

April 1, 1993

#4

NOTE FOR: Mike Fliegel

FROM: Ray Hall

SUBJECT: SUMMARY OF EXIT FROM NATIONAL PROGRAM REVIEW AT URFO

As you know, we don't always communicate with 100% bit flow on both sides. We have all admitted that we don't always trigger on the same information as significant. To attempt to avoid this bit loss problem, I have summarized what I believe was discussed in our exit with you and Allan. If I missed any salient points, or have mischaracterized any, please let me know.

The National Program Review was held at URFO on March 31, 1993, and April 1, 1993. You started out with the subjects included in Dick Bangart's memo dated March 19, 1993. As you recall we prepared responses to those issues, as summarized in the enclosure.

It was troublesome that the program review scope was much more historical than current. By this I mean that rather than verifying that actions URFO had taken were consistent with program guidance and direction, a major part of the review centered on looking at old reclamation plans to see if they included ingredients that had only been raised as issues by LLUR during the past year. As an example, last spring the question of requiring as-built drawings by license condition was raised. Even though we voiced the position that the reclamation plans typically included commitments for providing as-built drawings, we did commit to include a specific license condition in future amendments approving reclamation plans. We have not issued any since making that commitment; however have included such a condition in the upcoming Homestake amendment. You went back into reclamation plans approved in 1989-1991 to confirm that the licensees had committed to providing as-built drawings. During the review, the terminology shifted from considering the need for as-built drawings, to a need for a completion report (a term used for Title I sites by DOE). Even though as-builts are recognized as a necessary ingredient for documenting site reclamation; there is no explicit regulatory requirement for either as-builts or completion reports. It was precisely because of this lack of regulatory basis, that URFO had committed to requiring as-builts by license condition last year, since we also felt it was a good idea. We also do not think that backfitting the requirement will be difficult, since most licensees have already committed to providing as-builts. We have plenty of time to make such backfits in the future.

Relative to the three primary areas reviewed, you had the following observations:

1. Assurance of satisfaction of all applicable Appendix A requirements:

You agreed that since there is no program guidance requiring a special discussion of conformance with each criteria of Appendix A, that the method used by URFO of discussing each applicable criteria in the section where the technical review was discussed has been a reasonable approach.

- 1.1 You suggest that a "road map" be prepared for each technical review memo showing where each criteria is discussed, and which are not applicable. We agreed to do so if the program office gave guidance to that effect.
- 1.2 You suggest going back to all previously approved plans to prepare a similar "road map." We responded that the need did not give this item sufficient priority to set aside reclamation plan reviews currently in progress.
- 1.3 You will raise with OGC the applicability of 10 CFR 40.31(h) for amendments to licenses. It appears that 40.31 is applicable to new license applications, not amendments. We felt that 40.45, which references 40.32 was the applicable citation for amendments, not 40.31.
- 1.4 You feel a Standard Review Plan for review of Title II reclamation plans is desirable, and will recommend that LLUR prepare it. We concur heartily; however recognize that there possibly won't be enough plans left to review to justify the effort by the time it is completed.
- 1.5 You agreed to send URFO a copy of the "road map" for the Envirocare review.

2. Assurance of construction per approved reclamation plans.

- 2.1 You do not feel that older reclamation plans include sufficient Quality Assurance provisions, and are primarily Quality Control plans. We agree; however that is what the guidance STP specifies. We noted that licensee initiated/controlled QA programs that we had observed in the field appeared to be very adequate.
- 2.2 Older (pre-1986) plans may not have adequate QA/QC specifications. It was recognized that reliance may have to be put on whatever the licensee could produce to assure adequacy of completion, and as a last resort, the perpetual care surety might have to be increased to provide for contingencies.
- 2.3 You recognized the URFO practice for not reducing sureties when work was incomplete or inadequate.
- 2.4 You recognized the need for a construction inspection program for sites undergoing reclamation. The ingredients need to include the procedures, frequency and acceptance criteria. It probably needs

to be keyed to construction milestones. We suggested that since the qualifications of inspectors would vary, that they use the MC2512 civil inspection procedures as guidance, and that sufficient acceptance criteria be included to assure adequacy of inspections with varying inspector qualifications. We did emphasize though that inspector qualification requirements needed to be defined for the new program.

3. Review of previously approved reclamation plans against current criteria.
  - 3.1 You agreed that care has to be exercised to not convey the appearance of previously approved plans being inadequate.
  - 3.2 You agreed that URFO had conveyed to LLWM the fact that resources were not available to review the licensee responses.
  - 3.3 You became aware of the need for NRC review of the responses to avoid future impacts on licensees.

