

FROM Karen H. Rasmussen AT Denver IN REPLY  
TO Distribution List AT DATE 3/10/80 REFER TO

SUBJECT: Meeting with New Mexico Environmental Improvement Division,  
Santa Fe, New Mexico, to Review the Revised Groundwater Discharge  
Plan for the Mt. Taylor Mill, March 6, 1980.

REC'D

3/13/90

Participants in this meeting were:

NMEID + Consultants

Maxine Goad D. Schreiber  
Bruce Gallaher  
Jim Mackin

Gulf + Consultants

R. E. Bohm F. Gifford  
J. G. di Zerega R. Hail  
D. Johnson J. Sharpe  
K. H. Rasmussen  
W. L. Rogers

The general reaction of NMEID personnel and their consultants to the subject discharge plan was one of commendation and none felt there to be any serious omissions, or oversimplifications. The meeting was beneficially spent "walking through" the plan, having NMEID and their consultants pose questions and Gulf and their consultants respond. There were several items, as enumerated below, which Gulf was asked to supply and/or clarify further.

- 1) Supply copies of the updated Site and Laboratory Report, Feb., 1980, and the Dam Design Report, March, 1980.
- 2) Qualify and/or quantify, if possible, the long-term erosion potential of the dome, site of the tailings disposal system.
- 3) Supply uranium data for Table II-4.
- 4) Supply calculations showing typical McWhorter-Nelson seepage analysis including derivation of suction head for Dilco and Gallup units.
- 5) Submit Langmuir report regarding attenuation capacity of the Dilco and Gallup units.
- 6) Regarding the well monitoring network for the tailings disposal system, clarify the number of water samples to be taken and consider expanding the list of parameters to be analyzed to include parameters suggested in the NRC Generic Environmental Impact Statement.
- 7) Consider proposing an inspection program of the PVC liners in the pipeway containment basins.
- 8) Address why it is not proposed to line the full length of the pipeway and discuss the effects of a spill within the unlined pipeway on groundwater.

- 9) Confirm that the vacuum breakers on the pipeline will be automatically operated.
- 10) Propose a maintenance schedule for flowmeters and other instrumentation on the pipeline.

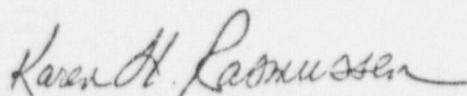
It was agreed that NMEID would formally request a response to the items enumerated above in writing. Gulf anticipates submitting a response the week of March 17.

Messrs. Cubia Clayton and Bruce Garber, Assistant Director of and Counsel to NMEID, respectively, joined the meeting for a short time to discuss matters of scheduling and policy. Mr. Clayton emphasized that NMEID would not schedule a public hearing on the discharge plan until NMEID staff had reviewed all information submitted to them and had prepared a written analysis of the plan which NMEID could support in any subsequent hearing. Receipt of NRC's assessment on the tailings management system is not necessary by the time a hearing is scheduled. It was suggested that Gulf forward a letter to NMEID formally making the revised discharge plan a part of the Mill License Application.

Gulf provided NMEID with an update on negotiations regarding ownership of the land on which the tailings will be deposited. It was mentioned that papers detailing Gulf's ownership of or option to own the subject land should be submitted to NMEID at least 30 days before any hearing which might be scheduled pursuant to NMEIB radiation regulations. It was also noted that it anticipated that NMEIB will reach a decision on the radiation regulations by March 14. Gulf mentioned that should a hearing be required on the discharge plan, Gulf would prefer to have a hearing on the mill license application at the same time or on subsequent days.

Regarding the one-half mile buffer zone around the tailings disposal site provided for in the radiation regulations, Gulf mentioned that portions of that buffer zone would encroach upon land controlled by the U.S. Forest Service and Bureau of Land Management. Mr. Garber mentioned that if Gulf could supply NMEID with the Code of Federal Regulation citations which preclude any person from constructing or taking up residence on Forest Service and BLM land, then NMEID would be willing to work with Gulf and NMEIB on obtaining an exemption from the requirement that Gulf control those portions of the buffer zone which are in the Federal domain.

