerial Surveys	\$ 360,000	\$ 200,000	\$ 100,000
Mobile & Comprehensive Radiological Surveys	1,420,000	2,426,000	2,650,000
Radon Monitoring	640,000	820,000	820,000
	<u>\$ 2,420,000</u>	<u>\$ 3,446,000</u>	<u>\$ 3,570,000</u>
	=====	=====	=====

APPENDIX A
DESIGNATED PROCESSING SITES

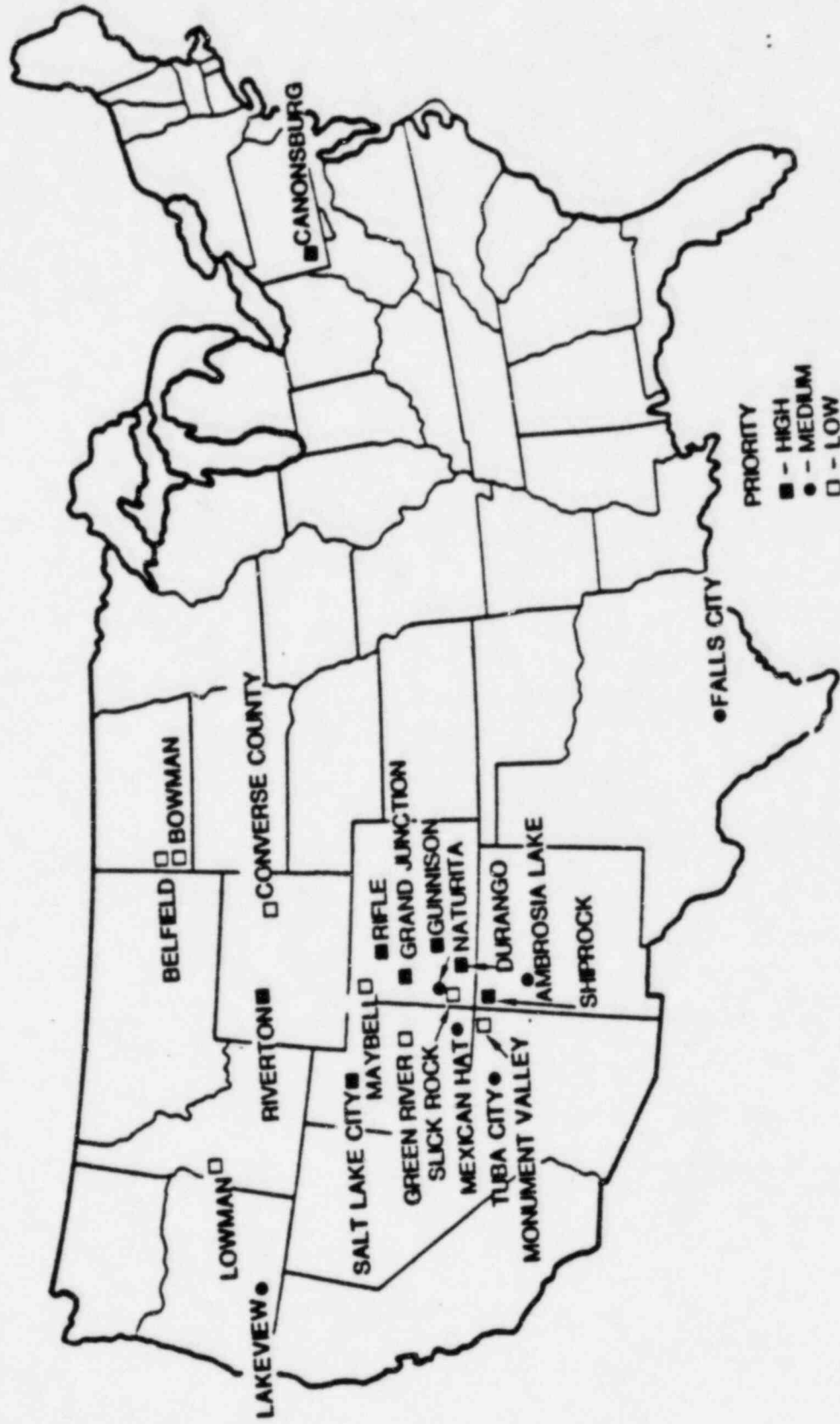


Figure A-1

MAP OF PROCESSING SITES

TABLE A-1. PROCESSING SITES AND PRIORITIES

<u>STATE</u>	<u>LOCATION</u>	<u>SITE NAME</u>	<u>PRIORITY</u>
ARIZONA	Monument Valley	Monument Valley ^a	Low
	Tuba City	Tuba City ^a	Medium
COLORADO	Durango	Durango	High
	Grand Junction	Grand Junction	High
	Gunnison	Gunnison	High
	Maybell	Maybell	Low
	Naturita	Naturita	Medium
	Rifle	Old Rifle	High
	Rifle	New Rifle	High
	Slick Rock	Slick Rock-NC	Low
Slick Rock	Slick Rock-UC	Low	
IDAHO	Lowman	Lowman	Low
NEW MEXICO	Ambrosia Lake	Ambrosia Lake	Medium
	Shiprock	Shiprock ^b	High
NORTH DAKOTA	Belfield	Belfield	Low
	Bowman	Bowman	Low
OREGON	Lakeview	Lakeview	Medium
PENNSYLVANIA	Canonsburg	Canonsburg	High
TEXAS	Falls City	Falls City	Medium
UTAH	Green River	Green River	Low
	Mexican Hat	Mexican Hat ^a	Medium
	Salt Lake City	Salt Lake City	High
WYOMING ^b	Converse County	Converse County	Low
	Riverton	Riverton ^c	High

^aProcessing site located on tribal lands within the boundaries of the Navajo Reservation.

^bA site at Baggs, WY, has been removed from the list because the site was found to be located on Federal land. (See Section 101(6)(A)(i) of P.L. 95-604.)

^cProcessing site located on private property within the boundaries of the Wind River Indian Reservation.

APPENDIX B
COMMENTS FROM STATES

COLORADO DEPARTMENT OF HEALTH

Richard D. Lamm
Governor



Frank A. Traylor, M.D.
Executive Director

September 20, 1982

Richard Campbell
Uranium Mill Tailings Project Office
U.S. Department of Energy
Albuquerque Operations Office
P.O. Box 5400
Albuquerque, NM 87115

RE: Annual Report

Dear Mr. Campbell:

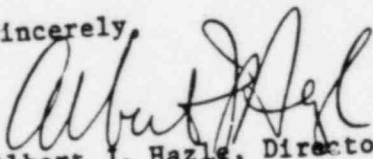
As requested by your September 2, 1982 letter, the following items are provided for inclusion in the Status Report to Congress as required by PL 96-604;

1. Colorado provided a list of four (4) alternative disposal sites for consideration by DOE for the Grand Junction and Rifle piles.
2. The Colorado legislature continued program development funding.
3. Colorado provided DOE with survey data on a number of off-site or vicinity locations to enable DOE designation.