In addition to these primary areas, You also raised concerns on the following two specific issues:

1. The cosmetics of leaving violations open in inspection reports for L-Bar could be improved if the wording were changed to indicate that the adequacy of the responses could not be evaluated until corrective action was taken after the remaining settlement has occurred. We agreed to revise the wording in the next L-Bar inspection report.
2. There are still some licensees who do not have "third party" agreements as a part of their surety. We agreed and indicated that we were attempting to persuade licensees during annual reviews to incorporate such a provision. One licensee, Atlas, has refused to do so, claiming no regulatory requirement. We concur, there is no regulatory requirement; however we hope to convince other licensees of the benefits and get them to volunteer the provision.

We expressed our concern that the efforts to publish the Program Policy and Guidance Directives had not been completed. URFO still feels this program is justified, such that policy issues can be debated at the time of inclusion in the Directives, rather than on an individual case basis. It was hoped that the Directives would become the vehicle for formalizing guidance, rather than memoranda or verbal discussions.

Ray Hall

Enclosure:  
as stated

**INITIAL DRAFT RESPONSE TO QUESTIONS  
FROM LLUR CONCERNING  
1993 NATIONAL PROGRAM REVIEW**

Summarized below are our responses to the questions raised by LLUR for discussion during the 1993 National Program Review scheduled for March 31 and April 1, 1993, in the Uranium Recovery Field Office.

All answers are keyed to the paragraph indexing of the listing of questions:

- 1.a. We know of no specific requirement that each licensee specifically address Appendix A reclamation criteria in their submittals. All licensees have demonstrated that their proposed designs are consistent with applicable Regulatory Guides and Staff Technical Positions, which assures that the criteria will be met. The key issues included in the submittal are the compliance with the criteria through objective presentations of the technical aspects of their proposed plans. We have reviewed submittals received during 1992 and 1993, and none specifically discussed compliance on a criteria-by-criteria basis, nor were they required to by NRC guidance or regulatory requirements.
- b. NRC Staff reviews the licensee submittal against the requirements of Appendix A and supporting NRC guidance and independently assesses that the criteria have been complied with in the licensee's proposed plans.
- c. For plans reviewed in FY 1993, the compliance with individual Appendix A criteria are assessed and discussed in the backup memorandum that is prepared prior to issuing the license amendment approving the reclamation plan. These memoranda specifically note for each technical area reviewed which criteria are being utilized to determine adequacy of the proposed designs. This appears to be consistent with the practice for Title I reviews documented in the Technical Evaluation Reports.

**CONCLUSION:** The documentation that will be the record that all relevant criteria of Appendix A were met will consist of the licensee's submittal and NRC staff memoranda to the docket file.

- 2.a. All reclamation plans approved since 1986 have NRC-approved QA/QC programs. For the older approved plans, our cursory reviews of the files have not found detailed QA/QC programs to be part the plans. It does not appear that specifications were covered in any great detail in the review and approval of these plans. The only sites where this might cause difficulties would be TVA - Edgemont, Umetco - Gas Hills (Pond 1), and ANC - Gas Hills (Pond 2). These sites have completed all or a part of their reclamation prior to URFO specifically requiring approved specifications.

For reclamation plans under review, QA/QC programs are required to be submitted and approved. The remaining licensees with approved plans have procedural controls to implement the approved QA/QC plan and often have more stringent quality related procedures than required. If NRC inspections identify problems with compliance with the license requirements, Notices of Violation may be issued, which require the

licensee to show what actions he has taken to correct the situation and assure future compliance. Depending on site specific circumstances, the licensee may be required to rework areas that were not constructed with the required quality control, or demonstrate that they still meet Appendix A criteria without reworking the areas. If the severity of the violations and other factors merit it, other enforcement actions as specified in 10 CFR Part 2, are also available.

See response to 2.c below for added information.