Regarding the bonding requirements for decommissioning and reclamation of the mill and tailings disposal area, Mr. Garber stated that requirements would be developed on a case-by-case basis. Mr. Garber suggested that it would be beneficial if Gulf would develop a proposal for reclamation and decommissioning and the costs associated with these activities and submit them to NMEID as a basis for bonding. At this point the meeting was adjourned.



Karen H. Rasmussen

DATE 3/10/80

FROM K. H. Rasmussen

TO Distribution List

SHEET NO. 3

DISTRIBUTION:

K. S. Barnhill

R. E. Bohm

Bruce Gallaher

F. Gifford

Maxine Goad

R. Hail

M. Hodges, Jr.

D. Johnson

L. V. Lombardi

J. L. Mackin ← THIS COPY FOR

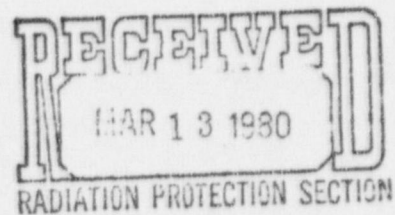
K. H. Rasmussen

W. L. Rogers

D. Schreiber

J. Sharpe

J. G. di Zerega





## MEMORANDUM OF MEETING OR CONVERSATION

<input checked="" type="checkbox"/> Telephone <input type="checkbox"/> Personal	Time 1600	Date 3/7/80
Originating Party	Other Parties	
Gene Trager, NRC	Jim Mackin, RPB	

## Subject

Radiological assessment - mine source term.

## Discussion

Gene has run partially completed except for mine source term. He was confused by Hub Miller's suggestion and a different opinion from Karen Rasmussen of half (half is negative on this matter).

Gene feels it is not a serious problem but in any event wants the states decide to determine what is done.

He recommends working up source term from:

Bobum page table 4.9 and first column of table 4.10.

## Conclusions or Agreements

Jerry Stewart thought agreement with Hub was to use Battelle data for mine waste.

Agree to talk again Monday 3/10/80

## Distribution

Signed

J. Mackin

3/6/80

3-6-80 NMEID - Gulf Mineral Resources Co.

Meeting on Mt. Taylor Mill Discharge Plan

<u>NAME</u>	<u>ORGANIZATION</u>
Karen H. Rasmussen	GMRC
William L Rogers	GMRC
David L. Schreiber	NMEID - Consultant
James L. Mackin	EID - RPB
Bruce Gallaher	EID - Water Pollution Control
Maxine S. Goad	EID - WPC
R. E. Bonham	GMRC
Jim di Zerega	GULF
John V. A. Sharp	Gulf - Consultant
Forrest W. Gifford	Gulf - Consultant
Roger Hail	Gulf - Consultant
Dewey Johnson	GMRC - MT TAYLOR
Gerald W. Stewart	NMEID



- ✓ Land ownership
- ✓ Buffer zone
- ✓ Surety arrangements
- ✓ Public hearing

Mine backfill

March 6, 1980

## Meeting on Gulf Groundwater Discharge Plan

Gulf - Bob Bohm, Bill Rogers, Karin Rasmussen, Jim De Zerega,  
WPCB Percy Johnson (Mill Superintendent).

Consultants - Bruce Callaker, Marino Good

Consultants - John Sharps, Forrest Gifford, Roger Hale

Mine Backfilling

Pipeline

Evap Pond

No trenches at open

Purpose - To determine additional information required prior to licensing.

Bruce Callaker - Gulf plan possibly lost submitted to WPCB

p. II-2 Consolidation of slimes - Covered in latest

Documents - Wahler reports replacing earlier reports - check this with Bill.

p. II-3 Open trench drains (peripheral) - will be similar to large trenches though not as wide. Will be below grade of large trenches. Examine trench bottoms - yes will grout if necessary. Will take care to avoid fracturing due to blasting.

p. II-7 Design bases - Forrest Gifford will provide reports - this will be reports for State Engineer

Discussed mine backfill - Gulf feels RPB should condition license <sup>a plan</sup> or prior to backfilling and not prior to operation of the mill. Not discussed further.