4. Colorado requested right of access for survey purposes from a number of vicinity property owners. None have been designated as yet.
5. Colorado reviewed and approved the distribution of the Durango Remedial Action Concept Paper.
6. Colorado reviewed the Durango EIS Implementation Plan.
7. Colorado organized Citizen Task Forces to provide public input for the Grand Junction, Rifle and Gunnison programs. State personnel have participated in their meetings, along with those of the Durango Task Force.
8. Colorado signed a cooperative agreement for all nine processing sites in Colorado in October, 1981. Colorado reviewed and approved amendments to this cooperative agreement August 19, 1982.

Richard Campbell
September 16, 1982
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- 9 Colorado hosted a meeting on June 10, 1982 of involved States and Agencies to review common concerns, among which were:
- .1 An apparent unilateral decision by DOE to propose stabilization in place as the "preferred option" for all tailings piles at the outset of the EIS process. This was strongly objected to by the States.
 - .2 Fear that DOE is yielding too readily to budget pressures, which may lead to reclamation efforts which are cheaper initially, but will engender excessive future costs.
 - .3 Communication problems between DOE and the States.
 - .4 Right of the States to apply standards more stringent than those of the EPA where required by particular local circumstances.
 - .5 Involvement of the States in the DOE contractor selection and supervision process.
 - .6 Failure of the EPA to promulgate standards.
- A considerable "clearing of the air" was achieved.
- 10 Colorado has additional continuing concerns with the conduct of the program:
- .1 Generation of unnecessary or unreliable data by mobile or areal scanning particularly in areas such as Mesa County, Colorado where past experience indicates that there is no substitute for the on-site surveys, most of which have already been made several times.
 - .2 Coordination of simultaneous remedial action at Mesa County sites which involve both the Grand Junction Remedial Program and the UMTRAP effort.
 - .3 Lack of adequate computer support for the program where data on towns other than Grand Junction is available.
- 11 Colorado perceives an improvement in attitudes and momentum within the program, but much needs to be done to demonstrate achievement.