- b. URFO considers that 10 CFR 40.28(b)(2) requires such documentation as "as-built" drawings, and, therefore, a specific requirement in the license is not necessary to assure its submission. However, the requirements are still included either by specific license condition or by reference to their reclamation plan submittal, if they had committed to provide the drawings as part of their plan. Since the program office recommended in FY93 that a specific license condition requiring submission of "as-built" drawings be included, no licenses have been amended to approve new reclamation plans. All future licenses will contain such a requirement, and as opportunities arise, previously issued licenses will be amended to include such a requirement, even though the licensee may have already committed to provide the drawings. It has always been understood by the licensees and NRC staff that these drawings would be a necessary part of the documentation required to determine if the reclamation had been performed in compliance with their license. In any case, the drawings would have to be submitted in support of the transfer of the site to DOE.
- c. NRC Manual Chapter 2600 does not include requirements for inspection of reclamation construction. There is no inspection procedure in the NRC Manual for these types of inspections, nor were resources allocated in the FY 1993 or 1994 budget specifically for such inspections. As opportunities have presented themselves, inspections have been conducted (two so far in FY 1993), using the provisions of the approved quality assurance program as acceptance criteria. It should be pointed out, however, that routine inspections include a module on Radioactive Waste Management. When inspecting under this module, construction activities related to reclamation, including field records and audits, are normally inspected.

URFO staff attempts to perform specific reclamation inspections in conjunction with major work activities at the sites, to the extent possible. Inspections consist of audits of field records, observation of construction activities, observation of field testing, and observation of completed work. No independent measurements are made, other than simple measurements, such as depth of lift, depth of riprap, etc. NRC does not have the equipment, nor access to a laboratory to perform more detailed confirmatory measurements.

In February 1993, an inspection procedure was issued for Title I facilities construction inspections. For future Title II inspections, this procedure will be used as general guidance pending issuance of a similar procedure for Title II inspections.

During the last program office assessment, it was noted that new URFO inspectors had not completed their training programs prescribed in the URFO Inspector Qualification Journal. The necessary training was completed and interim certifications were obtained for these three inspectors in January 1993. Since NRC Manual Chapter 1245 does not contain qualification requirements applicable to URFO inspectors (who only inspect about 25% of their job), special limited certification criteria were proposed to the Region IV Training Committee. Their action on this proposal is still pending; however it appears that with the impending demise of URFO, they will probably decide not to act on the recommendation.

Since NRC site visits to Title I sites are not called inspections, URFO and LLUR staff have not been required to meet any qualifications for these visits. It is recommended that some level of consistency be developed on inspector qualifications between the two programs.

URFO does plan to rely, only in part, on inspections to support our conclusions that reclamation standards have been met; but the greatest weight will be on such documents as "as-built" drawings and completion reports.

- d. URFO does not routinely review ongoing reclamation activities at sites that do not have approved reclamation plans. In FY92, Rio Algom - Lisbon was inspected, although they do not have an approved reclamation plan. In that case, field records and audits were reviewed against URFO's best judgement on what these testing and audit procedures should be. It was noted that the inspectors felt that the licensee was using a program that would probably be acceptable. However, all licensees in this category have been formally advised by URFO that any work they do prior to approval of their reclamation plans is done at their own risk, and have been advised that they may have to remove, add or alter material that has been placed, as a result of our review of their proposed designs. For any activities that were conducted prior to URFO approval of reclamation plans, licensees are required to demonstrate that the work is in full compliance with all applicable license conditions.

As a point of clarification, Atlas Minerals has performed very little, if any, surface reclamation work to date that would require NRC approval. Their actions have been only involved drying out the pile and placement of interim cover, as authorized by their license. Licensees that have performed work prior to reclamation plan approval include Rio Algom-Lisbon, Western Nuclear-Split Rock, Umetco-Gas Hills, and Quivira-Ambrosia Lake.

- e. Licensees routinely inform their URFO project managers of current activities on site. This information is shared with the staff, and as opportunities arise and priorities permit, inspections are planned accordingly. However, due to the very high priority placed on reclamation plan reviews, and the fact that the staff that is reviewing reclamation plans are the same staff that would perform these types of construction inspections, few specific construction inspections have actually been performed (see 2.c., above), and only those necessary will

be performed the rest of this fiscal year. There are no established procedures for conducting a reclamation inspection, nor a field check list; however, URFO construction inspectors are very experienced in construction and in conducting these inspections, and they prepare thoroughly by reviewing the approved reclamation plans, including specifications and QA/QC programs, and developing inspection plans.

**CONCLUSION:** The NRC will ensure that licensees are following approved reclamation plans by inspections and review of licensee-prepared completion reports. These reports will include such information as "as-built" drawings and summaries of field records and audits.

