



Department of Energy
Washington, DC 20585

February 5, 2018

Mr. Dominick A. Orlando
Senior Project Manager
U.S. Nuclear Regulatory Commission
Mail Stop T8F5
Washington, DC 20555-0001

WM-00063

Subject: Concerns about Anomalies at the Mexican Hat Uranium Mill Tailings Radiation Control Act Site

Dear Mr. Orlando:

This letter is a response to concerns Ms. Bloedel raised during a meeting between the Navajo Nation Environmental Protection Agency, U.S. Nuclear Regulatory Commission, U.S. Environmental Protection Agency (EPA), and U.S. Department of Energy Office of Legacy Management (DOE-LM) on April 8, 2016 in Monument Valley, Utah. During the meeting she raised concerns about elevated gamma readings in an area adjacent to the Mexican Hat, Uranium Mill Tailings Radiation Control Act (UMTRCA) site near Halchita, Utah. She also indicated that these concerns were raised to DOE-LM and the EPA in the past.

On June 30, 2016, the Navajo Nation, DOE-LM, and the contractor to DOE-LM located the areas of concern raised by Ms. Bloedel. These areas of concern were areas previously located by the DOE-LM contractor and Navajo Nation on July 11, 2011. In 2011, the DOE-LM investigated the elevated gamma readings and provided Navajo Nation with the results determining the areas in question still met the EPA cleanup standards for UMTRCA.

Enclosed is a supporting letter and site trip report addressing Ms. Bloedel's concerns.

Please contact me at (970) 248-6621 or angelita.denny@lm.doe.gov if you have any questions. Please address any correspondence to:

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

Sincerely,

Angelita Denny, Site Manager
Office of Legacy Management

Enclosures

NM5501



cc w/enclosures:

D. Benn, NNEPA

L. Reeves, EPA

R. Bush, DOE-LM (e)

E. Tyrell, Navarro (e)

File: HAT 0030.10 (records)

Sites\HAT\12-7-17 HAT Stakeholder Concerns re Anomalies (NRC)

MEXICAN HAT, UT
UMTRCA Title I Site
Trip Report
July 11, 2011

- Location:** West of the Title I Disposal Cell Mexican Hat, Utah in the area of the sewage treatment lagoons and the former mill area.
- Personnel:** Tom Maveal, and Anthony Martinez Health Physics personnel of SM Stoller Corporation based out of the Grand Junction Projects office.
- Objective:** Follow up to request by Navajo EPA Representative (Cassandra Bloedel) and Navajo Nation Dept of Justice David Taylor to assess potential environmental concern near old mill site area (email correspondence Taylor to Plessinger, June 20, 2011).
- Attachments:** Email correspondence containing results of survey by DOE Contractor Staff (Stoller); Figures illustrating Areas 1 & 2 with Completion Report Verification Grid, Email Site photos.

Site Activities: Tom Maveal and Anthony Martinez (Stoller) met with Eugene Esplain , Cassandra Bloedel, and Levon Benalli (Navajo Nation) at 0930 on Monday July 11, 2011. Tom and Anthony were informed that the steel balls which were initially identified during the first finding had been removed by the Navajo Nation after determining that the balls did not have any elevated radiation detected.

Tom briefed the group on the JSA and Plan of the Day. Cassandra showed the group to the areas of concern. Surveys were completed of two areas which identified 3 hotspots above background identified east of the former mill site but outside of the Disposal Cell boundary. Two figures are provided illustrating the locations of the two areas and the corresponding hotspots.

The Instruments provided and used for the survey by Stoller consisted of a SC-132/EL-0047 Crutch Scintillometer (Cal due date 7/25/11), and for detail work when a hot spot was identified a FH-40 G-L coupled to a FHZ732 GM probe. Surveys completed were considered screening level surveys only which did not include sampling of soil. Pictures were taken and the areas recorded with a GPS for the generation of the figures.

The first area (Area 1) was shaped like a boomerang with dimensions of about 90' x 90'; most of the area had elevated reading 2-3 times background (100 counts per second) using the scintilometer. The area was constructed of rock ledges or tiers. Photos were taken and sent out in an earlier email (attached), with the middle tier of Area 1 which contained the elevated readings. Two hot spots that we flagged which were (subsurface) had reading from 800 - 1000cps on the scintilometer. No construction debris was observed in the area of the hotspots; this was the area where the steel balls were found and picked up. Cassandra Bloedel insisted that there were more balls from the ball mill in the area; however, after a search of the area no additional balls were located. .

The second area (Area 2) was shaped like a bullet, about 100 yards long and 30 yards wide on a shelf / mesa. The elevated readings were mainly on the north and east side of the area. The area appeared to be scraped down to the resistant sandstone layer. Some areas mainly to the east showed some black staining on the hard and loose rock, which appeared scorched. Some slag looking material was also found with one piece measuring 3' square on the far east end of the shelf/mesa. This piece of slag had elevated reading of twice background (100cps) with the scintilometer. On the north end of Area 2 some discolored staining of green and yellow was found, which also had elevated readings of twice background with one hot spot of approximately 400 cps.