Need for additional settling ponds - discussed.

p. II-8 - Liners - provide additional details - in design reports  
 - Diversion works - in design drawings  
 - What is planned lifetime - until reclamation is complete  
 then no further need.

p. II-14 - Seismicity - addressed in Vol. I of Wahler most recent report  
 - Long term erosion - Roger Hale - Have not really attempted,  
 however, area gives evidence of little erosion over  
 many thousands of years.  
 Probable erosion characteristics -

p. II-20

p. II-35 Sample calculation requested of Roger Hale showing use of  
 McWhorter-Nelson model. Actually in May 1979 report.

p. II-42 Gulf will supply copy of Langmuir report

p. II-46 Use of wells as stock-watering - check

p. II-47 Bruce recommends adding few GEIS parameters

Fig. II-2 Pipeways not lined between catchments

Accident analysis - essentially same as in EK  
 However, have Bill review dam break scenario.

again

→ Radon question - NRC asked Gulf for mine vent data.



Bruce raised question of land ownership.

Jim De Zerega - feels GDP does not need to address.

Currently have lease - negotiating to purchase.

Probably will have option to buy or purchase agreement by April 1980.

Erosion or reclamation - possible license conditions

Summing up by Karin Rasmussen

1. Site and Laboratory Rept.
2. Dam design report
3. Long term erosion potential
4. Uranium values.
5. Sample calculation re Nelson/McWhorter
6. Re-do Fig III-1.
7. Licensing question on pipeway

✓ Sent Bill letter requesting comments.

Schedule on Discharge Plan.

Scheduling of public hearing

Cubie feels not until we are ready to complete analysis and formulate position

Mid - May still possible

Letter from Gulf to RPB incorporating GDP documents into Radioactive Materials License. Also reports going to State Engineer.



Radiological assessment - Gulf feels timing poor - original assessment was done by manual methods. Propose updating manual method. UDAD possible. Ready before the hearing - not necessary for scheduling hearing. UDAD-9 recommended.

→ Write a letter on what should be done and effect on licensing. What we expect to get out of it. <sup>Why?</sup> Ted feels Gulf should run assessment on UDAD code.

What additional information needed. How done?

State Engineers Office re Stability Analyses for Dams

State Engineer - Jim Whiteman

EID - Jim Mackin, Dave Schreier

Gulf - Bob Bohm, Bill Rogers, Forrest Gifford, Dewey Johnson

Jim summarizes Engineer's requirements.

In addition stated they review, at EID's request, against R.6. 3.11-NRC

Looked over maps

- need township or range or NM coordinates

Document with quantities and estimates of costs - needed for fees

Details of maps, drawings, notation desired by Engineer

Timing of review:

Scheduling of hearing

EID asks Engineer (by letter) to review application by their own criteria and any other criteria (usually R.6. 3.11).

Engineer responds with their evaluation.

Jim estimates 30 day turnaround. However, is willing to provide conditional approval (conditioned on receipt of final discussion) based on reports to be submitted shortly. Will

See  
3/12/80

### Land Ownership

Bruce Barber and Jim De Zerega discussed.

Bruce requested Gulf try to submit documents prior to hearing.

### Buffer zone

Part of half-mile boundary is BLM and Forest Service land.

✓ Gulf will send VFR citation showing residence not allowed.

EPA rule

### Surety arrangements

Gulf will come up with proposal as to how they plan to proceed.

March 7, 1980

Continue discussions on Gulf license.

Gulf - Bill Rogers, Bob Bohm, Dewey Johnson

EID - Ted Wolff, Jerry Stewart, Dave Schreier, Jim Mockin

Discuss any potential problems -

Reclamation, decommissioning, surety arrangements

State Engineer approval - Ted Wolff felt should have approval prior to scheduling hearing. Discussion. Gulf will give State Engineer Wahler Site and Lab report and next week will provide design report.