3. As a point of clarification, NRC must be careful not to state that reclamation plans approved prior to the changes to Appendix A in 1987 may not meet current standards. NRC is on record as stating that an EIS or EIS supplement was not necessary for the 1987 changes because the standards were not as conservative as the standards they replaced. Therefore, NRC's basis for asking the licensees to review their approved reclamation plans was that our methods of evaluating structural stability had improved, but the standards had not changed.
  - 3.a. Responses have been received from all eight licensees who were instructed to review previously approved plans against current criteria.
  - b. As has been discussed with the program office on several occasions, these responses have not been reviewed. Resources from the program office have not been available to assist in these reviews. It should be noted that delaying review of these responses is causing a hardship for at least one licensee and has resulted in layoffs of licensee personnel. It is also delaying activities at least one other site.
  - c. There were no staff resources budgeted for this review for either FY 1993 or FY 1994.

**CONCLUSION:** This is an area where NRC has not been responsive in reviewing the submittal and getting back to licensees with conclusions. These licensees have been forced to wait and see if NRC is going to require additional work. They have not been able to retain qualified staff in case they would be needed and have not been able to do sensible budgeting of future work. NRC should seriously consider how we can be more responsive. However, URFO does not believe that a contractor could perform these reviews. Essentially, it will be up to NRC to make regulatory judgements on "how much is good enough?". Contractors do not have a good track record in making such policy judgements.

*Jim Mihoan  
John Montgomery  
NMSS Team*

**NATIONAL PROGRAM REVIEW  
REGION IV DEBRIEF 4/9/93  
John Surmeier:**

#5

**I. INTRODUCTION**

- a. NPR review of NRC's Uranium Recovery Program. As part of the NPR Dr. Myron Fliegel and Mr. Allan Mullins visited URFO on March 31 and April 1.
- b. Emphasis on Vertical cut of the NRC's Uranium Recovery Program -- to ensure that the requirements under Section 83c of the Atomic Energy Act upon license termination will be met. (I'll get back to what Section 83c means in a minute.)
- c. As part of the NPR there is one other issue we believe warrants your attention -- financial sureties for ground water remediation.
- d. I will discuss each of this issue but first I'd like to give you our bottom line for the National Program Review for the NRC's Uranium Recovery Program -- then briefly describe the legislative framework under which Section 83c of the AEA was enacted -- and then highlight the issues we believe warrants further action.

**II. BOTTOM LINE**

- a. Overall URFO has been doing a good job implementing its UR Program. With only a minor exception all NPR items from last year have been successfully closed out by URFO.
- b. The basic problem that we have identified, and confirmed for the NRC's UR Program is the lack of program guidance in several important areas. The responsibility for developing this program guidance rests with Headquarters staff -- more specifically LLUR.



### III. BACKGROUND

- a. **UMTRCA legislation - brief history**
  - Title I DOE 24 inactive abandoned sites
  - Title II NRC and AG regulated active facilities
  - Essentially same requirements for Titles I and II
  
- b. **Check and balances between agencies EPA/NRC/DOE**
  - EPA Tailings impoundment cells designed to last for at least 1,000 years, to the extent practicable, but no less than 200 years -- to protect public health and safety from radon release.
  
  - NRC must concur DOE's Title I activities and license Title II activities and concur on AG licensing action prior to termination of UR license.
  
  - Under UMTRCA DOE will be ultimate licensee for long term perpetual care (States may be)
  
- c. **THE DEFINITION FOR Section 83c -- requires that, upon termination of licenses regulated under Appendix A of 10 CFR Part 40 the Nuclear Regulatory Commission determine that the licensee "has complied with all applicable standards and requirements under such license." The ability of the NRC staff to make such a determination sometime in the future -- possibly 5 to 10 to 30 years in the future -- until ground water remediation has been completed -- is the focus of our vertical cut for this year's National Program review.**
  
- d. **In 1980, NRC promulgated Appendix A to 10 CFR Part 40 to implement UMTRCA. In 1983 EPA promulgated its UMTRCA required standards and NRC conformed Appendix A to these requirements in 1985. Appendix A contains 13 criteria related to uranium mill tailings reclamation activities. Most are technical but several are procedural -- alternatives - sureties.**

**License Termination Determination  
Under Section 83c. of the Atomic Energy Act**

**"c. Upon termination on any license to which this section applies [Ownership and Custody of Section 11e.(2) Byproduct Material and Disposal Sites], the Commission shall determine whether or not the licensee has complied with all applicable standards and requirements under such license."**