At 10:45 Cassandra Bloedel relayed to the team prior to her leaving the site the concern of possible contaminated materials blowing to the school area and erosion taking the contaminated material to the river when it rains. After Cassandra left, the team completed Area 2 mapping with a GPS and then mobilized to the west side of the tailing pile. Levon, Eugene and Tom walked over to the north side of the Mexican Hat disposal cell to look at a location thought to be seeping from the cell. They returned about 12:30 and Tom said there was no leakage or seeps visible in area of concern. At 12:30 the team left the area for Tuba City.

Results of Review of Completion Report

The Final Completion Report for the Mexican Hat / Monument Valley Sites produced by MK-Ferguson Company for the U.S.DOE in April 1997 was reviewed by Stoller. The attached figure shows the location of the hot spots in correlation with verification grid. The following notes from the review are provided:

- Areas 1 and 2 were located within grids K and P of the Completion Report. These areas were remediated and verified to meet EPA standards for radium-226 (5 ± 1.1 pCi/g). (This was reviewed and concurred on by NRC at the time of the report).
- The average Ra-226 verification measurement for Mexican Hat, ranged from 2.1 to 2.7 pCi/g depending on the measurement technique used (soils left in-place).
- The highest level of Ra-226 in a verification sample in Grid K and P (Appendix J covering the two surveyed areas) was 5.6 pCi/g.
- The completion report did not cite any exceptions in either of the two grids.
- The HGVS measurement was used in Grids K-30 and K-37 to measure Ra-226 in solid rock. These results (3.4 and 3.6 pCi/g) also met standards.
- Most of the two grids had 6-inches (15 cm) remediated and only a few sub grids (30' by 30') had more than 6-inches removed.
- Since many of the measurements exceeded background, but were still less than cleanup standards, you would detect some slightly elevated gamma measurements in different parts of the grid.

End of Trip Report

Attachments: Correspondence
Figures
Photos

AREA 1

Gillespie, Joey (CONTR)

From: Elmer, John (CONTR)
Sent: Thursday, July 14, 2011 4:05 PM
To: Widdop, Michael (CONTR)
Cc: Gillespie, Joey (CONTR)
Subject: FW:

Follow Up Flag: Follow up
Flag Status: Red

Attachments: photo.JPG; ATT142144.txt



photo.JPG (430 KB)ATT142144.txt (91
B)

fyi

John Elmer, PE
Principal Engineer
S.M. Stoller Corporation
Contractor to DOE Office of Legacy Management
2597 Legacy Way, Grand Junction CO 81503
970-263-9299
john.elmer@lm.doe.gov

-----Original Message-----

From: Maveal, Thomas (CONTR)
Sent: Thursday, July 14, 2011 2:12 PM
To: Elmer, John (CONTR); Hurshman, Michael (CONTR); Dutcher, Andria (CONTR)
Subject: FW:

Everyone, This is the first area we were taken to. We Identified it as Area 1. The area was shaped like a boomerang and about 90' X 90' Most of the area had elevated reading 2-3 time background using the scintilometer. In the picture you can see 3 tiers. The middle tier was the area with elevated levels. The picture was taken standing on the middle tier At the point that your looking at were two hot spots (subsurface) with readings as high as from 800-100- CPS on the scintilometer. No construction debris was seen in this area.

Background = 100 CPS on Scintilometer

-----Original Message-----

From: Thomas Maveal [mailto:fruitvale3067@me.com]
Sent: Wednesday, July 13, 2011 4:57 PM
To: Maveal, Thomas (CONTR)
Subject:

AREA 1 90'x90' BOOMERANG
CEIL COVER IN BKGND SHAPE



AREA 1 Hot SPOTS

Gillespie, Joey (CONTR)

From: Elmer, John (CONTR)
Sent: Thursday, July 14, 2011 4:05 PM
To: Widdop, Michael (CONTR)
Cc: Gillespie, Joey (CONTR)
Subject: FW: Hot spots Mexican Hat

Follow Up Flag: Follow up
Flag Status: Red

Attachments: photo.JPG; ATT142387.txt



photo.JPG (624 KB)ATT142387.txt (91 B)

John Elmer, PE
Principal Engineer
S.M. Stoller Corporation
Contractor to DOE Office of Legacy Management
2597 Legacy Way, Grand Junction CO 81503
970-263-9299
john.elmer@lm.doe.gov

-----Original Message-----

From: Maveal, Thomas (CONTR)
Sent: Thursday, July 14, 2011 2:15 PM
To: Elmer, John (CONTR); Hurshman, Michael (CONTR); Dutcher, Andria (CONTR)
Subject: FW: Hot spots Mexican Hat

This photo is take of the two Hot Spots mentioned in the previous e-mail and photo. Again subsurface, and no construction debris

-----Original Message-----

From: Thomas Maveal [mailto:fruitvale3067@me.com]
Sent: Wednesday, July 13, 2011 5:01 PM
To: Maveal, Thomas (CONTR)
Subject:

"2 HOT SPOTS" AREA 1 90'x90'
(800-100 CPS)
AREA READINGS 2-3 TIMES BKGND



Gillespie, Joey (CONTR)

