



Department of Energy
Albuquerque Operations Office
P.O. Box 5400
Albuquerque, New Mexico 87115

FEB 20 1989

Mr. Dale Smith
Director, Uranium Recovery
Field Office
Region IV
U.S. Nuclear Regulatory Commission
P.O. Box 25325
Denver, CO 80225

Dear Mr. Smith:

During recent weekly DOE-NRC telephone conference calls, the Project Office has been advised that, due to limited NRC resources, your office will be unable to support UMTRA schedules for Durango, Lakeview and Mexican Hat/Monument Valley reviews. In each case, delays could result in significant impacts to the Project's schedule and cost. Details of potential impacts and requested action by NRC are provided by site in the following paragraphs.

Durango

On December 23, 1988, DOE submitted the disposal cell redesign to NRC. Since that time NRC has requested additional information which should be transmitted the week of February 21.

The DOE is recommending to NRC to allow for cover placement so that we can begin construction on April 1. The DOE feels this cover is the most feasible and would like for you to expedite the final approval process.

A delay in your concurrence leaves the potential to have tailings exposed with the lack of proper cover protection with risk of additional water entering the cell. In addition, any further delays will cause adverse cost and scheduling impacts. The Durango site is scheduled to be completed by the end of 1990. Delays in cover placement could result in an additional construction season being required.

Lakeview

In response to your letter of March 15, 1988, regarding open issues at the Lakeview site, a transmittal of enclosures (including the DOE assessment of radon barrier calculations) was forwarded to the NRC on April 8, 1988 (RE: UMT/NRC/0488-40 from Mr. John Arthur to Mr. Ed Hawkins). Included in this transmittal was a milestone schedule reflecting the dates which may be impacted resulting from any delays in reaching concurrence by NRC. Apparently, this enclosure was not received and was, therefore, verbally requested again, on September 14, 1988. The information was then

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delivered by hand (by Mr. Bill Taber) with an official transmittal letter on September 19, 1988. A record of teleconference of September 19, 1988, indicated that Dawn Jacoby and Tom Olsen required additional data. On September 28, 1988, Dawn Jacoby requested "complete QA/QC data" on as-built construction of the tailings pile so that she might compare it to the theoretical modeling done on the Lakeview cover. The information was forwarded to Dawn on September 29, 1988.

On October 4, 1988, a record of telephone conference between Dawn Jacoby and Jolene Garcia indicates that Dawn stated "there was no problem in prioritizing the review of data and formal concurrence could possibly be expected the following week". Dawn expressed her need to speak to Tom Olsen regarding the review. Later that day, Dawn phoned to inform DOE she needed the "top 20 feet of contaminated QC data" rather than the received radon barrier QA/QC data. This information was forwarded to NRC on October 5, 1988, along with a concurrence request.

On October 14, 1988, a record of telephone conference again reflects the transmitted data was not what NRC needed (per Dawn Jacoby). A comparison of the modeled value for radon barrier thickness (utilizing actual field parameters) to the final modeled value for radon barrier thickness (as calculated for design) was requested by NRC. DOE and NRC then coordinated with MK Engineering and Jacobs Engineering Group to initiate a series of re-calculations and re-modeling to reflect actual field parameters and display the "suitability" of the previously modeled cover design.

Preliminary data checks reflected the suitability of the 18 inch cover design, and a final transmittal of information was forwarded to NRC on December 15, 1988, requesting concurrence (RE:UMT/NRC/1288-154 from Mr. John Arthur to Mr. Edward F. Hawkins.)

Since December, weekly DOE/NRC conferences have indicated that NRC review of the radon barrier re-calculations has not been initiated. In consideration of the time and dollars expended in finalizing this package, pursuant to NRC request, and in consideration of the Lakeview site remedial action completion schedule, DOE requests that this effort be made a high priority in your review cycle.

Mexican Hat/Monument Valley

On January 20, 1989, DOE submitted to NRC for concurrence by March 10, 1989, both the final Remedial Action Plan (RAP) for Mexican Hat and Modification No. 1 to the Mexican Hat RAP. Although there are two documents requiring concurrence, only one design must be reviewed by NRC. The January 20, 1989, transmittal letter recommended to NRC a review sequence which will expedite the review and prevent review of information in the RAP which was superseded in Modification No. 1. Therefore, DOE believes that a 46-day review period (from the date of NRC receipt of the documents) should be adequate. Both in weekly DOE-NRC conference calls and during a February 10, 1989, meeting between DOE and NRC staff in

Albuquerque, DOE was advised that NRC does not expect to begin reviewing the Mexican Hat/Monument Valley documents until at least March and does not expect to provide DOE with a Technical Evaluation Report (TER) until June 1989.

Remedial action at Mexican Hat was initiated in September 1988, and based on a NRC June 30, 1988, letter, remedial action will proceed only as far as reshaping and consolidating the existing Mexican Hat tailings in place until NRC concurrence to proceed further is received. If NRC concurrence is not received in a timely manner so that the subcontractor can be given notice-to-proceed with relocation of the Monument Valley tailings to Mexican Hat, DOE will incur additional costs ranging from \$50,000 to \$500,000 depending on the length of the delay. These represent only direct subcontract costs contained in the subcontractor's proposal. Additional costs would be incurred as a result of associated schedule delays, which would increase field management costs.

If NRC resources do not allow for a thorough review of the Mexican Hat/Monument Valley documents by March 10, 1989, DOE requests that NRC provide DOE with a letter (similar to the NRC June 30, 1988, letter) which would allow DOE to proceed with relocation of the Monument Valley tailings to Mexican Hat. Resolution of the three open issues (water resources protection, rock source and radon barrier design) identified by NRC in previous correspondence should not preclude DOE from proceeding with the combined remedial action as far as relocation of Monument Valley tailings to Mexican Hat. If such a letter is received from NRC by March 10, 1989, DOE could maintain existing schedules and NRC's complete review of the documents could proceed according to the June 1989 schedule projected by NRC.

As you are aware, DOE and NRC are currently working to implement a streamlining process intended to alleviate NRC resource problems which have continually and adversely impacted DOE schedules. It is our hope that future DOE submittals will be clear and concise in accordance with the proposed streamlining process and NRC will, therefore, be able to complete document reviews within the timeframes specified in the DOE-NRC Memorandum of Understanding (MOU). Only by working together as we have in developing the streamlining process will DOE and NRC be able to complete the tasks required of each of us under the UMTRA Project.

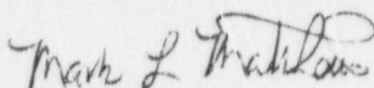
The UMTRA Project operates in a very dynamic environment. We deal with Federal agencies, States, Tribes, local task force groups, the general public, and elected officials from the local, State and Federal levels. In addition, the data gathering programs at the sites continually develop new information which affects our designs and sometimes requires additional data gathering. We are also operating under the general principle that only quality documents are to be issued from this office. The result of this dynamic environment is that

Dale Smith

- 4 -

there are sometimes perturbations in our schedule for issuing documents. Your efforts to adhere to the review times agreed to in the MOU will enable both of us to better meet our milestone obligations. Thank you for your attention to this matter.

Sincerely,



Mark L. Matthews
Acting Project Manager
Uranium Mill Tailings Project Office

cc:

E. Damler, UMTRA
J. Garcia, UMTRA
D. Mann, UMTRA
R. Richey, UMTRA
D. Gillen, NRC
E. Hawkins, NRC-URFO
P. Lohaus, NRC
S. Mann, NE-22, HQ
J. Baublitz, NE-22, HQ