



UNITED STATES
NUCLEAR REGULATORY COMMISSION

WASHINGTON, D.C. 20555-0001

June 20, 1997

40-3453

Mr. Fred Plyant
1320 Santa Fe Circle
Needles, CA 92363

SUBJECT: RELOCATION OF URANIUM MILL TAILINGS AT ATLAS CORPORATION MOAB, UTAH
MILL SITE

Dear Mr. Plyant:

I am responding to your April 21, 1997, e-mail message to the President regarding the uranium mill tailings at the Atlas Corporation mill near Moab, Utah. As the agency responsible for licensing the Atlas site, your e-mail has been forwarded by the White House to the U.S. Nuclear Regulatory Commission for a response. Based on an article in the Los Angeles Times, you concluded that the Federal Government should expend \$150 million to clean up the site, and requested that the President "make NRC" clean it up.

As an independent regulatory agency, it is NRC's job to determine if activities proposed by licensees are in compliance with NRC regulations. In making this determination, the only options available to NRC are to either: 1) accept the proposal; 2) accept the proposal with modifications; or 3) deny the proposal. Because NRC must have a firm regulatory and technical basis to accept or deny a proposal, it cannot make either decision arbitrarily. For the specific case of the Atlas tailings, NRC is currently in the process of completing its review of the Atlas proposal for on-site stabilization. There are two aspects to this NRC evaluation; one to determine if the Atlas proposal for on-site reclamation meets the applicable NRC requirements in 10 CFR Part 40, Appendix A (called a safety review), and the second covering the environmental impacts from the proposal (called an environmental review). The NRC must complete both reviews before a final decision can be made on the acceptability of the Atlas proposal. The conclusions the staff reached in its safety review are documented in NUREG-1532, "Final Technical Evaluation Report for the Proposed Revised Reclamation Plan for the Atlas Corporation Moab Mill" issued in March 1997. The preliminary staff conclusions from the environmental review are documented in NUREG-1531, "Draft Environmental Impact Statement Related to Reclamation of the Uranium Mill Tailings at the Atlas Site, Moab, Utah," issued in January 1996.

In NUREG-1532, the NRC staff found that the Atlas proposal for on-site stabilization meets the requirements in 10 CFR Part 40, Appendix A. These NRC regulations incorporate standards established by the U.S. Environmental Protection Agency (EPA). Among the technical areas reviewed by NRC were the possibilities of floods or earthquakes disrupting the tailings pile. Neither of these possible events pose a significant threat to safety under the Atlas proposal.

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Regarding your concern about ensuring the safety of regional drinking water, NRC staff recognizes that a small amount of contaminated leachate from the tailings impoundment is seeping into the Colorado River through the groundwater. As a result, there is a small part of the river adjacent to the Atlas site with elevated levels of some constituents. However, because the seepage rate is small in comparison with the river's flow, impacts on Colorado River water quality are negligible outside the area adjacent to the mill site. Neither the ecosystem in Lake Powell nor the drinking water supplies drawn from the Colorado River are threatened by the Atlas tailings. Furthermore, the seepage of tailings constituents into the river has been occurring for many years; it is a remnant of mill operations from decades ago. This groundwater contamination exists independently of whether the tailings are moved, and will slowly flush into the Colorado River.

The concentration of constituents in the groundwater has been decreasing since mill operations were halted. The proposed reclamation plan includes an impermeable cover to reduce infiltration into the tailings and effectively remove the source of contamination. Thus, the amount of tailings solution entering the groundwater system over the long term should be significantly less than what is currently entering the system. In addition, as part of its evaluation of groundwater cleanup at the site, NRC will ensure that the groundwater contaminants within its regulatory authority are cleaned up to applicable standards. There is a potential for ammonia to impact biota in the river directly adjacent to the site. The State of Utah is responsible for the regulation of ammonia in both the groundwater at the site and the Colorado River. NRC plans to follow closely the State of Utah's review of the ammonia situation.

