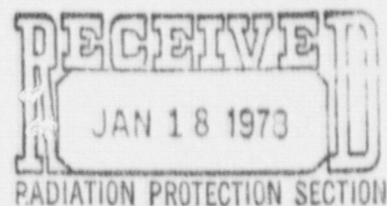


UNITED NUCLEAR-HOMESTAKE PARTNERS

P. O. BOX 98  
GRANTS, NEW MEXICO  
87020

January 17, 1978



Mr. Robert F. Kaufmann, Hydrogeologist  
U.S. Environmental Protection Agency  
Office of Radiation Programs, Las Vegas Facility  
P. O. Box 15027  
Las Vegas, Nevada 89114

Dear Mr. Kaufman:

Thank you for the copy of your memorandum of December 21, 1977, to Mr. Swearingen.

In particular, we noted your comment that you were disturbed to find that United Nuclear-Homestake Partners were directing their comments on the report of your office to Mr. Swearingen. The reason for this is that Mr. Swearingen's office invited our comments on the Geraghty and Miller report, which referred in part to your report. Since Mr. Swearingen was the person who invited the comments, it was he to whom we responded.

You note in your memorandum that readers of the EPA report were encouraged to inform the Office of Radiation Programs of any omissions or errors. There were two reasons why United Nuclear-Homestake Partners, and we believe other members of the industry, did not comment directly to your office at the time the report was issued. The first reason is that this report was released to environmental groups while it was in its draft stage, a matter that generated very considerable controversy at the time. We know that you personally had nothing to do with that matter. I believe you can appreciate why industry would have felt it was futile to submit comments to your office, when in fact the report had already been released and had received a great deal of publicity while it was in its draft stage.

The second reason why the comments were not submitted to your office is that the report, so far as it has always been described to us, was for the New Mexico Environmental Improvement Agency, which was the appropriate agency for response.

We note in the body of your December 21, 1977 memorandum, a number of matters upon which we would disagree, but there is one area which may be of help. You note on page 10 that it continues to intrigue you as to why United Nuclear-Homestake Partners agreed to spend money on groundwater reclamation if not guilty for contamination. The agreement involved resulted from discussions between United Nuclear-Homestake Partners and the New Mexico Environmental Improvement Agency. The New Mexico Water Quality Control Commission was in the process of drafting and considering regulations relating to discharges to groundwaters in New Mexico. It was apparent that the discharge plan requirements by that Commission would be substantially the same as the program which United Nuclear-Homestake Partners agreed to undertake.

In addition, a number of the people in the residential areas involved in the study were employees of the Partnership. As a result of the discussions between the Partnership and the New Mexico Environmental Improvement Agency, it appeared that under the discharge regulation

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being considered, basically the same money would be spent in a year or two in any event, and in addition, by implementing the discharge plan even before the regulations were passed, any conceivable difficulties in the areas where a number of our employees resided could be eliminated.

You are probably aware that New Mexico has adopted groundwater discharge plan requirements along the lines contemplated, which we might mention are very different, in both purpose and substance, from the EPA program.

I think you will find that both United Nuclear-Homestake Partners and the New Mexico EIA felt this was a very helpful approach. Undoubtedly, some will wish to infer guilt from cooperation.

Sincerely yours,

UNITED NUCLEAR-HOMESTAKE PARTNERS

*Edward E. Kennedy*

E. E. Kennedy,  
Environmental Coordinator

cc: N. Perlmutter, Geraghty and Miller  
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EEK:sm