

May 3, 1982

David L. Gaetjens, President
Sohio Western Mining Company
P. O. Box 25201
Albuquerque, New Mexico 87125

RE: Discharge Plan DP-150 L-Bar Uranium Mill

Dear Mr. Gaetjens:

Section 3-106.A. of the Water Quality Control Commission (WQCC) regulations provides that any person who was discharging before or within 120 days after the effective date of the regulations "may discharge without an approved discharge plan until 240 days after written notification by the Director that a discharge plan is required or such longer time as the Director shall for good cause allow."

In the case of Sohio's L-Bar Uranium Mill the 240 days automatically allowed under the WQCC regulations has expired and no application for extension of time has been received. Although the mill has not been in operation since May, 1981, discharge of effluent continues, both discharge of mine dewatering water from the JJ Mine into the tailings area and discharge by seepage of liquids from the tailings area into the subsurface. Therefore, Sohio is currently in violation of the WQCC regulations. [In order to allow Sohio reasonable time to come into voluntary

compliance with the regulations, I hereby allow the discharges described above to continue without an approved plan for 20 days from the date of this letter. During this 20 days Sohio must, to avoid being in violation of the regulations, either show cause adequate to justify additional time to discharge without an approved plan, or obtain discharge plan approval, or cease discharging

In order to obtain discharge plan approval Sohio must demonstrate compliance with the requirements of the regulations. My staff advises me that Sohio has not yet made such a demonstration; in particular Sohio has not demonstrated that its pump-back system will be adequate to intercept the seepage from the tailings area. One way of making this demonstration that would be acceptable would be for Sohio

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PDR ADOCK 04008904
C PDR

*Can we make these
be made little more specific?*

to make a written commitment to carry out the following:

1. Within 45 days after approval of DP-150 Sohio will have at least two additional pumping wells and two additional monitoring wells installed and operating. Collectively all pumping wells must be able to pump a minimum of 14 gpm. One pumping and one monitoring well must be placed to the north and ~~one~~ to the west of the tailings pile, respectively. Pumping shall be maintained at a minimum of 14 gpm unless and until EID approval is granted pursuant to

item 4 below to decrease the pumping rate. *If information submitted pursuant to items 2 and 3 indicate a need for higher pumping, then the pumping rate shall*

2. Within 135 days after approval of DP-150 and semiannually thereafter, Sohio will submit to the EID complete and accurate documentation, including pumping rates, water quality and water level monitoring data, and potentiometric maps which illustrate that contiguous drawdown has been achieved and maintained and that all seepage is captured. If this commitment has not been achieved, Sohio will then submit for EID approval a comprehensive proposal for modifying the system to make it effective in capturing all of the seepage.

3. Should the Sohio Mill reopen, the discharge of effluent from mill operations will increase the surface area and hydraulic head in the pond. Subsequently, seepage rates will increase. We therefore request a commitment from Sohio, that after one year of operation of the mill, Sohio will submit a water balance to estimate seepage rates. Pumping rates of the pumpback system will then be adjusted to capture the quantity of seepage.

4. If the documentation submitted pursuant to item 2 demonstrates to EID's satisfaction that seepage can be captured with a pumping rate of less than 14 gpm, then Sohio may petition EID for written approval to decrease the pumping rate an appropriate amount.

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David L. Gaetjens
Sohio Western Mining Company
May 3, 1982

If you have any questions please do not hesitate to contact Patrick Longmire, Kent Bostick or Maxine Goad of my staff.

Sincerely,

THOMAS E. BACA
Director

TEB/MSG and PAL/sm

cc: Gerald Stewart, EID Radiation
William Bennett, EID District I
Ray Madson, EID Milan



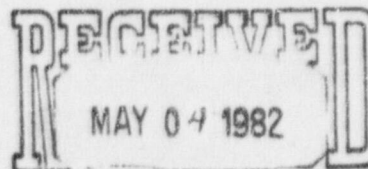
SOHIO WESTERN MINING COMPANY

P.O. BOX 25201, ALBUQUERQUE, NEW MEXICO 87125

TELEPHONE: (505) 242-2762

May 4, 1982

Thomas E. Baca, Director
New Mexico Environmental Improvement Division
P.O. Box 968
Santa Fe, NM 87503



RADIATION PROTECTION BUREAU

RE: Sohio Western Mining Company/Reserve
Oil and Minerals Corp.
Discharge Plan, DP-150

Dear Mr. Baca:

This is to confirm the discussion we had and understandings that were reached during the meeting today on the above indicated subject between you and your staff and myself and other representatives from Sohio Western Mining Company ("Sohio").