Sincerely,


Albert J. Hazle, Director
Radiation Control Division



STATE OF IDAHO

DEPARTMENT OF HEALTH
AND WELFARE

DIVISION OF ENVIRONMENT
Statehouse
Boise, Idaho 83720

September 8, 1982

Mr. Richard Campbell
Albuquerque Operations Office
P.O. Box 5400
Albuquerque, New Mexico 87115

Dear Mr. Campbell:

In accord with your request of September 2, 1982, enclosed is a short status report of our activities in participation with the U.S. DOE on remedial actions at the Lowman Mill Site FY 1982.

1. The Radiation Control Section participated in surveying the nine potential sites reporting anomalies and narrowed the number of sites needing remedial action to two.
2. Three Lowman site visits were made with Polytech Corp, Ford, Bacon and Davis and with Personnel of the U.S. DOE.
3. A preliminary meeting was held with the U.S. DOE to discuss the agreement for remedial action at Lowman.
4. An Issue Analysis was prepared and presented to H&W Administration

We anticipate signed agreements in October and request for partial appropriation in January, 1983.

Yours truly,

A handwritten signature in cursive script that reads "Robert D. Funderburg".

Robert D. Funderburg, Manager
RADIATION CONTROL SECTION

RDF/ds



STATE OF NEW MEXICO

ENVIRONMENTAL IMPROVEMENT DIVISION
P.O. Box 968, Santa Fe, New Mexico 87504-0968
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Russell F. Rhoades, MPH, Director

Bruce King
GOVERNOR

George S. Goldstein, Ph.D.
SECRETARY

Larry J. Gordon, M.S., M.P.H.
DEPUTY SECRETARY

RADIATION PROTECTION BUREAU

September 17, 1982

Richard H. Campbell, Project Manager
U.S. Department of Energy
Albuquerque Operations Office
P.O. Box 5400
Albuquerque, NM 87115

Dear Mr. Campbell:

Reference your letter of September 2, 1982 requesting a summary of New Mexico's participation in the Uranium Mill Tailings Remedial Program.

The New Mexico Title I project office continued to review reports and documentation prepared by the Department of Energy and its subcontractors concerning the program. Of major concern is the mounting costs of completion of the remedial action as is envisioned in the current planning documents.

New Mexico has been active in an indirect manner in the program in that representatives of the State have testified at Congressional hearings in Washington, D.C. before the Subcommittee on Procurement and Military Nuclear Systems on August 17-19, 1982 on Stabilization and Management of Commingled Uranium Mill Tailings Piles concerning costs of reclamation and the proposed EPA standards for inactive tailings piles cleanup. A copy of the testimony is attached.

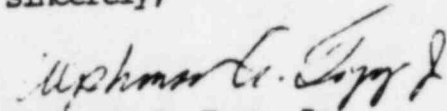
New Mexico received on May 24, 1982 a proposed DOE/New Mexico agreement for cooperative effort to complete the remedial action program from the UMTRCA Project Office. The agreement is being studied by the Health and Environment Department for legal sufficiency and operational suitability. Also, inter-agency coordination agreements are being prepared and a legislative appropriation request will be submitted to the 1983 Legislature for funding to support the program. Letters have been forwarded to the Governor and Chairman of the Senate Finance and House Appropriations Committees providing information and expected costs on the program. The final agreement between the DOE and the State is expected to be negotiated in the near future.

A New Mexico representative attended the status and progress meeting at Denver, Colorado on June 10, 1982 sponsored by the State of Colorado. Individual state concerns for the Title I program were expressed and in most cases adequate answers were provided by the DOE within congressional program constraints.

Richard H. Campbell
September 17, 1982
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If further information is required, please contact this office.

Sincerely,

A handwritten signature in cursive script that reads "Alphonso A. Topp, Jr.".

Alphonso A. Topp, Jr.
Bureau Chief

Enclosures



COMMONWEALTH OF PENNSYLVANIA
DEPARTMENT OF ENVIRONMENTAL RESOURCES

Post Office Box 2063
Harrisburg, Pennsylvania 17120
September 21, 1982



Richard H. Campbell, Project Manager
Uranium Mill Tailings Project Office
U.S. Department of Energy
5301 Central Avenue, N.E., Suite 1700
Albuquerque, NM 87108

Dear Mr. Campbell:

We are enclosing a summary report covering our activities under the Uranium Mill Tailings Radiation Control Act of 1978, P.L. 95-604 with respect to the Canonsburg Industrial Park.

