UNITED STATES
NUCLEAR REGULATORY COMMISSION
WASHINGTON, D.C. 20555-0001

August 17, 2022

Mark Kautsky, Program Manager
U.S. Department of Energy
Office of Legacy Management
2597 Legacy Way
Grand Junction, CO 81503

SUBJECT: U.S. NUCLEAR REGULATORY COMMISSION STAFF COMMENT ON 2021 ANNUAL INSPECTION REPORTS FOR URANIUM MILL TAILINGS RADIATION CONTROL ACT TITLE I SITES

Dear Mark Kautsky:

I am writing in response to the U.S. Department of Energy (DOE) report entitled "2021 Annual Site Inspection and Monitoring Report for Uranium Mill Tailings Radiation Control Act Title I Disposal Sites" dated June 2022, (Agencywide Documents Access and Management System (ADAMS) Package Accession No. ML22172A234). The U.S. Nuclear Regulatory Commission (NRC) staff reviewed the DOE site inspection reports and has one comment.

Section 14.4.1.7 states that, "Two minor holes, approximately 2 inches in diameter were identified at the top slope of the liner and repaired after the inspection". Two two-inch holes are significant and could have been caused by a wild animal hoof. If so, the fencing may not be as effective in keeping wildlife out of the evaporation pond area as is necessary. Furthermore, DOE should ensure wildlife would be prevented from entering the pond prior to replacing the liner in fiscal year 2024, or additional monitoring may be necessary to keep the evaporation pond functioning.

In accordance with Title 10 of the *Code of Federal Regulations* 2.390, "Public inspections, exemptions, requests for withholding," of the NRC's "Agency Rules of Practice and Procedure," a copy of this letter will be available electronically for public inspection in the NRC Public Document Room or from the Publicly Available Records component of the NRC's ADAMS. ADAMS is accessible from the NRC Web site at https://www.nrc.gov/reading-rm/adams.html.

If you have any questions concerning the NRC review of the report, please contact me at 301-415-3285 or by email at Brittany.Bolz@nrc.gov.

Sincerely,

B. Bolz Signed by Bolz, Brittany on 08/17/22

Brittany C. Bolz, Project Manager
Uranium Recovery and Materials
Decommissioning Branch
Division of Decommissioning, Uranium Recovery
and Waste Programs
Office of Nuclear Material Safety
and Safeguards

Docket Numbers: 04006500, WM-00041, WM-00042, WM-00043, WM-00048, WM-00054, WM-00058, WM-00061, WM-00062, WM-00063, WM-00064, WM-00065, WM-00066, WM-00067, WM-00068, WM-00069, WM-00072, WM-00073, WM-00086

cc: ListServs for:
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- Canonsburg, PA
- Durango, CO
- Falls City, TX
- Grand Junction, CO
- Green River, UT
- Gunnison, CO
- Lakeview, OR
- Lowman, ID
- Maybell, CO
- Mexican Hat, UT
- Monument Valley, AZ
- Naturita, CO
- Rifle, CO
- Riverton, WY
- Salt Lake City, UT
- Shiprock, NM
- Slick Rock, CO
- Spook, WY
- Tuba City, AZ

Letter to M. Kautsky, DOE, from B. Bolz, NRC Regarding the U.S. Nuclear Regulatory Commission Staff Comments on 2021 U.S. Department of Energy Annual Inspection Reports for Uranium Mill Tailings Radiation Control Act Title I Sites DATE August 17, 2022

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