AREA 2

From: Elmer, John (CONTR)
Sent: Thursday, July 14, 2011 4:06 PM
To: Widdop, Michael (CONTR)
Cc: Gillespie, Joey (CONTR)
Subject: FW: Area 2

Follow Up Flag: Follow up
Flag Status: Red

Attachments: photo.JPG; ATT142377.txt



photo.JPG (440 KB)ATT142377.txt (91 B)

John Elmer, PE
Principal Engineer
S.M. Stoller Corporation
Contractor to DOE Office of Legacy Management
2597 Legacy Way, Grand Junction CO 81503
970-263-9299
john.elmer@lm.doe.gov

-----Original Message-----

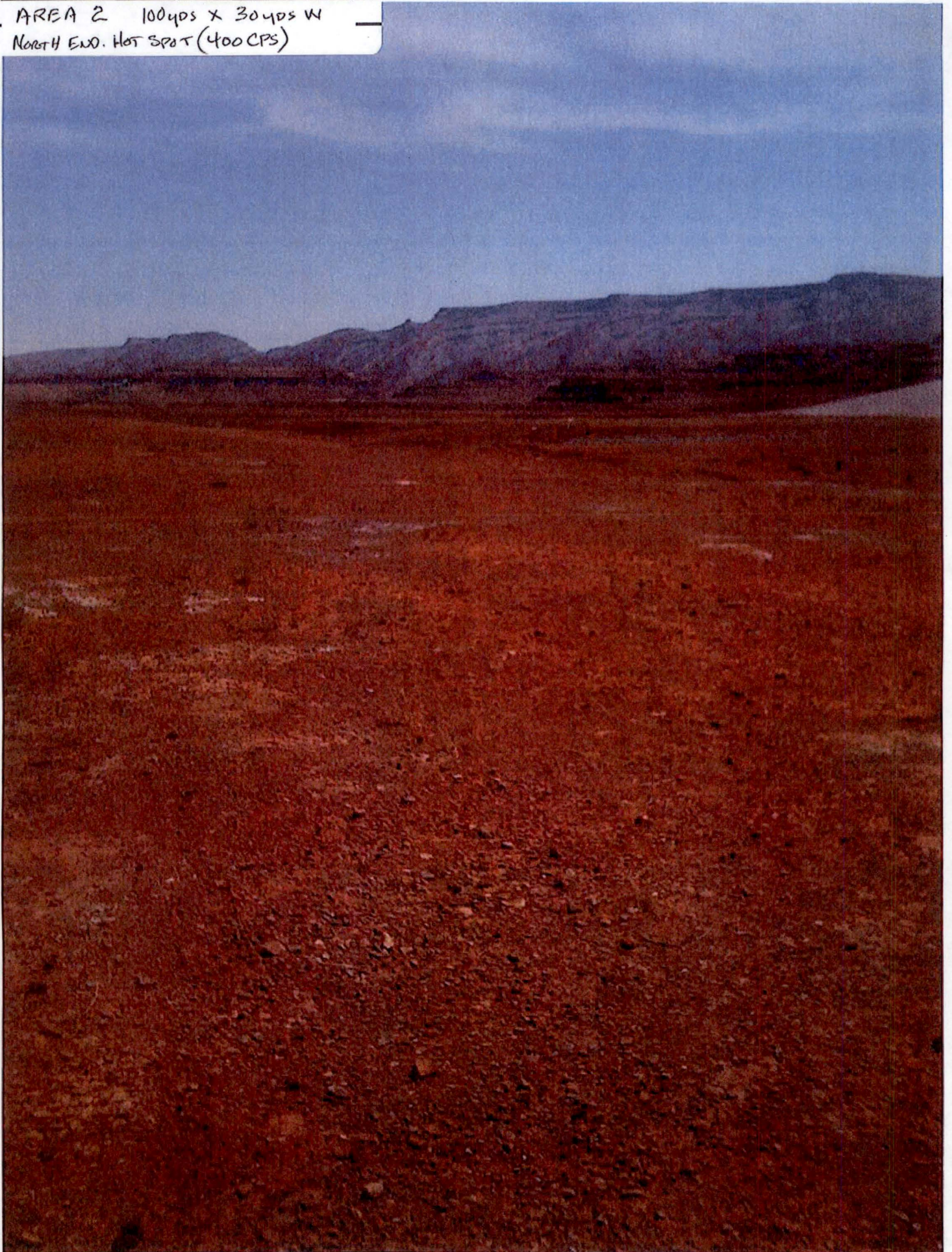
From: Maveal, Thomas (CONTR)
Sent: Thursday, July 14, 2011 2:27 PM
To: Elmer, John (CONTR); Hurshman, Michael (CONTR); Dutcher, Andria (CONTR)
Subject: FW: Area 2