Guard regulation that, if applied, could provide a safer research vessel operating environment and if USGS had considered bringing its vessels into conformance with such regulations.

With respect to M-79-101, the Board stated that its intent in issuing this recommendation was to provide for periodic inspection of all USGS vessels by Coast Guard inspectors, whether they are currently subject to such an inspection or not. The Board suggests that USGS take steps to have all of its vessels routinely inspected either by direct agreement with the Coast Guard or by agreement clauses in the lease or charter arrangements with the vessel owners. As stated in Board report No. NTSB-MAR-79-14 on this accident, "Several U.S. Government agencies, including the U.S. Navy Sealift Command, have requested the U.S. Coast Guard to conduct examinations on their vessels to insure that they reasonably approximate the standards prescribed for similar privately operated vessels."

In response to the Safety Board's December 27 letter, USGS reports that it is now reviewing with Coast Guard officials in Seattle the additional regulations which apply to similar privately operated vessels and will notify the Board of actions to be taken when the review is complete. Also, USGS is reviewing with Coast Guard officials in San Francisco the regulations which may apply to privately operated oceanographic research vessels that are similar to the USGS Research Vessel S. P. LEE. When the review with Coast Guard and the operating academic institution is complete, USGS will notify the Board of its actions.

#### Railroad

**R-79-73.**—The Federal Railroad Administration on February 21 responded to a recommendation issued last November 1 following investigation of the head-end collision of National Railroad Passenger Corporation (Amtrak) Train No. 111 and Plasser track machine equipment at Edison, N.J., April 20, 1979. The recommendation asked FRA to establish regulations that would require all trains operating on a main track to be equipped with an operable radio. (See 44 FR 65828, November 15, 1979.)

FRA states in response that it does not have data which will support promulgating a regulation requiring all trains operating on a main track to be equipped with an operable radio. However, where safety problems do not justify regulatory action, FRA says it concentrates its resources on resolving the specific safety problem so that the

desired safety result is achieved at a minimum cost to the industry and the public.

Positive action has been taken by FRA to insure correction of certain deficiencies involving Amtrak train operations pertinent to the Edison accident. Also, Amtrak has taken voluntary action which accommodates recommendation R-79-73, FRA notes. Following the Edison accident, FRA's Office of Safety personnel made extensive inspections of Amtrak's operating practices in the Northeast Corridor. Subsequently, conferences are being held on a monthly basis between top operating management officials of Amtrak and FRA's Office of Safety to discuss correction of those deficiencies. As a result, Amtrak has developed a new 4-week training program for all newly hired block operators. A program is presently being developed for the annual testing and training of all block operators and dispatchers. This program will be finalized during 1980. FRA reports that Amtrak is inspecting every dispatcher's office and block operator's station in the Northeast Corridor to insure rules compliance and that Amtrak has instituted procedures to provide additional checks relative to the operability of on-board radios. By early summer 1980, all Amtrak-owned locomotives in the Corridor will be radio equipped.

FRA's response letter states that in this instance where data necessary to justify promulgation of a regulation is lacking, FRA has pursued a positive cooperative program tailored to correct specific undesirable conditions. If substantive data become available, or circumstances occur which justify a regulation relevant to recommendation R-79-73, FRA says it will take the necessary action.

**Note.**—Copies of Safety Board recommendation letters, responses and related correspondence are available free of charge. All requests for copies must be in writing, identified by recommendation number. Address inquiries to: Public Inquiries Section, National Transportation Safety Board, Washington, D.C. 20594. (49 U.S.C. 1903(a)(2), 1906)

Margaret L. Fisher,  
Federal Register Liaison Officer.

February 29, 1980.

[FR Doc. 80-6059 Filed 3-5-80; 8:45 am]

BILLING CODE 4910-58-M

## NUCLEAR REGULATORY COMMISSION

[Docket No. 40-8725]

Gulf Mineral Resources Co.;  
Withdrawal of Intent To Prepare a  
Draft Environmental Impact Statement  
Concerning Issuance of a Byproduct  
Material License for the Mount Taylor  
Project To Be Located in McKinley  
County, N. Mex.

