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PR 51
(59FR14912)

10 May 94

Secretary
U.S. Nuclear Regulatory Commission
Washington, D.C. 20555

ATTN: Docketing and Services Branch

The Grand County Council appreciates the opportunity to comment on the NOI to prepare an EIS and to conduct a scoping process for reclamation of Atlas Corporation's Uranium Recovery facility near Moab, UT.

Sincerely,

Peter Haney, Grand County Council &
Atlas Reclamation Committee Member

Comments pertaining to the proposed NOI outline:

2.2 Box Canyon site alternative.

Should be dropped from further analysis because the 1979 FES clearly illustrates why.

2.3 Plateau Site (Airport)

Please specifically identify this site and give details as required by 40 CFR Part 1502.14.

3. The Existing Environment.

Needs to be evaluated by the EPA as a cooperating agency according to the National Contingency Plan 40 CFR part 300, appendix A, the Hazard Ranking System.

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The Grand County Council requests that the Environmental Protection Agency be a cooperating agency throughout this EIS process. The EPA will be responsible for tracking the Hazard Ranking System as laid out in the National Contingency Plan, 40 CFR part 300, appendix A. This request is due to the following statements in appendix (c),"Identify and eliminate from detailed study issues which are not significant or which are peripheral or which have been covered by prior environmental review.

"..... Extensive water monitoring has identified no contamination in the Colorado River; therefore, there are no effects on river biota, and they will not be assessed. There should be no harmful impacts on terrestrial biota and no assessment is required,..." From the 1979 FES to this 1994 NOI, the NRC has consistently refused to examine the Colorado River ecosystem for impacts, please refer to accompanying photographs which clearly illustrate harmful impacts on terrestrial biota.

The water samples sampled have been extensively monitored, but the samples themselves are not representative of the ecosystem. The 1979 FES documents that there was and is ongoing contamination of the Colorado River. It shows that there is 43-166 gallons per minute seepage into the Colorado River(4.6.2 Aquatic). 4.3.2 Groundwater of the 1979 FES states that "The area affected by seepage from the tailings pond will be limited to the restricted area between the pond and the Colorado River, which borders on the site from the downgrade side, serving as a cut off for the seepage from the site." Again, please refer to enclosed photos of the restricted area between the pond and the Colorado River. Also the 1979 FES documents contamination of the Colorado River in 2.9.2 Aquatic paragraph 7, where for 20 years the Atlas Mill discharged 1000-2000 gallons per minute of effluent from the facility's radium treatment ponds to the Colorado River.

Other monitoring that has been required of the licensee has not been done. The 1979 licensure permit required the applicant to determine the soft tissue body burden of rodents near the Atlas site, 6.5.1 Terrestrial. This was never done. The 1988 application for renewal of licensure required the monitoring of 3 fish per year for bioaccumulation. This was not done. The 1988 license renewal required that soil and vegetative sampling shall be analyzed annually for Ra-226 and Pb-210. This too was not done.

Because the NRC has not enforced the minimal monitoring requirements to date and has not addressed present or potential Colorado River ecosystem impacts; it is imperative that the EPA be the cooperating agency responsible for processing this site according to the National Contingency Plan 40 CFR part 300, appendix A, the Hazard Ranking System.

4.2 Land Use.

Three Professional Appraisals by Utah licensed appraisers need to evaluate the site and alternatives for land value after reclamation both for onsite and offsite disposal. This site has the potential for being the most valuable real estate in Grand County and would be a sizeable loss of future tax revenues as well as present tax revenues if the reclamation is onsite. The effects on local property tax revenues over the next 1000 years need to be included in the final comparative figures of onsite versus offsite disposal.

4.4 Biological Resources.

As is illustrated in the accompanying photographs, please determine what has killed the tamarisks and the status of the remaining ecosystem adjacent and down stream to the tailings pursuant to 40 CFR Part 1502.16.

4.5 Socioeconomic Considerations.

The Atlas site potentially represents the most valuable privately owned recreational acreage in Southern Utah, please quantify and compare the impacts of the proposed action and the offsite alternatives.

4.9 Relationship between Short-Term Uses of the Environment and Long-Term Productivity.

Again, please quantify the proposed action versus the alternatives on long-term productivity over the next 1000 years.

6.2 Quantifiable Socioeconomic Impacts Including Environmental Justice Considerations.

What does this mean?????

Appendix (c) Identify and eliminate from detailed study issues which are not significant or which are peripheral or which have been covered by prior environmental review. "....There should be no harmful impacts on terrestrial biota and no assessment is required,..."

Please explain what has happened to the tamarisks in the accompanying photographs. The original FES in 1979 and subsequent ERS's consistently state that there should be no impacts to the environment, yet any monitoring that was

required by the applicant shows otherwise or was not done. There is no available evidence to support the NRC's view of no impacts to the environment. If it exists please make it available to the Grand County Council as soon as possible.