This is a photo of Area 2. This area is shaped like a 22 bullet. About 100 yards long, and 30 yards wide and is on a shelf/mesa . (the picture doesn't show the area very well). The elevated readings were mainly on the north and west side of area 2. Photo is facing west. EAST JEG
The area appeared to be scraped down to hard sandstone layer. Some areas mainly to the EAST JEG
EAST JEG west showed some black staining on the hard and loose rock. Looked like from a fire. Some EAST JEG
Slag looking material was also found with one piece measuring 3'square on the far west end EAST JEG
of this shelf/mesa. This slag piece have elevated readings of twice background. On the north end of area some discolored staining of green and yellow, that also had elevated readings of twice background and one hot spot of approximately 400 CPS. Both area's 1 and 2 were GPS'ed

-----Original Message-----

From: Thomas Maveal [mailto:fruitvale3067@me.com]
Sent: Wednesday, July 13, 2011 4:59 PM
To: Maveal, Thomas (CONTR)
Subject:

AREA 2 100yds x 30yds W
NORTH END. HOT SPOT (400 CPS)



Gillespie, Joey (CONTR)

AREA 2

"Discolored Rock"

From: Elmer, John (CONTR)
Sent: Thursday, July 14, 2011 4:06 PM
To: Widdop, Michael (CONTR)
Cc: Gillespie, Joey (CONTR)
Subject: FW: Discolored rock Mexican Hat

Follow Up Flag: Follow up
Flag Status: Red

Attachments: photo.JPG; ATT142422.txt



photo.JPG (642 KB)ATT142422.txt (91 B)

John Elmer, PE
Principal Engineer
S.M. Stoller Corporation
Contractor to DOE Office of Legacy Management
2597 Legacy Way, Grand Junction CO 81503
970-263-9299
john.elmer@lm.doe.gov

-----Original Message-----

From: Maveal, Thomas (CONTR)
Sent: Thursday, July 14, 2011 2:38 PM
To: Elmer, John (CONTR); Dutcher, Andria (CONTR); Hurshman, Michael (CONTR)
Subject: FW: Discolored rock Mexican Hat

This photo is of the discolored rock in area 2 along the north edge. Center of photo is some light yellow, upper right is Greenish discoloring. Twice background with Scintilometer. The material was fixed to the hard sandstone layer and not on any of the loose rock. You had to work at it to get some to come off. John do you remember we also ran into this at Monticello at the bottom of the carbonite pile. We actually high pressure washed off that area to get it completely clean. This looks like a similar situation.

We have old maps and GPSed the areas. Once we get those plotted we might be able to determine where exactly these areas were in regards to the old mill and tailings piles. From our old maps we were guessing Area 2 looked to be where the Mill was. Area 1 is another story. Maybe an old haul road. We'll have a better idea once the GPS info is plotted to a map.

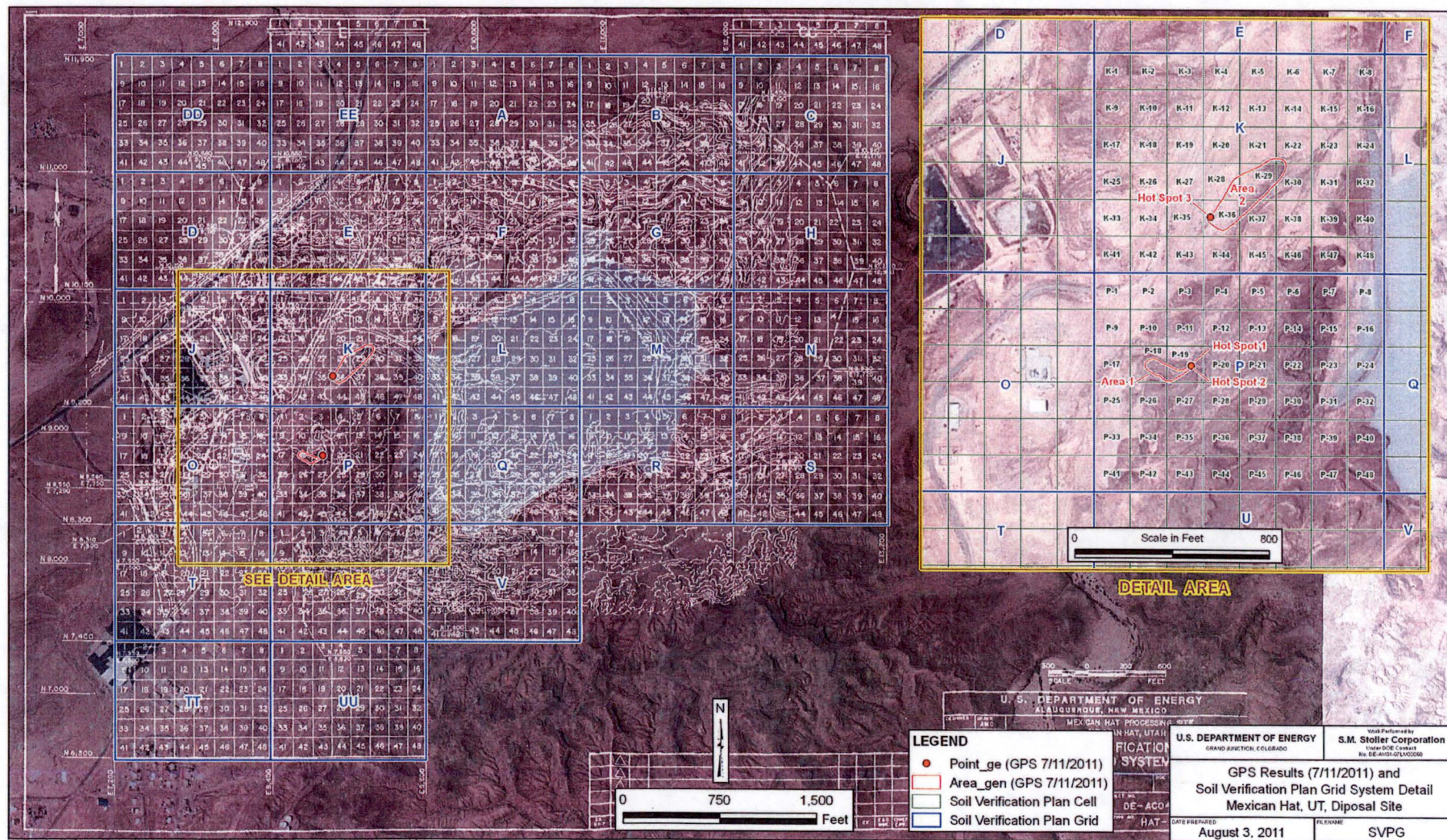
In general Area 1 was slightly hotter than area 2