- IV. **VERTICAL CUT REVIEW** - Looked at three areas relating to Section 83c and adequate documentation: (1) does the present UR Regulatory Program provide adequate documentation that the approved reclamation plans will meet all criteria in Appendix A of 10 CFR Part 40; (2) how does the present UR Regulatory Program document that the licensees are following the approved reclamation plans in constructing tailings impoundment cells; and (3) The third areas was more focused -- eight licensees that had reclamation plans approved by NRC in the early 1980's that may or may not meet Appendix A of 10 CFR Part 40.
- V. **FIRST VERTICAL CUT AREA -- DOES THE PRESENT UR REGULATORY PROGRAM PROVIDE ADEQUATE DOCUMENTATION THAT THE APPROVED RECLAMATION PLANS WILL MEET ALL APPLICABLE CRITERIA IN APPENDIX A OF 10 CFR PART 40?**

It should be noted that UR regulatory program has never developed either a Standard Format and Content Guide or a Standard Review Plan for Title II licensing actions -- as opposed to our review activities with DOE. As a result during the NPR review, we looked at two possible documents that could be used to make such a determination: (1) the licensee's submittal of the reclamation plan and (2) the Backup Memo to the Docket File from URFO Staff that documented the technical basis for approving the reclamation plan.

- URFO staff believes that any reclamation plans that they have approved meets all the requirements specified in Appendix A of 10 CFR Part 40. Based on my personal knowledge of the URFO staff, I am sure they've done a very professional job. The issue is whether or not there will be adequate documentation at the time of license termination -- 5 or more years in the future -- to be able to support meeting the requirements of Section 83c.

GW  
remediation

- **The licensee's submittals are, with very few exceptions silent on how they meet Appendix A of 10 CFR Part 40. We, over the years, have taken the position that staff does not have regulatory authority to require its licensees to address how they will meet the applicable criterion in Appendix A of 10 CFR Part 40. During this NPR review questions have been raised as to whether this past position is correct. There are several provisions in Part 40 -- 40.31(h); 40.44; and 40.45 that might provide the regulatory authority to require our licensees to provide this type of information. We plan to request a review by OGC on this issue. If OGC determines that such authority exists it may prove to be useful in assisting with developing a record. We -- Headquarters and URFO will work together to decide how best to do it.**
  
- **Turning to NRC's staff Backup Memos, with one exception, our present regulatory practice has been to address how various technical issues have been addressed by the licensee review the reclamation plans according to technical areas as opposed to the Criteria in Appendix A. In the past, these Backup Memos did cite the various Criterion that were part of the technical review area but with one exception did not do a comprehensive subcriterion by subcriterion documentation of meet all provisions in Appendix A that were applicable. This approach is more time efficient but may not provide the documentation that would be deemed necessary at license termination.**
  
- **We believe that this documentation area needs enhanced.**

#### **RECOMMENDED ACTIONS BASED ON NPR FOR RECLAMATION PLAN REVIEWS**

- **Headquarters will prepare a policy guidance that will provide for a cross-walk (or roadmap) between the technical review**

documentation and various provisions in Appendix A. URFO has agreed in principle to this approach, starting after the Western Nuclear reclamation plan review.

- We are having discussions with URFO about the need to have Standard Review Plan and a Standard Format and Content Guide for Title II licensees (NRC's licensees as opposed to Title I activities relating to DOE). There may not be sufficient reclamation plans to develop such a SRP; however, there may be a need for another commercial disposal license such as the Envirocare of Utah application.
- In the interim, we have told URFO in a memo of November 23, 1992 that they should use the Revision 1 to the SRP for Title I reclamation activities, as applicable, in the review of all Title II reclamation activities.

**VI. THE SECOND AREA OF REVIEW UNDER 83c IS: HOW DOES THE PRESENT URANIUM RECOVERY PROGRAM DOCUMENT THAT THE LICENSEES ARE CONSTRUCTING THE TAILINGS IMPOUNDMENTS IN CONFORMANCE WITH THE APPROVED RECLAMATION PLANS?**

NRC's uranium recovery program relies on: (1) a licensee's QA/QC program, including as-builts; (2) licensee completion reports, and (3) NRC staff inspection review -- are of these are similar to how NRC evaluated DOE's similar Title I uranium tailings remedial action program.

**Licensee's QA/QC and Completion Reports**

- During NPR, team members sampled docket files of post 1986 licensees -- Bear Creek, UNC, Quivira ambrosia Lake, UNC Church Rock, ARCO Blue Water and Homestake. The conclusion from this review is the requirements for QA/QC is somewhat of a mixed bag. -- There are some licensees in which both a completion report and QC program are required -  
- there are others where only one of these activities are required by license condition.