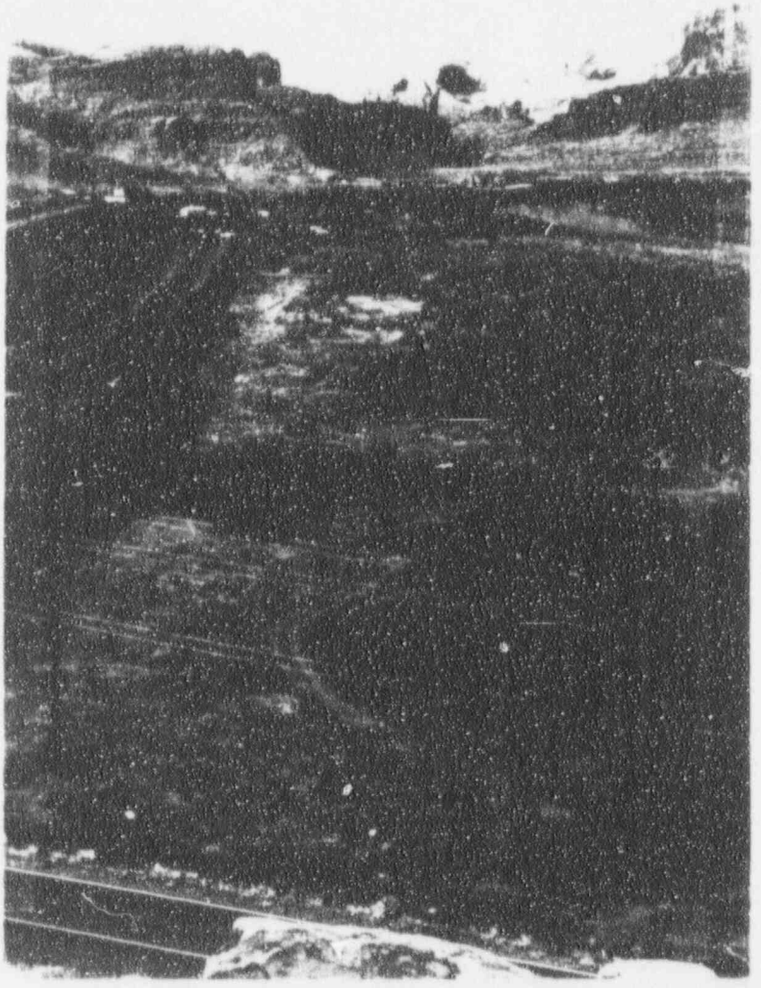
Appendix (e) Identify other environmental review or consultation requirements related to the proposed action. "...NRC anticipates continued consultation with these and other agencies, as appropriate, during the development of the EIS."

The Grand County Council determines appropriate to mean weekly updates due in writing the Monday following the previous week's activities; along with the scheduled activities for the ensuing 3 weeks.

Appendix (f) Indicate the relationship between the timing of the preparation of environmental analysis and the Commission's tentative planning and decision making schedule. "The NRC intends to prepare and issue for public comment a draft EIS in October 1994."

It is difficult to fathom how the NRC plans to meet an October 1994 deadline for a draft EIS and still fulfill its obligations under 40 CFR Parts 1502.14 and 1502.16.

In conclusion, should the draft EIS support the proposed plan to reclaim the tailings in place, then the draft EIS will have to clearly illustrate that the DOE has wasted billions of taxpayer dollars in moving other similarly located piles.



Comments on Atlas Mill Tailings
5-6-94
Jeff McCleary
Atlas Reclamation Committee Memeber

1) The EIS should evaluate the potential for movement of the Moab fault related to salt dissolution as well as movement related to regional extension. The concern is differential movement across an existing plane of weakness (the Moab Fault) that could disrupt that clay cap. Therefore all mechanisms that could cause differential movement need to be investigated.

2) The amount of contaminated ground water moving off-site into adjacent properties or into the Colorado River must be quantified. In addition to the sampling recommended by the State, calculations based on the transmissivity of the sediments and the potentiometric surface would be useful in this quantification.

3) The zone of seismicity along the Colorado River between Moab and the confluence with the Green River must be assessed relative to its impact on the tailings pile. Migrating the largest earthquake recorded during the 1979-1985 monitoring period to a position under the pile at shallow depth would be a reasonable, though not conservative, approach. The model must take into account the relatively unusual geologic situation of a salt body overlain by cap-rock (in soluble material left by salt dissolution) overlain by the unconsolidated, saturated river sediments on which the pile is located. Liquefaction or settlement which could disrupt the clay cap must be evaluated as well as actual failure of the pile.

4) Low cost and/or low exposure strategies for relocating the pile should be evaluated. For example a slurry pipeline laid along the railroad may be a very economical way to move the tailings. If tailings were removed from near the base of the pile by an anchor system the whole process could be automated and contained and exposures would be minimized.

5) Any alternate sites considered should offer real advantages over the current site in terms of waste isolation, environmental protection, and land use. The box canyon site may have appeared reasonable in the mid 1970's but with the intense recreational land use of the mid 1990's it is probably no more realistic than a site in downtown Moab or the town of Castle Valley. The resources available for this EIS should be spent on detailed evaluations of the two main alternatives (cap in place and relocation to the airport site). If resources are available for other alternative evaluations they should be spent on optimizing the location of the "airport site" relative to ground water protection, access to the railroad or other transportation corridors, and other factors related to the technical suitability and economics of the site.