-----Original Message-----

From: Thomas Maveal [mailto:fruitvale3067@me.com]
Sent: Wednesday, July 13, 2011 5:00 PM
To: Maveal, Thomas (CONTR)
Subject:

"DISCOLORED ROCK" AREA 2
TWICE BKGND (100 CPS) w/ SCINTLOMETER





V:\01\MexicanHatDiposalProject\WorkArea\mshw-0110718_ML_Area\SVPG.mxd smshw 08/03/2011 4:14:12 PM



Department of Energy
Washington, DC 20585



October 12, 2011

Mr. David Taylor
Department of Justice, Navajo Nation
P. O. Box 2010
Window Rock, AZ 86515

Subject: Results of Screening Level Radiological Survey of Two Areas West of the Title I Disposal Cell, Mexican Hat, Utah, and Review of Completion Reports Data

Dear Mr. Taylor:

This letter is in response to your June 20, 2011, e-mail request for a radiological screening of areas outside of the boundary of the Uranium Mill Tailings Radiation Control Act (UMTRCA) Title I Disposal Cell at Mexican Hat, Utah. The U.S. Department of Energy (DOE) has completed a screening level survey and evaluated the two areas of concern raised by the Navajo Nation. The areas were located within the former mill site area and tailings piles which were remediated by DOE between 1992 and 1995. The e-mail request described elevated counts per minute and steel balls which were believed to be associated with uranium mill operations near the Mexican Hat former mill site. The Navajo Nation Environmental Protection Agency (NNEPA) expressed concern that the areas were accessible to the public and given the preliminary findings, believed that it was important to get a better understanding of the location and any potential health and/or environmental risk associated with the site.

S. M. Stoller Corporation (Stoller), contractor for DOE, mobilized to the site with NNEPA on July 11, 2011, to screen the select areas with radiological instruments. Tom Maveal and Anthony Martinez (Stoller), both DOE qualified Radiological Control Technicians, met with Eugene Esplain, Cassandra Bloedel, and Levon Benally, Jr. (Navajo Nation) on Monday, July 11, 2011.

The completed surveys were considered screening level only and did not include soil sampling. Instrument readings are provided in counts per second (cps). Photographs and maps are included as enclosures to this letter.

Representatives of the Navajo Nation directed the group to the two areas described in the request. Surveys of both areas identified three areas above background (established at the site as 100 cps) in an area located west of the disposal cell. The figure provided as an enclosure illustrates the two locations and corresponding hot spots. Stoller was informed that the steel balls described in the e-mail request had been removed by the Navajo Nation after determining that the balls did not have elevated readings.



Mr. David Taylor

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The first area (Area 1 photo) was shaped like a boomerang with dimensions of about 30 square yards; most of the area had elevated readings 2-3 times background using the scintilometer. The area consisted of natural rock ledges. Two hot spots were located exhibiting readings between 800-1000 cps on the scintilometer. No construction debris was observed in the area of the hot spots; this coincided with the area where the steel balls were found and removed. A search of the area for additional mill related materials was performed and nothing was identified.

The second area (Area 2 photo) was shaped like a bullet, about 100 yards long and 30 yards wide on a shelf/mesa. The elevated readings were mainly on the north and east side. The area appeared to have been scraped down to the resistant sandstone layer by the remedial action. Some areas, mainly to the east, showed some black staining on the hard and loose rock, which appeared scorched. Material resembling slag was found along the far, east end of the rock shelf. This material registered twice background with the scintilometer. On the north end of Area 2, some discolored staining of green and yellow was found, which registered twice background (one location registering approximately 400 cps).