**AGENCY:** U.S. Nuclear Regulatory Commission.

**ACTION:** Notice of Withdrawal of Intent To Prepare a Draft Environmental Impact Statement (DEIS).

**SUMMARY:** As noticed in 44 FR 56064, September 28, 1979, the Commission intended to prepare a draft Environmental Impact Statement on the proposed uranium mill tailings impoundment for the Mt. Taylor Project for public review and comment in January 1980. The intent to prepare the DEIS is hereby withdrawn.

**BACKGROUND:** Pub. L. 95-108 was enacted on November 9, 1979. It amended the Uranium Mill Tailings Radiation Control Act (UMTRCA) of 1978 to clarify Sections 204(h) and 204(e) of that Act. The clarification provides that the Commission shall no longer have direct licensing authority over uranium mill tailings (as byproduct material) produced in Agreement States. In accordance with this legislation, the Commission will not have licensing authority to issue a Byproduct Material License for the project uranium mill tailings impoundment, and will not be taking any major Federal action requiring compliance with the Commission's regulations in 10 CFR Part 51 for the procedural implementation of the National Environmental Policy Act of 1969, as amended. Accordingly, the DEIS is no longer appropriate.

Questions regarding the withdrawal of the intent to prepare a DEIS should be directed to E. A. Tager, U. S. Nuclear Regulatory Commission, Division of Waste Management, Mail Stop 623-SS, Washington, D.C. 20555, phone (301) 427-4103.

Dated at Silver Spring, Md., this 29th day of February, 1980.

For the Nuclear Regulatory Commission,  
Ross A. Scarano,  
Chief, Uranium Recovery Licensing Branch,  
Division of Waste Management.

[FR Doc. 80-6054 Filed 3-5-80; 8:45 am]

BILLING CODE 7590-01-M

[Docket No. 70-2909]

**Availability of Environmental Report, and Intent To Prepare a Draft Environmental Impact Statement Concerning Issuance of a Special Nuclear Material License for the Alabama Nuclear Fuel Fabrication Plant (ANFFP), Westinghouse Electric Corp., To Be Located Near Prattville, Ala.**

**AGENCY:** U.S. Nuclear Regulatory Commission, Division of Fuel Cycle and Material Safety.

**ACTION:** Notice of Intent to Prepare a Draft Environmental Impact Statement (DEIS).

1. Description of the Proposed Action—Westinghouse Electric Corporation has submitted an application for a Special Nuclear Material license authorizing Westinghouse to acquire, deliver, receive, possess, use and initially transfer special nuclear material, for its Nuclear Fuel Division, Alabama Nuclear Fuel Fabrication Plant (ANFFP), a new facility proposed for location near Prattville, Alabama. The ANFFP will convert low-enriched uranium hexafluoride into uranium dioxide ( $UO_2$ ) for fabrication into ceramic fuel pellets which are subsequently encapsulated into metal tubing and clustered into fuel assemblies for shipment to commercial nuclear power plants. The 814-acre site is located in Autauga County near Prattville, Alabama, about 12 miles northwest of Montgomery, Alabama. The Atomic Energy Act of 1954, as amended, requires persons who acquire, deliver, receive, possess, use and initially transfer special nuclear material to obtain a specific license. Licenses are issued for a 5-year term and renewal of the license must be requested at least 30 days prior to expiration of the 5-year term. Title 10 of the Code of Federal Regulations, Part 51, provides for the preparation of a detailed environmental impact statement pursuant to the National Environmental Policy Act of 1969 (NEPA) prior to issuing a Special Nuclear Material license if the issuance of that license may result in actions which significantly affect the quality of the human environment.

2. The principal alternatives currently planned to be considered in the preparation of a draft statement include alternative siting of the facility, alternative plant design and operation, alternative waste treatment and the alternative of no licensing action.

