

May 17, 2013

Ms. Jalena Dayvault
Site Manager
U. S. Department of Energy
Office of Legacy Management
2597 Legacy Way
Grand Junction, CO 81503

SUBJECT: U.S. DEPARTMENT OF ENERGY REQUEST FOR U.S. NUCLEAR
REGULATORY COMMISSION CONCURRENCE ON U. S. DEPARTMENT OF
ENERGY PROPOSAL TO APPROVE THE GROUNDWATER COMPLIANCE
ACTION PLAN FOR THE LAKEVIEW OREGON PROCESSING SITE

Dear Ms. Dayvault

The U.S. Nuclear Regulatory (NRC) staff has completed its detailed review of the U.S. Department of Energy (DOE) fourth revised Groundwater Compliance Action Plan (GCAP), ML101930356, dated June 25, 2010, for the uranium mill processing site at Lakeview, Oregon. The documentation of this review is contained in the enclosed Technical Evaluation Report (TER), entitled "Review of the Draft Groundwater Compliance Action Plan UMTRCA Title I Lakeview, Oregon, Processing Site, Final Report."

Through the review process, the NRC staff identified five issues associated with the draft GCAP: (1) the proposed groundwater compliance strategy as it relates to the hydraulic isolation from underlying aquifers, the domestic use of downgradient groundwater, and demonstration of the limited use of the groundwater; (2) determination of background concentration for molybdenum; (3) delineation of the contaminant plume boundary; (4) coverage of compliance monitoring wells, and (5) the proposed monitoring program. All issues are discussed and addressed in the TER.

The staff finds that the 2010 Lakeview Oregon processing site GCAP satisfies the requirements of the Uranium Mill Tailings Control Act of 1978, as amended, and the groundwater protection standards in Title 40 of the *Code of Federal Regulations*, Part 192 with the following conditions: (1) the DOE shall perform characterization and monitoring for sulfate and manganese as described in the GCAP Appendix A work plan; and (2) that the private resident Well 0543 located within the institutional control area continued to be monitored on a limited basis. If the monitoring data from future sampling events demonstrates that the water is no longer suitable for the current or future residents then the DOE shall provide a suitable alternate water source.

In accordance with 10 CFR 2.390 of the NRC's "Rules of Practice for Domestic Licensing Proceedings and Issuance of Orders," 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 Agencywide Documents Access and Management System (ADAMS). ADAMS is accessible from the NRC Web site at <http://www.nrc.gov/reading-rm/adams.html>.

If you have any questions regarding this letter, please contact Zahira Cruz, the Project Manager for the Lakeview Processing Site, at (301) 415-3808 or by e-mail to Zahira.Cruz@nrc.gov.

Sincerely,

/RA/

Zahira Cruz, Project Manager
Special Projects Branch
Decommissioning and Uranium Recovery
Licensing Directorate
Division of Waste Management
and Environmental Resources
Office of Federal and State Materials
and Environmental Management Programs

Enclosure:
Technical Evaluation Report

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Special Projects Branch
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Enclosure:
Technical Evaluation Report

ML12334A159

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DATE	11/30/12	12/10/12	5/15 /13	5/16/13	5/17 /13

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