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UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

REGION 6

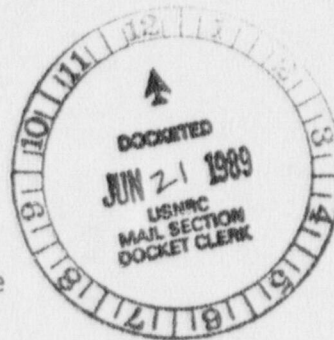
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DALLAS, TEXAS 75202

RETURN ORIGINAL TO PDR, HQ.

JUN 06 1989

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



Re: United Nuclear Corporation (UNC) Site

Dear Mr. Smith:

We were pleased to have the opportunity to meet with Mr. Konwinski of your staff on May 17, 1989. It is our understanding that the Commission is preparing to modify United Nuclear Corporation's Source Material License to implement a corrective action program in the alluvium in accordance with "Amendment II, Reclamation Plan, License No. SUA-1475", submitted to the Commission by letter dated March 29, 1989. My staff has completed its review of this document in view of the requirements of the Record of Decision (ROD) for this site issued in September 1988, and has generated a number of comments on the proposed corrective action program which are summarized in Attachment A. We understand that the Commission shares many of the concerns discussed by these comments, and will address these concerns based upon annual performance reviews of the program.

The language of the proposed license modification is in accord with the goals of the U.S. Environmental Protection Agency's (EPA's) ROD, namely to return the concentrations of certain contaminants to concentration limits dictated by regulatory standards or background. In this regard, and in light of the monitoring and reporting requirements in the license, it appears that the proposed corrective action program is at least consistent with our requirements at the UNC site. We fully expect to continue to work closely with the Commission in evaluating the performance of remedial actions in both the alluvial and Upper Gallup aquifers at the site, keeping in mind the concerns summarized in Attachment A.

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DESIGNATED ORIGINAL

Certified By Mary C. Hood

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We are pleased to offer you this letter and the enclosed comments pursuant to the terms of our Memorandum of Understanding.

Sincerely yours,

for Jack Divita

Atlyn M. Davis
Director
Hazardous Waste Management Division (6H)

Enclosure

cc: Richard Mitzelfelt, Director
New Mexico Environmental Improvement Division

Joanne Manygoats, Director
Navajo Nation Superfund

Juan Velasquez, UNC

ATTACHMENT A

Summary Comments on United Nuclear Corporation's (UNC's) Proposed Corrective Action Program in the Southwest Alluvium

May 1989

- 1) Based on a review of recent water quality data and comparison to the Commission's ground water protection standards for the UNC site, it appears that the southwest alluvial target area needs re-definition. The chloride plume discussed in UNC's March 29, 1989, submittal does not fully represent areas of tailings contaminated ground water. Additional monitoring wells in areas downgradient of UNC's property will be necessary to refine the target area, and to monitor the performance of the proposed remedial action in this aquifer.
- 2) Review of the alluvial pumping and monitoring system indicates the UNC intends to create a hydraulic barrier to further tailings seepage migration. The total proposed pumping rate of 17 gpm may be insufficient to effectively create a hydraulic barrier. Therefore, data from performance monitoring of the proposed system will be used to determine the appropriate yield. Additionally, in accordance with Comment 1 above, areas downgradient of the proposed pumping system will need to be monitored and may need to be addressed.
- 3) The success or failure of the corrective action program will be evaluated on the basis of meeting compliance standards at, and downgradient of, point of compliance wells as established in the Source Material License. This is in accord with requirements of EPA's ROD for most contaminants. In view of the performance basis of the corrective action program, it is understood that corrective action will be flexible in order to accommodate modifications based upon annual performance reviews of the pumping system.
- 4) In view of the performance nature of the corrective action, pumping wells should not be decommissioned based solely upon yield (e.g. reaching a rate of 1 gpm or less) without demonstration of hydrologic equilibrium through a stability monitoring period. A stability monitoring period will be required before well decommissioning is authorized by EPA. Thus, the seepage collection schedule proposed in the March 29, 1989, submittal is viewed only as tentative.

ATTACHMENT A (continued)

- 5) UNC's proposed well construction criteria is of concern to EPA. Backfilling with cuttings is not standard practice as it allows the potential for cross-contamination of the aquifer. Should cross-contamination become apparent during remedial action, backfilling with a bentonite-cement slurry would be required to provide stability, strength, and a barrier to cross-contamination.
- 6) Any mounding beneath the tailings pile(s) will need to be taken into account in terms of its impact to downgradient areas, and on the duration of system operation necessary in the southwest alluvium.