If further action on our part is required, please advise accordingly.

Very truly yours,

A handwritten signature in cursive script that reads "Donald J. McDonald".

DONALD J. MCDONALD, Chief
Division of Radiation Control
Bureau of Radiation Protection

Enclosure

COMMONWEALTH OF PENNSYLVANIA
URANIUM MILL TAILINGS RADIATION CONTROL ACT OF 1978, P.L. 95-604
SUMMARY OF ACTIVITIES
OCTOBER 1, 1981 THROUGH SEPTEMBER 30, 1982

Under the terms of the Cooperative Agreement between the U.S. Department of Energy (DOE) and the Commonwealth of Pennsylvania, a decision was made to acquire the Canonsburg Industrial park, to relocate the present occupants of the park, and to carry out necessary remedial action. The Pennsylvania Department of Environmental Resources (DER) offered the amount of \$650,000 for the purchase of the property on November 16, 1981, a price determined by DOE and DER to represent the fair market value of the property. That offer was not accepted by the land owner and condemnation proceedings were instituted on February 10, 1982 when DER filed a Declaration of Taking with the Court of Common Pleas of Washington County. The Eminent Domain Code requires payment of estimated just compensation before the condemnor (DER) is entitled to possession. The Department initially delayed payment of estimated just compensation to determine whether any objections would be raised challenging the authority of the Commonwealth to acquire the property. This is standard procedure in eminent domain actions filed by the Commonwealth.

The land owner subsequently filed Preliminary Objections alleging a de facto taking of the property as of 1977. Because our estimate of just compensation was initially based on 1982 values, the pendency of these objections creates additional uncertainty as to the proper valuation of the property. Also, Motions to Intervene filed by certain corporate tenants called into question the proper distribution of the estimated just compensation.

Since limited possession of the premises for the temporary storage of off-site contaminated material was imperative, we attempted to negotiate an agreement with the landowner whereby we would pay one-half of our original estimated just compensation in exchange for such limited possession; consequently, we tendered \$325,000 to the Court. The landowner, however, rejected our offer for limited possession and instead tendered full possession of, or right-of-entry to, the property. In our opinion, this action by the landowner allows DOE and their contractors to enter and use the property. The landowner has subsequently challenged the sufficiency of our deposit.

At the urging of the Court, we are presently attempting an out-of-court settlement. A meeting of the parties involved has been set for October 8, 1982 before the Honorable Charles G. Sweet for a meaningful discussion of settlement.

In order to expedite the relocation of the owner and tenants of the industrial park, we contracted with the Pennsylvania Department of Transportation for their assistance and expertise in this matter. Negotiations have been tempered by the filing of the Preliminary Objections concerning de facto taking as this could effect the eligibility status of certain tenants. In spite of this, we are having the tenants submit estimates of relocation costs. At the present time, one tenant has been relocated and two others are having modifications made at new facilities.

Service purchase contracts were executed for an additional real estate appraisal of the Canonsburg Industrial Park and also for a separate appraisal of the machinery and equipment at the park. These appraisals have been completed and reports were submitted on June 30, 1982. The appraisal reports are currently being reviewed by DOE and Pennsylvania.

Pennsylvania has been working with DOE and their technical assistance contractor for vicinity properties, NLO, Inc., to execute Remedial Action Agreements with the owners of designated off-site properties. At the present time, 15 such agreements have been executed.

We have also been attempting to execute a Memorandum of Agreement with the Borough of Canonsburg. The memorandum, if passed by the Council, would supersede a transportation ordinance recently adopted by Council which was found to be unacceptable by both DOE and the State. If the memorandum is not passed, the legality of the ordinance will be decided by the courts.



NORTH DAKOTA
STATE DEPARTMENT OF HEALTH
State Capitol
Bismarck, North Dakota 58505

M. A. K. Lommen, M.D., R.P.E.
State Health Officer

September 16, 1982

Environmental Health Section
Missouri Office Building
1200 Missouri Avenue
Bismarck, North Dakota 58501

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

Dear Mr. Campbell:

Referenced is your letter dated September 2, 1982, requesting a summary of this Department's participation from October 1, 1981 to September 30, 1982, in the program relating to Uranium Mill Tailings Remedial Actions.