Results of Survey and Review of Completion Report

Stoller reviewed the Final Completion Report for the Mexican Hat and Monument Valley Sites from April 1997, concurred on by the U. S. Nuclear Regulatory Commission (NRC), confirming U. S. Environmental Protection Agency (EPA) standards had been met. The enclosed figure shows the location of the hot spots in correlation with verification grid established during the remediation. The following notes from the review are provided:

- Areas 1 and 2 were located within grids K and P of the Completion Report. These areas were remediated and verified to meet EPA standards for radium-226 (Ra-226) (5 ± 1.1 pCi/g).
- The average Ra-226 verification measurement of soils left in-place at Mexican Hat ranged from 2.1 to 2.7 pCi/g.
- The highest level of Ra-226 in a verification sample in Grid K and P (Appendix J covering the two surveyed areas) was 5.6 pCi/g which is less than the cleanup standard of 6.1 pCi/g.
- The completion report did not cite any exceptions in either of the two grids.
- The Hand-held Gamma Verification System measurement technique was used in Grids K-30 and K-37 to measure Ra-226 in solid rock. These results (3.4 and 3.6 pCi/g) were below the EPA standards.
- Most of the two grids had 6-inches (15 cm) remediated and only a few sub grids (30' by 30') had more than 6-inches removed.

October 12, 2011

Mr. David Taylor

-3-


- Since some measurements exceeded background, but were still less than cleanup standards, this would explain detection of some slightly elevated gamma measurements in different parts of the grid. In addition, because the cleanup standard is based on the average concentration over 100 square meters, small areas of elevated readings may still exist.

In conclusion, DOE has determined, based on the completion report and the results of this screening level survey that the areas in question still meets the applicable cleanup standards established by EPA for UMTRCA. Mill related debris or materials were not identified during the survey and the steel balls could not be inspected.

Please call me at 970-248-6073 if you have any questions. Please send any correspondence to:

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

Sincerely,



Richard P. Bush
Site Manager

Enclosures

cc w/enclosures:

L. Benally, Jr., Navajo Nation

C. Bloedel, Navajo Nation

E. Esplain, Navajo Nation

A. Gil, DOE

D. Shafer, DOE

J. Elmer, Stoller

J. Gillespie, Stoller

File: HAT 100.02 (A) (rc. grand junction)

Prepared by: Richard P. Bush

File Name: Bush/Mexican Hat/10-4-11 Radiological Survey.doc

Date Typed: 10/04/11

Finalized by: B. Barker

CONCURRENCE

LM-20

Name: R. Bush

Date:

RB 10/11/11

LM-20

Name: D. Shafer

Date:

OFFICIAL FILE COPY

Record Note:

Is this letter an environment-related relevant communication?

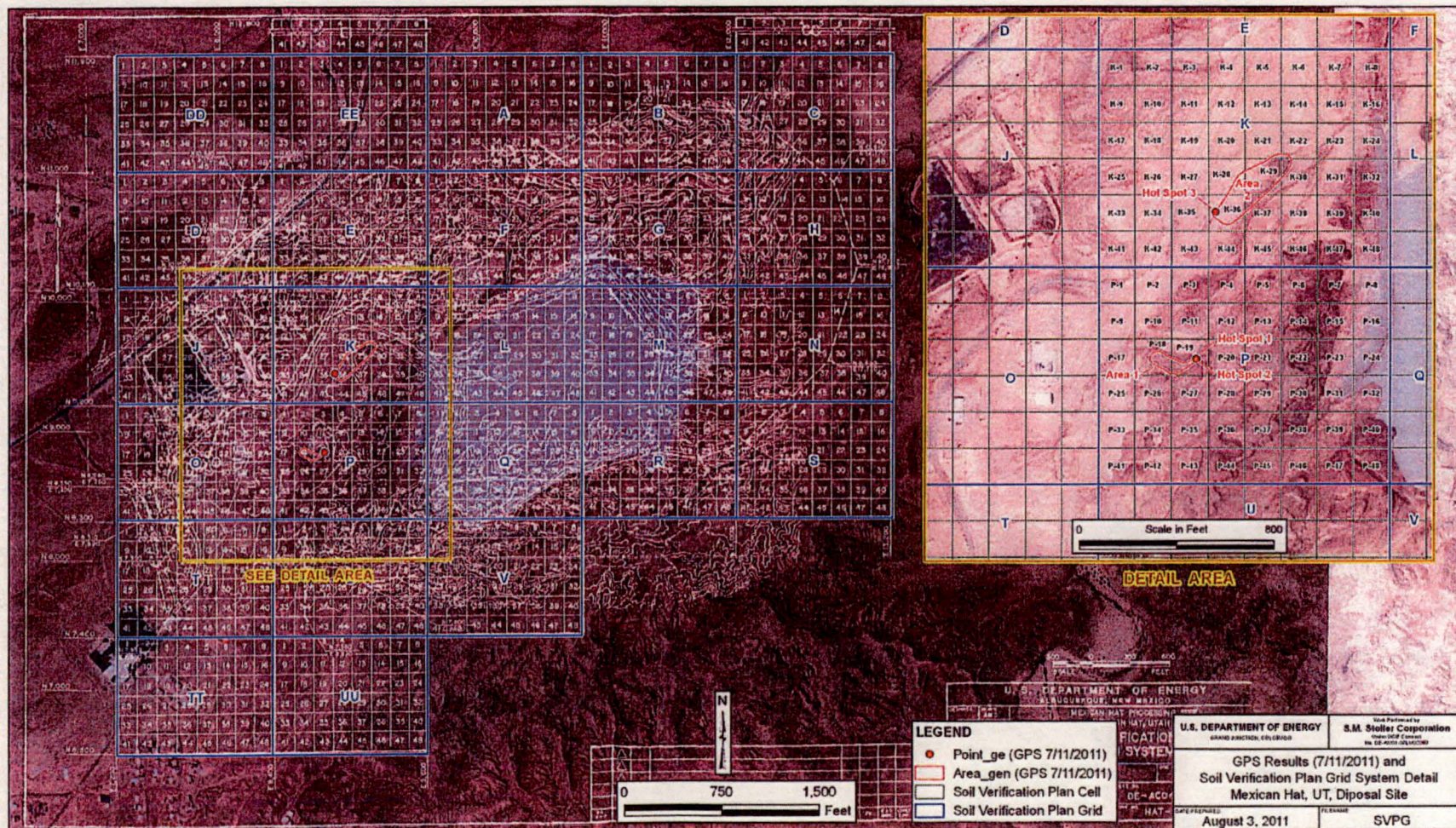
[i.e., Is the letter (1) responding to a communication *from* an external stakeholder and (a) addressing a complaint, (b) changing a work plan, or (c) setting a standard or precedence; or (2) summarizing a stakeholder meeting?]