3. The scoping process will include a meeting to be held at the Prattville City Hall, Prattville, Alabama, on March 27, 1980, at 7 p.m. This meeting will provide

for a briefing of interested parties concerning the proposed action and alternatives and opportunity for comment on the scope of the proposed statement. The participation of the public and all interested government agencies is invited. Copies of this notice will be mailed to all affected Federal, State, and local agencies, and other interested persons. Written comments concerning the scope of the proposed statement will be accepted through April 3, 1980.

4. Pursuant to 10 CFR 2.105, by April 7, 1980, the licensee may file a request for a hearing; and, any person whose interest may be affected by this proceeding may file a request for a hearing in the form of a petition for leave to intervene with respect to the approval or disapproval of the granting of a Special Nuclear Material license for the ANFFP. Petitions for leave to intervene must be filed under oath or affirmation in accordance with the provisions of § 2.714 of 10 CFR Part 2 of the Commission's regulations. A petition for leave to intervene must set forth the interest of the petitioner in the proceeding, how that interest may be affected by the results of the proceeding, and the petitioner's contentions with respect to the proposed action. Such petitions must be filed in accordance with this Federal Register notice and § 2.714, and must be filed with the Secretary of the Commission, U.S. Nuclear Regulatory Commission, Washington, D.C. 20555, Attention: Docketing and Service Branch, by April 7, 1980. A copy of the petition and/or request for a hearing should be sent to the Executive Legal Director, U.S. Nuclear Regulatory Commission, Washington, D.C. 20555, and to Thomas M. Dougherty, Esq., Westinghouse Electric Corporation, PO Box 355, Pittsburgh, Pennsylvania 15230, attorney for the licensee.

5. A petition for leave to intervene must be accompanied by a supporting affidavit which identifies the specific aspect or aspects of the proceeding as to which intervention is desired and specifies with particularity the facts on which the petitioner relies as to both his interest and his contentions with regard to each aspect on which intervention is requested. Petitions stating contentions relating only to matters outside the Commission's jurisdiction will be denied.

6. All petitions will be acted upon by the Commission or licensing board, designated by the Commission or by the Chairman of the Atomic Safety and Licensing Board Panel. Petitions will be considered to determine whether a

hearing should be noticed or another appropriate order issued regarding the disposition of the petitions. In the event no request for a hearing or petition to intervene is filed by the above date, the Commission may, upon satisfactory completion of all evaluations, issue a license without further prior notice.

7. In the event that a hearing is held and a person is permitted to intervene, he/she becomes a party to the proceeding and has a right to participate fully in the conduct of the hearing. For example, he/she may present evidence and examine and cross-examine witnesses.

8. The Draft Environmental Impact Statement (DEIS) is expected to be available to the public for review and comment in January 1981.

9. The applicant's Environmental Report and Application and any subsequent documents will be available for inspection and copying at the Public Document Room, 1717 H Street, NW, Washington, D.C. 20555. Copies of the Environmental Report and any subsequent documents are also being provided to the State Clearinghouse, Alabama Development Office, c/o State Capitol, Montgomery, Alabama 36130; and the Metropolitan Clearinghouse, Central Alabama Regional Planning and Development Commission, 808 Lawrence Street, Montgomery, Alabama 36104. A local public document room will be established in the Prattville vicinity as soon as a suitable location is found and arrangements for the filing of all related documents to this action are completed. Notification of the establishment of a local public document room will be published in the Federal Register.

Questions about the proposed action, DEIS, and scoping meeting, as well as any written comments, should be directed to W. T. Crow, U.S. Nuclear Regulatory Commission, Division of Fuel Cycle and Material Safety, 396-SS, Washington, D.C. 20555. Phone (301) 427-4510.

Dated at Silver Spring, Md., this 26th day of February, 1980.

For the Nuclear Regulatory Commission,

**R. G. Page,**

*Acting Chief, Uranium Fuel Licensing Branch, Division of Fuel Cycle and Material Safety.*

[FR Doc. 80-4851 Filed 3-5-80; 8:45 am]

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