



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



January 13, 1998

Mr. George Rael, Director
Environmental Restoration Division
Albuquerque Operations Office
ERD/UMTRA
P.O. Box 5400
Albuquerque, NM 87185-5400

SUBJECT: ACCEPTANCE OF THE LONG-TERM SURVEILLANCE PLAN FOR THE ESTES
GULCH DISPOSAL SITE NEAR RIFLE, COLORADO

Dear Mr. Rael:

The U.S. Nuclear Regulatory Commission staff hereby accepts the U.S. Department of Energy's (DOE's) Long-Term Surveillance Plan (LTSP), dated November 1997, for the Estes Gulch Disposal Site near Rifle, Colorado. This action establishes the Rifle site under the general license in 10 CFR Part 40.27.

By letter dated November 17, 1997, DOE transmitted page changes for the final LTSP that responded to the two comments identified during the NRC staff's review of the July 1997 draft LTSP. Based on its review of the November changes, the NRC staff closed the two open issues on the draft.

On December 17, 1997, DOE transmitted its 1997 Prelicensing Inspection Report for Rifle to the NRC. The Report contained several recommendations including one suggesting that DOE depict the drainage gully south of the disposal cell and the southern toe ditch on the LTSP plate map. A revised LTSP plate map depicting those features was transmitted with the December 17th letter. NRC staff reviewed the revised plate map and have no objections to the additions. The Inspection Report also indicated that the casings for several of the monitoring wells are still in place despite records in DOE's data base which indicate that all monitoring wells have been abandoned. In the transmittal letter, DOE committed to an evaluation of the status of those wells during the next inspection of the site, and to proceed with formal abandonment at that time if that is necessary. NRC should be kept informed regarding the actual status of these wells and any additional action required to close them consistent with applicable requirements and commitments.

As discussed in the LTSP, the Estes Gulch disposal site is located on public land that was previously administered by the U.S. Department of the Interior's Bureau of Land Management (BLM). The land was transferred to DOE by BLM effective August 28, 1991. As a result of this permanent transfer, the land is no longer subject to the operation of the general land laws, including mining and mineral leasing. Since the transfer vested in the DOE the full management, jurisdiction, and liability for the land and all activities conducted thereon, NRC finds the long-term care arrangements for the Rifle disposal site to be acceptable.

NRC staff has determined that the revised LTSP satisfies the requirements set forth in the Uranium Mill Tailings Radiation Control Act of 1978 for long-term surveillance of a disposal site,

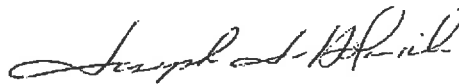
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and all requirements in 10 CFR Part 40.27 for an LTSP. In accordance with DOE's guidance document for long-term surveillance, all further NRC/DOE interaction on the long-term care of the Rifle site will be conducted with the DOE's Grand Junction Project Office.

An environmental assessment is not required for this action because this action is categorically excluded under 10 CFR 51.22(c)(11).

If you have any questions concerning this subject please contact the NRC Project Manager, Janet Lambert, at (301) 415-6710.

Sincerely,



Joseph J. Holonich, Chief
Uranium Recovery Branch
Division of Waste Management
Office of Nuclear Material Safety
and Safeguards

cc: S. Arp, DOE Alb
F. Bosiljevac, DOE Alb
R. Edge, DOE GRJ
E. Artiglia, TAC Alb

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