If "Yes", the information related to this document should be entered into the E-Comm system as part of the tracking process.

☐ Yes

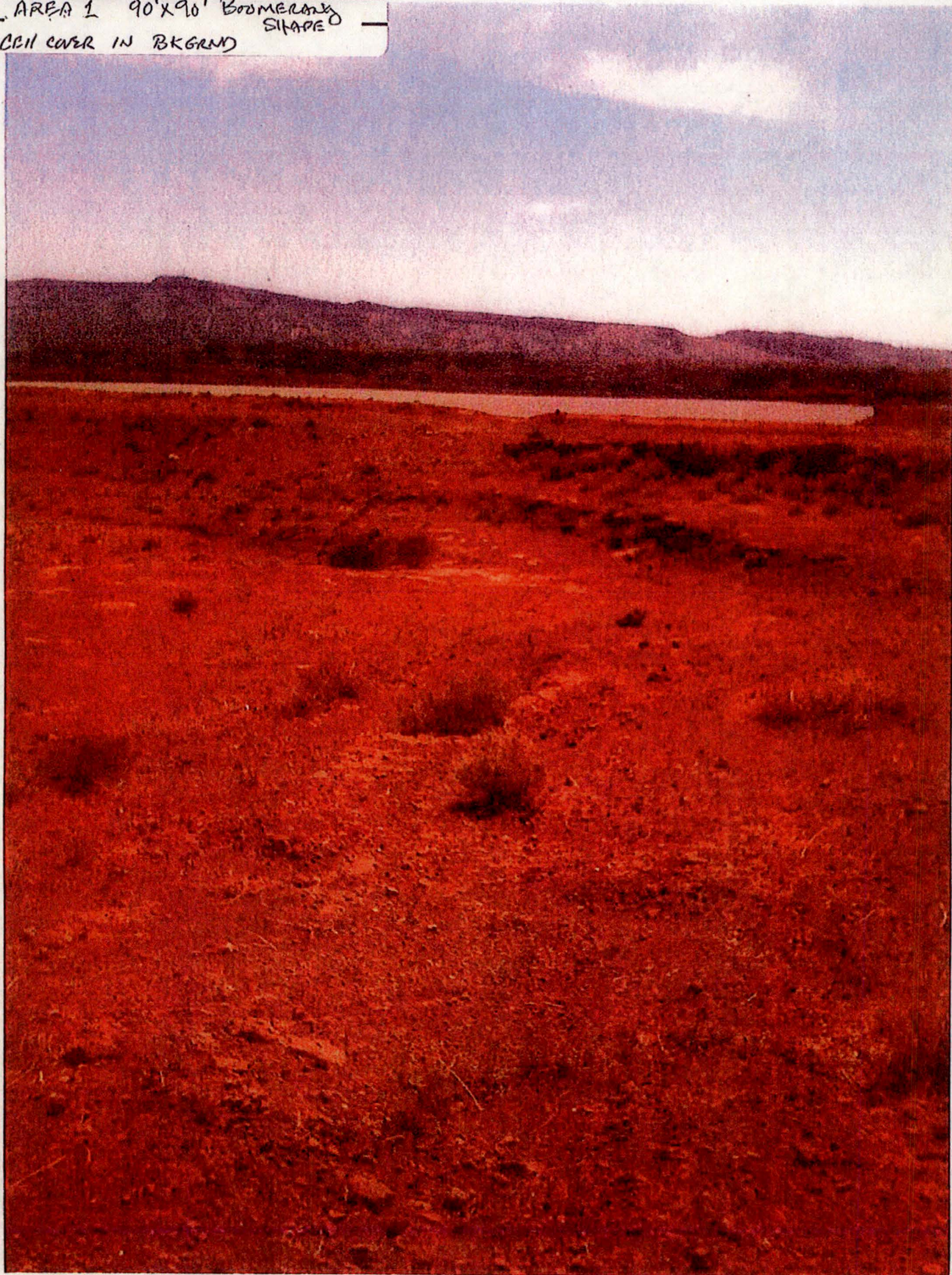
☐ No

Entered into E-Comm: _____



V:\UT\MexicanHat\Disposal\Projects\AreaGen\AreaGen.mxd 9/8/2011 2:14:12 PM

AREA 1 90'X90' BOOMERANG
CEN COVER IN BKGRND SHAPE



AREA 2 100yds X 30yds W
NORTH END. HOT SPOT (400 CPS)



"DISCOLORED ROCK" AREA 2
TWICE BKGND (100 CPS) w/ SCINTLOMETER



Barker, Brandee (CONTR)

From: Bush, Richard
Sent: Wednesday, October 12, 2011 1:26 PM
To: Barker, Brandee (CONTR)
Subject: FW: Area of potential environmental concern, Mexican Hat UMTRCA site
Importance: High

Here is a forwarded message that originally went to Tracy P.

Richard P. Bush
Site Manager
DOE Office of Legacy Management
2597 Legacy Way
Grand Junction, CO 81503
970-248-6073

-----Original Message-----

From: Shafer, David
Sent: Tuesday, June 21, 2011 10:13 AM
To: Bush, Richard
Subject: FW: Area of potential environmental concern, Mexican Hat UMTRCA site
Importance: High

Rich--Rather a long email train, but I wanted you to have the original, and we obviously need to discuss. Thanks, David S.

-----Original Message-----

From: Plessinger, Tracy
Sent: Monday, June 20, 2011 4:29 PM
To: 'David Taylor'; Shafer, David
Cc: Cassandra Bloedel; Stephen B. Etsitty (stephenbetsitty@navajo.org); Stephen B. Etsitty (sbetsitty@usa.net); Diane Malone (dianemalone54@hotmail.com)
Subject: RE: Area of potential environmental concern, Mexican Hat UMTRCA site
Importance: High

Hello, Dave--

I am forwarding your e-mail to David Shafer, who has taken over my role here in Grand Junction as Team Leader for Legacy Management's UMTRCA sites. He can be reached at 970-248-6091 or at david.shafer@lm.doe.gov

As I'm still physically here in the office until this fall, I'll keep watch on this to assure that David responds to you; he is out of the office through Wednesday of this week.

Thanks much,
Tracy

-----Original Message-----

From: David Taylor [mailto:dtaylor@nndoj.org]
Sent: Monday, June 20, 2011 4:21 PM
To: Plessinger, Tracy
Cc: Cassandra Bloedel; Stephen B. Etsitty (stephenbetsitty@navajo.org); Stephen B. Etsitty (sbetsitty@usa.net); Diane Malone (dianemalone54@hotmail.com)
Subject: Area of potential environmental concern, Mexican Hat UMTRCA site