Members of the North Dakota State Department of Health have been negotiating on the cooperative agreement with the U.S. Department of Energy. It is anticipated that this cooperative agreement will be finalized and signed in October 1982.

If further information is required, please contact this office.

Sincerely,

Dana K. Mount, P.E.
Director, Division of
Environmental Engineering

DKM/SPC:saj

Scott M. Matheson
Governor

STATE OF UTAH
DEPARTMENT OF HEALTH
DIVISION OF ENVIRONMENTAL HEALTH
150 West North Temple, P.O. Box 2500, Salt Lake City, Utah 84110-2500



September 15, 1982
533-5021

Marv H. Maxell, Ph.D., Acting Director
Room 474 801-533-6121

James O. Mason, M.D., Dr.P.H.
Executive Director
801-533-6111

DIVISIONS

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Richard H. Campbell, Project Manager
Uranium Mill Tailings Project Office
U.S. Department of Energy
Albuquerque Operations Office
5301 Central Avenue, N.E., Suite 1700
Albuquerque, New Mexico 87115

Dear Mr. Campbell:

In response to your letter of September 2, 1982 requesting a summary of participation by Utah in the Uranium Mill Tailings Remedial Action Program (UMTRAP) the following information is furnished.

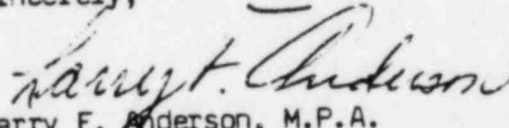
1. Utah identified and listed three alternative disposal sites for study and inclusion in the Environmental Impact Study for the Vitro project.
2. Aerial studies were conducted by DOE contractors in 1980 at Utah UMTRAP sites. The results of these surveys were received and evaluated by Utah this year.
3. The Utah Legislature has provided funding for remedial actions conducted under UMTRAP.
4. Utah has identified over eighty off-site tailings locations in Salt Lake City, DOE has designated twenty-six of these sites.
5. A cooperative agreement between Utah and DOE was signed during January 1981. Negotiations to modify that agreement are now underway.
6. Mobil radiological surveys of several UMTRAP sites in Utah were completed by DOE contractors. Utah is now conducting ground surveys designed to identify anomalies detected during the mobil surveys.
7. A citizen/elected official task force has been actively studying the various options of remedial action at the Vitro site in Salt Lake City.

September 15, 1982

8. Final standards for remedial action at inactive uranium mill sites are still incomplete.
9. Off-site remedial actions are underway in Salt Lake City. One site has had remedial action completed and eight locations have had remedial action begun.
10. Ground surveys are underway at Green River and Mexican Hat to identify any off-site locations requiring remedial actions.
11. Utah has reviewed seven radiological and engineering assessments (REA's) for off-site locations in Salt Lake City.

Many more individual efforts are on going, however, the above information identifies action taken and continuing concerns.

Sincerely,


Larry F. Anderson, M.P.A.
Director
Bureau of Uranium Mill
Tailings Management

CW

THE NAVAJO NATION
ENVIRONMENTAL PROTECTION COMMISSION

FY '82 Activities Relating To U.S. DOE UMTRA Project

November 23-24

Attended meeting with Indian Health Services, Bureau of Indian Affairs, Housing & Urban Development-Office of Indian Programs, DOE-Sandia Laboratory, Tribal Rep. - Division of Community Development, Office of Community Development Block Grant (CDBG), Navajo Housing Services, Navajo Housing Authority and Health System Agency.

HUD was concerned that Navajo Housing Project may not be accounting for nor planning their activities to ensure safety from radioactivity due to uranium mill tailings waste.

January 26

Attended meeting at Tuba City concerning the progress of DOE-UMTRA Project.

February 22-24

Same as above. Tuba City citizen wanted the mill site and tailings to be fenced.

March 11-12

Same as above. Tuba City citizen had news conference release with DOE.

May 3-4

Same as above.

April 12-23

EPC personnel accompanied Oak Ridge National Laboratories (ORNL) during radiological measurement with mobile van on the four Navajo mill sites and vicinity properties.

July 26-31

EPC personnel accompanied Argonne National Lab during on-site radiological measurements. This survey is a follow-up of the mobile van survey performed by ORNL staff.

August 12

Met with DOE and contractors in Albuquerque to discuss UMTRA progress.

August 17-18

Toured mill site areas with Representatives of DOE UMTRA Project staff and Jacobs Engineering.