



UNITED STATES  
NUCLEAR REGULATORY COMMISSION  
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October 14, 2022

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

SUBJECT: NRC STAFF REVIEW OF "DRAFT SAMPLING AND ANALYSIS PLAN FOR THE SHIPROCK EVAPORATION POND DECOMMISSIONING PROJECT AT THE SHIPROCK, NEW MEXICO, DISPOSAL SITE" (Docket Number WM-00058)

Dear Mark Kautsky:

I am writing in response to the U.S. Department of Energy (DOE) report entitled "[Draft Sampling and Analysis Plan for the Shiprock Evaporation Pond Decommissioning Project at the Shiprock, New Mexico, Disposal Site](#)" dated September 2022 ([Agencywide Documents Access and Management System \(ADAMS\) Accession Number ML22257A266](#)).

The U.S. Nuclear Regulatory Commission (NRC) staff reviewed the report and had the following comments:

1. In Section 2.5 Sample Collection Method the report states,
  - a. "If an intact core cannot be obtained of the sediment layer, the sampler will apply a modified collection approach that will include a scoop type method"
  - b. "The mobility of the samplers in the pond may be hindered due to the sediment, which can impede movement similar to soft material encountered in shallow natural ponds and wetlands."
  - c. "Samplers will have the latitude to adjust locations locally, based on access and mobility, to keep worker safety a priority."

NRC staff would like to verify whether these "samplers" are human or machine. If human, what safety protocols will be in place to ensure their safety? Additionally, what measures will be taken to keep the samplers from damaging the pond liner and possibly causing a leak, as the samplers would likely be wearing heavy boots.

2. NRC staff would like to revisit several relevant comments made in previous correspondence.
  - a. Comment #2 in the NRC Staff Review of "[Position Paper: Suspension of Groundwater Extraction and Evaporation Pond Operations...](#)" (ML19074A025).
  - b. Comment #1 in the NRC Staff Review of "[Draft Reevaluation of Ammonia, Manganese, Selenium, and Strontium as Contaminants of Concern...](#)" (ML22242A316).

Both of these previous comments pertain to possible contamination below the pond liner. Since there have been liner defects in the past that have since been repaired, it is possible that a defect may have occurred and gone unnoticed due to being under the water line. A defect like this could have leaked contaminants into the soil below the liner. The NRC staff would like to know how DOE will determine if contamination exists below the liner. If DOE finds contamination below the liner,

i) how would DOE determine the extent of the contamination, and ii) what steps would the DOE take after characterization activities had been completed?

In accordance with 10 CFR 2.390 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 NRC's ADAMS. ADAMS is accessible from the NRC Web site at <http://www.nrc.gov/reading-rm/adams.html>.

If you have any questions concerning the NRC comments, please feel free to contact me at 301-415-3285 or by email at [brittany.bolz@nrc.gov](mailto:brittany.bolz@nrc.gov) .

Sincerely,



Signed by Bolz, Brittany  
on 10/14/22

Brittany 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 No.: WM-00058

cc: Shiprock ListServ List

NRC Staff Review of Draft Sampling and Analysis Plan for the Shiprock Evaporation Pond Decommissioning Project at the Shiprock, New Mexico, Disposal Site (Docket Number WM-00058) DATE October 14, 2022

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