



State of Utah

40-3453

DEPARTMENT OF ENVIRONMENTAL QUALITY
OFFICE OF THE EXECUTIVE DIRECTOR

RETURN ORIGINAL TO PDR, HQ.

Michael O. Leavitt
Governor
Dianne R. Nielson, Ph.D.
Executive Director

168 North 1950 West
P.O. Box 144810
Salt Lake City, Utah 84114-4810
(801) 536-4400
(801) 536-4401 Fax
(801) 536-4414 T.D.D.

November 12, 1993

Honorable Bill Orton
Congress of the United States
House of Representatives
Washington, D.C. 20505-4403

DOCKETED
NOV 22 1993
USNRC
MAIL SECTION
DOCKET CLERK

93
NOV 17 13:05
URFO
RECEIVED

Dear Congressman Orton:

Thank you for your help on the Moab Atlas tailings reclamation issue. As you know, the Nuclear Regulatory Commission (NRC) has retracted its Finding of No Significant Impact (FONSI) for in-place reclamation of the Moab Atlas tailings pile. The NRC is in the process of re-evaluating both the proposed technical design and also the Environmental Assessment (EA). Possible outcomes of the NRC's re-evaluation could be either a new FONSI and EA based on a more rigorous design for reclamation in-place, or a finding that a full or partial Environmental Impact Statement (with the consideration of alternatives to reclamation in-place) is needed. This decision apparently will be made by the NRC sometime in 1994.

Currently the NRC is in the middle of re-evaluating the technical aspects of the in-place reclamation design, including the issues you raised in your October 22 letter to Ramon E. Hall of the NRC (lateral movement of groundwater, dissolution of the underlying salt layer, and seismicity). Other technical issues that are of concern are contained in comments that were sent to the NRC by our Department and the Division of Radiation Control. A copy is enclosed for your information. The more significant technical concerns include the infiltration of polluted groundwater into the Colorado River, the potential seismicity of the site, the potential for both the Colorado River and Moab Wash to erode the tailings, and the adequacy of the proposed cover in limiting water infiltration and radon emanation. Another very important part of the NRC review will be to perform a new cost study comparing reclamation in-place versus relocation of the tailings pile to an off-site location.

Concerning the seismic and salt dissolution issues, the NRC recently sent one of their geologists to meet with the Utah Geological Survey (UGS). The UGS has recently conducted more detailed geological mapping of the Moab area, and has found that a major fault lies underneath the proposed tailings embankment. The UGS also believes that salt dissolution is actively occurring beneath the site, increasing the potential for seismicity. This information was conveyed to the NRC geologist. The NRC will also be sending personnel for another Atlas site visit to study the erosion potential of the Colorado River.

DESIGNATED ORIGINAL

9312150146 931112
PDR ADOCK 04003453
C PDR

Printed on recycled paper

Certified By Mary C. Hood

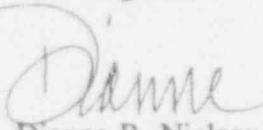
DF02 10
94-0086

Honorable Bill Orton
November 12, 1993
Page 2

In addition to the technical concerns, there are several environmental issues that are being re-examined by the NRC with input from the Department of the Interior, the Environmental Protection Agency and the National Park Service. The major environmental issues are the potential impacts on wildlife and endangered species in the Colorado River and the potential impacts on the nearby National Parks.

Please contact me or my staff for more details of the technical issues involved or for any other information we can provide you concerning the Atlas tailings reclamation. We appreciate the time and resources you and your staff have provided in working with our Department on this and other issues.

Best Regards,



Dianne R. Nielson, Ph.D.
Executive Director

cc: Peter Heaney, Grand County Council
Ramon Hall, NRC UFRO, Denver