Your staff outlined those actions that must be undertaken by Sohio to obtain prompt EID approval of Discharge Plan - 150 and Sohio agreed to undertake those actions.

Specifically Sohio agrees to do the following:

1. Within 45 days after approval of Discharge Plan - 150 Sohio will:
 - a. Install at least one well to the north of the tailings area in a location acceptable to EID which will be finished as a pumping well. If EID determines that the well does not show contamination above background levels, then it will be used as a monitor well until such time as it shows contamination above background levels at which time it will be converted to a pumping well and a monitor well will be installed at an appropriate location acceptable to EID.
 - b. To the west of the tailings area Sohio will provide at least one additional pumping well acceptable to EID. Sohio will install a monitor well at a location acceptable to EID. Sohio will make reasonable efforts to obtain permission from the Cebolleta Land Grant to install this well on their land. If this is impossible Sohio will install the monitor well on Sohio property at a location acceptable to EID.
 - c. The total design capacity of the initial pumping well and alluvial trench will be at least 14 gpm.

Mr. Thomas E. Baca, Director

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2. Within 45 days of approval of DP-150 Sohio will initiate pumping in the four wells to the west of the tailings areas, and from the well to the north of the tailings area if that well shows contamination above background and will pump these wells at maximum capacity. Sohio will maintain pumping at these rates unless and until EID approval is granted pursuant to item 5 below to decrease the pumping rate. If information submitted pursuant to item 3 and 4 indicate a need for additional pumping, then Sohio will make other modifications such as installation of additional wells.
3. Within 135 days after approval of DP-150 and semiannually thereafter, Sohio will submit to EID complete and accurate documentation, including pumping rates, water quality and water level monitoring data, and potentiometric maps which illustrate that contiguous drawdown has been achieved and maintained and that water quality is not being further degraded. If this commitment has not been achieved, Sohio will then submit for EID approval a comprehensive proposal for modifying the system to make it effective.
4. When the Sohio mill reopens, the discharge of effluent from mill operations could increase the surface area and hydraulic head in the pond. Subsequently, seepage rates could increase. After one year of operation of the mill, Sohio will submit a water balance to estimate seepage rates. Pumping rates of pumpback system will then be adjusted to capture the quantity of seepage.
5. If the documentation submitted pursuant to item 3 demonstrates to EID's satisfaction that seepage can be captured with a pumping rate less than the maximum capacity of the wells then Sohio may request written approval from EID to decrease to an appropriate pumping rate.

It is Sohio's understanding based on our meeting today that our commitment to the above indicated measures will enable the EID to approve Discharge Plan, DP-150 as soon as possible and our commitment is predicated on this basis.

Sohio requests any required EID permission to continue discharging without approval of Discharge Plan DP-150 until such time as the said plan is approved.

~~Yours truly,~~

David L. Gaetjens

David L. Gaetjens
President

Sohio Western Mining Company

Sohio/EID meeting

5-4-82

1. Sohio objects to 14 GPM they say whatever it takes. Probably can't pump 14 GPM

45 days

EID wants to north

put monitor in fruit.

1 pump well

1 monitor well

if no high
level keep
on monitoring

to West

1 pump well

1 monitor well

135 days

submit report

pumping rates etc

potentiometric map.

SOHIO - EID Meeting

May 4 1982

Individual	affiliation	City
MAXINE GOAD	NMEID-Water	Santa Fe
Kent Postle	"	"
George Hoffman	Hydro-Eng.	Casper, WY
LYNN JACOBSEN	Sohio	Albany
Tom Christensen	NMEID-Reel	Santa Fe
Geon Sorensen	SOHIO	DIB
Jerry Oliver	SOHIO	Cleveland, OHIO
W. J. Webb	Sohio Law Dept	Cleveland, OH
Dave Sue Egan	Sohio	Cleveland O.
Ray M. Key	NMEID	SF
Thomas B.	"	"
Patricia Ferguson	"	"
Bruce A. Markin	EIP/Legal	Santa Fe