Review of the Quivira Ambrosia Lake reclamation plan confirmed that the licensee is required to maintain records including as-builts. However, NPR review members were unable to find reference to as-builts in the Bear Creek reclamation plan. The Bear Creek plan does require a final construction report. The Quivira Ambrosia Lake reclamation plan requires maintaining records of data but does not specifically require a completion report.

- Furthermore, NPR review of several reclamation plans indicated that they contain primarily Quality Control requirements with little Quality Assurance provisions. URFO agreed but noted that there is no guidance on QA for reclamation.
- For some of the licensees that were sampled, there is a requirement for a completion report to be prepared. The specificity of what is to be contained in these completion reports are either absent or quite general in nature. The requirement for such completion reports of UR tailings reclamation activities are **not explicitly provided** under Part 40.
- We've had some discussion on what provisions could be used to require licensees to prepare such reports. We've agreed to have a follow-up discussion with OGC on this matter.

**For -- NRC Inspection of Reclamation Activities**

- Turning to the NRC inspection of the construction activities
- There presently is no inspection program guidance for reclamation activities for Title II sites. (NRC licensed sites)
- URFO staff attempts to perform specific reclamation inspections in conjunction with major work activities at the sites, to the extent possible. Inspections consist of audits of field records, observation of construction activities, observation of field testing, and observation of completed

work. No independent measurements are made, other than simple measurements, such as depth of lift, depth of riprap, etc. NRC does not have the equipment, nor access to a laboratory to perform more detailed confirmatory measurements.

- In February 1993, Headquarters updated its inspection procedures for Title I reclamation construction (MC 2620). For future Title II inspections, this procedure will be used as general guidance pending issuance of a similar procedure for Title II inspections. **Headquarters is in the process of developing an inspection program for Title II reclamation activities -- this will include an inspection procedure, staff qualifications, frequency of inspections etc.**

#### **RECOMMENDED ACTIONS BASED ON NPR FOR QA/QC, COMPLETION REPORTS AND INSPECTIONS**

- Headquarters will prepare develop a standard format and content guide for completion reports after obtaining an OGC opinion as to whether such a document can be required under Part 40.
- Headquarters and URFO will explore the need for a SRP for its reclamation activities
- Headquarters will develop an inspection program for reclamation activities

#### **VII. THE LAST ISSUE RELATING TO BEING ABLE TO MEET SECTION 83c OF AEA RELATES TO EIGHT LICENSEES THAT NRC HAD APPROVED RECLAMATION PLANS IN THE EARLY 1980 --**

There are eight licensees that were requested in 1991 to review slope/structural stability of their reclamation plans to ensure that they met Appendix A. The reason for URFO requesting this action was based on NRC issuing its guidance on structural stability that was significantly improved from what staff had used

to review these reclamation plans in the early 1980s.

- All eight licensees have provided URFO with their responses.
- URFO has not been able to review this documents.
- The review requires a surface water hydrologist. URFO has Ray Gonzales who is working full time on higher priority issues.
- Based on the NPR review, I have reallocated projects at Headquarters and will accept URFOs request that we review these licensee responses.

**THIS COMPLETES OUR REVIEW OF SECTION 83c VERTICAL CUT**

**VIII. ONE ADDITION ISSUE TO BRING TO YOUR ATTENTION -- SURETIES FOR GROUNDWATER REMEDIATION**

- Alternative Concentration Limits (ACLs) Guidance Status/Uncertainty -- EPA AMC
- Need for relook at surety levels until commission's finally acts on ACL guidance
- ARCO Blue Water estimated to NRC that it would cost about \$50 million for cleaning up the groundwater to MCL or background levels.
- Going forward with any requirement for additional sureties for ground water remediation will be controversial.
- Action Item -- We (LLUR and URFO) will reevaluate the adequacy of financial sureties for groundwater remediation as are a result of the ACL guidance delay.



**THIS CONCLUDES MY PRESENTATION -- ANY QUESTIONS?**  
4/9/93 questions from briefing

- Milhoan - Status of the Homestake MOU -- Response re EPA's deferral authority -- LLWM checking this out -- Commissioner Curtis' position
  
- Callan - Status on Subpart T review -- Hall and Surmeier are doing everything possible. Envirocare and Subpart T highest priorities every over DOE Title I. If there are slips it will be as a result of either poor submittals by licensees or NEPA issues.