

UNITED STATES

NUCLEAR REGULATORY COMMISSION

REGION IV

URANIUM RECOVERY FIELD OFFICE BOX 25325 DENVER, COLORADO 80225

JUN 22 1989

URFO: SRG Title I CFR 1.10.40-192

MEMORANDUM FOR:

Edward F. Hawkins, Branch Chief Uranium Recovery Field Office Region IV

FROM:

Scott R. Grace, Project Manager Uranium Recovery Field Office Region IV

SUBJECT:

COMMENTS ON THE MAY 1989 DOE DRAFT REVISION TO THE TECHNICAL APPROACH DOCUMENT

I have reviewed the following sections of the subject document and have developed the comments below. These comments should be forwarded to Headquarters for consideration in their comments *o DOE on the subject document.

Section	5.1	Geology
	5.3	Subsurface Investigations
	8.0	Water Resources Protection

Section 8.0, Water Resources Protection, page 185: The second paragraph specifies that DOE shall provide a demonstration of compliance against the preliminary draft final EPA standards (40 CFR 192) issued March 1989.

NRC notes that these are not the final standards and have not been published in the Federal Register. The March 1989 version of the standard is before the Office of Management and Budget (OMB) for review. NRC has identified substantive issues with EPA's preliminary draft final standards which are currently under OMB review. Therefore, there may be substantive changes to the March 1989 preliminary draft final EPA regulations. Until the final regulations are issued, NRC considers the Draft EPA standards (52 FR 36000) in effect.

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9801060346 890622 PDR WASTE WM-39 PDR Section 8.2.2, Alternate Concentration Limits, page 204: The second paragraph under this section states that the NRC ACL technical position has been developed primarily for use at active uranium mills, regulated under Title II of the UMTRA.

This statement is incorrect. NRC's June 1988 Draft Technical Position (DTP) on Alternate Concentration Limits (ACL) for Uranium Mills was developed primarily for Title I, but also for Title II sites. Since this document is NRC's standard format and content guide, and standard review plan for ACL applications, this is the document NRC will use to evaluate an ACL application. Therefore, the DOE TAD should be clarified to encourage use of the NRC Draft Technical Position document for ACL applications.

Section 8.5, Ground-Water Protection Monitoring, page 210: The third paragraph specifies that the performance monitoring frequency during the remedial action period will be on a semiannual basis. In the event a potential exceedance is detected, quarterly sampling will be done.

NRC considers that during the remedial period, quarterly toring should be conducted, at a minimum. This provides critical infor for during the period when there is a greater potential of impacts from instruction. The Durango cell is a good example of how construction can impact the ground water. When seepage is detected, monitoring should be performed more often than quarterly.

Section 8.8.1, Alternate Concentration Limits, page 215: This section discusses approaches to ACL applications. This section should also reference NRC's Draft Technical Position guidance as well as the following consideration.

As stated in the DTP, NRC may approve ACLs for contaminants in ground water provided these concentration limits are as low as is reasonably achievable (ALARA), considering corrective actions. In order for NRC to evaluate a proposed concentration limit, DOE must first demonstrate that the proposed limit is as ALARA. The demonstration that a specific concentration is ALARA should be determined using data and information derived from the actual implementation of a corrective action program (the Title II program, as discussed in 10 CFR 40, Appendix A, Criterion 5B(6) specifies that a corrective action program must address removing the hazardous constituents that have entered the ground water at the point of compliance or treating them in place). Although demonstration (absent of implementation of corrective actions), this would be a less

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defensible method of consideration. This is particularly true considering the site specific variations and uncertainties in predictive geochemical modeling. Predictive modeling may be useful, however, in evaluating alternative corrective actions, as long as the potentially large margin of error in the predicted concentrations is recognized.

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As a reminder to DOE, a brief discussion of NRC's approach to ACLS (along the lines of the ACL Workshop) should be included in the NRC comments on the Draft Revision of the TAD. These comments will be discussed with LLWMD next week (June 26) during my visit to OWFN.

If headquarters agrees with this approach, then a discussion of our ACL approach should be included in the NRC comments on the TAD. A consistent approach for both Title I and II needs to adopted.

ScollRGrace

Scott R. Grace, Project Manager Uranium Recovery Field Office Region IV

Approved by:

Edward F. Hawkins, Branch Chief Uranium Recovery Field Office

cc: D.Gillen, LLWMD/LLOB M.Webber, LLWMD/LLTB

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