Good Afternoon Tracy:

The purpose of this e-mail is to alert the U.S. Department of Energy to an area of potential environmental concern in the immediate vicinity of the Mexican Hat UMTRCA site.

In order to give you an idea of the exact location I am attaching an aerial map provided to me by Cassandra Bloedel. Please feel free to conduct Cassandra directly should you have questions regarding the reason for our concern or the exact location of the area. As you can tell from the map the area is located very near the UMTRCA tailings pile and very near a local school. Cassandra also indicated to me that there are a number of ATV tracks in the area suggesting that it is regularly visited by local residents.

Cassandra called me yesterday, Sunday afternoon, indicating that she had visited the site with a couple of contractors who brought gamma detectors with them. They obtained readings ranging from 80,000 to 130,000 counts per minute which, according to Cassandra, is consistent with readings obtained at the Highway 160 site. They also found what appeared to be metal balls which they believed to be associated with uranium mill operations.

Given the fact that this area is apparently accessible to the public, and, given these preliminary findings and given the proximity to a local school we believe it is important for all of us to get a better understanding of any potential health and environmental risks associated with this site as soon as possible.

Therefore, we are asking DOE to visit the site as soon as possible for purposes of making an independent determination as to whether or not any immediate actions need to be taken to protect human health and the environment.

If you are not the appropriate person at DOE to receive this notification I trust you will forward it accordingly.

Additionally, in the event there is a legal, environmental or practical reason why DOE cannot quickly followup on this report please make sure that I get notified as soon as possible.

Your attention to this matter is greatly appreciated.

Dave Taylor

David A. Taylor
Navajo Nation Department of Justice
P.O. Box 2010
Window Rock, AZ 86515
928-871-6347
928-871-6226 direct
928-871-6177 fax
dtaylor@nndoj.org

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