In the NUREG-1531 the Draft Environmental Impact Statement (DEIS), NRC found that either on-site stabilization or relocation of the tailings to the alternative site was environmentally acceptable. However, because of the significant difference in costs between the two options, over \$100 million more to move the tailings, and the increased short-term radiation doses for the relocation, the DEIS found the proposal for on-site stabilization the preferred option. Consideration of costs in determining the environmental acceptability of reclamation of uranium mill tailings is consistent with the direction given NRC by Congress under Section 84a of the Atomic Energy Act. If in the Final Environmental Impact Statement, the NRC were to determine that the environmental impacts are acceptable, it would not have any regulatory basis to require Atlas to move the tailings from the site.

I trust this letter responds to your concerns. Copies of both NUREG-1531 and NUREG-1532 are available from the Government Printing Office (GPO) at a cost. GPO can be contacted by calling (202) 512-2409 or at the following address: Superintendent of Documents, U.S. Government Printing Office, P.O. Box 37082, Washington, DC 20402-9328.

F. Plyant

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If you have any questions, please feel free to contact either me or Mr. Joseph Holonich, Chief of the NRC Uranium Recovery Branch. I can be reached at (301) 415-7800, and Mr. Holonich can be reached at (301) 415-7238.

Sincerely,

(Original signed by Malcolm R. Knapp for)

Carl J. Paperiello, Director
Office of Nuclear Material Safety
and Safeguards

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CP/PROOFED/JUNE 18, 1997

DOCUMENT NAME: S:\DWM\URB\MHF\PLYANT-R.JJH *see previous concurrence

OFC	URB*		DWM*		NMSS				
NAME	JHolonich		MFederline		CPaperiello				
DATE	6/18/97		6/18/97		6/20/97				

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F. Plyant

3

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NAME	JHolonich		JGreeves		CPaperiello				
DATE	6/14/97		6/18/97		6/ /97				

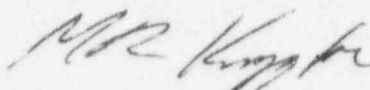
OFFICIAL RECORD COPY

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Sincerely,

A handwritten signature in dark ink, appearing to read "MR. Paperiello".

Carl J. Paperiello, Director
Office of Nuclear Material Safety
and Safeguards

ACTION

EDO Principal Correspondence Control

FROM:

DUE: 06/23/97

EDO CONTROL: G970431

DOC DT: 04/21/97

FINAL REPLY: ~~6/20/97~~
6/18/97

Fred Pylant
Needles, California
(White House Referral)
TO:

Chairman Jackson

FOR SIGNATURE OF :

** PRI **

CRC NO: 97-0577

Office Director

DESC:

REMOVAL OF TOXIC, RADIOLOGICAL WASTE FROM MOAB,
UTAH

ROUTING:

Callan
Jordan
Thompson
Norry
Blaha
Burns
Merschhoff, RIV

DATE: 06/10/97

ASSIGNED TO:

CONTACT:

NMSS

Paperiello

SPECIAL INSTRUCTIONS OR REMARKS:

OFFICE OF THE SECRETARY
CORRESPONDENCE CONTROL TICKET

PAPER NUMBER: CRC-97-0577 LOGGING DATE: Jun 6 97

ACTION OFFICE: EDO

AUTHOR: FRED PYLANT
AFFILIATION: CALIFORNIA

ADDRESSEE: PRES BILL CLINTON

LETTER DATE: Apr 21 97 FILE CODE: M-20

SUBJECT: REMOVAL OF TOXIC, RADIOLOGICAL WASTE FRM MOAB, UTAH

ACTION: Direct Reply

DISTRIBUTION: CHAIRMAN

SPECIAL HANDLING: SECY TO ACK

CONSTITUENT:

NOTES: WHITE HOUSE REFERRAL DATED 6/3 FM SUE SMITH

DATE DUE: Jun 19 97 *22*

SIGNATURE: . DATE SIGNED:

AFFILIATION:

THE WHITE HOUSE

WASHINGTON

12-3-97

DATE

MEMORANDUM FOR

NRC (S)

FROM:

SUE J. SMITH *SJS*
DIRECTOR, OFFICE OF AGENCY LIAISON

SUBJECT:

REFERRAL OF WHITE HOUSE BULK MAIL AND
RECENT CHANGES IN PROCEDURES FOR HANDLING
OF THE BULK MAIL

Thank you for your continued hard work in ensuring responses to the Presidential letters and inquiries forwarded to your agency. The volume of mail that President and Mrs. Clinton receive still remains unprecedented.

As stated in my February 14, 1996 memorandum, we are continuing to refine our procedures and have instituted a change regarding bulk mail. It is no longer necessary for you to return this mail with a copy of your response.

Please keep the original incoming letter along with a copy of any written or telephone response at your agency. Return any misreferrals to me at the following address:

Ms. Sue J. Smith
Director, Office of Agency Liaison
Room 6, OEOB
The White House
Washington, D.C. 20502

If you have any questions, please do not hesitate to call me at 202/456-7486.

~~4706240218~~ 1P

7/4
12-10-97
NRC
197

From nobody@Whitehouse.GOV Mon Apr 21 02:12:29 1997
Date: Mon, 21 Apr 1997 02:10:30 -0400
From: Fred Pylant <cmdr@rippers.com>
Subject: Inbound-White House WWW MAIL => PRESIDENT
Apparently-to: president@Whitehouse.GOV
To: president@Whitehouse.GOV
Errors-to: The Postmaster <postmaster@Whitehouse.GOV>
Reply-to: Fred Pylant <cmdr@rippers.com>
Message-id: <199704210610.CAA11336@www2.whitehouse.gov>

Comments: This message scanned by SCAN version 0.1 jms/960226

[Connection Information]

CLIENT: 207.49.27.191[207.49.27.191]
BROWSER: Mozilla/2.0 (compatible; MSIE 3.02; Windows 95)
URL: http://www.whitehouse.gov/WH/Mail/html/Mail_President.html

[Sender Information]

PERSONAL-NAME: Fred Pylant
EMAIL-ADDRESS: cmdr@rippers.com
ORGANIZATION:
RELATIONSHIP:
STREET-ADDRESS: 1320 Santa Fe Circle
CITY: Needles
STATE-PROVINCE: CA
ZIP-CODE: 92363
COUNTRY: USA

[Message Information]

PURPOSE: Ask a specific question regarding Administration policy
TOPIC: Science or Technology
AFFILIATION: Private Citizen
SUBJECT: Removal of toxic, radiological waste from Moab, Utah

[Message]

Dear President Clinton: I am writing to voice my deep concern with the current NRC decision to cap a 130 acre mound containing toxic chemicals, including uranium and ammonia, that is a stones throw away from the Colorado River in Moab, Utah. An article in today's LA Times indicates that it will cost around 150 Million dollars to "clean up" this site. Surely, that is not too much for the Federal government to pay to ensure the safety of drinking water for millions upon millions of American citizens and wildlife. If the site is "capped" it will eventually leak into the surrounding ground water, and make it's way down the Colorado River into the

drinking water of Nevada, Arizona, and California residents.
Please make the NRC clean up this site, it is well worth the
150 Million dollars.

EDO Principal Correspondence Control

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DUE: 06/23/97

EDO CONTROL: G970431

DOC DT: 04/21/97

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NMSSPaperiello

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<u>DWM Action</u>	
Due to NMSS Director's Office	
By	<u>6/18/97</u>
	<u>rec'd 6/10/97</u>

ACTION: Holonich

Due to DWM

Director's Office: 6-16 am

CC: JG
m7

6/11

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SIGNATURE: DATE SIGNED:
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WASHINGTON

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